

# CITY OF WALKER

## MUNICIPAL HANDBOOK



**Revised April 29, 2019**

# WALKER, LOUISIANA

# EMPLOYEE HANDBOOK

## FORWARD

This employee handbook is to be utilized as a basic reference concerning policies and procedures, privileges and opportunities, and obligations and responsibilities affecting employees of the City of Walker. It is intended as a convenient guide and therefore does not contain every policy and has only excerpts from others. You may obtain complete information from the actual policy documents located in the office of the Municipal Clerk for the City of Walker. These include the following:

- Code of Ordinances for the City of Walker
- Job classifications
- Salary structures and pay scales
  - Handbook for Municipal Officials in Louisiana (includes Lawrason Act)

Information contained in this handbook does not create any contractual rights for City employees. Policies contained in the handbook do not increase or diminish the legally enforceable rights of the City and its employees. The misapplication or failure to follow any specific provision in this handbook should not be grounds for setting aside or modifying any employment decision when it has been determined by the appropriate administrative authority that the decision was fairly made and is in the best interest of the City. Because the City is the initiator of change and is also subject to various external legal and regulatory forces requiring change, the information in this handbook will be revised as the City of Walker determines that conditions warrant.



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# CITY OF WALKER LOUISIANA

The City of Walker is a municipality located in Livingston Parish in the State of Louisiana. The City is constantly in a state of dynamic transition with a rapidly growing population and ever increasing commercial development. The public education system that serves Livingston Parish and the City of Walker is consistently ranked in the top 2 public school systems in the state based on student scores and public support. The City of Walker prides itself on its low crime rate, cleanliness of the City, and abundant recreational activities that provide an excellent atmosphere to live and raise a family.

The City of Walker is managed by a Mayor and City Council elected by a majority of the populace of the municipality and governed by the Lawrason Act of the Louisiana Legislature. The Lawrason Act sets forth the powers and duties of all elected/appointed officials and provides the mechanism for establishing those positions. In addition and upon recommendation of the Mayor and a majority approval of the City Council, a Municipal Clerk, and Tax Collector are also officials that aid in the management of the City. The Chief of Police is an elected position in the City of Walker and is responsible for employing and managing a full-time police force.

Walker was originally named Milton Old Field for Michael Milton who claimed land in 1853. Walker post office was established in 1856 and named for state legislator William E. Walker, MD. The City of Walker was incorporated in 1909.

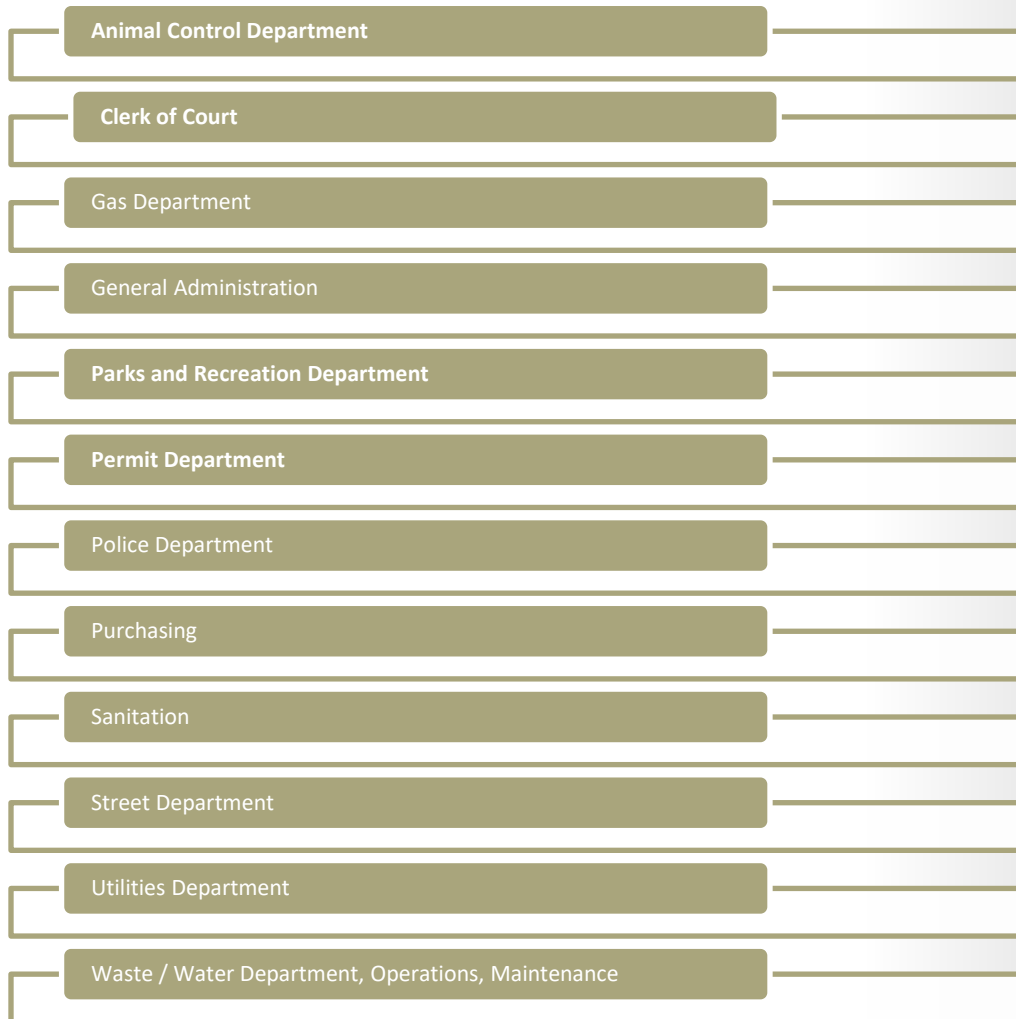
Today the City owns and manages its own water and natural gas systems along with a public wastewater treatment plant and collection system. Garbage collection is privatized and contracted yearly.

Fire protection is provided by Fire Protection District #4 whose income is derived from a one cent sales tax collected in Livingston Parish.

The City also manages two public parks, which provide recreational opportunities for the area residents.

## DEPARTMENTS

Several departments are established within the infrastructure of the City of Walker to ensure efficient operation of the City. A departmental supervisor that reports directly to the Chief of Operations and Department of Public Works Director manages each department and oversees personnel necessary to maintain acceptable work performance standards (exception: Police Department answers directly to the Chief of Police). The departments are as follows:





# MUNICIPAL OFFICERS

As per the requirements of and duties outlined by the Lawrason Act, the City of Walker elects or appoints the following municipal officers:

Title	Term
Mayor	elected to four-year term
Chief of Police	elected to four-year term
City Council (5)	elected to four-year term
Municipal Clerk	Recommended by Mayor, approved by majority vote of councilmen; serves at pleasure of Mayor and city council.
Tax Collector	Recommended by Mayor, approved by majority vote of councilmen; serves at pleasure of Mayor and <b>city council</b> .

One **city council person** will serve as Mayor Pro Tempore with the responsibilities as outlined in the Lawrason Act.

## TYPES OF EMPLOYEES

In addition to the Municipal Officers required by the Lawrason Act, The City of Walker has established the following appointed positions (recommended by the Mayor and approved by the majority vote of the City Council):

1. Clerk of Court
2. DPW Director
3. Chief of Operations
4. Finance Director
5. Department Head: Gas, Water/Sewerage, Streets

All full-time, permanent employees of the City of Walker are considered at will employees and are subject to the provisions of this handbook. However, the Councilmen of Lawrason Act municipalities, pursuant to R.S. 33:362, are required, by ordinance, to provide policies and procedures regulating the employment of municipal employees, including the hiring and firing of such employees. The Mayor is empowered, subject to applicable state laws, ordinances, and civil service rules, to appoint and remove municipal employees, other than employees of a police department with an elected chief of police.

Additionally, the appointment or removal of non-elected municipal clerk, tax collector, municipal attorney, any department head, or the auditor is subject to approval of the city council {R.S. 33:404(A)(3)}.

Generally, all full-time employees are hired for an indefinite period of time and unspecified term and neither this handbook nor any rule, guideline, or policy promulgated supplemental to this handbook is intended to be an employment contract. The Mayor and the board shall determine the number and kinds of positions. Job descriptions shall be developed and maintained for each job category by the appropriate department head and approved by the Mayor and the board.

For the purpose of flexible staffing and to address special work requirements, the Mayor within the limitations of the budgetary appropriations, may employ temporary employees:

Rates of pay must comply with federal minimum wage and overtime requirements.

#### EXCLUDED EMPLOYEES

Elected city council, temporary or contingent (seasonal or transient) employees, contract workers and student workers are excluded from the provisions of this handbook and therefore not eligible for the included employee benefits. No temporary appointment may exceed 180 days without prior approval of the Council.

#### NEW EMPLOYEES / FILLING VACANCIES

Prior to a position being filled, a determination must be made by the Mayor or chief of police, as applicable, that a position is open and is to be filled. Also, certification must be made that sufficient funds are available within the budget to pay the employee, including fringe benefits. A vacancy refers to a newly created position or the replacement of an employee in an existing position.

- All vacancies shall be publicized in the ‘Official Journal of Record’ and/or other applicable forms of advertisement for a minimum of (3) three days to ensure equal opportunity for applicants to apply for the position.
- The City of Walker and Police Department will provide each applicant with a standardized application form.
- The City of Walker will accept applications for a period of (7) seven days after close of advertisement to allow time for all applicants to complete and submit official application form.
- All applicants shall be required to disclose the conviction of any felony crime on the application form and provide proof of a valid driver’s license.

- Any applicant falsifying any information on the application will be dropped from consideration of employment. Any employee who provided false information on the application form will be subject to disciplinary action up to and including termination.
- Each applicant who has been offered employment with the City of Walker shall be required to take a drug test, provided by the City at a physician or laboratory of the City's choice, as a precondition to such employment.
- Each applicant who has been offered employment with the City of Walker shall have a complete criminal background check conducted by the Walker Police Department as a precondition of such employment. **Individuals convicted of a felony are not eligible for employment with the City of Walker.**
- All information obtained by the City of Walker as a precondition of employment will remain confidential, up and until the individual accepts employment with the City, at which time the records are subject to the Louisiana Public Records law (see section 'Employees Record Confidentiality').
- Police Department employees are hired on recommendation of the Police Chief with the approval of the Mayor and city council. Pursuant to the Lawrason Act LA. R.S. 33:321 et seq.
- Police Department is to follow hiring procedures outlined in Section 2.52 et seq. of the Code of Ordinances.

## PROMOTION

The City of Walker will promote within its workforce whenever possible. However, all promotions are to be based upon work performance, education and experience, and other appropriate factors without bias.

## EMPLOYEE ORIENTATION

The City of Walker shall provide and each new employee shall take part in, an orientation period consisting of reviewing the municipality's personnel ordinances, rules and policies, safety rules and regulations, employee benefits, job duties, and other pertinent rules, regulations, ordinances, and laws.

## PROBATIONARY PERIOD

The probationary period for new employees shall be for a period of thirty (30) days to allow the City of Walker to determine if the employee's performance meets accepted standards of the City and provide the employee with an opportunity to determine whether he/she is satisfied with the position.

- During the probationary period, training needs and opportunities shall be identified to help the employee achieve performance goals based on needs identified in employee evaluations.
- During the probationary period, no classification or pay change shall occur and employment can be terminated by the City if he/she does not meet performance standards or by the employee, without notice.
- Completion of the probationary period does not necessitate any classification or pay change nor is it to be interpreted as a contract with the employee for employment for any definite or specified time.

## EMPLOYEE GUIDELINES

### EMPLOYEE STANDARD OF CONDUCT

As an employee of the City of Walker, you are expected to represent the City in a professional manner at all times. In addition, the following is required:

### ACCIDENTS

- Employees are required to report any accident or damage involving City vehicles and/or equipment, however minor, to the appropriate department supervisor *immediately* even if the accident occurs after 5:00

p.m. or on weekends or holidays. A drug/alcohol test must be performed on **ALL** accidents.

- An Accident Report or Damage Report (see Municipal Clerk) must be completed by the involved employee and submitted to the immediate supervisor within 24 hours of occurrence of the accident. The Supervisor must then submit Accident Report/Damage Report to Municipal Clerk within 24 hours.

## ALCOHOL

- No employee or volunteer shall possess, distribute, dispense, sell, use or ingest any alcoholic beverage during work hours or on municipal premises or in the immediate premises wherever municipal work is being conducted.
- No employee shall report to work under the influence of alcohol.
- No employee may be called out for emergency work if they have consumed alcoholic beverages within the previous 12 hours. It is the employee's responsibility to inform the department supervisor of his condition.

## FATIGUE REQUIREMENTS

- A. Employees may not work more than 16 hours of secondary employment combined with regular duty. This combination of hours shall not include regular days off.
- B. Officers may not work more than 16 hours per day of secondary or extra duty employment combined with regular duty. This combination of hours shall **not** include regular days off, court overtime or other departmental overtime unless otherwise specified by the Chief of Police.

## APPEARANCE

### **APPEARANCE/DRESS CODE POLICY**

Employees are to dress appropriately and be neat and well groomed at all times while working. Clothes should be clean and pressed at all times. Shoes should be clean, closed-toe, and in good condition.

Employees are expected to maintain a professional standard of cleanliness and personal hygiene.

Hair must be clean, neat and if colored, maintained in a natural tone. This means no colors such as green, purple, blue, pink, etc. Shaggy, un-kept hair is not permissible regardless of the length.

Public Works employees: Hair beyond shoulder length must be tied back and restrained by either a cap or pins so that it will not catch in equipment.

City employees may wear beards, goatees and mustaches that are neatly trimmed and no more than (1) inch in length. Facial hair must be well kept and fully-grown with no patches. Goatees and beards must be kept trimmed above the neckline (above the Adam's apple). Sideburns may not pass earlobes.

Visible tattoos of an offensive nature and body piercings (excluding ears) are not allowed.

If questionable attire is worn in the office, the respective supervisor will hold a private discussion with the employee regarding the requirements of the dress policy. If the supervisor needs assistance in communicating with an employee regarding the appropriateness of his/her attire, or personal appearance, the department supervisor may be contacted for assistance.

Violation of this policy may result in reprimand or disciplinary action.

Employees seeking an exception from any of the above standards should speak with their immediate supervisor.

## ATTENDANCE

- Punctuality and consistent attendance is expected of all employees. For required absences see Leave section of Handbook.
- Any employee absent from work for three consecutive days without prior notification of his department supervisor will be considered to having abandoned and voluntarily resigned his position.

## DRUGS

- The City of Walker is fully committed to the policy of keeping controlled drugs out of the workplace and society in general. It is therefore, the policy of this government to prohibit in the workplace the unlawful possession, use, dispensation, distribution, or manufacture of controlled substances. Violation of this policy will result in disciplinary action up to, and including, termination of employment. Depending on the circumstances, other action, including notification of appropriate law enforcement agencies, may be taken against any violator of this policy. Any employee arrested in connection with a criminal drug

violation in the workplace will be placed on personal leave of absence without pay and could face termination of employment pending the outcome of any legal investigation and conviction.

- An employee shall notify his department supervisor, who shall then notify the Mayor, of any criminal drug statute conviction for a violation occurring in the municipal workplace no later than five days after such conviction (see Drug free Workplace).

#### PRESCRIPTION MEDICINE

- Except for law enforcement investigation purposes, no prescription medicine shall be brought upon City of Walker premises by any person other than the person for whom the medicine is prescribed by a physician, and such medicine shall be used only in the manner, combination, and quantity prescribed.
- Any employee or volunteer required to take a prescription medicine shall notify his department supervisor of the type of medication prescribed and may be required to provide written certification from the prescribing physician.
- No employee or volunteer shall operate a City motor vehicle or equipment or carry a firearm while taking prescription medication, unless the prescribing physician advises the employee's or volunteer's department supervisor in writing that the medication will not impair his abilities to perform his/her job duties.
- Failure to follow the provisions of proper reporting of prescription drug use and subsequent failure of drug testing as a result of prescription medication will be grounds for dismissal.

Continuous random drug tests are required by the City and employees are mandated to participate. If an employee is randomly selected for drug testing and is not at work on the day selected, then the employee will be tested on the day he/she returns to work.

Employees who know they have a drug use problem should contact the Administrative Office for information about where to go for assistance. All inquiries will be maintained in the strictest confidence. Also, certain forms of drug treatment may be covered by the employee health insurance plan. You should check your insurance manual for more information about coverage.

#### PURCHASES OF MERCHANDISE WITH CITY FUNDS

No employee may enter into an agreement to obtain services or purchase items with City funds without the expressed consent of the appropriate departmental supervisor with authorization and approval of the Mayor and within the limitations

of the approved budget. All purchases must be made using approved requisition obtained from the purchasing agent for the City of Walker.

## EMPLOYEE EVALUATION

The appropriate department supervisor shall evaluate the performance of each employee for the City of Walker annually. The chief of police or his designate will evaluate police personnel and the Mayor shall evaluate department supervisors. Copies of evaluations will be placed in the employee's personnel file for a minimum of three years.

- The Mayor and Council may inspect the evaluation of an employee of the City whenever the employee is a subject of a proposed personnel action such as salary increase, promotion, transfer, reprimand, demotion, suspension, or termination.
- The evaluation shall be in writing on forms approved by the Mayor and the Councilmen (see Human Resources).
- Each employee shall receive a copy of his evaluation.
- If an employee disagrees with the performance evaluation, he may submit a written statement of rebuttal to the Mayor and Councilmen.



## VIOLENCE IN THE WORKPLACE

Employees are the most valuable resource of the City of Walker and their safety and security are essential to carrying out their responsibilities. Each employee has a reasonable expectation to perform his/her assigned duties in an atmosphere free of threats and assaults. It is the purpose of this section of the handbook to ensure the highest standards of safety for all employees, officials and visitors of the City of Walker. The City will take all reasonably available steps to protect all such persons from violence.

Recognizing the increasing incidence of violence in the workplace, the Governor of the State of Louisiana has issued Executive Order MJF 97-15 effective March 5, 1997 committing the Governor and the State of Louisiana to work toward a violence free workplace for state employees.

The City of Walker shall assume the responsibility to comply with all federal and state statutes, rules, regulations, and/or guidelines in making reasonable efforts to:

- Hire, train, supervise, and discipline employees;
- Intervene in situations of harassment in the workplace where the employer is aware of the harassment;
- Ensure employees and/or independent contractors are fit for duty, and do not pose unnecessary risk to others;
- Provide security precautions and other measures in order to minimize the risk of foreseeable criminal intrusion based upon prior experience or location in a dangerous area;
- Maintain an adequate level of security;
- Provide employee training in the City's plan, warning signs of potential of violent behavior and precautions which may enhance the personal safety of the employee at work;
- The City will warn an employee of a credible threat made by another to do harm to that employee;
- Support the application of sanctions and/or prosecution of offenders, as appropriate;
- Accommodate, after appropriate evaluation, employees who require special assistance following incidents of workplace violence;
- Cooperate with law enforcement agencies;
- Establish a uniform violence-reporting system with regular review of submitted reports;
- Initiate procedures to protect employees, who report credible threats, from retaliation; and

- Keep up-to-date records in order to evaluate the effectiveness of changes initiated to prevent workplace violence.

The employees of the City of Walker shall have the responsibility to report to the Mayor's office or Police Department, or both where applicable, all threats or incidents of violent behavior in the workplace, which they observe or of which they were informed. Examples of inappropriate behavior that must be reported include:

- An employee or visitor who may be in possession of a firearm or other dangerous weapon in the workplace as described in the section on Firearms Free Workplace;
- Intimidation through verbal threats;
- Physically touching another employee in an intimidating, malicious, or sexually harassing manner, including such acts as hitting, slapping, poking, kicking, pinching, grabbing and pushing; and
- Physically intimidating others including such acts as obscene gestures, getting in your face, fist shaking, and throwing any object.

An employee who has been threatened or assaulted by another at the workplace will immediately report the situation to his/her supervisor. The supervisor to whom the incident is reported will immediately notify the Mayor and/or the City of Walker Police Department. In an emergency situation, reporting shall be made directly to the Police Department.

Written statements shall be obtained by the Police Department from all involved, including those who witnessed the incident. The statement should answer who, what, when, where, how and why of the incident while the event is still mentally fresh. The written statements should include names of all parties of the incident, including victims, subjects and witnesses.

The following actions should be taken in accordance with the severity of the incident:

**The situation is not dangerous:**

Separate the employees and witnesses involved and isolate them until they are interviewed and their statements are taken;

Document all actions and statements;

**The situation is dangerous:**

Contact the Police Department at 225-664-3125 or 911;

Order all those presenting the danger to leave the facility immediately (unless this action must be taken by the police);

Do not attempt to physically remove an individual (leave it to the police); and

Document all actions and statements.

All incidents of violence in the workplace will result in initiation of the City's disciplinary procedures (see following section in handbook). All parties involved will be subject to disciplinary action up to and including termination.

If the incident involves a member of the Police Department, the investigation will be conducted by an independent law enforcement agency. That decision will be jointly made by the Mayor and Chief of Police.

## EMPLOYEE DISCIPLINE

It is the objective of the City of Walker to establish disciplinary procedures for the City employees that provides:

1. Due process for the employee and,

2. Fair and equitable treatment without regard to race, color, religion, sex, national origin, age, handicap or veterans status.

For all employees it is imperative to ensure that the employees know what is expected of them. The duties and responsibilities of the job, along with the associated work rules must be communicated so that the employee will be forewarned that the failure to meet job expectations will result in some form of discipline.

The type of discipline imposed should be consistent with and reflect the seriousness of the problem. It must be recognized however that some offenses (e.g. theft, fraud, serious negligence, etc.) are so serious that suspension or dismissal is required on the first offense.

Consequently and subject to R.S. 33:404(A)(3), the Mayor may reprimand, verbally or in writing; suspend with or without pay; demote, dismiss, or deny a salary increase to an employee (excluding police personnel) for any of the following reasons:

- Any behavior that interferes with the efficient operation of the City or performance of duties of other employees.
- Performance below the accepted standards for the City.
- Failure to follow and adhere to any of the requirements of this handbook or policy of the City.

- Any other good cause as determined by the Mayor that precludes discrimination.
- The employee may appeal the suspension to the Mayor. However, the Mayor's decision is the final decision.
- The Police Department shall follow Section 2.58 of the Code of Ordinances.

For any of the reasons listed above, an employee's department supervisor may reprimand him either verbally or in writing. In addition, the supervisor may *recommend* to the Mayor that the employee be suspended with or without pay, demoted, dismissed, or denied an increase in pay. **Other than verbal or written reprimands, only the Mayor of the City of Walker has the authority to initiate disciplinary action against any City employee** (excluding police personnel).

Prior to any disciplinary action being initiated against any employee, a written statement must accompany each reason. The Mayor or the employee's supervisor shall present a copy of the statement to the employee or mail a copy of it to the employee at his last known address. At the request of the employee, the Mayor may conduct an informal meeting concerning each reason for the disciplinary action. The Mayor, department supervisor, the employee, and any other person who has direct knowledge of any reason and whom the Mayor has asked to attend may attend the informal meeting.

When disciplinary action is taken, the written statement concerning each reason for the action, any written statement the employee submits in connection with any reason for the action and a notation describing the action taken shall be made a part of the employee's personnel file.

During the course of the investigation, hearing or trial of an employee on any criminal charge, or during the course of any civil action involving the employee, the Mayor may suspend the employee without pay for the duration of the proceedings as a non-disciplinary measure, when considered in the best interests of the City of Walker. Back pay shall not be ordinarily recoverable; but where the suspension is terminated by full reinstatement of the employee, the Mayor may authorize full recovery of pay and benefits for the entire period or for any lesser period of the suspension.

An employee whose performance is unsatisfactory shall be notified how his work is deficient and what he/she must do if his work is to be satisfactory. If the employee's work continues to be below standard, the Mayor may demote or dismiss the employee subject to R.S. 33:404(A)(3).

## TERMINATION FROM SERVICE

All City of Walker employees (with the exception of police personnel) hold their positions at the pleasure of the Mayor, unless otherwise stated in the City ordinances or Lawrason Act. Services of the employees may be terminated at any time with reasonable cause by giving such employees reasonable notice. Three types of termination of service are possible:

1. Termination with cause:

- a. An employee, other than a department head, Municipal Clerk, or employee of the police department can be dismissed only after approval of the Mayor.
  - b. A department head or Municipal Clerk can be dismissed only upon recommendation of the Mayor and approval by the Councilmen.
  - c. An employee of the police department can be dismissed only upon the recommendation of the chief of police and approval of the Mayor and Councilmen, pursuant to Section 2.58 of the Code of Ordinances.
  - d. Employees terminated with cause will be dismissed immediately.
2. The City must terminate employees through no fault of the employees:
- a. The employee with the least seniority in the department shall be laid off first provided, in the opinion of the department supervisor that all employees not laid off due to higher seniority are qualified to perform any job that is asked of them. If such employee cannot perform such job then he will be laid off in lieu of a lower ranking seniority employee who can perform the job duties that are asked of him.
  - b. A two-week severance notice shall be sent to all prospective laid off-employees.
  - c. Each laid-off employee shall, upon reapplying to the City, be considered for re-employment.

Employees that resign voluntarily shall submit a letter of resignation to his/her department supervisor two weeks prior to the date of resignation. The City of Walker, as a recognized public municipality in the State of Louisiana, does not offer severance pay to any employee who resigns or is dismissed from their job, regardless of the circumstances of their dismissal.

## GRIEVANCE PROCEDURES

- If you have a job-related problem or are involved in a work situation with which you are dissatisfied and unable to resolve on your own, you may seek formal resolution of this problem by following the City of Walker's grievance procedures. Any employee, may make a complaint about or appeal any decision relating to the circumstances of his employment with the following exceptions:
  1. Salary recommendations can be contested only if it can be shown that there exists a significant departure from established office procedures and such departure significantly affected the decision.
  2. Promotional decisions can be contested only if an employee can demonstrate that established promotional policies or procedures were not followed or were unfairly applied.
  3. Work activity that reasonably may be expected to be part of the employee's regular job position.
  4. Work activity accepted by the employee as a condition of employment.
  5. The specific contents (rather than an interpretation of the contents) of any municipal employee personnel ordinance, policy, guideline, or regulation.
  6. Methods, means, and personnel by which the Mayor and department supervisors choose to carry out the responsibilities properly assigned.
  7. Elimination of a position or layoff of an employee. City of Walker employees hold their positions at the pleasure of the Mayor and may be terminated with reasonable notice (with the exception of police personnel).
- Any question concerning whether a specific complaint or appeal of a decision may be made is solely within the discretion of the Mayor and/or the Chief of Operations.
- When any employee who wishes to file a grievance, the following procedure must be followed:

The employee must first discuss the grievance with his departmental supervisor. If the matter is not resolved:

1. The employee shall prepare a written complaint or appeal and submit it to his department supervisor.
2. The department supervisor will meet with and prepare a written response to the employee's appeal.
3. Copies of the appeal and response are to be provided to the Mayor's office by the departmental supervisor within 3 working days of the appeal being filed.

If the employee is not satisfied with the department supervisor's response:

1. The employee must appeal the decision in writing to the Mayor within five (5) working days after receipt of the department supervisor's response.
  2. After receipt of the appeal the Mayor, at his discretion, may meet with the employee and the employee's supervisor.
  3. The employee and employee's supervisor will be asked to present written documentation and testimony.
  4. After the appeals process, the Mayor will provide the employee with his written decision concerning the appeal within 7 workdays after the meeting.
  5. The decision of the Mayor is final.
- If the department supervisor fails to fulfill his obligations in the appeal process in the mandated time frame, the employee may appeal directly to the Mayor.
  - If, after the appeals procedure has begun, the employee fails to fulfill his obligations in the appeal process in the mandated time frame, the complaint or appeal shall be dropped.
  - At any stage of the appeals process, the most recent decision that has been rendered on the complaint or appeal shall remain in force until such time as that decision has been upheld, reversed, or modified.
  - Back pay shall not be ordinarily recoverable; but where the disciplinary action is reversed or modified, the Mayor may authorize full recovery of pay and benefits for the entire period or for any lesser period.

- Retaliation for filing a grievance is strictly prohibited. No employee shall take reprisal action against an employee who uses the grievance procedure, serves as an advisor, or participates in any way (i.e. witness) in the grievance process. Any employee violating this provision against retaliation shall be subject to disciplinary action, up to and including termination.
- No employee shall use an official position in an attempt to improperly influence the grievance procedure.
- The decision to utilize the grievance procedure shall not deny any employee the right to file a charge of unlawful discrimination with the appropriate state and/or federal agencies.
- Copies of the official forms are available from the municipal clerk. These forms are to be used by all employees seeking resolution of a grievance under the grievance procedure. No formal grievance may be considered unless it is properly made on the official grievance form as supplied by the City.

#### EMPLOYEE RECORDS CONFIDENTIALITY

It is the intent of the City of Walker to establish reasonable balance among (1) Requirements of the Louisiana Public Records law, (2) Privacy rights of individual employees of the City, and (3) Availability of information necessary to accomplish the purposes of the City.

The courts have ruled that certain records may be exempt from the Public Records Law because the nature of the information is so personal that the disclosure of the records would constitute an invasion of privacy, according to Article 1, Section 5 of the Louisiana Constitution.

Exemptions include but may not be limited to:

1. Police records pertaining to pending or reasonably anticipated criminal litigation.
2. Home address and telephone numbers of public employees when the employees request that they be kept confidential, and any medical and insurance records of the employee.
3. Any personal tax return or the information contained in any tax return. However, the name and address of any person who obtains an occupational license, the information on the license and information as to whether an occupational license has been issued to a particular person shall be public records.



The City of Walker may maintain the following types of records in personnel files:

1. Personnel Records – any record maintained in any administrative office of the City in connection with the recruitment and employment of any person whether the record is stored in printed or written form, micro graphically, electronically or otherwise. Such records include but are not necessarily limited to letters of application, personal resumes, letters of recommendation, academic records, materials furnished by a placement service, appointment forms, records of promotion or other changes in status subsequent to appointment, salary raises, leave accrual, personnel action, performance evaluations, and correspondence in the employee’s personnel folder between the individual employee and any administrative officer of the City.
2. Employee Medical Records – medical records of an employee relating to the employment relationship between the employee and the City or, if related to worker’s compensation, may only be maintained in a secure file separate from the employee’s personnel file. Because medical records of an individual employee may involve worker’s compensation matters, only the Mayor and board may have access to the information
3. Law Enforcement Records – records held by a law enforcement agency, including the City of Walker Police Department, except for the initial arrest record, do not become public records until such time as any criminal charges have been finally adjudicated or otherwise settled. Such records may only be made a part of an employee’s personnel record if directly bearing on the employment relationship and, in any case, only in the personnel records of the City.
4. Office of Internal Auditing – working papers and other materials gathered by City auditors become available as public records only in the form of a completed audit report upon its issuance. Audit reports may only be made a part of the employee’s personnel records if applicable to employee discipline.
5. Grievance and Disciplinary Hearings – Papers, notes, tapes, and minutes of grievance or disciplinary proceedings are not personnel records until such time as those proceedings are completed.

Conditions for access of records:

1. All City employees may review their own official personnel records. The personnel record of any individual will be made available to him or her upon written request.
2. The City does not provide information about applicants for employment until such time as they become employees. The resumes of applicants for employment, therefore, will be considered confidential unless the applicant agrees to the release of the information or until the applicant becomes an employee of the City.

3. The Mayor and Councilmen will have access to the personnel files of all employees. The Custodian of Records may give access to the files to any administrative officer or other employee of the City who, in the judgment of the custodian of the personnel record, must have access in order to carry out his/her duties. Custodians will also provide access to files in response to court orders and subpoenas but should consult with the City's legal counsel before doing so.
4. All persons having access to personnel files will regard the contents (other than directory information) as confidential and will not divulge such contents to prospective employers, credit agencies, governmental agencies or to other persons except as specified above or with the expressed written consent of the employee.
5. Access to medical records is available only to the Mayor and Councilmen. Supervisors and managers may be informed regarding necessary restrictions in the work or duties of the employee and necessary accommodations resulting from medical information contained in such information.
6. Breach of personnel records confidentiality by any employee of the City will be considered cause for disciplinary action up to and including termination.

## EMPLOYEE INFORMATION

### PAYROLL

All City employees (including police officers) are paid bi-weekly. Supervisors are responsible for maintaining an accounting of the time worked by each employee in their department and accurately report this time to the payroll clerk by 1:00 p.m. Monday.

- Payroll Deductions. There are two types of deductions, those required by law and those authorized by you.

The law requires that regular amounts be deducted from your pay and applied toward payment of your federal and state income taxes, if applicable, and contribution to Social Security. You are responsible to notify payroll of tax deduction changes in writing.

- Full-time employees shall be compensated according to the City of Walker's pay plan.
- Each employee must personally account for his own time.
- Any employee who falsifies a time card or sheet will be subject to discipline up to and including termination.

All employees are required to participate in direct deposit; therefore, your earnings will be deposited by the City directly into the bank account that you designate.

Forms to sign up for the direct deposit requirement are part of the new employee orientation package or may be obtained from the Municipal Clerk's office. In addition, the City's accounting/payroll department will deduct insurance and applicable medical benefits from your check prior to taxes being withheld if you are part of the offered cafeteria savings plan. However, participation in the cafeteria plan is optional and changes may be made to the plan only on the open enrollment period.

To ensure proper withholding of taxable deductions, you must immediately report any change in the number of dependents claimed on your withholding forms to the accounting/payroll department. In addition, as a new employee, all appointment and necessary forms must be completed and returned to the accountant/payroll office promptly to ensure payment in a timely fashion.

**Payday:** Employees of the City of Walker are to be paid bi-weekly, receiving their paychecks on Friday. If for reasons beyond the control of the City of Walker the checks cannot be distributed by this time, they are to be distributed as soon as possible thereafter. All payroll checks will be direct deposited no later than Friday of the week of payroll.

**Pay Plan and Practices:** The City of Walker maintains a classification and pay plan for all jobs in the government. Job classifications are determined based on actual job duties. Similar duties and responsibilities are grouped together but this does not mean that every job in a classification will be identical.

Job classifications are assigned to pay grades and each employee within a classification will be paid at a designated step within that pay grade. Pay, as much as possible, will be based on what is currently being paid for similar jobs in the area. Increases to pay are not automatic, but will be determined each year based upon the budgetary and financial constraints of the City of Walker. It is the responsibility of the Mayor to assess the financial condition of the City and make appropriate pay recommendations in the annual budget submitted to the Councilmen for approval.

## TRAVEL

As an employee of the City of Walker it may be necessary at times to travel on official City business. When travel is required for the purpose of City business, you will be eligible for reimbursement of necessary traveling expenses subject to restrictions outlined in this section.

1. No claim shall be made for any lodging and/or meals furnished at no cost to the employee. No mileage or transportation expense will be allowed an employee when gratuitously transported by another person.
2. The Mayor, or his Chief of Operations or Chief of Police, if Police Department, upon recommendation of the appropriate department supervisor must approve all travel in advance.

## PROCEDURE FOR REQUESTING TRAVEL

1. Request to travel must be submitted on forms provided the Municipal Clerk for the City of Walker. The requesting employee must complete and sign the forms and forward them to the appropriate supervisor.
2. Appropriate completed forms must be submitted to the Mayor, or his Chief of Operations, or Chief of Police at least five days prior to the date of travel.
3. Approval of travel will be the final decision of the Mayor, or his Chief of Operations, or Chief of Police based on needs of the City, funds available for travel, and usefulness of travel for development or training of the personnel.

All lodging and commercial travel must be arranged through the Mayor or Chief of Operations' office.

Travel advances are prohibited except for overnight travel.

Reimbursement of expenses incurred during approved travel shall be in accordance with the following:

1. Common carrier must be used for out-of-state travel unless utilization of another means of travel is more cost-efficient or practical. Commercial air travel will be reimbursed only at coach or economy class rates.
2. A mileage allowance will be allowed for employees using their personally owned vehicles in approved travel according to the standard rate per mile in that calendar year as per the State of Louisiana.

Note: Generally, City-owned vehicles should be used for in-state travel. Normal expense as allowed by the Internal Revenue Service for use of your personal vehicle may be reimbursed when you present documentation with your travel expense report. To be eligible for reimbursement of personal vehicle use, you are required to have general liability insurance of at least \$25,000 per individual and \$50,000 per accident.

3. Other expenses that may be reimbursed but do not require receipts are:  
telephone/telegraph charges for official business; parking at self service lots when less than \$5.00; and charges for toll roads, bridges and ferries.

## MEALS AND LODGING

No receipts are required for meals at or below normal rates, but will be required for any cost above normal rate. Meal reimbursements will only be made for day travel 50 miles or more from the City of Walker and accordingly to the following qualifications:

1. Breakfast will be reimbursed at \$9.00 per day when travel begins at/or before 6:00 a.m. on the first day of travel or extends beyond 9:00 a.m. on the last day of travel and for all intervening days.
2. Lunch will be reimbursed at a rate of \$13.00 per day when travel begins at/or before 10:00 a.m. on the first day of travel or extends beyond 2:00 p.m. on the last day of travel and for any intervening days.
3. Dinner will be reimbursed at a rate of \$29.00 per day when travel begins at/or before 4:00 p.m. on the first day of travel, or extends beyond 8:00 p.m. on the last day of travel, and for any intervening days.

Expenses incidental to travel shall be reimbursed for the following: (with copy of receipt).

1. Communication expenses relative to City business.
2. Extra expenses with prior approval of Mayor, Chief of Operations or Chief of Police if Police Department.
3. Registration fees for meetings or conferences.
4. Charges for storage and handling of equipment.
5. Public transportation such as buses or taxis when occurred as part of approved travel.
6. Tips for baggage, not to exceed \$1.00 per bag.
7. Parking fees, ferry fares and bridge tolls.

When traveling on official business, you may request reimbursement of your expenses by submitting a travel expense voucher (obtained from municipal clerk) to the accounting department. Appropriate approvals, documentation, and receipts must support the travel expense voucher. You are required to submit an expense report no later than ten days from the end of the travel period.

## IDENTIFICATION CARDS

Employees may be issued official identification cards by the City of Walker for the purpose of identification as an employee of the City and allow access to City activities, facilities, and services. Each card includes a unique photograph, text, and encoded information for the individual to whom it is issued.

ID cards are the property of the City, may not be used to obtain City services after employment with the City has ended, and must be surrendered upon request by an authorized authority of the City.

## HOURS

Regular office hours are from 7:00 a.m. to 5:30 p.m. Monday through Thursday. Field hours are from 6:30 a.m. to 5:00 p.m. Monday through Thursday.

- For all full-time permanent employees, the regular work week shall be 40 hours from Monday through Thursday, except as otherwise determined and approved by the Mayor and the board.
- The workweek shall be designated as Monday through Sunday for the purpose of payroll, accounting, leave, and overtime purposes with the exception of on-call employees.
- Except as specifically required by the Mayor or the appropriate department supervisor, no employee shall begin work prior to 7:00 a.m., work during the designated lunch period, or work after 5:30 p.m.
- If it is necessary for employees, other than police personnel, to work beyond the regular workday, the Mayor or authorized departmental supervisor may authorize or require overtime work.
- If it is necessary for police personnel to work beyond the regular workday, the chief of police or his designee may authorize the overtime work.
- On Call Employees:

Walker Police Department hours are 7:30 a.m. to 4:00 p.m. Monday through Friday. Police officers for the City of Walker work consecutive 12-hour shifts consisting of 4 days and 3 days in a standard 2 week pay period. This effectively provides 84 hours per bi-weekly pay period with 80 hours at basic rate of pay and 4 hours at time and one half (see police manual for additional information). Police personnel shall perform their work during hours established by the chief of police.

## FLEXIBLE WORK HOURS AND STAFFING

The City of Walker's regular business hours shall be from 7:00 a.m. to 5:30 p.m., Monday through Thursday. However, individual departments may have official hours that differ in order to provide necessary services, including multiple shifts.

Departments are encouraged to consider flexible schedules when in the best interest of the employees and the City. The City of Walker recognizes that flexible schedules can improve morale, productivity and recognize the contributions made before and after normal work hours.

Flextime is a work schedule equal to 40 hours per week but differing from the regular business hours. A flextime schedule is appropriate only when the work schedule is beneficial to the City. Working a flextime schedule is a privilege, not an employee right and flexible schedules are not appropriate for all job situations. Flextime schedules may be considered using the following guidelines:

- **Service** – The level of service provided the department shall not decrease. Normally, flextime provides a wider span of service and provides staff with an opportunity to modify their work schedule to fit individual needs. Department supervisors must also consider the workload, flow of work, impact on quality and schedules as they relate to the mission and objectives of the City.
- **Coverage** – Implementation is dependent on ensuring at least minimal coverage during standard business hours, including the lunch period as appropriate. Departments should design alternate work schedules so that adequate supervision is provided. Non-supervisory employees should not be without supervision for long periods of time on a regular basis. Supervisors should be present for each alternate work schedule option.
- **Cross Training** – The department must take whatever actions are necessary to provide cross training/backup assignments in order to ensure at least minimal service for the duration of the normal work hours.
- **Policy Compliance** – Flextime should not be intended to alter the basic understanding that each employee is expected to work 40 hours in a week. Flextime does not change normal attendance requirements. It is important to remember that failure to charge an employee leave for time not worked during the normal work schedule is considered payroll fraud. Non-compliance will result in disciplinary action.
- **Approval** – The department supervisor may approve flextime schedules provided that each workday is 10 hours and a lunch period of 30 minutes to one hour is included. Supervisors shall document each employee's flextime schedule in writing, signed by the employee and submitted to the Mayor. The Mayor has the final decision on approval/disapproval of flextime. It is the responsibility of the department supervisor to ensure that a flexible work hour's policy is administered in an equitable and consistent manner. Failure

to do so will result in the termination of the flextime schedule(s) within that department.

## OVERTIME AND COMPENSATORY TIME

The City of Walker has an overtime policy for its employees established within the requirements of the Fair Labor Standards Act (FLSA), state rules, and other pertinent laws and regulations. An 'overtime hour' is an hour worked by an employee, other than police personnel, at the direction of the Mayor or the authorized department supervisor and is an hour worked by a police department employee at the direction of the chief of police as per the following:

- All non-exempt City employees (other than police department employees) shall earn overtime in the amount of one and one-half (1½) times their standard rate of pay for each hour physically worked in excess of forty (40) hours in a standard 40 hour pay period as an employee of the City of Walker.

All non-exempt police department personnel shall earn overtime in the amount of one and one-half (1 ½) times their standard rate of pay for each hour physically worked in excess of eighty (80) hours in a standard two week pay period as an employee of the City of Walker.

- Consistent with the needs of the City of Walker, the appropriate departmental supervisor shall assure that each employee is allowed compensatory leave or overtime pay for all overtime worked.
- The City limits each employee's total compensatory time to 240 hours accrued. The City must pay employees for any time over 240 hours once the employee's compensatory accrual limit is exceeded.
- Compensatory leave may be taken only with the advance approval of the departmental supervisor. To the extent practicable, it should be taken within the pay period in which it was earned.
- Upon separation from the City, each employee shall be paid the value of his accrued compensatory leave in a lump sum.

All executive, administrative, and professional employees who are "exempt employees" are excluded from the Minimum Wage and Overtime Provisions of the Fair Labor Standards Act. All non-exempt employees will be paid at the rate of time and one-half according to the FLSA.

All employees of the City of Walker are expected to work overtime when necessary. Depending upon whether your job is exempt or nonexempt, you may be paid overtime. Any overtime scheduled must have prior supervisory approval.

All departments are required to limit the amount of paid overtime earned by an employee to the least extent possible. Typically if an employee earns an amount of overtime more than \$5000.00 or 30% of his base salary then alternatives to overtime should be sought. All department supervisors will be required to justify to the Mayor and Councilmen any excessive overtime earned in their department.



The City of Walker shall designate an employee to be responsible for maintaining and processing accurate overtime records. The total number of hours worked must be accurately recorded on the employee's payroll record for that day (hours cannot be shifted to another day). Overtime submitted to payroll must be paid unless recorded as compensatory time earned.

Employees should submit written requests to take compensatory time off following the same City guidelines for requesting annual leave. Compensatory time off will also be recorded on the payroll system for the week in which it was earned. Adjustments to correct compensatory time balances (earned versus taken) must be made using the normal leave tracking system.

**On call employees** (employees who are subject to working after normal hours of business) shall be paid for one (1) hour each day they are on call at 1 ½ times their hourly wage. In addition to the one (1) hour per day "On Call" guarantee, the on call employee shall be paid for all work performed under "On Call" employment on a quarter hour basis. "On Call" hours worked shall be at 1 ½ times their hourly wage.

## LUNCH AND BREAKS

Prior to accepting employment with the City, you will be notified of the time period assigned for lunch. Standard lunch breaks shall be 1/2 hour in duration unless previously approved by the appropriate supervisor and confirmation copied to the Mayor. Lunch breaks must not exceed the allotted time. No travel time can be included in your lunch break.

## TARDINESS

If for some reason you are not able to report to work at your appointed time, you should call your supervisor and report the time that you expect to arrive for work and the reason for being late. This call should be made no later than ½ hour prior to your report time. You will be expected to take appropriate leave time for any time that you do not work. Excessive absences or tardiness to work may also result in disciplinary action, as your supervisor deems appropriate. Tardiness will be documented in 15 minute increments on payroll.

## INSURANCE BENEFITS

### MEDICAL INSURANCE PLANS

The City of Walker offers group hospitalization, accident, and major medical insurance coverage and life insurance coverage for full-time employees and eligible dependents. In addition, the City offers optional dental insurance. As part of a continuing effort to provide benefits to meet the varying needs of its employees and to control spiraling insurance costs, the City yearly evaluates all options for health insurance plans.

*More detailed information on the benefits of each of the plans offered as well as premium amounts and enrollment cards are available in the Administrative Office.*

- The City of Walker may make the following deductions from the employee's paycheck when specifically authorized in writing by the employee: insurance premiums, hospital medical plan premiums, and charitable contributions.
- Coverage in an insurance program shall be optional for each full-time employee.
- The City of Walker pays a set portion of the premium for the health coverage plan. Once you have signed up for coverage in the Health Insurance plan, you can make changes to your coverage only during open enrollment and qualifying event.
- Life insurance is provided for all full time employees at the expense of the City.
- Supplemental insurance coverage is also offered to full time employees. You are required to pay the full cost of premiums for any supplemental coverage you choose.

#### EFFECTIVE DATE OF COVERAGE

If you enroll within your first thirty days of full-time employment, your health or supplemental insurance coverage will be effective the first of the month following your first full calendar month of employment. For example, if your date of hire is July 15<sup>th</sup>, your effective date of coverage will be September 1<sup>st</sup>.

Additions or changes to the plan must adhere to the conditions set forth by the insurance policy in place at the time of employment.

## SOCIAL SECURITY

It is the policy of the City of Walker to provide social security to eligible officers and employees of the City according to the provisions of Section 1 of Act 204, Regular Session of the Louisiana Legislature of 1952, as amended.

- In pursuance of this policy, and for such purpose, the officers of the City of Walker shall take such action as required by applicable state and federal laws and regulations.
- The Mayor may execute any necessary agreement to secure coverage of eligible officers and employees.
- Withholdings from salaries or wages of officers and employees for the purposes provided may be made in the amounts and at the times as may be required by applicable state and federal laws and regulations and shall be paid in the amounts and at the times as are designated by law and regulation.
- Employer contributions and assessments for administrative expenses shall be paid from amounts appropriated for such purposes to the state agency in accordance with applicable state law and regulation.
- The municipal clerk shall maintain records and submit reports as may be required by applicable state and federal law or regulation.

## RETIREMENT BENEFITS

The City of Walker will provide a Retirement program for all full-time employees.

- Withholding from salaries or wages of eligible employees will be made in the appropriate amount and shall be paid bi-weekly to the retirement fund.
- Full time city employees hired prior to January 1, 2014 shall receive a 9% salary contribution to the city's 401(k) defined contribution retirement program.
- Full time city employees hired after December 31, 2013: the City will provide matching funds of 50% on the first six percent of employee contribution after completion of 30 days of service. The City's match will be applied to the first 6 percent of employee contribution to the City's 401(k) defined contribution retirement plan.

Full-time police officers and other full time employees of the City of Walker's Police Department {as defined by R.S. 112213 (11)} have the opportunity to participate in retirement benefits prescribed by the Municipal Police Employees' Retirement System of Louisiana (R.S. 11:221 et. seq). If participation in MPERS is declined, the employee shall be eligible to

participate in the City's 401(K) defined contribution retirement plan effective January 1, 2014.

New employees should consult the retirement plan handbook available from the Municipal Clerk for specifics of your retirement program. As per R.S. 11:164, no retirement benefits are provided for councilmen or other part-time employees, however, the Mayor remains eligible for participation

## TERMINATION OF LEAVE PAYMENTS

### TERMINATION OF SERVICE

The value of your accrued annual leave will be paid in a lump sum. All compensatory time accrued will be paid for according to value at time earned (see Overtime and Compensatory Time). No sick leave will be paid at termination of service.

### EDUCATION OPPORTUNITIES

To encourage and cultivate job satisfaction and improve job performance, all employees are encouraged to attend job related seminars and other educational meetings that are job related. Prior approval of your department supervisor and approval by Mayor or Chief of Police, as appropriate, must be attained prior to registration or attendance.

## WORKMAN'S COMPENSATION

The City of Walker provides workers' compensation benefits to its employees (including part-time employees) in accordance with the Louisiana Workers' Compensation Law. This law is designed to protect you from loss of income due to injuries occurring on the job. This program covers every person performing services arising from and incidental to his or her employment.

If you are injured on the job, you are required to notify your supervisor immediately (if medically prudent). As part of standard City policy, all employees injured on the job will be required to submit to a drug test as soon as medically possible.

To return an employee to the workplace as soon as possible, the City will make reasonable efforts to place returning employees into a meaningful assignment, which he/she can perform while on modified duty on a temporary basis. For work to be considered suitable for modified employment, the following conditions must be met:

1. The employee must meet the required qualifications for the modified job assignment which the employee will be required to perform,

2. The work must be a meaningful and productive part of the City’s operation,
3. The work must conform to the medical restrictions set by the medical care provider, and
4. The modified job assignment and/or modified work schedule cannot exceed six (6) months.

The City cannot guarantee placement and is under no obligation to offer, create, or encumber any specific position for purposes of offering placement on modified duty to an employee on workman’s compensation.

For more details concerning the City of Walker’s workman’s compensation program, contact the Municipal Clerk’s Office.

## HOLIDAYS

The City of Walker observes the following holidays:

### YEARLY HOLIDAY SCHEDULE

8 hour	10 hour	12 hour
New Year’s Day	New Year’s Day	New Year’s Day
Martin Luther King	Martin Luther King	Martin Luther King
Good Friday		
Memorial Day	Memorial Day	Memorial Day
4 <sup>th</sup> of July	4 <sup>th</sup> of July	4 <sup>th</sup> of July
Labor Day	Labor Day	
Veterans Day	Veterans Day	Veterans Day
Thanksgiving	Thanksgiving	Thanksgiving
Acadiana Day		
Christmas Eve	Christmas Eve	Christmas Eve
Christmas Day	Christmas Day	Christmas Day
Floating holiday	Floating holiday	
<b>96 hours</b>	<b>100 hours</b>	<b>96 hours</b>

- A. If holiday falls on day employee is not scheduled to work, it will be observed on regularly scheduled workday preceding or following holiday. Floating holidays must be approved by the Mayor.

- B. Employee will be paid full hourly wage for holiday plus additional full hourly wage for each hour worked during holiday period (essentially 2x pay).
- C. Holiday pay must be provided to the employee in addition to any hours worked during this period. All overtime rules will apply for calculation of wages. Employees are eligible for holidays beginning the date of hire.
- D. Only full-time employees shall be eligible for holiday pay. Employees in non-paid status the day before or the day after the holiday shall not be eligible for holiday pay.
- E. The Mayor, with the approval of the Councilmen, may increase/decrease the number of holidays for a particular year with justification.

## LEAVE

### ANNUAL LEAVE

Employees will be allowed to accrue vacation leave each pay period at an accrual rate based on years of service and the number of hours actually worked, not including overtime, pursuant to the Chart One below. Hours may be carried over annually until the employees next anniversary date pursuant to Chart Two below. The Mayor may approve additional carryover of leave upon his discretion. Any leave approved by the Mayor to be carried over in excess of the maximum allowable, **must be used within the first six (6) months after employee's anniversary date.** Unused vacation leave will be paid out upon termination up to the maximum allowable carryover based on years of service.

Annual leave shall begin accrual on the first day of employment. Any annual leave requested during the probationary period of six (6) months must be approved by the employee's supervisor and the Chief of Operations.

#### CHART ONE: ANNUAL LEAVE PER YEAR OF SERVICE

0 - 2 years	80 hours per year
3 - 4 years	120 hours per year
5 – 9 years	140 hours per year
10 – 19 years	160 hours per year
20 – 29 years	200 hours per year
30+ years	240 hours per year

**CHART TWO: Maximum Number of Hours That May Be Carried Over to Next Year**

0 - 2 years	40 hours per year may be carried over
3 - 4 years	60 hours per year may be carried over
5 – 9 years	80 hours per year may be carried over
10 – 19 years	100 hours per year may be carried over
20 – 29 years	120 hours per year may be carried over
30+ years	140 hours per year may be carried over

**MAXIMUM PAYOUT UPON TERMINATION OF EMPLOYMENT**

<b>YEARS</b>	<b>EARNED LEAVE</b>	<b>CARRY OVER</b>	<b>MAXIMUM PAYOUT AT TERMINATION OF EMPLOYMENT</b>
0-2	80	40	120
3-4	120	60	180
5-9	140	80	220
10-19	160	100	260
20-29	200	120	320
30+	240	140	380

**SICK LEAVE**

Employees will be allowed to accrue sick leave each pay period at an accrual rate based on years of service and on the number of hours actually worked, not including overtime, pursuant to Chart One below. Sick leave may be used at the discretion of the employee upon approval of his/her department head. Sick leave may be accumulated and carried forward to the next fiscal year with an unlimited amount of hours. Unused sick leave will NOT be paid out upon termination of employment.

A Doctor’s excuse may be required by their supervisor for any sick leave taken depending on the employee’s documented past use of sick leave. A Doctor’s excuse shall be required for three or more consecutive days of sick leave.

Sick leave shall begin accrual on the first day of employment. Any sick leave requested during the probationary period of six (6) months must be approved by the employee's supervisor and the Chief of Operations.

Sick leave is for the employee to use if he or she, or anyone listed for FMLA purposes, is ill or has a doctor's appointment. If FMLA is approved, sick leave will run concurrently and leave without pay shall not be considered until all paid leave is utilized.

#### CHART ONE: SICK LEAVE PER YEAR OF SERVICE

0 - 2 years	80 hours per year
3 - 4 years	120 hours per year
5 - 9 years	140 hours per year
10 - 19 years	160 hours per year
20 - 29 years	200 hours per year
30+ years	240 hours per year

## FAMILY AND MEDICAL LEAVE

The Family and Medical Leave Act (FMLA) of 1993 provides for you, as an eligible employee, to take up to 12 work weeks (480 hours) of leave in a "single 12 month period" for any or more of the following.

- Birth of a son or daughter and to provide care for the child.
- Placement of a son or daughter for adoption or foster care.
- Care for a spouse, son, daughter, or parent who has a serious health condition.
- Inability to perform the functions of your job because of your own serious health condition.

The "single 12 month period" is the 12 month period measured forward from the beginning date of the actual event.

To be eligible for FMLA, you must have 12 months of continuous employment with the City of Walker and a minimum of 1250 hours in the preceding year with the City. Leave granted for the care of family members or for the employee's own medical condition, may be taken intermittently when medically necessary shall be considered as a continuation of the FMLA event as long as the total does not exceed and shall be eligible for 480 hours in a calendar year.



You shall be required to provide certification from a registered health provider to be considered for FMLA.

If you are eligible for FMLA, you shall be required to exhaust all annual leave, sick leave, or compensatory time depending on the nature of the absence prior to being placed on authorized leave without pay. During FMLA, the City of Walker will continue to maintain coverage under the same health insurance plan in which you are enrolled as long as normally required employee contributions are received.

Procedure:

If FMLA is foreseeable, please give at least thirty (30) days advance notice to your supervisor and department head. Proper forms will be provided to you to request FMLA.

If FMLA is not foreseeable, inform your supervisor of the need for FMLA as soon as possible. Upon receipt of the FMLA request and substantiation by your physician, the City of Walker will advise you of your approval within 3 working days.

## CIVIL, EMERGENCY, AND SPECIAL LEAVE

An employee shall be given time off without loss of pay, vacation leave, or leave when:

- Performing jury duty
- Summoned to appear as a witness before a court, grand jury, or other public body or commission. However, special leave cannot be granted if the employee is the plaintiff or defendant or the employee has been summoned as a witness as a result of employment other than his/her regular job.
- The Mayor's approval determines that he is prevented by an act of God from performing duty (i.e. disaster pay)
- The employee is a member of the National Guard and is ordered to active duty incident to a local emergency.

NOTE: Paid leave is a benefit available to full-time employees. Any employee hired at less than full-time status is not eligible for paid leave.

## FUNERAL LEAVE

Employees may be granted two (2) days of funeral leave with pay when attending the funeral or burial rites of a parent, step-parent, child, step-child, brother, step-brother, sister, step-sister, spouse, mother-in-law, father-in-law, grand-parent, or grand-child; provided such time off shall not exceed two days on any one occasion. Three (3) days will be allowed if distance to travel is over one hundred fifty (150) miles. Employees may be required to provide documentation to Human Resources verifying need for funeral leave.

## MILITARY LEAVE

Employees who are members of any branch of the United States Armed Forces shall receive up to fifteen (15) working days of paid military leave each calendar year. Upon request, employees shall be approved to use earned vacation and / or sick leave for additional periods of military service beyond the fifteen (15) days of paid leave per year. Employees who have exhausted all military, vacation, and personal leave shall be granted leave without pay while serving for a period not to exceed six (6) years. No leave is earned while on leave without pay; however, all other benefits provided by the City remain in effect with the employee being responsible for remitting payment to cover the employee portion of any premiums.

Military FMLA shall be provided as required under federal guidelines.

## LEAVE WITHOUT PAY

- Authorized leave without pay must be requested in writing in advance and may be granted to you by the Mayor or Chief of Police with Mayor's approval, or imposed by the Mayor for an approved absence. Leave without pay will only be considered when all applicable leave pertaining to the requests for leave without pay is exhausted. Factors considered will be business necessity and impairment to public service. Reasons for granting authorized leave without pay may include but not be limited to:
  - Extended illness.
  - The need to provide care for a family member.
  - Education that will directly increase job effectiveness; and/or
  - Adoption of a child.
- The Mayor may extend **authorized** leave of absence without pay to any employee for a period not to exceed six months, provided such leave shall not prolong the period of his appointment.
- **Unauthorized** leave without pay will be assigned when you do not follow the proper guidelines for requesting leave as outlined in this handbook. Unauthorized leave without pay will result in disciplinary action up to and including termination.

## UNEMPLOYMENT INSURANCE

As a City of Walker employee, the *Louisiana Employment Security Law* covers you in the event you become unemployed. If you should lose your job, this entitles you to receive unemployment compensation benefits, provided the monetary requirements established by the Employment Security Law are satisfied. Details are available from the office of the Municipal Clerk.

## EMPLOYMENT POLICIES

### EQUAL OPPORTUNITY EMPLOYER

The City of Walker firmly supports the national plan of Affirmative Action/Equal Employment Opportunity. The City's policy of equal opportunity is administered without regard to race, creed, color, religion, sex, sexual orientation, age, national origin, physical or mental disability, marital status, or veteran's status.

This policy also prohibits sexual or other forms of harassment, in accordance with federal and state laws and regulations.

The City fully embraces equality of opportunity by affirming that it will take affirmative action to ensure that all applicants receive fair consideration for employment and that employees are treated fairly in all employment practices, including recruitment, promotion, selection for training, upgrading, transfer, rates of pay or other forms of compensation, tenure, demotion, layoff, and termination.

If you have questions regarding the City's Affirmative Action/Equal Employment Opportunity Policy, you should contact the Municipal Clerk's office for more information. If you believe you have been discriminated against contrary to federal laws, you are entitled to make an inquiry or file a complaint with the U.S. Equal Employment Opportunity Commission, 701 Loyola Avenue, New Orleans, Louisiana 70113; or the U.S. Department of Education, 1200 Main Tower Building, Dallas, Texas 75202.

### AMERICANS WITH DISABILITIES ACT OF 1990

The City of Walker's policy is to provide equal opportunity employment for all qualified persons without regard to disability in the recruitment of, participation in, treatment in, or employment pursuant to the Americans with Disabilities Act of 1990 and other related federal and state law. The City prohibits discrimination against qualified persons with disabilities in employment and other programs, public services, transportation, public accommodations, and telecommunications. Additionally, the City is committed to promoting an atmosphere to end discrimination against individuals with disabilities, to bring persons with disabilities into the social and economic work stream and to provide enforceable standards to address discrimination against individuals with disabilities.

The City of Walker is obligated to provide 'reasonable accommodations' upon request to disabled employee applicants or employees, unless the accommodation would present an 'undue hardship'. The determination of 'undue hardship' is a decision that grows out of ADA Accommodation Assessment process and will be made jointly by the Mayor or Chief of Police, the affected department, the affected employee or applicant, and the City attorney.

If the person requesting an accommodation is not satisfied with the proposed accommodation, the person may file a formal or informal grievance according to established City policy (see employee grievance procedures).

All information obtained by the City necessary to make an accommodation decision may be disclosed only with the express written consent of the person requesting an accommodation on the basis of disability.

## SEXUAL HARASSMENT

Consistent with Title VII and Title XI of the Civil Rights Act of 1964, the City of Walker reaffirms and emphasizes its commitment to provide a professional working and learning environment that is fair and responsible; that supports, nurtures and rewards educational and employment growth on the basis of relevant factors, such as ability and performance; and that is free of discriminatory, inappropriate, and disrespectful conduct or communication.

Sexual harassment is a form of unlawful sexual discrimination. It is defined as speech and/or conduct of a sexually discriminatory nature, which was neither welcomed nor encouraged, which would be so offensive to a reasonable person as to create an abusive working environment and/or impair his/her performance on the job. Such advancements may be made explicitly or implicitly as a term or condition of an individual's employment and submission to or rejection of such conduct by an individual result in a tangible and adverse employment action, as in the case of a supervisor/subordinate.

The City has a responsibility to protect all of its employees from sexual harassment and to provide the means to remedy such harassment when it occurs. In considering allegations of sexual harassment, the City must be concerned with the rights of both the complainant and the accused.

**As a City of Walker employee, if you believe you are being or have been harassed by another employee, you have the right and responsibility to report the behavior. Because sexual harassment may involve a wide range of sexually oriented behaviors and is, in part, a function of the way in which such behaviors are perceived, two options are available to the complainant:**

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### INFORMAL RESOLUTION

The complainant will consult initially with the department supervisor to attempt to resolve the matter with both parties in an informal manner.

Failure to accomplish an informal resolution in no way limits the right to utilize fully the grievance procedure if the department supervisor cannot accomplish an informal resolution. Complaints at this point should be made in writing to the supervisor within one year after the occurrence of the alleged prohibited conduct who must initiate a formal investigation.

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#### FORMAL INVESTIGATION

Any supervisor receiving a report of possible harassment is required to, in a timely fashion, conduct an investigation of the complaint, interviewing appropriate persons, examining relevant records, and consulting with and utilizing any appropriate employee.

- If the supervisor deems it appropriate, the complainant and the person against whom the complaint is made may be brought together to attempt an informal resolution.
- Both the complainant and the person against whom the complaint is made may have counsel present at any interview or other proceeding.
- Upon conclusion of the investigation, and within 30 days after the complaint was brought, the supervisor shall make a recommendation to the Mayor which shall be one of the following:
  1. A recommendation of a finding that no prohibited conduct has occurred;
  2. A recommendation that material facts in dispute be resolved by conducting a formal hearing;
  3. A recommendation of a finding that no facts are in dispute and that prohibited conduct has occurred.

A written copy of the supervisor's recommendation will be provided to complainant and party against whom the complaint was made and to the Mayor and Councilmen of the complaint.

The Mayor may, but need not, adopt the supervisor's recommendation. However, upon adoption of the supervisor's recommendation to conduct a formal hearing, or upon written request of either party involved, the Mayor shall conduct or cause to be conducted a formal hearing. The hearing shall provide a fair opportunity for parties and witnesses to be heard, shall be conducted so as to do substantial justice between parties, and shall not be bound by statutory provision or rules of practice, procedure, pleading, or evidence. At the conclusion of the hearing, the Mayor shall issue a written statement of findings of facts and conclusions of law, including a determination as to whether or not prohibited conduct has occurred.

The record maintained with respect to each complaint of sexual harassment shall contain: the written complaint, if any; any written statement produced during the investigation; the recommendation of the supervisor; if a formal hearing is conducted, a record thereof

in a form determined by the Mayor; the Mayor's statement of findings of fact and conclusion of law; and the Mayor's written determination. Such record shall be available to either party or the designee thereof. Pursuant to Section 2.58 of the Code of Ordinances.

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## REMEDIES AND RESOLUTION

If the Mayor determines that prohibited conduct has occurred, he shall order one or more of the following:

1. An apology by the offender.
2. Direct the offender to stop the offensive behavior.
3. Require the offender to undergo counseling or training.
4. Oral censure of the offender.
5. Written censure of the offender, to be included in the offender's personnel file.
6. Transfer, suspension, with or without pay, or discharge of the offender, or any other action that may be appropriate under the circumstances.

If any party is not satisfied with the decision of the Mayor, they may request a meeting with the Councilmen. The Councilmen will review the complaint and notify the concerned party(s) of the meeting date, time and location to address the complaint (see Ordinance #09-1998-01) (Appendix XI).

If any party remains unsatisfied with the outcome, a complaint may be filed with the Louisiana Commission on Human Rights and the federal Equal Opportunity Commission. A civil action may be filed in district court.

- Employees, witnesses, and/or participants involved in a sexual harassment complaint or investigation are protected from retaliation of any form. Any employee violating the prohibition of retaliation may be subject to disciplinary action up to and including termination.
- No employee or volunteer shall make an intentional false complaint... penalty is disciplinary action up to and including termination.

The provisions of this section effectively replaces Ordinance #09-1998-01 outlining guide for reporting sexual harassment in the workplace. The Police Department shall follow Ordinance 05-2011 in sexual harassment situations.

## FIREARMS FREE WORKPLACE

The policy of the City of Walker is to establish a firearms free zone as provided for in Louisiana Revised Statute 14:95.6 regarding the possession of firearms and dangerous weapons within its facilities and premises (defined as real property and immovable property under the authority and control of the City of Walker). Firearms and dangerous weapons to be defined as a rifle, shotgun, pistol or revolver or any other firearm from which shot or shots are discharged by an explosive and any gas, liquid, or other substance or instrument which, in the manner used, is calculated or likely to produce death or great bodily harm.

The City will enforce all provisions of the state Criminal Code including those prohibiting possession of firearms within a firearms free zone as provided at R.S. 14:95.2. The statute does not apply to:

- Federal, state, or local law enforcement officers in performance of official duties.
- If on private property or within a private residence, within 1000 feet of City property.
- If in accordance with a concealed handgun permit issued pursuant to R.S. 40:1379.1 or if approved by the Mayor or Chief of Police.
- The Mayor may approve the carrying of a Firearm in the City vehicle's during travel.
- Constitutionally protected activities that cannot be regulated by the state such as a firearm contained entirely within a motor vehicle.

## DRUG FREE WORKPLACE

The City of Walker is committed to keeping controlled substances out of the workplace. Accordingly, all employees are hereby notified that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the City of Walker's workplace and violation of this notification will lead to disciplinary action up to and including termination. Depending on circumstances, other action, including notification of appropriate law enforcement agencies, may be taken against any violator of this policy. Any employee arrested in connection with a criminal drug violation occurring in the workplace will be placed on personal leave of absence without pay and may be terminated from employment depending on outcome of legal investigations and conviction. In addition, any employee convicted of criminal drug statute for a violation occurring in the workplace of the City of Walker must inform the Mayor or Chief of Police within five (5) days of the conviction.

All City of Walker employees will be required to read and sign the employee acknowledgement form of the City of Walker's Substance Abuse and Drug-Free Workplace Policy (Appendix XIII).

## DRUG AND ALCOHOL TESTING

The City of Walker desires to maintain a safe, healthful, productive and efficient environment and workplace for its employees and volunteers and the public they serve. The City acknowledges that substance abuse increases the potential for accidents, absenteeism, substandard performance, poor employee morale, and damage to the municipality's reputation. Therefore, the City of Walker, adopts a policy against substance abuse, and places in effect a testing program for applicants, employees, and volunteers, as outlined below:

- On and after approval of this manual each applicant for employment with the City of Walker shall submit to a drug-screening urinalysis as part of his pre-employment or pre-qualification medical exam.
- Any applicant found to test positively for a particular controlled substance or controlled dangerous substance (as described in Act 634 of the 1972 Louisiana Legislature and subsequent amendments), unless caused by a medicine for which a valid prescription was given by a physician and which was made known to the City prior to testing, shall be rejected and may not re-apply for employment or volunteer services for a period of one year from the date of notification of the results.
- Any applicant refusing to submit to drug testing during pre-employment or pre-qualification shall be rejected.
- Additional unscheduled drug testing may be required for individual employees as announced by the Mayor for the following purpose:

Investigation of possible individual impairment at any time there is reasonable suspicion that an employee or volunteer is under the influence of a drug during work or service hours.

Investigation of accidents or incidents involving an employee, volunteer, or the general public.

Maintenance of safety for employees, volunteers, or the general public.

Maintenance of productivity, quality of products or services, or security of property or information.

Monitoring to assure compliance with the terms of a rehabilitation program. Self reporting of drug and alcoholism

Random testing of all employees.

- Tests may be conducted without prior notice.



- Any employee or volunteer who refuses to submit to a drug test shall be relieved from duty or service and be subject to discipline, up to and including termination.
- If an employee is randomly selected for drug testing and is not at work on the day selected, then the employee will be tested on the day he/she returns to work.
- All drug testing shall be conducted at medical facilities or laboratories selected by the City.
- If the City has reasonable suspicion to believe that an employee or volunteer is under the influence of alcohol during work hours or service hours, the employee or volunteer shall submit to a breath test using the procedures established by the state Department of Public Safety and Corrections. Test results shall be made known to the Mayor upon completion of the test. If the test results are positive (i.e. 0.01 or higher), the employee or volunteer shall be subject to disciplinary action. Each employee or volunteer found to be alcohol free shall be notified in writing and may, if he so chooses, have a copy of the notification placed in his personnel file.
- All information obtained as a result of the drug/alcohol testing program will be kept confidential by the City unless court ordered.

The policies as outlined will replace all previous policies of the City of Walker.

## CODE OF ETHICS

The City of Walker acknowledges the mandate in Article X, Section 21 of the Louisiana constitution, and subsequent R.S. 42:1101 et seq. in which the Legislature enacted the Code of Governmental Ethics for officials and employees of the State of Louisiana and all political subdivisions thereof. Specifically, the Ethics Code prohibits:

- A public servant (public employee or elected official) from participating in a transaction involving the governmental entity in which he has a personal substantial economic interest, subject to recusal from voting (R.S. 42:1112);
- A public servant, or member of his immediate family (his children, spouses of his children, brothers, sisters, parents, spouse, and parents of his spouse), or legal entity in which he has a controlling interest from bidding on or entering into any contract, subcontract, or other transaction that is under the supervision or jurisdiction of the agency of such public servant (R.S. 42:1113); and
- A member of the immediate family of an agency head or a member of a governing authority from being employed in the agency or by the governmental entity (R.S. 42:119).

The State Board of Ethics administers the Code of Ethics. In addition, the City of Walker requires that all employees, including elected officials, annually attest through signature

verification that they have read the ethics policy. Employees found in violation of the policy are subject to disciplinary action, up to and including termination.

## GIFTS AND FAVORS

No public servant of the City of Walker (a public employee or elected/appointed official) shall solicit or accept, directly or indirectly, anything of economic value as a gift or gratuity from any person who has or is seeking a contractual, business, or financial relationship with the City of Walker. The provisions restricting the receipt of gifts by public servants are found in 1115 of Louisiana's Code of Governmental Ethics (LSA-R.S. 42:1115). In addition to these restrictions, 1111A of the Code also applies to the receipt of gifts in certain situations (LSA-R.S. 42:1111A).

A 'thing of economic value' is defined as money or any other thing having economic value. The exceptions to the definition include:

- Promotional items having no substantial resale value such as calendars, pens, hats, and t-shirts which bear a company's name or logo, and
- Food and drink consumed while in the presence of the giver. The giver or a representative of the giver must be present when the food and drink are consumed. Reasonable transportation and entertainment that are incidental to the food and drink are also allowed.
- Flowers or a donation, if the value does not exceed \$50.00, in connection with the death of an immediate family member.

No City public servant shall solicit or accept, directly or indirectly, anything of economic value as a gift or gratuity from any person who is seeking, for compensation, to influence the passage or defeat of resolutions or ordinances enacted by the City of Walker.

No City employee shall solicit or accept, directly or indirectly, anything of economic value as a gift or gratuity from any person who conducts operations or activities which are regulated by the City of Walker.

No City employee shall solicit or accept, directly or indirectly, anything of economic value as a gift or gratuity from any person who has substantial economic interests which may be substantially affected by the performance or nonperformance of the employee's official job duties).

No City public servant shall receive any thing of economic value, other than the compensation and benefits to which he is entitled from his governmental employer, for the performance of the duties and responsibilities of his office or position.

No City public servant or other person shall give, pay, loan, transfer, or deliver, directly or indirectly, to any public servant or other person anything of economic value which such public servant or person would be prohibited from receiving by any provision of the Ethics Code.

See **Chapter 8 of the Louisiana Municipal Employee Handbook (Lagniappe: Public Utilities, Personnel Matters, Ethics, and Retirement)** for more detailed information including: prohibited sources of income, restricted participation in transactions, post employment restrictions, and exceptions.

#### ABUSE OF OFFICE

A City of Walker public servant:

- May not use the authority of his office to compel or coerce a person to provide himself or someone else with a thing of economic value that they are not entitled to by law.
- May not use the authority of his office to compel or coerce a person to engage in a political activity.
- May not participate in any way in the sale of goods or services to a person regulated by his agency if an immediate family member of the regulatory employee or any business enterprise in which the employee or his family owns at least 25% receives or will receive a thing of economic value by virtue of the sale.

#### WHISTLE BLOWER PROVISION

- Any employee who reports to his departmental head, Mayor, Chief of Operations, Chief of Police, or to the Ethics Board any information he reasonably believes to be a violation of a provision of one of the laws administered by the Ethics Board or any alleged act of impropriety within the City of Walker shall be free from discipline or reprisal for reporting said acts of alleged impropriety.
- Any employee who reports to a person or entity of competent authority or jurisdiction information which he reasonably believes to be a violation of any law or of any order, rule, or regulation issued in accordance with law or any other alleged acts of impropriety related to the scope and/or duties of public employee or public office within the City of Walker shall be free from discipline or reprisal for reporting said acts of alleged impropriety. No employee with the authority to hire and fire, supervisor, Mayor, or other elected official shall subject any employee to acts of reprisal because of said employee's effort to disclose such acts of impropriety.

#### NEPOTISM

The City of Walker prohibits immediate family members to be placed in a supervisory-employee relationship as per the provisions of the Louisiana Code of Governmental Ethics (LSA-R.S. 42:1119), which prohibits nepotism (preference of any sort given to relatives).

In addition:

- The City may employ no member of the immediate family of the Mayor.

- No member of the immediate family of the Chief of Police may be employed by the Walker Police Department.
- The City or police department may employ no member of the immediate family of a councilman.
- No member of the immediate family of a departmental supervisor may be employed within that individual's department, whether or not intervening levels of supervision are present between the departmental supervisor and the immediate family member.

Violations of this policy may subject the employee, his or her immediate supervisor, and the agency head to both disciplinary action and fines under state law.

**See Chapter 8 of the Louisiana Municipal Employee Handbook (Lagniappe: Public Utilities, Personnel Matters, Ethics, and Retirement)** for more detailed information on exceptions to the nepotism restrictions.

## POLITICAL ACTIVITIES

Partisan political activity by an employee, while at work, including publicly or privately advocating or lobbying passage or defeat of any matter before the City of Walker, is prohibited.

If you do engage in political activities, you may not utilize City of Walker resources to do this, and you must make it clear that you are speaking as a private individual and not as a City of Walker representative.

No employee of the City shall participate in any activity that would substantially compromise the ability of the employee to discharge with neutrality, efficiency, and integrity his duties and obligation to the City of Walker.

As a full-time employee, you may exercise your rights as an individual citizen to attempt to influence legislation or public policy. However, you cannot be coerced or compelled to engage in a political activity by departmental supervisors, elected or appointed officers of the City. If this occurs, you are encouraged to report the incident immediately to the Councilmen as an "abuse of office".

## USE OF CITY EQUIPMENT, MATERIALS, SERVICES, AND OTHER PROPERTY

All City of Walker equipment, materials, services, and other property are provided to employees for the accomplishment for their work as City employees and not for personal use.

**City policy shall be the following:**

No one shall use for his or her own benefit or for any other personal purposes any City property of whatever description; and no one shall be permitted to remove from buildings

or grounds any property belonging to the City, unless approved by the Mayor with notification of the board.

All vehicles and transportation equipment of the City shall be used only on official business and shall be operated only by employees of the City and others authorized by the Mayor with notification of the board.

**Violation of this policy** constitutes misuse of City equipment, materials, services, and other property and may result in City disciplinary action and/or criminal charges.

## MISUSE OF CITY MATERIALS, SERVICES, AND OTHER PROPERTY

Misuse of City materials, services, and other property may represent a minor or major violation of this policy depending upon the circumstances of a particular occurrence. For example, misuse may be only a single, isolated occurrence or it may represent a pattern of such activity. Misuse may also constitute a violation of one or more provisions of the criminal law.

- Consistent with its commitment to provide for fair and consistent treatment in all matters involving employee discipline, the City reserves the right to investigate misuse of City equipment, materials, services, and other property through its Auditor, the Police Department, both of these agencies, or by other administrative processes.
- Employees engaged with misuse of City equipment, materials, services, and other property and subject to City disciplinary processes shall be afforded such rights and protections as provided by law and City policy.
- Employees criminally charged in connection with the misuse of City equipment, materials, services, and other property shall be subject to such disposition of the matter as is made by the Office of the District Attorney and/or the judicial system.
- The City reserves the right to both take disciplinary action against an employee and to refer the employee for prosecution under the criminal law.

Examples that are deemed to constitute misuse of City of Walker equipment, materials, services, and other property include but are not limited to the following:

1. Personal use or possession of tools, equipment, supplies.
2. Use of City vehicles for a personal use.
3. Falsification or other misuse of City documents such as time sheets, payroll vouchers, annual and sick leave reporting and other official City document.
4. Personal use of telephone and telefax services resulting in toll charges to the City. Telephone calls or telefaxes of a personal nature may not be charged to the City other than in emergencies. Should such a personal call be made, prompt reimbursement to the City must be made.
5. Use of postal and shipping services for personal use.
6. Personal use of duplication and related services and supplies.

## USE OF PERSONAL-PRIVATELY OWNED EQUIPMENT, MATERIALS, SERVICES AND OTHER PROPERTY

No employee is expected or allowed to use 'Personal Equipment, Materials, Services and Other Property' in the course of their employment with the City. The City of Walker will supply all equipment, materials, services and other property to each employee needed for the performance of work necessary for the normal operation of the City.

The City of Walker will not be held liable for repairs or replacement for any Personal-Privately Owned Equipment, Materials, Services and Other Property used for City purposes in violation of this policy.

## LOSS OF PERSONAL EQUIPMENT, MATERIALS, SERVICES AND OTHER PROPERTY

**The City of Walker's insurance does not and will not cover privately owned property, even if it is in City owned buildings or housing.**

**\*\*PLEASE NOTE THAT THIS HANDBOOK MAY BE REVISED AT ANY TIME THROUGH RESOLUTION OF THE CITY COUNCIL.**