



City of Billings

Human Resource Policies

June 2005

Any revisions dates will be noted on that individual policy

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The policies contained in this manual were created 12/28/04 via Administrative Orders #88, 89, 90 and 91.

Amendments to the polices were made 6/30/05 via Administrative Order #93

Section 1

General



Acceptable Use of Equipment, Systems and Tools Used For Electronic Communication

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

To govern the acceptable use of the City's electronic communication equipment, systems and tools which are provided by the City of Billings to its authorized employees and authorized volunteers for the purpose of performing job functions including communication, information exchange, and research.

Policy

This policy applies to all equipment, systems and tools used for electronic communication, local area networks, computer networks, the Internet and e-mail, whether on microcomputers, minicomputers, lap-top computers, personal computers or main-frame computers in network configurations. All City employees and volunteers who have been authorized to use the equipment, systems or tools for electronic communication are subject to this policy.

Use of the City's electronic communication equipment, systems and/or tools is a privilege. Misuse, abuse or unauthorized use in violation of this policy may result in the loss of access for the user and are grounds for disciplinary action up to and including termination.

Authorized users of the City's electronic communication equipment, systems and tools are employees or volunteers authorized by the City Administrator or his designee to receive an account on the e-mail and/or Internet systems.

Prohibited uses of the City's electronic communication equipment, systems and tools and the information sent, exchanged, accessed or stored, include but are not limited to:

- illegal activities (use must be in compliance with all applicable federal, state and local laws);
- threats or harassment including sexual harassment;
- slander or defamation;
- Obscene, profane, vulgar or offensive language, suggestive messages or offensive graphical images;
- Political endorsements and lobbying;
- Commercial activities or any private business purpose. During non-work hours you may use the electronic equipment, systems and tools for which you have been authorized, if available, for incidental and occasional personal use if it does not generate any additional direct costs for the City;
- Any use in violation of the Code of Ethics applicable to City/local government and public employees;
- Religious activities;
- Using any unauthorized software;
- Purposely accessing or sending messages that are racist, discriminatory, inflammatory or demeaning to others, or that encourage illegal or prohibited activities. All policies of the City against discrimination and harassment apply in full to use of the City's electronic communications equipment, systems and tools;
- Sending or receiving copyrighted materials without the permission of the copyright holder;
- Using any means to defeat security systems on any computer network or knowingly transmitting viruses;
- Unauthorized changing of files that belong to another; and
- Failing to identify oneself clearly and accurately in all electronic communication.

E-Mail and E-Mail Security

See the ***E-Mail and Acceptable Use Guidelines*** policy.

The Internet

The Internet is a computer network that links computers and databases of information from around the world. Internet access is provided to authorized City employees and volunteers. There is a wide variety of information on the Internet, some of which may be offensive or otherwise objectionable to some users.

The City has no control over and is not responsible for the content of information available on the Internet.

Use of computer and network resources and the Internet access in violation of international, federal, state or local laws or regulations and licensing agreements, including but not limited to the illegal copying of software, is prohibited.

It is not acceptable to use the Internet access to transmit threatening, obscene, or harassing materials, or to interfere with or disrupt network users, services or equipment. Disruptions include, but are not limited to: propagation of computer worms and viruses, and using the network to make unauthorized entry to any other machine accessible via the network.

Employees may not post on or transmit through any on-line network any unlawful, harmful, threatening, abusive, harassing, defamatory, sexually explicit, vulgar, obscene, profane, hateful, racially or ethnically demeaning or threatening or otherwise objectionable language, images or material of any kind, including without limitation, any language, images or material which encourage conduct that would constitute a criminal offense, give rise to civil liability or otherwise violate any applicable law or City policies.

It is assumed that information and resources accessible via the Internet are private to the individuals and organizations which own or hold rights to those resources and information, unless specifically stated otherwise by the owners or holders of rights. It is therefore not acceptable for an individual to use the Internet to access information or resources unless permission to do so has been granted by the owners or holders of rights to those resources or information.

Use of the Internet access and any attached network in a manner that precludes or significantly hampers its use by others is not allowed.

Employees may not:

- send abusive or unwanted material causing the work of others to be disrupted.
- communicate under a false name or designation or a name or designation you are not authorized to use.

Employees may download files with the authorization of their supervisor, taking reasonable precautions for the prevention of viruses.

Employees may not introduce "rogue programs" (e.g., software introduced into computer and network systems for fraudulent or malicious purposes such as viruses, worms, trojan horses and logic bombs) to the Internet stations' hard drives.

Any misuse which compromises system security is prohibited.

Employees may not copy passwords belonging to others—and may not distribute or make their password or another person's password or access code available to others nor may the employee attempt or assist others in attempting to discover another's password or evade other security provisions. Employees may not disclose or make available their password to any third parties without the prior written consent of their supervisor.

Employees may not change, alter, copy or transfer files belonging to others without authorization.

Procedure

E-Mail

Employees, who receive a message that is objectionable or is in violation of this policy, should print or save the message and immediately inform their supervisor. The supervisor should then notify Human Resources and Information Technology.

Electronic mail is often considered to be a public record and may be subject to public disclosure in accordance with applicable law. Although not yet decided by the Montana Supreme Court, other courts have held that e-mail messages can constitute official records and that they must be identified, accessible and retained just like records in other formats. Their public accessibility is comparable to that of other written communications.

E-mail messages that are created or received in the transaction of public business and retained as evidence of official policies, actions, decisions or transactions are public records. Examples of messages that typically constitute public records include but are not limited to policies and directives, correspondence or memoranda related to official business, agendas and minutes of meetings, any documents that initiate, authorize or complete a business transaction, final reports or recommendations, etc.

Certain e-mail messages may not constitute public records, such as phone message slips, duplicates of documents distributed for convenience, and more personal messages not constituting official City business, i.e., words of encouragement, greetings, notices of retirement parties or holiday celebrations, etc.

All e-mail messages are considered to be temporary, and the system is not to be used as a record storage device. This is not intended to prohibit the creation from time to time of reference files for user convenience, which may remain on the system for extended periods of time.

Transitory messages which typically do not constitute public records should be removed by you on a weekly basis.

All authorized users must retain and regularly transfer public records to an organized, secure, and accessible filing system. Unintentional failure to do so because of the user's failure to enter the proper save and transfer commands will not be considered a violation of this policy unless there are repeated violations.

Each department head will choose one of the following filing systems for use in his/her department.

(1) Existing Manual System. One option for storing e-mail records is to print them on paper and file them in your existing manual filing system. You may print a hard copy of the document and file it appropriately within your own manual filing system.

(2) An Authorized Electronic Filing System or Repository. This second option allows e-mail messages and other electronic records to be stored, accessed more easily, and managed. All electronic filing systems or repositories must be designed and maintained with the approval of the Information Technology Manager and must be noted on the appropriate retention schedules before being used.

The length of time for retention of saved e-mail messages is governed by the City's records retention schedules for similar paper records.

The Internet

If an employee suspects the presence of a virus, the employee should immediately contact Information Technology for assistance.

The City's Internet hosts are traceable to the City. Users using City-provided Internet accounts should not assume they are provided any degree of anonymity. Outside users who want to identify machines associated with the City can do so easily.

Use of the Internet may be monitored by the City.

Public records requests may be made in writing or orally. All public records requests should be referred to the employee's department head or his/her designee to be handled in accordance with the City's Public Records Request policy.

Code of Ethics

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The purpose of this Policy is to affirm, in a comprehensive statement, required standards of conduct and practices with respect to certain type of payments and political contributions.

Policy

The people have a right to expect that every public employee will conduct himself or herself in a manner that will tend to preserve public confidence in and respect for the government he or she represents. Such confidence and respect can best be promoted if every employee will uniformly:

1. Treat all citizens with courtesy, impartiality, fairness and equality under the law; and
2. Avoid both actual and potential conflicts between his or her private self-interest and the public interest.

FAIR AND EQUAL TREATMENT

No employee shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which is the general practice to grant or make available to the public at large.

No employee shall request, use or permit the use of any publicly owned or publicly supported property, vehicle, equipment, time, personnel, labor or service for the personal convenience or the private advantage of himself or herself or any other person. This rule shall not be deemed to prohibit an official from requesting, using or permitting the use of such publicly owned or publicly supported property, vehicle, equipment, material, labor or service which it is the general practice to make available to the public at large or which is provided as a matter of state public policy for the use of employees in the conduct of official business.

CONFLICT OF INTEREST

Financial or personal interest. No employee, either on his or her own behalf or on behalf of any other person shall have any financial or personal interest in any business or transaction with any public body unless the official shall first make full public disclosure of the nature and extent of such interest.

Disclosure and disqualification. Whenever the performance of his or her official duties shall require any employee to deliberate and vote (if applicable) on any matter involving the employee's financial or personal interest, the employee shall publicly disclose the nature and extent of such interest and disqualify himself or herself from participating in the deliberation as well as in the voting.

Incompatible employment. No employee shall engage in private employment with, or render services for, any private person who has business transactions with any public body unless the employee shall first make full public disclosure of the nature and extent of such employment or services to his/her Department Head.

Private interest. Private interest is a direct or indirect interest of a natural person, partnership, corporation or any other entity including a political entity other than the City or an organization in which the City is or may be affiliated.

REPRESENTING PRIVATE INTERESTS

No employee, whether paid or unpaid, shall appear on behalf of private interests before any public body of the City. An employee shall not represent private interests in any proceeding to which the City is a party.

These prohibitions shall not be construed to prevent an employee from making inquiries and investigations as provided, nor shall it prevent an official from appearing before any public body of the City to express the official's personal views as a private citizen.

GIFTS AND FAVORS

No employee of the City shall accept any gift, whether in the form of money, thing, favor, loan or promise that is offered to influence an official decision or to prejudice an official opinion or action. No employee shall accept a cash gift for any reason. However, an employee may accept a gift or favor of food, merchandise or services whose cash value is less than fifty (\$50.00) dollars.

RELATIONSHIPS WITH SUPPLIERS

Employees are expected to work productively with suppliers, to bargain aggressively for the City's best interest, and to obtain for the City all of the benefits to which it is legally entitled. An employee should not take advantage of their position to obtain personal benefits from any supplier.

NEPOTISM

No employee shall appoint or vote for appointment of any person related to the employee by blood or marriage to any position, employment or duty, when the salary, wages, pay or compensation is to be paid out of public funds and the employee will directly supervise the person.

Procedure

Any employee who is requested to make, authorize, or agree to any offer or payment which is, or may be, contrary to this policy shall promptly report such information to the employee's supervisor, to the City Attorneys' office, or to Human Resources.

Any employee who acquires information (for example, newspaper reports, reports from customers, or statements of individuals involved) that gives the employee reason to believe that any employee is engaged in conduct forbidden by this policy, or that any sales representative, distributor, or other person is engaged in the type of conduct (whether or not in connection with a transaction involving the City) which, if engaged in by an employee would violate this policy, will promptly report such information to the employee's supervisor, to the City Attorneys office, or to Human Resources.

Any supervisor receiving a report as cited above will promptly consult with the City Attorneys office and Human Resources and thereafter will, after appropriate investigation, take timely remedial or other action as

warranted under the provisions of this policy. Such supervisor will also promptly report the matter to higher management.

SANCTIONS

Resignation. Violation of any provision of this article should raise conscientious questions for the employee as to whether voluntary resignation or other action is indicated to promote the best interests of the City.

Civil penalty. Violation of any of the provisions of this policy, including but not limited to any failure to file disclosures, in addition to any criminal penalty, shall subject the violator to a civil penalty equal to any pecuniary benefits received because of the violation committed. The civil penalty shall be recoverable by, and accrue to, the City in a civil action brought by the City.

Criminal penalty. Any employee who shall violate any provision of this policy shall be subject, upon conviction in a court of competent jurisdiction, to the penalty prescribed in section 1-110 of the City Code.

Commercial Driver's License (CDL)

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings is committed to providing and maintaining a safe, healthy, and productive working environment for all of its employees and the residents of the community.

Policy

Employees who possess a Commercial Driver's License are subject to pre-employment, random, reasonable cause/reasonable suspicion and return to duty drug and alcohol testing. Loss of an employee's CDL may result in the termination of the employee's employment with the City, if the CDL is an essential function of the employee's job.

The following is list of Job/Position Classifications tested by CDL requirements.

Airfield	Airfield Operations Superintendent Airfield Operations / AFM Supervisor Airfield Operations / ARFF Supervisor ARFF / AFM Mechanic ARFF / Electrician I ARFF / AFM Worker
Transit	Transit Supervisors Transit Operators Bus Service Workers Mechanics Dispatcher Vehicle Service Technician On-call Drivers
Motor Pool	Motor Vehicle Maintenance Manager Lead Mechanic Mechanic(s) Vehicle Service Technician Seasonal Positions
Recreation	Recreation & Parks Superintendent Recreation Supervisor(s)

Public Works	Public Utilities Systems Engineer Engineer II Systems Maintenance Supervisor(s) Engineering Technician Sr. Equipment Operator / Maintenance Worker Equipment Operator / Maintenance Worker Mechanic Seasonal Positions Street / Traffic Superintendent Street / Traffic Supervisor(s) Sr. Equipment Operator Maintenance Worker Equipment Operator / Maintenance Worker Sign Fabricator / Maintenance Worker Traffic Signal Technician I Maintenance Worker Electrician II Seasonal Positions Solid Waste Superintendent Solid Waste Supervisor(s) Sr. Equipment Operator / Maintenance Worker Equipment Operator / Maintenance Worker Maintenance Worker Landfill Attendants Seasonal Positions Traffic Signal Technician II Electrician III
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Procedure

Obtain a copy of the Drug and Alcohol Testing Policy for the CDL Program via the City's intranet or by contacting your supervisor or Human Resources. The aforementioned policy discusses random testing, etc.

Correspondence

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The purpose of correspondence is essential to good communication in every department.

Policy

All correspondence received by the City is opened by clerical or other assigned employees in the various divisions. Occasionally, employees may receive correspondence at work. It is the employee's responsibility to inform the sender to mark these items "Personal & Confidential". Staff will not open mail that is marked in this manner.

Procedure

If mail not clearly marked "Personal & Confidential" is opened, then the correspondence will be placed back in the envelope, re-sealed, and forwarded to the employee.

Dress Code

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The appearance and demeanor of City employees has a great impact on residents' perceptions and, consequently, their impression of the City of Billings.

The purpose of the policy is to provide City of Billings employees direction for appropriate appearance.

Policy

The employees' manner of dress is a reflection upon the City government. All employees are expected to dress appropriately and always be well groomed. Uniforms issued to department employees shall be properly worn (as instructed by the supervisor). At all times, regardless of style, attire should be neat, clean, appropriate and professional. Department Heads and the employees' daily duties will determine appropriate attire.

Employees shall be considerate of co-workers, and clients concerning good personal hygiene.

The City of Billings is confident each employee will use their best judgment in following this policy. Management reserves the right to determine appropriateness, cleanliness, neatness, etc. A rule of thumb - if unsure an article of clothing is acceptable, then most likely it isn't. If still unsure, then the employee should check with his/her supervisor.

Education and Training Opportunities

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes continuing education and training benefits employees in the performance of their jobs.

Policy

The City of Billings encourages the continuing education and training of its employees. Human Resources periodically offers in-house training/seminars that are of interest specifically to City employees.

This policy does not apply to any educational/training course, which is either required of the employee by the City or funded by other than regular City funds. Final approval for the educational assistance rests solely with the Department Head and Human Resources and is subject to the availability of budgeted funds.

Regular full-time and part-time City employees may receive reimbursement for a portion of the costs of tuition and books for satisfactory completion of job-related educational coursework. Non-bargaining employees will receive 75% reimbursement. Employees represented by a bargaining unit should refer to the applicable contract concerning reimbursement. To be qualified as job-related, the education courses must:

- maintain or improve skills required by the City; or
- be needed to meet express requirements of the City or of a law or regulation to retain the employee's salary, status, or employment.

Educational assistance does not qualify as job-related if the education courses:

- are needed to meet the minimum requirements of the job;
- will lead to qualifying the employee for a new trade or business; or

- are to fulfill general aspirations for personal reasons by the employee.

Employees must also pass the course with a grade of "C" or equivalent.

Reimbursement will be received after successful completion of the coursework.

Procedure

Employees may contact their Division and/or Department Head to take advantage of training held in the area that would benefit them in the performance of their jobs. Employees requesting educational assistance must obtain written approval from their Department Head and Human Resources prior to initially attending the course. Upon completion of the course, the employee must provide their final grade to the supervisor. This will then be forwarded to Human Resources for placement in the personnel file.

E-Mail and Acceptable Use Guidelines

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

Electronic mail or “e-mail” as a business tool utilized by the City of Billings, offers tremendous opportunities for enhanced productivity and cost savings in the operations of the City. However, it also provides the potential for misuse and abuse. Productive use of e-mail, like any other form of communication, requires understanding of common principles of style and etiquette, fair and responsible use, and consideration of the rights and needs of others.

Appropriate use of the City’s e-mail systems should be the concern of every employee. It is the responsibility of any City employee, elected official or volunteer utilizing the City’s e-mail system to read and familiarize themselves with the City’s policy on e-mail and to abide by the policy.

The City intends to honor this policy, but must reserve the right to change it at any time, with notice, as may be required under the circumstances.

This policy covers the use of the City’s e-mail system by all City employees and volunteers.

This policy is designed to educate all employees and volunteers of the City of Billings regarding the issues and practices of effective e-mail use; define the City’s policy on the use and retention of e-mail; help authorized users use e-mail properly, consistently and effectively; reduce risk of loss, corruption, mismanagement and unauthorized access to e-mail messages; and increase the quality of the City’s e-mail records.

Definitions

Chain e-mail: an electronic message sent to a number of people asking each recipient to send copies with the same request to a specified number of others.

E-mail:(electronic mail); an electronic communications tool provided by the City of Billings to its employees, elected officials and volunteers to aid with the efficient conduct of City business. It is the electronic transfer of information between users or to recipients outside of the City utilizing telecommunications links. Documents created or received via e-mail may include brief notes, formal correspondence, or substantive documents, and any attached computer files sent with a message.

E-mail system(s): all hardware, software and tools owned by the City of Billings and made available for official use by the City's employees, elected officials and volunteers for the purpose of performing job functions including communication, information exchange and research.

Mass e-mail: e-mail sent to a large number of recipients without any legitimate business purpose.

Official City business: includes any activities of employees, elected officials, or volunteers of the City of Billings, performed in accordance with the mission of the City. This includes any activity involving the expenditure of public funds, decision-making and policy development.

Personal records: records of individuals – including e-mail, which do not fall under official City business.

Public records: as defined by 2-6-202 M.C.A., includes any paper, correspondence, form, book, photograph, microfilm magnetic tape, computer storage media, map, drawing, or other document, including all copies thereof, regardless of physical form or characteristics, that has been made or received by a state agency in connection with the transaction of official business and preserved for informational value or as evidence of a transaction and all other records or documents required by law to be filed with or kept by any agency of the state of Montana. (This also applies to any "political subdivisions" of the state of Montana – i.e. the City of Billings).

Transitory records: records that do not set policy, establish guidelines or procedures, certify a transaction, become a receipt, or support business purposes. Such records are created to communicate information rather than perpetuate knowledge and are short-lived or have no administrative value.

Users: employees and volunteers authorized by the City to use the e-mail system owned and maintained by the City.

Policy

The City's e-mail system may be used by City employees, elected officials and volunteers to promote the efficient conduct of City business. No other persons may use the City's e-mail system.

Occasional, limited and appropriate personal use of the e-mail system is permitted. Appropriate personal use does not (1) impede or interfere with the conduct of City business; (2) interfere with the user's work performance or the work performance of any other user, (3) include use of a commercial nature or for a commercial purpose on behalf of the user, (4) result in personal financial gain for the user; (5) become excessive in nature, or (6) conflict with the acceptable use guidelines below.

The City's e-mail system exists primarily to accomplish the work of the City; therefore personal use should be done in a prudent and responsible manner. Such use should not (1) directly or indirectly interfere with the City's operation of computer facilities or e-mail services; (2) burden the City with noticeable incremental costs, or (3) interfere with the e-mail user's employment or other obligations to the City.

However, because of the difficulty of determining whether an e-mail message pertains to City business or is a personal record, e-mail users are reminded that an e-mail message is the property of the City if it resides on the City's e-mail system or on the City's equipment and may be a public record, subject to disclosure.

The City reserves the right to deny an employee's use of the e-mail system without further explanation. Messages received or created using e-mail, belong to the City of Billings. E-mail messages are not the personal property of City users, and users may not claim privacy protection of their communications, including those of a personal nature.

E-mail records of substantive informational or evidential value are public records and must be managed in accordance with the Public Records Act of Montana and all other state and City laws and requirements governing public records.

Users of the City of Billings' e-mail system must comply with the Acceptable Use Guidelines outlined in this policy.

Upon completion of employment, the departing e-mail user's supervisor may request a review of the contents of the user's mailbox to ensure the continuance of City business. At the exit of a City employee, a memo to

remove the employee from the e-mail system will be signed by the employee's supervisor and submitted to the City's e-mail administrator.

All new users of the e-mail system will be given a copy of this policy prior to setup of their mailbox and are required to sign an acknowledgement form upon receipt of the policy. Each existing user of the City e-mail system will be given a copy of this policy upon approval of the policy and will be required to sign an acknowledgement form confirming receipt of the updated policy.

Procedure

E-mail may be a public record if it meets the definition of Title 2, Chapter 6: Public Records of the Montana Code Annotated (MCA 2-6-202). As a public record, e-mail must be identified, managed, retained, and made publicly accessible like public records in other physical formats.

E-mail messages are considered to be official records and open to the public if they are created or received in the transaction of public business and retained as evidence of public policies, activities, decisions, or transactions. Examples of e-mail records that constitute public records include, but are not limited to, policies and directives, correspondence or memoranda related to official business, agendas and minutes of meetings, and any messages and file attachments documenting the initiation, authorization, or completion of a business transaction.

E-mail is not considered to be an official record if it consists of a personal message or a transitory transmittal relating only marginally to the transaction of City business. Examples of "unofficial" records include acknowledgments of receipts, notices of retirement parties and other office events, and information copies of e-mail transmittals. It should be noted that while these records are unofficial in nature, they might still be subject to public disclosure in some circumstances.

Monitoring E-mail Use

The City of Billings reserves the right to monitor employee use of e-mail by systems administrators or departmental supervisors. Employees are reminded that e-mail use is provided primarily for business purposes and not for personal purposes and that employees cannot expect protection of their personal or business related e-mail correspondence under privacy laws and regulations.

The City will not monitor e-mail messages as a routine matter. However, the City will respond to legal process and fulfill its obligations to third parties. The City will inspect the contents of e-mail messages in the course of an investigation triggered by indications of impropriety or as necessary to locate substantive information that is not more readily available by other means.

Security

Individual users are responsible for protecting their e-mail system and the messages contained therein from unauthorized users. This includes proper use of passwords to prevent unauthorized access. Users should change their passwords frequently and not share them with others.

Employees may not copy passwords belonging to others. Employees may not distribute or make their password or another person's password or access code available to others nor may they attempt or assist others in attempting to discover another's password or evade other security provisions.

Employees may not change, alter, copy or transfer files belonging to others without authorization.

Computers should not be left unattended in a state, which allows inappropriate access to e-mail records or compromises security of the City's e-mail system.

E-mail users must make sure of the appropriate content of messages to specific recipients and must at all times be aware of e-mail's capabilities for altering and forwarding messages. Careful use of share folders will also ensure that e-mail messages are read only by the intended audience.

City users must be careful of e-mails that may contain viruses. As a rule of thumb, do not open e-mail attachments that have been sent unsolicited and/or by an unknown sender. DO NOT OPEN any macros contained in e-mail attachments.

Public Access

Access to public records created or received using e-mail is subject to the public records regulations of the State of Montana Public Records (MCA 2-6-110). Access may be obtained through the City of Billings' procedures for requesting official records. (See Administrative Order #51)

Content

Before selecting e-mail as a means for communication or document transmission, users should consider the need for immediacy, formality, accountability, access, security and permanence. E-mail differs from other forms of communication. It is immediate and informal like a telephone conversation, yet more permanent than a telephone conversation. It is irrevocable like a hard copy document, yet easy to duplicate, alter and distribute.

City users must use careful deliberation in choosing the content and recipient(s) of an e-mail message, especially if that e-mail contains material of a sensitive nature. Use of e-mail is not appropriate for highly confidential information. A good rule of thumb regarding the content of e-mail messages is "not to put anything in an e-mail message that you would not want posted on a bulletin board." E-mail should be accurate, courteous and sent only to select recipients with a need to know. When an e-mail message leaves the sender, they relinquish control over it and the recipient is able to do with it what they wish.

City employees must be cognizant of the false sense of privacy and confidentiality suggested by e-mail technology. In fact, more than other communications media, e-mail facilitates the forwarding, copying, and manipulation of messages beyond the creator's control. Messages could also be delivered to the wrong address. Proper discretion in selecting e-mail content and recipient(s) is therefore advised.

E-mail messages originating from City offices must use a professional tone and adhere to an appropriate format, which includes proper grammar, appropriate subject line, and identification of recipient(s). E-mail is closer in nature to a letter, lacking both visual and auditory content of face-to-face communication. Great care should be taken to "craft" the tone of the e-mail message and to provide the recipient with the information needed to appropriately interpret the emotional nature of the contents.

"Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful and inappropriate may not be sent by e-mail, or displayed or stored on City computers." (Michael Overly *E-Policy*, AMACOM, American Management Association, 1999, p. 52). Users encountering or receiving this kind of material should immediately report the incident to their supervisors.

When using e-mail, City users must be careful to avoid copyright violations. Infringement on copyright may occur, for instance, by copying

the text of an article in the message (without authorization), or sending an attachment that has been downloaded from the Internet. E-mail itself is subject to copyright and copying or forwarding a message may constitute copyright infringement.

Creating e-mail so it appears to be from someone else is strictly prohibited.

Obtaining access to the files or communications of others is prohibited, unless expressly authorized to do so. An exception is the system administrator (i.e. postmaster) who may need to re-route or dispose of undeliverable messages. Attempting unauthorized access to any portion of the e-mail service or attempting to intercept any electronic communication without proper authorization is prohibited.

E-mail may not be used to represent, give opinions or otherwise make statements on behalf of the City, unless the sender is authorized by the City to do so.

E-mail may not be used to transmit unsolicited material such as repetitive mass mailings or chain messages.

E-mail should not be used "in lieu" of contracts or formal agreements because of the ease of alterations or misrepresentation.

Use short paragraphs in the body of the message, so it is easier to read. If the message is over a page in length, send it as an attachment. Keep messages focused on one subject – as referenced in the subject line.

Include your name and email address as part of your message. You may also include your position, mailing address, phone, and facsimile number.

NOTE: Additional *General E-Mail Etiquette Guidelines* are attached at the end of this policy as Appendix "A".

Subscription to ListSrvs

Subscription to lists using the City's e-mail system is acceptable, when the subject of the list pertains to official City business. However, if a user subscribes, then the user must also make sure they know how to unsubscribe from the list and to do so when there is no longer a business use for the information from the list. Users are cautioned that subscribing

to lists that may have hundreds of users may have the potential to adversely impact the City's e-mail system. If this becomes the case, the user must unsubscribe immediately.

Storage and Maintenance of E-Mail Records

Components constituting an e-mail record include message content, as well as transmittal data, sender and addressee information, and any electronic file attachments to the e-mail message. When maintaining e-mail records, City users must manage these components using the most effective method given the technological capabilities available.

E-mail messages must be maintained in a manner that allows their use by other authorized users who have a business need for access to the e-mail's information. Sharing e-mail with other authorized users may take place through depositing the records in the appropriate share folders for forwarding a record.

E-mail records must be maintained in an appropriate filing system to ensure proper management, and quick and reliable access to the information maintained in them. The basic options for maintaining e-mail records are (1) a manual filing system and (2) an electronic filing system.

To manage e-mail records manually, print out the messages and file the hard copies in the appropriate folders of the hard copy filing system. This method is easy to implement and especially effective if a well designed filing system already exists. However, this solution can be space intensive and also requires users time for filing the printout.

If e-mail records are retained in an electronic filing system, the filing system must, at a minimum, have the following attributes:

- allow for grouping of related records (e.g. through the creation of "folders") to ensure their proper context
- allow access to the records by all authorized users to ensure maximum usefulness to the City of Billings
- facilitate purging of e-mail messages that have outlived their retention period.

Like all other electronic records, e-mail messages maintained in an electronic filing system must be backed up daily to ensure against accidental loss of the information. City users are to select the back-up

medium most suitable to their hardware environment. Practices may include backing up to the mainframe, to a network or a server, to PC hard drives or onto removable media such as floppy disks or CD-ROMS.

Presently, the City's e-mail system stores all e-mail messages on the IT-server in the Information Technology Division. The system is backed up daily to magnetic tape. Tapes are retained for thirty (30) days, then recycled and taped over. Messages remain on the server until deleted by the user. Users are ultimately responsible for their individual e-mail. The e-mail system does however allow a user to archive their messages onto a PC hard drive.

Retention

Proper retention and deletion of e-mail records is mandated by MCA 2-6-212, which also governs the proper disposition of official records in all other formats. Retaining e-mail records according to established retention guidelines (1) preserves computing resources; (2) saves resources required to manage e-mail records and to maintain them in a readable and accessible manner; (3) facilitates access to relevant information; and (4) reduces exposure in litigation to potentially harmful information, while maintaining due diligence.

E-mail records are maintained on the IT server or any other servers selected by the user, until deleted by the e-mail user.

Transitory e-mail records that have been saved to a hard drive or network directory should be purged weekly and deleted when they are superseded or obsolete. Remember, these records are subject to public records requests and discoverable in legal proceedings. Transitory e-mail messages that accumulate in e-mail systems consume disk space and erode the efficiency of the entire system.

E-mail records that have official record status are subject to the City's records retention and disposition schedules. These schedules apply to all of the City's records, regardless of physical format, and pertain to e-mail records regardless of whether they are maintained electronically or as printouts. To facilitate schedule implementation, e-mail records should be maintained in folders and/or directories that reflect the business function and records series of the records.

If the e-mail is not a public record or an official record, it may be disposed of without consideration for retention and disposition requirements. Users with questions regarding public records issues and records retention

requirements should seek answers to these questions from their supervisors, prior to deleting e-mail messages.

When deleting e-mail records according to the appropriate retention guidelines, authorized users must be sure to delete any back-up versions of the records as well. Users of e-mail should also be aware that although the sender and recipient have deleted their copies of an e-mail record, backup copies may exist on the server, on backup magnetic tapes, in a history file on a hard drive or elsewhere.

Violations

Violations of this policy will be dealt with in the same manner as violations of other City policies and may result in disciplinary review/action, ranging from loss of e-mail privileges to dismissal and even criminal prosecution, if appropriate. In the event a user is notified of an investigation, no files may be altered or destroyed.

The City of Billings owns the contents of all files stored on its systems, all messages transmitted over its systems, and reserves the right to access them. E-mail may be accessed and monitored in the normal course of business by system administrators, supervisors and support staff.

User Responsibilities

People expect responses to their e-mail. It is the user's responsibility to administer their individual mailbox, including (1) checking your e-mail frequently, at least daily is recommended; (2) responding to your e-mail promptly; (3) deleting messages following the guidelines set forth in this policy; (4) managing stored messages following the guidelines set forth in this policy, (5) adhering to the guidelines established in this policy, and (6) learning how to effectively and responsibly use the software of the current e-mail system.

APPENDIX 'A'

GENERAL E-MAIL ETIQUETTE GUIDE

- ***Know your audience***
Be aware of the culture and conventions of your e-mail recipients. Communication and especially e-mail conventions may vary between groups. Remember also, different users have different levels of experience with technology applications like e-mail. Be patient and supportive with new users.
- ***Proofread***
Spelling and grammar mistakes can be just as distracting in an e-mail message as they are in written communications. Take the time to proofread your messages, especially messages that are used to communicate or document agency business.
- ***Keep messages brief and to the point***
Make your messages concise, not cryptic. Shorter paragraphs have more impact and are more likely to be read by busy people. Most people can only grasp a limited number of ideas within a single paragraph, especially on a computer screen.
- ***Format messages for easy reading***
White space enhances the look and clarity of an e-mail message, and a blank line only adds a byte to the message, so don't be stingy. Lengthy messages are almost always read in hard copy form and should be prepared accordingly (e.g. with cover sheets, headers, page numbers, and formatting) and more appropriately sent as an attachment.
- ***Don't over-distribute e-mail***
Every message you send creates work for someone else who must read, consider, and deal with the message. It may be better to post some messages on an electronic bulletin board in order to reduce the number of copies routed to individual users.
- ***Respect the privacy rights of others***
Don't invade privacy. Don't forward or distribute messages without permission. Don't read other people's mail. If you receive someone else's mail, e.g., because the sender entered a wrong address or you happen upon a PC or terminal someone failed to logoff of, use the same consideration you would with traditional mail. Inform the appropriate party, see that the mail is returned, and notify your network administrator.
- ***Be aware of differences across e-mail systems***
Others may not have the same e-mail features or capabilities you have, in which case, avoid special control characters like bold, underline, and special fonts; even tabs can differ. With the exception of binary (program) files, keep your lines under 80 characters; if possible don't exceed 72 characters.

Be sure that your editor inserts carriage returns at the end of each line; if not, enter a hard return. Be extra careful with graphics. Whenever possible, find out in advance what e-mail features and software tools your recipients have.

- ❑ ***Cite the appropriate references and context of a message***
Reference any related e-mail message or posting, and the event, topic, or issue that your message refers to, in order to avoid being taken out of context and misinterpreted. Take time to back up your statements with references to documents or articles, just as you would in written material.
- ❑ ***Identify yourself***
Especially if you are acting on behalf of an organization or professional association, or if you have relevant background or expertise in a matter, identify your affiliation, title, background, and expertise in your e-mail message. Include your e-mail address in the message and any attachments to it.
- ❑ ***Separate opinion from non-opinion***
So that readers do not confuse personal opinion with agency policy or position, use labels and explanatory notes to distinguish opinion from fact. If necessary, include a brief disclaimer.
- ❑ ***Respect copyright and license agreements***
Copyright laws are applicable to e-mail networks. Some software that is available for public retrieval through the Internet requires a valid license from the vendor in order to use it legally. Posting information on networks is similar to publication. Be careful to cite references.
- ❑ ***Avoid sending e-mail in anger or as an emotional response***
It is best not to send these kinds of messages over e-mail. Such situations are better worked out in person or in another forum. If you do send such a message, be sure to warn readers of your intent with the use of established conventions or explanatory notes. (These messages are often called “flames”.)
- ❑ ***Don't be hasty***
If a message or posting generates negative feelings, set it aside and re-read it later. An immediate response is often a hasty response. Don't rule out the possibility that a misunderstanding or misinterpretation might occur. It is common with e-mail because of the lack of physical cues.
- ❑ ***Avoid putting text in all capital letters***
Most users suggest that you avoid putting all text in caps because it may seem ANGRY or HARSH. Uppercase text is often interpreted as having extra emphasis.
- ❑ ***Be careful what you say about yourself and others***
As a general rule of thumb, don't commit anything to e-mail that you wouldn't want to become public knowledge. Think twice before posting personal information about yourself or others. There is always the chance that a message could end up in someone else's hands. Be aware that e-mail

messages are often retained on system backup tapes and disks in central computing facilities after they are deleted from the mail system.

- ❑ ***Don't be fooled by the "illusion" of privacy***
Assume that your message could be around for a long time.
- ❑ ***Don't send abusive, harassing, or bigoted messages***
This is inappropriate and counterproductive for obvious reasons and reflects badly on the individual and the entire organization. Even on wide area networks, e-mail can usually be traced to the originating machine and user. Systems on the Internet are actually liable for the misdeeds of their users.
- ❑ ***Re-read your mail for content and tone before you send it***
On many systems, once you send a message you are committed to it and cannot retract it.
- ❑ ***Try to keep messages to a single subject; use subject line entries***
The subject line of an e-mail message serves a number of important purposes: (1) it enables busy people to discern the subject of a message and when it must be read; (2) it is used to index the message in mailboxes and file folders; (3) it may be used to identify what messages are "records" and need to be transferred to a central recordkeeping system in the agency.
- ❑ ***Post messages only when they are relevant***
- ❑ ***Don't make messages "urgent" when they don't need to be***
Most of us learned the lesson of "the boy who cried wolf" quite some time ago. In today's world, this lesson rings true for the misuse of priority mail notices. These notices will soon become meaningless with overuse.
- ❑ ***If you participate in Listservs and User groups, learn the etiquette of each specific group***

(Compiled from The Innovations Group research packet on *E-mail and Internet Use Policies*)

Hours of Work

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that work schedules should be established and that those schedules should support the services that are provided to both internal and external customers.

Policy

Exempt Employees: Exempt employees are responsible for working hours that ensure that their responsibilities are successfully and timely completed. They are prohibited from tracking their time on an hourly basis. In order to ensure adequate coordination of activities and work, however, exempt employees are generally expected to maintain a standard workweek of five days a week, Monday through Friday, from 8:00 am to 5:00 pm. Complete absence from work during one of these days must be accounted for through authorized and reported leave status, e.g. vacation. Alternate schedule expectations may only be established through the completion of an "Alternate Work Schedule" form which must include the operational justification for the alternate schedule and reserve the authority and discretion for the employee's supervisor to cancel that alternate schedule.

Non-Exempt/Non-Union (Hourly) Employees: Hourly employees will work a standard workweek of 40 hours, 8 hours a day, Monday through Friday, 8:00 am to 5:00 pm, with a lunch period and breaks established by each department or division. Alternate work schedules that meet the following requirement may be established by departments for specific work units or individuals.

- The alternate work schedule is clearly defined through written documentation the form of which has been reviewed and approved by the Human Resources Manager (this documentation may be completed on an individual or work group basis)
- The alternate work schedule is designed to improve operational efficiency and does not negatively impact the operational efficiency

of a dependent work unit or its coordination with other units of the organization

- Appropriate steps have been taken to ensure that the authority to implement a change to the alternate work schedule or revert to a standard work schedule has/is not restricted.
- Any deviation from the documented alternate work schedule must be authorized by the supervisor of employee or work unit impacted in advance

Generally, the workweek begins on Monday and ends on Sunday. However, a different workweek can be established. It may begin any day of the week and at any hour of the day. However, any change to the workweek is intended to be permanent and is not designed to change frequently to evade the payment of overtime to non-exempt employees.

Hourly employees should not be reporting to work any earlier than they need to in order to begin their normally scheduled shift. All employees need to be approved for overtime prior to working it (see Overtime Policy).

The routine combining of breaks and/or lunch periods and breaks is not authorized.

Union Employees: The provisions herein relating to Hourly Employees shall apply to Union Employees. To the extent that scheduling of work is covered by terms included in union agreements, the terms of those agreements shall control.

Documentation

Each department shall establish and maintain a centralized file of all documents related to alternate work schedules related to employees under their supervision and retain such files according to the City's established retention schedule. Copies of Agreement forms follow this policy.

Implementation

This policy shall be effective July 1, 2005. Department Heads, Managers, and Supervisors shall have 45 days from the effective date to ensure that all operations are in compliance with this policy. (REV 6/30/05)

Alternative Work Schedule Agreement for Reduction of Hours

(For use when the alternative work schedule results in the reduction of the budgeted FTE)

The purpose of this agreement is to outline the conditions of granting an alternative work schedule for _____.

The operational justification for this agreement is as follows: _____

_____.

Effective _____, _____ will revert from a "permanent full-time" employee to a "permanent part-time" employee. As a "part-time" employee, the "alternative work schedule" developed will be _____.

As a "part-time" employee, benefits such as vacation and sick-leave will be prorated based upon the number of scheduled hours worked in the aforementioned schedule and/or any additional hours worked up to 40 hours in a week. Deduction of vacation, sick leave, or compensatory time (if applicable) is based upon the actual shift (work day) being worked (i.e., 10-hour work day). Overtime, if applicable, will only be computed based upon hours worked in excess of 40 hours in one work week.

The granting of this "alternative work schedule" is based upon the request of the employee and is approved based upon operation criteria (workload). The undersigned employee understands that if operational needs/work load dictates, management may revoke this agreement and return the employee to "Permanent full-time" status and the normal schedule.

Agreed to this date _____.

Employee Signature

Department Director Signature

Cc: Immediate Supervisor
Human Resources

REV 6/30/05

Alternative Work Schedule Agreement

(For use when there is no reduction in FTE)

The purpose of this agreement is to outline the conditions of granting an alternative work schedule for _____.

The operational justification for this agreement is as follows: _____

_____.

Effective _____, _____ will revert from a normal work schedule (five (5) eight-hour days per week) to a schedule of _____.

The granting of this "alternative work schedule" is based upon mutual agreement and is approved based upon operational criteria (workload). The undersigned employee understands that: 1) this new schedule does not affect the earning of benefits (sick-leave and vacation computed on months and years of service); 2) deduction of vacation, sick leave, or compensatory time (if applicable) is based upon the actual shift (work day) being worked (i.e., 10-hour work day); 3) overtime, if applicable, will only be computed based upon hours worked in excess of 40 hours in one work week; and 4) if the operational needs/work load dictates, management may revoke this agreement and return the employee to a normal schedule of five eight hour work days.

Agreed to this date _____.

Employee Signature

Department Director Signature

Cc: Immediate Supervisor
Human Resources

REV 6/30/05

Incident / Accident Reporting

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings is concerned with the health, safety, and welfare of its employees. Accident prevention is of primary importance to both the City and its employees.

Policy

Any incident / accident or near miss must be immediately reported to the supervisor and the appropriate form completed. Any incident / accident of a serious nature (excessive property damage and or personal injury) requiring attention shall be immediately reported by telephone to Human Resources (657-3061) and be followed up in writing.

Procedure

Report any incidents or accidents immediately. Complete the proper paperwork. Forward all report forms to Human Resources.

A copy of the Accident/Injury Report form follows this policy.



CITY of BILLINGS

REPORT OF:
(Check all that apply)

- Employee on-the-job injury*
- Occupational illness*
- Damage to City property
- Damage to citizen's property or person

***(For Employee On-the-Job Injuries & Occupational Illness – a First Report of Injury Form must be completed.)**

THIS FORM MUST BE COMPLETED AND SUBMITTED TO HUMAN RESOURCES. EMAIL TO hr@ci.billings.mt.us or FAX TO 657-8390, or SEND VIA COURIER. A DRAFT COPY IS REQUESTED AS SOON AS POSSIBLE, EVEN IF/WHILE YOU ARE ATTEMPTING TO ROUTE FOR REVIEW AND SIGNATURES.

EMPLOYEE

Employee: _____ Dept & Position: _____
 Work Phone: _____
 Supervisor: _____ Supervisor Phone: _____

INCIDENT

Date & Time of Incident: _____ Address/Location of Incident: _____

Describe what occurred:

Investigating Police Officer: _____ Report No.: _____

CDL Holders: Was employee drug/alcohol tested? _____ If no, why not _____

(Employee must be immediately tested if any of the following occurs: medical treatment is required, either vehicle is disabled, driver receives a citation, or there is a fatality. If testing is not conducted, we must specify why it was not necessary).

EMPLOYEE INJURY

Type of Injury and Part(s) of Body *

_____ (*Be specific. e.g., sprained R ankle, bruised L wrist, etc.)

Did or will the employee seek medical treatment? _____ Name of Dr./Hospital: _____

Type of medical treatment:

_____ (Must submit doctor's statement/restrictions/release)

Did a doctor remove the employee from work? _____ Date(s) of absence: _____

Did a doctor impose restrictions or limitations due to this injury? _____

If yes, explain:

CITY VEHICLE AND/OR OTHER CITY PROPERTY

Description of Property _____ Vehicle Year, Make & Model

Vehicle No.: _____

Description of Damage (Attach/Enclose photos): _____

CITIZEN/OTHER PARTY INFORMATION

Name: _____ Address: _____ Phone(s): _____

City/ST/Zip _____ Phone(s): _____

Driver Name (if different than above): _____ Phone(s): _____

Owner Name (if different than above): _____ Phone(s): _____

Description of Damage (Attach/Enclose photos):

Vehicle Year/Make/Model: _____ License Plate No.: _____ VIN: _____

Insurance Company: _____ Policy No: _____

Agent: _____ Agent Phone: _____

Citizen injuries and treatment:

Doctor or Hospital:

WITNESSES: (Attach signed witness statements as appropriate)

Witness Name: _____ Phone: _____ Address:

Witness Name: _____ Phone: _____ Address:

_____ Witness Name: _____ Phone:

_____ Address: _____

SUPERVISOR'S SECTION

Date/time employee reported incident to you:

Based on your investigation, what was the cause of this accident ?

UNSAFE ACT

FAILURE TO FOLLOW RULES

IMPROPER PROCEDURE

EQUIPMENT/FACILITIES

HASTE

TRAINING

FAILURE TO OBTAIN HELP

PERSON

UNSAFE CONDITION

UNSAFE LAYOUT

UNSAFE

INSUFFICIENT EMPLOYEE

ACTION OF ANOTHER

IMPROPER USE OF TOOLS/ EQUIPMENT PERSONAL
PHYSICAL CONDITION
 INATTENTION OR DISTRACTION OTHER (EXPLAIN)
 FAILURE TO USE PPE

Supervisor's comments – Including what specific corrective actions have been/will be implemented to prevent similar injuries.

SIGNATURES:

Employee: _____ Date: _____

Supervisor: _____ Date: _____

Dept/Division Head: _____ Date: _____

(FAX completed form to 657-8390.)

(Revised 3/04)

Labor Disputes

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

In the event of a labor dispute, the City has a contingency plan called the City Strike Plan for the continuance of essential City services.

Policy

All management and non-bargaining employees shall comply with the City Strike Plan upon notification of the dispute.

Procedure

The Strike Plan will be distributed by Administration as needed.

Life Threatening Illness

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that the employees must be able to perform their duties in a safe and effective manner and ensures that the employees provide every person the same quality of service, regardless of a person's state of health.

Policy

The following policies will be in effect regarding employees with life threatening illnesses.

1. These employees will be treated the same as all other employees as long as they are able to meet acceptable performance standards and medical evidence indicates that their conditions are not threats to themselves or others.
2. Individual employee health conditions must be kept confidential. All reasonable precautions will be taken to protect employee health and medical information in accordance with Federal and State constitutional and other legal guarantees.
3. The City will provide the following resources for City employees with respect to life threatening illnesses:
 - A. Management and employee education on specific life threatening illnesses.
 - B. Referral to agencies and organizations that offer supportive services for life threatening illnesses.
 - C. Benefit consultation to assist employees in effectively managing sick leave and other benefits.

When an employee is known to have a life threatening communicable disease, such as AIDS, reasonable efforts will be made to determine if co-

workers or members of the public are at risk from having job related contact with the employee. If such risk is found, then the City will provide any available information to co-workers or members of the public that is consistent with a compelling public interest or is allowed under confidentiality laws. The City will work closely with City-County Health Departments in making such determinations. Employees may be reassigned if the public is at risk from direct contact such as emergency medical treatment.

For employees having life threatening diseases as well as all other employees, the City reserves the right to require an examination of anyone using sick leave, medical benefits, or workers' compensation benefits, or whose physical or mental condition interferes with the performance of his or her duties, or whose physical or mental condition creates a health or safety threat to the employees, or other employees of the public, by a medical doctor, psychologist, or psychiatrist appointed by the City.

Procedure

When dealing with situations involving employees with life threatening illnesses, managers should:

1. Remember that an employee's health condition must be kept confidential. Precautions must be taken to protect information regarding an employee's health condition. The employee should be informed, however, that the City Administrator, HR Manager, and the City HIPAA Coordinator must be notified to ensure the best handling of the situation.
2. Contact Human Resources if information is needed about life threatening illnesses, or if further guidance is needed in managing a situation involving an employee with a life threatening illness.
3. Contact Human Resources if there is any concern about the possible contagious nature of an employee's illness. It will be determined if a statement should be obtained from the employee's attending physician that continued presence at work will pose no threat to the employee's co-workers or customers, or that the employee will not be at risk of severe illness from exposure to co-workers.

4. Be sensitive and responsive to employees' and co-workers' concerns, and emphasize available employee education for life threatening diseases.

Loss or Damage of Personal Property

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that employees are responsible for their own valuables.

Policy

The City does not assume the responsibility for the loss of money or other valuables by employees.

Procedure

Employees are asked to report missing items to their supervisor or to Human Resources immediately.

Outside Employment

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that City employees provide crucial services to the residents of Billings and that the employee's position with the City must be primary.

Policy

The City discourages employees from holding other jobs. If employees find it necessary to take on occasional or a part-time job, then it must not interfere with efficient performance of regular duties or involve a conflict of interest. In addition, the part-time employment must not occur during regular or assigned working hours.

Procedure

Employees must check with their supervisor before accepting part-time work and must notify the supervisor in writing. Employees must complete an "Outside Employment" form (attached). The form can be obtained via the intranet or by contacting Human Resources.

CITY OF BILLINGS

NOTIFICATION OF OUTSIDE EMPLOYMENT

(If approved, the approval is for one year from approval date. Employment is subject to annual review.)

Date of Request: _____

Name: _____

Division: _____

Classification:

Date of Hire with City: _____

I hereby notify the City of Billings of the outside employment described below, understanding that such work will neither conflict with my employment with the City of Billings, nor cause any conflict of interest, either actual or potential in relation to my employment with the City of Billings. I understand that I am not representing the City of Billings in any way, that I am a private citizen. I agree to hold the City of Billings harmless for any act or omission arising from my outside employment, and that I will not use any City of Billings resources in my secondary employment including: city time, official reports, computers, vehicles, or any other equipment or resources available to me in the course of my employment with the City of Billings. **Violation of this is a criminal offense - Refer to Billings Montana City Code, Article 2-700 Code of Ethics, Section 2-703 Fair and Equal Treatment., (b) No official shall use public time, facilities, equipment, supplies, personnel or funds for the official's private business purposes.**

Name of Company:

Phone Number: _____

Nature of work to be performed:

Hours of work:

Number of hours per day/week/month:

Estimated Duration of job: _____

Immediate Supervisor: _____

Note: If work is intermittent and does not follow a fixed schedule, state the approximate hours and schedule:

Signed: _____

Supervisor Date

Division Head Date

Department Head Date

Original - Personnel File
cc: Employee
Department File

(Revised 3/1/04)

BILLINGS POLICE DEPARTMENT

REQUEST FOR APPROVAL OF OUTSIDE EMPLOYMENT - SWORN PERSONEL
If approved, the approval is for One Year from approval date. Employment is subject to annual review.

Date of Request: _____

Name: _____

Division: _____

Classification: _____

Date of Hire with City: _____

I hereby request authorization to engage in the outside employment described below, understanding that such work will neither conflict with my employment with the City of Billings, nor cause any conflict of interest, either actual or potential in relation to my employment with the City of Billings. If this request is approved, I understand that I am not representing the City of Billings or the Police Department in any way, that I am a private citizen. I agree to hold the City of Billings and the Police Department harmless for any act or omission arising from my outside employment, and that I will not use any City of Billings or Police Department resources in my secondary employment including: city time, official reports, computers, vehicles, or any other equipment or resources available to me in the course of my employment with the City of Billings and the Police Department. **Violation of this is a criminal offense - Refer to Billings Montana City Code, Article 2-700 Code of Ethics, Section 2-703 Fair and Equal Treatment., (b) No official shall use public time, facilities, equipment, supplies, personnel or funds for the official's private business purposes.**

Name of Company:

Phone Number: _____

Nature of work to be performed:

—

Hours of work:

Number of hours per day/week/month:

Estimated Duration of job:

Immediate Supervisor:

Note: If work is intermittent and does not follow a fixed schedule, state the approximate hours and schedule:

Signed: _____

Conditions set forth by Administration:

APPROVED:

DISAPPROVED:

Deputy Chief
Date

Date

Deputy Chief

Chief of Police
Date

Date

Chief of Police

Original - Personnel File
cc: Sworn Personnel
Deputy Chief

(Revised 3/1/04)

Personnel Records

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings maintains employee records in Human Resources. The personnel file includes an employee's application, references, transfers, promotion, disciplines, evaluations, and other material relating to his/her employment.

Policy

Personnel files are kept as a confidential record of each employee's employment history. An employee's department/division head, direct supervisor, the City Administrator, and/or other individuals with an official need to know, also have access to the personnel files.

The City will not provide information from an employee's file to non-employees except where governed by law.

Procedure

In order to maintain up-to-date files, employees must notify Human Resources of any changes in address, telephone number, name, educational accomplishments, recent skill developments, and emergency contacts. All information contained in this file is open for the employee's inspection and review by making an appointment with Human Resources.

Phone Calls and Cellular Phone Use

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

To govern the use of the City phone system for personal use and the acceptable use of personal cell phones and cell phones provided by the City of Billings to its authorized employees and authorized volunteers for the purpose of performing job functions including communication and information exchange.

Policy

This policy outlines the use of the City phone system the use of personal cell phones, the use of City provided cell phones, and the safe use of cell phones by employees while driving.

Procedure

General

Personal long distance calls may not be made at the City's expense. City phone records will be audited on a regular basis. Particular phone numbers may be audited/monitored for misuse.

The City will not require employees to respond to City calls on their personal cellular phones unless they are on-call/on-standby.

Phone calls pertaining to outside employment matters and the utilization of City property are not authorized during an employee's shift. Section 2-2-121, MCA, states that a public employee may not "use public time, facilities, equipment, supplies, personnel or funds for the employee's private business purposes."

City Phone System

The City recognizes that employees will occasionally need to place and receive personal phone calls during the workday. In all cases, use of City

phones for personal calls should be minimal, whether the calls are placed or received. Receiving and placing excessive calls is disruptive to others.

Excessive personal calls during the work day, regardless of the phone used, can interfere with employee productivity and be distracting to others. A reasonable standard the City encourages is to limit personal calls during work time to no more than one per day as needed. Employees are therefore asked to make any other personal calls on non-work time where possible and to ensure that friends and family members are aware of the City's policy. Flexibility will be provided in circumstances demanding immediate attention.

Personal Cellular Phones

While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of City phones.

The City will not be liable for the loss or damage of personal cellular phones brought into the workplace.

Personal Use of Company-Provided Cellular Phones

Where job or business needs demand immediate access to an employee the City may issue a business cell phone to an employee for work-related communications. To protect the employee from incurring a tax liability for the personal use of this equipment, such phones are to be used for business reasons only. Phone logs will be audited regularly to ensure no unauthorized use has occurred.

If an employee experiences a severe personal emergency that results in the need to use the City's cellular phone, he or she shall report the use to their immediate supervisor. Failure to report such use may result in disciplinary action. The use of a City provided cellular phone for personal use is to be limited, strictly, to emergency use only. Employees, who are provided a City cellular phone, shall inform others of this policy and its restrictions.

Employees in possession of company equipment such as cellular phones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested (for example, 24 hours) may be expected to bear the cost of a replacement.

Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left

employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

Safety Issues for Cellular Phone Use

Employees whose job responsibilities include regular or occasional driving and who are issued a cell phone for business use are expected to refrain from using their phone while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options if available, refrain from discussion of complicated or emotional discussions and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area.

In situations where job responsibilities include regular driving and accepting of business calls, hands-free equipment shall be provided to facilitate the provisions of this policy.

Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued a cell phone for business use, are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

Violations of this policy will be subject to discipline, up to and including termination.

Privileged Information

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that City employees may be involved with and exposed to privileged information which, in turn, must remain as such.

Policy

Employees involved with plans, programs or information of significant public interest may not use this information for personal gain or to benefit friends or acquaintances.

Procedure

If an employee has outside interests which could be affected by a City plan, then the employee must report the situation to their immediate supervisor immediately.

Safety

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings is concerned with the health, safety, and welfare of its employees. Accident prevention is of primary importance to both the City and its employees.

Policy

Employees are required, in the performance of their duties, to exercise caution; use normal safe working practices; observe and obey safety postings and rules; use and care for required protective equipment and gear furnished by the City and to report all accidents to their supervisor as soon as reasonably possible. **All industrial and vehicle accidents and near misses must be reported to the employee's immediate supervisor and Human Resources. All vehicle accidents must also be reported to the appropriate law enforcement agency** and the employee must insist that all parties involved remain at the scene of any vehicle accident until police officers can investigate.

Motor vehicles purchased by the City of Billings are equipped with safety belts in compliance with Federal Motor Vehicle Standards. All employees who drive city vehicles shall use and ensure that all passengers use available safety belt equipment installed in the vehicle being operated. The following applies to employees driving "City-owned" vehicles and to employees driving their own vehicles for City business. For purposes of this policy, the term "employee" is inclusive of both supervisory and non-supervisory employees.

Procedure

Any incident/accident must be immediately reported to the employee's immediate supervisor and Human Resources. The incident/accident will be reported on the attached form. All report forms must then be forwarded to Human Resources. Any incident/accident of a serious nature requiring immediate attention shall be immediately reported by telephone to Human Resources and be followed-up in writing.

Service and Recognition Awards

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes in the recognition and importance of loyal, dependable and long-term employees.

Policy

The City presents service awards and recognition in appreciation for continuous service.

Procedure

Service

Awards are given at the completion of five (5), ten (10), fifteen (15), twenty (20), twenty-five (25) and thirty (30) years of continuous full-time service. Part-time employment will be recognized. Service awards are based on years of service provided as of December 31 of each year.

Recognition

STAR Award Program.

The STAR Award Program recognizes the power of teamwork and the higher level of service that teamwork provides to the residents of Billings. The STAR Award commends employees for providing outstanding service and encourages the continuance of that level of performance.

A STAR Award may be given to any employee: from one employee to another, from an employee to a supervisor, from a supervisor to a subordinate, or by recommendation of a citizen through the supervisor. STAR nomination forms can be obtained on the intranet or by contacting a supervisor or Human Resources.

Time Keeping

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The law requires complete and accurate records for compensating employees. This policy defines the guidelines for recording and processing time worked by City of Billings employees.

Policy

Maintaining the integrity of the City timekeeping system is essential. Although supervisors have primary responsibility for overseeing the timekeeping procedures in their work units, employees are responsible for recording their time appropriately.

Positive time reporting is used by nonexempt employees who are responsible for daily entry of exact hours worked and absences. Shift differential and on-call hours are also reported, if eligible. The supervisor must verify that the recorded information is correct. Both the employee and the supervisor must sign the timesheet. All nonexempt employees are required to submit a timesheet for each pay period.

Pay and time-off accruals/usage for the nonexempt employee is based on the timesheet recordings.

The City must pay nonexempt employees for all time that the City allows them to work. Thus, even unrequested work that an employee performs must be included in hours posted on the timesheet. Management is responsible for seeing that work is not performed if it does not want to incur the additional expense.

Time spent in preliminary or postliminary activities that are essential to performing a nonexempt employee's job must also be recorded on the timesheet. Examples include changing into uniform or preparing tools, machines, or equipment.

Exempt employees are paid on a salary basis for the job performed on a bi-weekly basis. An exempt employee is not required to submit a time sheet

unless he/she takes vacation, uses sick leave, is out under the provisions of FMLA or Workers Compensation, or is using Leave Without Pay.

An exempt employee of the City of Billings is not required to keep track of actual hours worked for the purpose of getting paid. However, there may be business reasons for keeping track of actual hours worked when required to do so for Cost Allocation purposes, as an example. City of Billings exempt employees do not earn compensatory time.

An exempt employee should not use vacation to cover an absence from work for less than one workday. Absences for more than one workday need to be coordinated with the employee's immediate supervisor and a time sheet completed to reflect the number of hours absent from work.

Procedure

The City has established earnings codes to be used when completing and processing timesheets. The codes are used for recording productive/nonproductive work hours and paid/unpaid absences.

Nonexempt employees report time in quarter-hour increments. Quarter-hour increments are also used for recording overtime and paid time off.

Timesheets are distributed on the Friday prior to the start of the work week on Monday.

The supervisor and/or designee are responsible for processing the time reporting information according to procedures and time frame established by Human Resources.

The timesheet for an absent exempt or nonexempt employee should be completed and processed by the supervisor so the appropriate pay deposit occurs.

Travel Policy

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

Employees with prior approval will be allowed to travel for necessary City purposes and will be reimbursed for reasonable and necessary expenses incurred in getting to and from those places involved in City business.

Policy

The travel policy acts as a basic guideline for all City departments and employees who use City-owned vehicles and who travel on City business. A variety of transportation modes exist and it is also the City's policy that the least expensive mode of transportation available be used while considering both time and actual reimbursement costs. The City Administrator gives final approval for travel and vehicle use. Department heads and supervisors must carry out the policy and must ensure that their employees follow correct procedures. Reimbursed expenses include only those incurred while traveling in connection with official business.

Procedure

The Finance Division is responsible for determining that the travel policy is being followed; that proper accounts are being charged, and that there are budgeted funds available.

- A. All travel, including the means of transportation to and from a destination, must be approved by the appropriate Department Head or designee before any trip is made. The use of the training or the conference requisition is required for all travel (except within the City of Billings) and will be submitted to the Finance Division and the City Administrator for approval.
 1. A written travel or conference requisition form, when required, should be submitted at least six (6) weeks prior to the travel. Any purchase order(s) relating to the travel will be submitted three (3) to four (4) weeks prior to the travel.

2. Cash advances are discouraged, but can be requested by employees who have received their Department Head or designee's approval to do so.
- B. All travel outside the Continental United States and Canada must be reviewed and approved by the City Council.
 - C. All transportation shall be by the most economical means--taking into consideration the direct cost of the carrier, the cost of the employee's time away from the office, and expenses incurred for additional nights lodging and meals. All commercial air travel shall be by the least expensive service available. An employee may be asked for documentation justifying the means of transportation and/or cost savings.
 - D. If travel by automobile is decided to be appropriate in terms of cost and time, the employee will use a City-owned vehicle. Exceptions (including the use of a private vehicle) need the approval of the City Administrator, unless stated in Labor Contract Agreements. Departments who do not have a vehicle for such travel may contact the Motor Pool for assistance. When private vehicles are used, reimbursement will be limited to tourist class airfare or the allowable mileage rate, whichever is less. The allowable mileage rate shall be established annually based upon the mileage rate currently allowed by the IRS. Employees who receive a vehicle allowance are eligible for reimbursement for gasoline purchases for travel exceeding 100 miles round trip. Reimbursement for mileage will be from the employee's workplace to the travel destination and returning to their work place.
 - E. When practical, employees will carpool when attending the same conference or training. An employee may take their own car but will not be reimbursed for mileage, or upon agreement split the reimbursement with the other drivers.
 - F. All things being equal, employees shall stay at the hotel/motel with the most reasonable rate.
 - G. Explanation for the necessity of a rental car will be included on the travel requisition form and subject to approval by the City Administrator.
 - H. A completed travel expense report showing expenses for reimbursement, and a detailed meeting/conference agenda, must be filed with the Finance Division within ten days upon the return from the trip.

- I. Travel expenses which require reimbursement shall be supported by vendor receipts. No reimbursements will be made without vendor receipts or documentation, except for certain instances where receipts are not customarily provided. Money spent for entertainment or personal items will not be reimbursed.

Per diem allowance for meals is the only allowable method for reimbursement.

MEALS PER DIEM WITHIN THE STATES OF MONTANA, WYOMING, NORTH DAKOTA AND IDAHO - NO RECEIPTS NEEDED:

Breakfast	\$ 6.00
Lunch	\$ 7.50
Dinner	<u>\$16.50</u>
	\$30.00

MEALS PER DIEM FOR TRAVEL OUTSIDE THE STATE OF MONTANA, EXCEPT FOR WYOMING, NORTH DAKOTA AND IDAHO - NO RECEIPTS NEEDED:

Breakfast	\$ 10.00
Lunch	\$ 12.00
Dinner	<u>\$ 22.00</u>
	\$44.00

The employee is unable to claim a meal if it is included in the registration cost of the training/conference. Exceptions include continental breakfasts, additional costs for banquets, and when the employee attends a training session or required business meeting during a scheduled meal.

If travel or attendance occurs during the following time slots, per diem payment may be made for the indicated meals.

12:00 a.m. to 11:00 a.m.	-	Breakfast
11:01 a.m. to 5:00 p.m.	-	Lunch
5:01 p.m. to 11:59 p.m.	-	Dinner

- J. All personal trips made together with official trips must be approved by the City Administrator and appropriate Department Head before the trip is made and must cause no additional expense to the City.
- K. Telephone cards will be purchased by each department to be used for employee's phone calls. It is the department's responsibility to distribute and monitor the usage of the cards. No reimbursement will be made for

phone calls except for hotel telephone access charges. When traveling outside of Montana with a City cell phone, employees must contact IT's administrative secretary at least two (2) days prior to the trip to change their calling plan.

- L. Employees may be asked for additional information or documentation before reimbursement.
- M. The City Administrator may approve exceptions to this policy.

Weapons

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City's goal is to maintain a safe and secure environment for its citizens and employees. This policy outlines procedures involving the use of weapons or the threat to use weapons.

Policy/Procedure

A weapon is any device, object, or substance which can cause bodily harm or damage to property, including guns, knives (blades longer than 2 inches in length), clubs, bombs, poison, or any other item which may be used with an intent to inflict injury.

No city employees (except law enforcement officials) are permitted to carry or have weapons on City property. Law enforcement officials are only permitted to have their service weapons on City property as required for the purpose of performing official duties. All incidents involving use of weapons, or threats to use weapons, must be reported immediately to the City Police Headquarters and, if it is a City employee who has used or threatened to use a weapon, then Human Resources must also be notified.

The Department Head may grant written exceptions to the above. Exceptions may only be granted for the carrying of pepper spray for personal protection and for knives that are utilized in the performance of the employee's job. A copy of the written exception will be forwarded to Human Resources. Oral exceptions may not be granted.

Violations of this policy are a Group III offense (see Corrective Action policy).

SECTION 2

COMPENSATION AND BENEFITS



Attendance Incentive

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that employees with good attendance should be recognized and rewarded with additional time off.

Policy

An attendance incentive plan provides up to twenty-four (24) hours of additional vacation time per year depending upon the employee's attendance record. The amount of incentive to be awarded will be determined at the end of each calendar year. The maximum of twenty-four (24) hours will be reduced, hour for hour, for each hour of sick leave which the employee has used during each full calendar year of employment. The amount of incentive will be pro-rated for part-time employees and for employees hired during the year. Funeral leave will not be counted as sick leave when determining attendance incentive awards.

Police Department command staff follows similar provisions as in the Police Union labor contract.

Procedure

Employees will be notified by Human Resources to determine employee eligibility.

Call-Out Pay

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes non-exempt employees who are called back to work to meet the needs of the residents served by the City or to meet the needs of a department should be compensated.

Policy

Eligible non-exempt employees called back to work, outside of their regularly scheduled work hours, will be compensated at a rate of one and one-half times (1½) the employee's regular rate of pay for a minimum of two (2) hours. In the event the callout extends into the employee's regularly scheduled work shift, the time and one-half (1½) rate of pay shall be paid for only the actual time spent before the regular shift begins.

Procedure

Non-exempt employees who may be called back to work must furnish their supervisor with a valid telephone number. When called back to work, the employee must respond to the call back request in accordance with Department policy.

Compensatory Time Cash Out

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that allowing employees to choose between compensatory time and overtime payment is an important benefit that supports a diverse workforce with differing needs and desires.

Policy

Non-exempt employees may, at their option, accrue compensatory time at the rate of one and one-half (1 ½) times the overtime hours worked in lieu of overtime payment.

When a non-exempt employee is promoted or transferred to an exempt position, the employee would maintain the accumulated amount of compensatory time that had been accrued at the time of the promotion or transfer. As an exempt employee, the employee would no longer be eligible to accumulate or use compensatory time, however, the employee will be allowed to cash in their compensatory time hours anytime throughout the employee's employment or at separation of service.

Compensatory time is accrued at the rate of one and one-half (1 ½) times the overtime hours worked. The maximum amount of compensatory time that can be accumulated for non-exempt employees is 240 hours. Non-exempt employees may cash out any or all of their compensatory hours.

Procedure

The employee must submit a completed Compensatory Time Cash Out form to Human Resources. Cash out is permitted at any pay period.

Amended 11/21/06 via AO #104

Deductions from Salary

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings is committed to following Federal and State laws. The City of Billings believes that offering employees options regarding additional payroll deductions meets the needs and desires of a diverse workforce.

Policy

Examples of "required" and "optional" deductions are below (this list is not all inclusive):

Required Deductions: Federal and State Withholding Taxes: Federal and State withholding taxes are deducted according to an employee's filing status, the number of claimed dependents, and salary earned.

Social Security and Medicare: Social Security and Medicare are deducted from employee earnings according to U.S. Government regulations.

Insurance Plans: Insurance contributions are made through payroll deduction.

Retirement Contributions: Retirement contributions to the employee's respective retirement system will be deducted each pay period as per State Law.

Optional Deductions: 125K Plan: Contributions, which allow employees to contribute pre-taxed pay toward un-reimbursed medical/dental expenses, are offered through payroll deduction if desired.

Savings Bonds: Savings bonds may be purchased on a payroll deduction basis if desired.

United Way and Montana Shares: United Way and Montana Shares donations may be made on a payroll deduction basis if desired.

Deferred Compensation Plans: Deferred Compensation Plans through the International City Managers Association (ICMA) and Nationwide (formally PEBSCO) are offered through payroll deduction if desired.

Procedure

Federal and State Withholding Taxes: To declare the deductions desired, a W-4 Form must be completed and must be submitted to Human Resources.

Human Resources must be contacted if the employee desires to participate in optional payroll deductions:

- Savings Bonds
- United Way Donations
- Montana Shares Donations
- Deferred Compensation Plans
- 125K Plan

Dental Insurance

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes dental insurance is an important benefit for full-time and part-time employees.

Policy

A self-funded dental insurance plan is available for full-time and part-time employees. The plan covers both the employee and their insurable dependents. The City and the non-bargaining employee share the cost of the insurance.

Coverage begins on the 1st day of the month following the first full calendar month of employment for new hires or at the re-enrollment period that becomes effective January 1 and remains in effect until the next January 1, unless there is a change in family status during the year (birth, death, marriage, divorce, adoption) or loss of coverage due to the loss of a spouse's employment.

Procedure

Employees should contact Human Resources for additional information.

Donated Sick Leave

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes sick leave is an important benefit to part-time and full-time employees.

Policy

Employees can donate a portion of their own sick leave to another employee who has used up all his/her accumulated sick, vacation and compensatory time due to his/her own illness or to care for someone in his/her immediate family.

An employee can donate in half-day or full-day increments of time (4 or 8 hours if on an 8 hour shift or 5 or 10 hours if on a 10 hour shift, etc.)

Any donated sick leave will not be charged against sick leave used and therefore will not affect the employee's sick leave incentive.

Procedure

Employees, who meet the above criteria, must contact their supervisor and Human Resources of the need for sick leave donation.

For information concerning issues regarding HIPAA and this policy, see the HIPAA policy.

Employee Assistance Program

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes in assisting employees in identifying personal problems, which affect work performance and/or their private life and wellness and to obtain professional help to resolve the problems.

Policy

The City has contracted with Behavioral Health Associates through Saint Vincent Health Care Center to offer this completely confidential Employee Assistance Program (EAP). They are a group of caring professionals who are ready to work with employees who seek their assistance.

The program treats a broad range of problems such as: depression; anxiety; workplace stress; addictive illnesses; brain injuries; grief and loss; posttraumatic stress; marital issues; parent/child issues; and relationship issues.

Employees and their eligible family members may receive up to four (4) sessions at no charge (December 1 to November 30) each year. If additional counseling is still needed, then the counselor will refer the employee to the appropriate sources or the employee may choose a counselor of their own. Health insurance may or may not pay for additional counseling.

The City is never notified of any personal contacts or information. This is a confidential service.

Procedure

Contact Human Resources if you have questions or need more detailed information.

Behavioral Health Associates are located at 1139 North 27th Street, Suite D, Billings, Montana and can be reached at 237-3585.

Health Insurance

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that providing health insurance is an important benefit.

Policy

The City maintains a self-funded insurance plan for full-time and part-time employees, retirees, and eligible dependents. The City oversees the administration of the plan. Coverage begins on the 1st day of the month following the first full calendar month of employment for new hires. Employees may choose from several plan options. Employees may be required to make premium contributions depending on the level of coverage the employee chooses.

Procedure

For more detailed information regarding insurance coverage during a leave of absence, or for specific questions on submitting claims or to receive a copy of the Group Health Plan contact Human Resources.

Higher Classification Pay

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that when non-supervisory employees work in a higher classification, to meet the needs of the City, they should be compensated based upon the classification system.

Policy

When an employee performs work in a higher classification, at the direction of their supervisor, the employee will receive the higher pay for the period of time worked in the higher classification (actual hours worked). Higher classification pay will be fifteen percent (15%) higher than the current rate of pay unless this places the employee above the employee assigned to the position. If so, then the employee working in the higher classification will receive the same pay as the employee permanently assigned to the position.

Procedure

The supervisor must contact Human Resources to determine the higher classification pay and then submit a letter or memorandum to Human Resources to document the higher classification action.

Holidays

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes Legal State holidays are an important benefit.

Policy

The following are Legal State holidays for full-time and part-time City employees. Legal State holidays are typically days in which City employees do not work but do receive pay. However, to meet the needs of the City, some employees may be required to work on a holiday.

Legal State Holiday	Date
New Year's Day	January 1
Martin Luther King Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veteran's Day	November 11
Thanksgiving Day	Fourth Thursday in November
Christmas Day	December 25
Every day in which a General Election is held throughout the State of Montana	
Every day declared a legal holiday by the Governor of Montana or the Mayor of Billings	

Part-time employees receive pay for the holiday on a pro-rated basis.

If one or more regular holidays fall in the period of an employee's annual leave, then the employee's leave record will be credited for the holiday.

Seasonal and temporary employees do not receive holiday pay.

Procedure

Contact Human Resources if you have questions regarding Legal State Holiday pay and credit.

Leadworker Responsibilities

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

To establish a standard procedure for handling the assignment and compensation of nonexempt employees, when they perform the duties of a Leadworker.

Policy

Non-supervisory employees, who are assigned a limited responsibility for supervising the work performed by their co-workers, may be designated as a Leadworker. Leadworkers may assume and exercise supervisory responsibilities and authorities up to, but not including, the full definition of a Supervisor as specified in 39-31-103, MCA. Those responsibilities and authorities that are not vested with a Leadworker are the authority to: "hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, discipline other employees...to adjust their grievances, or effectively to recommend such action."

Procedure

Leadworker assignments must be initiated and terminated with the Department Head's approval. Assignments may be made for indeterminate periods of duration.

Employees assigned as Leadworkers shall be paid at a base rate that exceeds their normal base rate by two pay grade increments (approximately 10%) for the duration of the assignment, providing:

- the Leadworker assignment is scheduled to exceed one full regular shift in duration and
- the Leadworker assigned is classified at the same to a lower pay grade than the co-workers that he or she is supervising. Leadworkers, who are classified at a higher pay grade by two or more grade increments, shall not qualify for any additional pay; as relating to their Leadworker assignment.

Position assignments, which affect the pay status of an employee as specified above, shall be reported on an individual basis using the City's standard Personnel change and New Hire form. The form should be completed in its entirety. Ensure that in the "Nature of Change" column that Leadworker assignment is entered. In the "To" column indicate the new salary level in the salary blank. In the "Date to be Effective" column indicate the date the assignment is to become effective.

Termination of Leadworker assignments are to be reported using the same procedure, indicating the nature of the change, the new salary level, and the effective date.

Leaves of Absence

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

This policy outlines the provisions of the leave of absence program for City employees.

Policy

A leave of absence (unpaid) is an authorized absence from work for a specific period of time. It protects employment, accrued benefits, and length of service. However, during an unpaid leave of absence the employee does not accrue benefits. Accumulated vacation (vacation already earned) will not decrease during a leave of absence.

Procedure

A request for a leave of absence must be submitted to the employee's Department Head for approval. The request must clearly state the reason and the length of time the employee will be absent. Except in an emergency, a request for a leave of absence must be submitted in writing 30 days prior to the requested starting date.

Family and Medical Leave Act

The Family and Medical Leave Act (FMLA) became effective August 5, 1993. Employees are eligible to use up to twelve (12) weeks of *unpaid*, job-protected leave in a twelve (12) month period if the leave is for the following reasons:

- The birth of a child;
- The adoption of a child or placement of a foster child;
- The care of a spouse, child, or parent with a serious health condition;
- The employee's recovery from a serious health condition.

The 12-month period is a "rolling" 12-month period measured backward from the date an employee uses any FMLA leave. This means that any time an employee takes FMLA leave the remaining leave entitlement would be any

balance of the 12 weeks that has not been used during the immediately preceding 12 months.

For example, an employee requests FMLA to begin August 1, 2001, the employee took (12) weeks of family leave beginning October 1, 2000. The leave would be denied because in the prior twelve (12) month period (August 1, 2000 to July 31, 2001), the employee used twelve (12) weeks of FMLA leave.

An employee must be employed by the City for at least 12 months and must have worked at least 1,250 hours during the preceding 12 months to be eligible for FMLA. An employee wishing to take FMLA leave must give the City at least 30 days advance notice when the leave time is foreseeable. When it is not possible to provide such advance notice, the employee must provide notice as soon as "practicable," ordinarily within one or two business days after the employee learns of the need for the leave.

The City may require medical certification to support a request for leave because of a serious health condition. The City may request a second or third medical opinion, at the City's expense. The City may request periodic medical updates from the employee at any time. An employee is not required to obtain medical certification for the first 6 calendar weeks of leave following childbirth.

All sick time must be exhausted prior to an employee taking the balance of FMLA leave as an unpaid leave. An employee may then choose to use accrued vacation or compensatory time (if applicable). Any paid or unpaid leave will count against the employee's 12-week entitlement.

During an unpaid FMLA leave, the employee is responsible to pay their insurance premiums and the City will continue paying the City's portion. If the employee fails to make a required payment benefits may be discontinued. If the employee fails to return to work after taking FMLA leave, the employee may be liable for repayment of health insurance premiums paid by the City during FMLA leave.

Military Leave

A regular employee, who leaves work to serve in the U.S. armed forces and who is under military orders, is entitled to be reinstated to his or her previous position with no loss of seniority, provided the employee:

- Satisfactorily completes service
- Is still qualified to perform the duties of the position
- Applies for re-employment within 40 days after completing service

If an employee is under military orders properly issued by military authorities and has worked for the City for six (6) consecutive months and is a member of the state-organized militia or armed forces reserve, then the employee will be granted a leave of absence with pay for attendance at regular encampments, training cruises and similar training programs. This leave cannot exceed fifteen (15) working days per calendar year. This absence is not charged against the employees other leave credits. Paid military leave is not intended for weekend duty or regularly recurring drills. Employees who have worked for the City less than six (6) months will be granted a leave without pay for attendance.

Funeral Leave

In the event of a death in the family, City employees will be granted time off with pay up to a maximum of five (5) days per occurrence. Days off will be charged to sick leave, but will not be considered when determining the sick leave incentive. If the employee has not completed his/her 90-day waiting period, the deductions from sick leave will be made as he/she earns sick leave. The definition of family for this section includes: spouse, parents, step-parents, brother, stepbrother, sister, stepsister, children, stepchildren, household dependents, grandparents, grandchildren and all the same relatives of the employee's spouse in like degree.

Family Sick Leave

The time granted for family sick leave is five (5) days each calendar year. This time must be used for an accident or illness of an immediate household family member or parents or parents-in-law of the employee, and must be reported to the supervisor prior to the sick leave use. The five (5) days can be taken in a block or individual days.

Jury Duty and Subpoena

It is the civic duty of each City employee to serve on a jury if the employee is properly summoned. Employees called for jury duty must promptly notify their supervisor so plans can be made to cover the employee's work assignments. Employees may take leave with pay and give the jury fees earned (excluding expenses) to the City or take vacation leave and keep the jury duty fee.

Workers' Compensation

Employees, who are injured or have an illness as a result of their employment, are covered by the Workers' Compensation Act and are entitled to Workers' Compensation benefits. The Montana Municipal Insurance Authority (MMIA) administers Workers' Compensation benefits for the City. Employees may elect to use sick leave credits or Workers' Compensation payments. State law defines Workers' Compensation benefits and all employees are entitled to the same benefits and appeal processes. Human Resources must be notified immediately of work-related incidents and lost time cases. If an employee is out for more than six (6) months under Workers' Compensation, the employee will be required to pay the City's monthly health insurance premium.

Life Insurance

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes life insurance is an important benefit for full-time and part-time employees.

Policy

The City offers a variety of term life insurance options to employees.

Procedure

For more information concerning life insurance contact Human Resources.

Longevity Pay

Revised 01/01/2013

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that longevity pay is a way to recognize employees for continued service to the City.

Policy

Longevity pay is based on the number of years of service, per the tables below. The years of completed service are based on the date of hire, as of December 31 of each year. Longevity checks are an annual lump-sum payment, issued the last payday in October. Employees that work twenty (20+) hours are eligible for the longevity benefit.

Bargaining unit employees receive longevity pay in bi-weekly paychecks in accordance with the appropriate union contracts.

Longevity pay is paid according to the following schedule:

Employees hired on or after 1/1/2013:

Years of Completed Service	Amount of Longevity Pay
6	\$750
11	\$1,250
15	\$1,688
20+	\$2,250

Employees hired on or before 12/31/2012:

Years of Completed Service	Amount of Longevity Pay
3	\$375
5	\$750
10	\$1,250
15	\$1,688
20+	\$2,250

Procedure

Human Resources determines employee eligibility.

Overtime

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that overtime may be required to meet City needs and employees must be compensated accordingly.

Policy

In emergencies or under unusual circumstances non-exempt employees may be required to work overtime or be called back to work. If so, they will be paid at the rate of one and one-half times their regular rate of pay for all hours worked (in 15-minute increments) in excess of 40 hours in their workweek. Non-exempt employees may have the option of being paid overtime or accumulating compensatory time off.

Procedure

All overtime must be approved in advance by the employee's supervisor. Overtime which does not have prior supervisory approval will be paid to the employee, but the employee may be subject to discipline.

Pay Day

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that employees should be paid in a timely manner.

Policy

The City of Billings distributes paychecks bi-weekly, every other Friday. Each pay period covers fourteen calendar (14) days, beginning on a Monday and ending on the second Sunday. Therefore, the check in payment for the days worked is received five calendar (5) days after the end of the pay period.

Procedure

Paychecks are picked up and distributed by the Department Head, Division Head, or designated employee.

If an employee wishes to make other arrangements for an emergency situation, then he/she should contact the supervisor at least 24 hours prior to the payday. If the employee desires a paycheck to be picked up by someone other than mentioned previously, the employee must make the aforementioned arrangements in writing stating the name of the individual authorized to pick-up their check.

Employees are strongly encouraged to have their paychecks electronically transmitted to the bank of their choice through the Direct Deposit Program (available to permanent employees only). Employees may enroll in Direct Deposit through Human Resources. Employees enrolled in Direct Deposit receive a hard copy of the payroll check and an itemized list of payroll deductions.

Pay Plan

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that the pay plan must be uniform and equitable.

Policy

All salaries and salary provisions are subject to the City Council's final approval of the annual budget.

Procedure

The City Administrator is responsible for developing, administering, and amending the plan to keep it uniform and equitable. Human Resources is responsible for the day to day administration of the City pay plan.

Personal Day

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that a Personal Day is an important benefit to employees.

Policy

A Personal Day is an additional paid day off each year for employees. The Personal Day must be taken between January 1 and December 31 each year or it will be forfeited.

Procedure

The employee must have the Personal Day approved and scheduled by the supervisor. The Personal Day is paid at the regular rate of pay.

The personal day may be used at anytime, with supervisory approval, during the employee's employment.

Physical Examinations

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that annual and routine physical examinations are an important benefit which promotes wellness.

Policy

Non-bargaining employees may receive, upon request, a physical examination every other year by the physician of their choice. The City will pay for eligible routine examination charges. Eligible routine procedures for physical examinations are limited to: chest x-rays, EKG, CBC, Chem Screen UA dip, Snellen vision test, baseline hearing test and a physical history. Usual and customary charges will be paid by the City. Anything over and above the usual and customary charge will be the responsibility of the employee.

Additional procedures the physician may request must be processed through the City's medical insurance and the employee must pay for any remaining balance.

Procedure

Non-bargaining employees who want to use this benefit should submit a written request, along with estimated costs, to their department head, prior to the exam. Employees who select Plans B or C under the City's health insurance program are asked to submit these charges first to the health insurance plan – wellness benefit, and then submit any remaining eligible expenses to the department for payment.

Position Classification

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that positions should be evaluated and classified to ensure equitable pay among all employees.

Policy

It is the policy of the City of Billings that all City positions are classified according to the responsibilities of the position, duties to be performed and educational or experience requirements. Once classified, the position will be assigned a salary range which will take into account both internal equity and the external market .

Procedure

Employees usually begin at the minimum of the pay range. Starting pay greater than the minimum, must be approved by the Department Head, Human Resources and the City Administrator. Merit increases, which are given on an employee's annual anniversary date, are based on job related performance and are measured by a performance evaluation process (for non-union employees only).

All classification and reclassification requests must be made to the City Administrator, through Human Resources. Each request must include a job description and a detailed explanation regarding the significant changes in the position. Human Resources will review the request and forward it to the City Administrator with a recommended grade and salary range for final review and approval/disapproval. The final authority on all classification and reclassification concerns rests with the City Administrator.

Human Resources will make periodic reviews of the classification plan and make recommendations to the City Administrator for necessary changes.

Shift Differential Pay

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that when eligible non-exempt employees work an afternoon or night shift, their hourly rate of pay should be increased to offset and compensate for the hours worked.

Policy

A shift differential will be paid to eligible non-exempt employees who are required by their supervisor to work the majority of their shift during the following times: afternoon shift (6:00 p.m. to midnight) and night shift (midnight to 6:00 a.m.).

Procedure

The supervisor must contact Human Resources to document shift differential pay.

Sick Leave

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes sick leave is the necessary absence from duty caused when an employee has suffered illness, injury, pregnancy-related illness, exposure to a contagious disease that requires quarantine, or the necessary absence from duty to receive a medical or dental examination or treatment. The City of Billings believes sick leave is earned, based upon months of service, and an important benefit to part-time and full-time employees.

Policy

Each full-time employee earns paid sick leave from the first full pay period of employment at the rate of eight (8) hours per month, without restriction as to the number of hours that may accumulate. Employees may use earned sick leave after being employed ninety (90) consecutive days.

Part-time employees are entitled to pro-rated sick leave if they have a regularly scheduled work assignment and normally work at least twenty (20) hours per week.

Sick leave should be used for an employee's personal illness, well care and medical and dental appointments. Sick leave may also be used for illness and well care in an employee's immediate family (i.e., spouse, child(ren), mother, father). If the employee is on leave under the Family and Medical Leave Act (FMLA), sick leave must be used initially as part of the FMLA leave. Sick leave shall always be exhausted for the aforementioned issues prior to utilizing vacation leave, comp time or requesting leave without pay.

Upon separation from the City, an employee will receive a lump sum payment equal to one-fourth of the pay attributed to unused sick leave. The payment will be computed at the employee's rate of compensation at the time of termination. Upon the death of an employee, unused sick leave will be paid at 100 percent.

A physician's certificate may be required to substantiate a sick leave charge. Physician's certificates may be paid by the City if the employee is examined by a physician of the City's choice and at a time designated by the City.

Procedure

The immediate supervisor must be contacted regarding the employees necessary absence from duty caused by illness, injury, pregnancy-related illness, a contagious disease which requires quarantine, or medical or dental examinations. Human Resources should be contacted if there are questions regarding sick time earned and accrued.

Standby Pay

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes non-exempt employees who remain available at all times for emergency callouts, while off regular duty, should be compensated.

Policy

Non-exempt employees, required by their supervisor to remain available at all times for emergency callouts, while off regular duty, will be compensated for all standby time. Standby pay will be interrupted for all actual hours worked.

Procedure

Non-exempt employees on standby must furnish their supervisor with a valid telephone number where the employee may be contacted immediately. Non-exempt employees who have paging devices must have the pagers available at all times and must respond to the pagers immediately. When called back to work, the employee must respond to the call back request.

Vacation

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes vacation time is earned, based upon years of service, and an important benefit to part-time and full-time employees.

Policy

Employees earn vacation leave credits from the first full pay period of employment at the following rate:

Years of Service	Vacation Hours Per Year
1 to 10 years of service	120 hours per year
11 to 15 years of service	144 hours per year
16 to 20 years of service	168 hours per year
21 years of service and more	192 hours per year

Employees must be employed six (6) consecutive or qualifying months before the employee can use earned vacation. Part-time employees are entitled to pro-rated vacation benefits if they have regularly scheduled work assignments and have worked six (6) consecutive months.

Vacation schedules are determined by mutual agreement between the employee and supervisor. All paid leaves, including vacation, are paid in one-quarter hour increments.

The maximum accumulation of vacation leave is twice the number of days the employee earns annually as of the end of the first pay period of the next calendar year. Excess vacation time is not forfeited if taken within 90 calendar days from the last day of the calendar year in which the excess was accrued. Upon separation, the City will pay out any unused vacation leave at the regular rate of pay.

Procedure

Vacation time must be accrued before it may be used. Employees must receive their immediate supervisor's approval prior to using vacation time.

Human Resources should be contacted concerning questions regarding vacation time earned and accrued.

SECTION 3

Employment



Drugs and Alcohol

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings is committed to providing and maintaining a safe, healthy, and productive working environment for all of its employees and the residents of the community. Substance abuse increases the potential for accidents, absenteeism, substandard performance, and poor employee morale. Impaired judgment of City employees may have serious financial consequences for the city through increased safety risk, potential accident liabilities, increased Worker's Compensation liabilities, and potential faulty decision-making. Substance abuse undermines the City's mission to provide the community with an excellent quality of life through leadership, communication and delivery of service which are responsive to resident's needs, cost effective, and oriented to the future.

Definitions

Controlled Substance: Means a controlled substance in Schedules I through V of section 202 of the Controlled Substance Act (21 U.S.C. § 812), and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15.

Conviction: Means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of federal or state criminal drug statutes.

Duty: Means the status and time of a person who is assigned to work or time an employee is scheduled to report to work. Any time the employee is not fully and completely released from work.

Work Place: Means the site for the performance of any city work. Worksite includes City vehicles and private vehicles while being used by employees in the performance of their duties.

Policy

All employees of the City are prohibited from:

- Using, consuming, distributing, or possessing alcoholic beverages or illegal drugs while on duty or reporting for duty while under the influence of alcoholic beverages or illegal drugs.
- Use of, consumption of, distribution of, or possession of alcoholic beverages and illegal drugs by employees are prohibited in City worksites and at all times whether on duty or off duty. The term "worksite" includes City vehicles and private vehicles while being used by employees in the performance of their duties.
- Use, distribution, dispensation, possession, manufacture, or sale of (illegal drugs) while off duty which adversely affects the employee's work performance, the safety of the employee or others at work, or the City's regard or reputation in the community. This includes reporting to duty while under the influence of illegal drugs.
- Use of alcohol off duty that adversely affects the employee's work performance, the safety of the employee or others at work, or the City's regard or reputation in the community. This includes reporting to duty while under the influence of alcohol.

Any employee violating this policy will be subject to discipline up to and including discharge.

Any employee who is disciplined under this policy will be referred to a drug/alcohol abuse assistance or rehabilitation program. For further information pertaining to being referred and testing, see the ***Drug and Alcohol Testing: For Cause/Reasonable Suspicion Testing*** policy.

Employees who possess Commercial Driver's Licenses are subject to pre-employment, random, reasonable suspicion and return to duty drug and/or alcohol testing (see the ***Commercial Driver's License*** policy).

Procedure

Human Resources shall be notified of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after a conviction.

If the employee's division or department receives federal grant funds, the Division or Department Head shall determine if the federal agency needs to be informed.

All City employees shall cooperate in the City's investigation of substance use and abuse.

Employment Anti-Discrimination Practices

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that equal opportunity in employment is a moral and legal obligation. The City of Billings is committed to providing equal opportunity for women, minorities, veterans, and persons with disabilities in employment. The City of Billings is further committed to upholding the multiple federal and state laws that prohibit discrimination on the basis of race, sex, age, religion, national origin, marital status, color, creed, disability (physical and mental), political beliefs, and veteran status.

Policy

It is the policy of the City of Billings to recruit and select persons for appointment and employment, and to train, advance, promote, and transfer such persons on the basis of individual capability, potential, or contribution to the programs and goals of the City.

Each department head, supervisor and employee of the City of Billings is responsible for conducting appointment and employment activities in support of and in compliance with this policy.

The City of Billings respects, supports, and observes the laws, directives and regulations of the state and federal government that prohibit discrimination.

A climate of equal opportunity that nurtures and supports the fullest contributions of each employee is essential "to provide our community with an excellent quality of life by delivering cost effective public service." Creating and sustaining this climate is the responsibility of all who work for the City. Leadership is expected to reinforce these principles.

Human Resources is responsible for assembling employment and enrollment data and implementing new diversity efforts. Human Resources, in coordination with others, may investigate individual complaints and concerns.

This policy is related to all phases of employment including but not limited to: recruitment, selection, testing, employment, placement, layoff, promotion, demotion, transfers, discipline, termination, pay rates, and training. This policy does not preclude discrimination based on bona fide occupational qualifications or other recognized exceptions under the law.

The City of Billings also believes in making reasonable accommodations as needed to enable qualified disabled employees and applicants to satisfactorily perform the essential duties of City jobs, except where the accommodations would impose an undue hardship on the City.

All applicants for employment with the City of Billings will be recruited from the reasonable labor market and evaluated on each person's individual qualifications and abilities. All City of Billings employees shall be afforded equal employment opportunities during their terms of employment and are guaranteed protection against retaliation for exercising any legal or administrative procedures to secure rights to equal employment opportunities or testifying on behalf of someone else doing so.

All supervisory personnel are responsible for, and shall be committed to, achieving and promoting equal employment opportunity with the City of Billings.

This policy also relates to the use of all facilities and participation in all City-sponsored employee activities. It is the responsibility of each supervisor of the City to ensure affirmative implementation of this policy so as to avoid any discrimination in employment practices. In addition, each employee has a responsibility not to discriminate and to report instances of discrimination by others.

If an employee believes he/she is being subjected to any of these forms of harassment, he/she must bring this to the attention of the immediate supervisor or other functionally related management person or Human Resources. The very nature of harassment makes it impossible to detect unless the person being harassed registers his/her discontent and/or reports the offensive conduct. For additional information see the Mutual Respect and Sexual Harassment policy.

Discrimination Complaint Process

If a City employee or other individual believes he/she has been discriminated against on the basis of race, creed, national origin, color, sex, religion, physical or mental disability, marital status or age, the individual may take action submitting the complaint to Human Resources.

The complaint may also be submitted to any of the following levels:

1. Immediate Supervisor and/or Superintendent and/or Division Head
2. Department Head
3. Human Resources
4. City Administrator
5. State of Montana Human Rights Commission within 180 calendar days of the alleged action or incident.

Complete confidentiality may be requested and will be complied with to the extent legally possible.

An individual is encouraged to first discuss their complaint with their immediate supervisor or Division/Department Head, in an effort to settle the issue at the lowest possible level. Discussions should occur within 10 days of the incident.

If the complaint is not resolved at the Departmental level, a written complaint (see attached form) shall be filed with Human Resources within 30 days of the incident. Human Resources will investigate, with the goal of concluding the investigation within 45 days of the receipt of the complaint.

If the City of Billings cannot resolve the complaint, then the complainant shall be notified of all appeal rights.

Should the complainant decide not to pursue the complaint, a signed withdrawal statement shall be obtained.

Gifts and Endorsements

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that the employees are committed to having our entire professional and business dealings adhere to the highest ethical standards. The conduct of the City will always reflect our commitment to quality, fairness, honesty, and service. The City will seek to avoid any actions that violate, or that may appear to violate, those standards and values.

Policy

City of Billings ORDINANCE NO. 02-5217, governs the subject of gifts and favors. In summary it outlines that:

- No employee shall accept any gift, whether in the form of money, thing, favor, loan or promise, that is offered to influence an official decision or to prejudice an official opinion or action.
- No employee shall accept a cash gift for any reason.
- Except as provided above, an employee may accept a gift or favor of food, merchandise or services whose cash value is less than fifty (\$50.00) dollars.

In addition, residents may ask employees to recommend or endorse certain products or companies as a solution to various problems. City employees are prohibited from endorsing any such products or companies. However, employees may respond to specific inquiries regarding products or services.

Violation of this policy may result in disciplinary, criminal or civil sanctions.

Procedure

A copy of the City of Billings Code of Ethics can be obtained via the intranet or by contacting Human Resources. Avoid both actual and potential conflicts between his or her private self-interest and the public interest.

Mutual Respect and Sexual Harassment

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

Mutual respect, consideration and courtesy are expected of everyone employed by the City of Billings. City employees have the right to pursue their careers free from all forms of discrimination and conduct which can be considered harassing, coercive, or disruptive, including sexual harassment. Sexual harassment, for purposes of this policy, includes any gender-based harassment.

This policy communicates the City of Billings' position on sexual harassment and its expectations for appropriate behavior. This policy applies to and prohibits sexual harassment by everyone who works for the City of Billings, including administration, supervisors, and all full-time, part-time and temporary employees, as well as vendors and any other individual with whom employees come in contact with while on the job. It is the responsibility of all employees and management who believe they have been harassed to report such behavior so that the behavior can be investigated and appropriate action taken.

The City of Billings intends to maintain an environment for employees that is free from sexual harassment and intimidation. The City of Billings recognizes that sexual harassment undermines morale and interferes with the productivity of individuals and their co-workers. Such conduct will not be tolerated.

Policy

Federal and state law prohibits sexual harassment. Such harassment includes unwelcome sexual advances; requests for sexual favors; sexually-motivated physical contact; verbal, written and electronic communications; and visual and physical conduct of a sexual or gender-based nature when (1) submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting an individual, or (3) such conduct is intended to or does interfere

with an individual's work performance or creates an intimidating, hostile, or offensive work environment.

Sexual harassment may also take more subtle forms. Examples include stereotyped assumptions about the roles of men and women in the work force, or gender based jokes or rumors. It is important that employees, supervisors and managers be sensitive to overtones of harassment and deal with these situations appropriately.

Disrespectful behavior of any kind, sexual or any other form, ranging from inappropriate humor and subtle hints to overt acts, threats, or physical contacts, will not be tolerated.

City of Billings employees have an affirmative duty to report to their appropriate supervisor or department head any complaint of a lack of mutual respect, or any sexual harassment that is brought to their attention. Human Resources can also be contacted to report such incidents.

To foster an environment of mutual respect, the following guidance is provided:

1. Develop an understanding for different cultures and other personal differences
2. Refrain from arguing or inciting co-workers and/or customers
3. Avoid:
 - insults
 - put-downs
 - bullying
 - trash talk
 - threats
 - making fun of others
 - other acts of discourtesy or disrespect
4. Refrain from spreading gossip and innuendo

Procedure

Informal Resolution

Sexual conduct is considered harassment when it is "unwelcome." An inquiry into an allegation of sexual harassment often involves an assessment of whether the recipient made it known that the conduct was unwelcome. Direct attempt at resolution is encouraged; employees subjected to unwelcome sexual conduct should inform the perpetrator, verbally or in writing, that the conduct is (a) considered offensive and (b) must stop. Documentation of the interaction or copies of the correspondence should be kept and copies should be provided to the supervisor when the harassing conduct is reported. If the response of the perpetrator is unsatisfactory, or the employee feels uncomfortable confronting the perpetrator, the employee should initiate the complaint procedure described below.

Formal Reporting

Employees who believe they have been harassed, have witnessed harassment, or have had incidents of harassment reported to them by co-workers should report these matters to their immediate supervisor or other functionally related management personnel. If the employee is uncomfortable reporting the issue to the supervisor, then the employee may take the concern directly to the appropriate supervisor in his/her chain of command. The employee may also call Human Resources for assistance. Human Resources, working collaboratively with the employee's chain of command, will investigate allegations of sexual harassment. Corrective action will be taken when appropriate.

Every effort will be made to resolve allegations of sexual harassment within a reasonable period of time. It is recommended that the investigation be conducted and recommendations for action be developed in 10 working days. The length of an investigation may vary depending upon the nature and scope of the behavior.

Investigation

The investigation will be conducted under the direction of management responsible for monitoring the performance and behavior of the individual accused of harassment. Upon notification, a representative from Human Resources will:

- Conduct an initial interview with the complainant. Information regarding the nature, scope, and extent of the harassment and any potential witnesses will be documented.

- Decide if action is necessary to protect the safety of the complainant. Such action may include, but is not limited to, change in work schedule or location, personal security arrangements for the complainant, or temporary suspension (with pay pending the outcome of the investigation) of the individual against whom the allegations have been made.
- Interview any additional witnesses identified by the complainant to gather pertinent information.
- Meet with the alleged harasser and review the charges brought forward, the policy regarding harassment, the nature of the investigation, and any current action being taken.
- Interview any additional witnesses identified by the alleged harasser.
- Ensure that the confidences of all individuals involved in the incident are respected to the extent possible while ensuring a thorough investigation.

Action

All information gathered from the investigation will be reviewed with the appropriate member of management and, if warranted, City Attorney. These individuals will determine action to be taken, which may include, but is not limited to, no disciplinary action, education, an apology, documentation (formal or informal), termination of employment, or other disciplinary action.

False Accusations

If the investigation establishes that the alleged conduct did not occur, then the complainant must be informed that false sexual harassment claims will not be tolerated and will be addressed by appropriate corrective action. The wrongly accused must be assured that the false charges will not affect the terms or conditions of their employment with the City.

Recurrence of Harassment

Employees who have had a complaint addressed by this procedure should immediately report subsequent incidents.

Retaliation

Under no circumstances will retaliation or intimidation of a complainant be tolerated. Individuals who have had a complaint addressed by this procedure or have participated in an investigation shall immediately report any incidents if they are the subject of retaliation or intimidation.

Appeal

An employee who is not satisfied with the outcome of the investigation and resulting action(s) may appeal the decision(s) using the grievance process, if appropriate.

Follow-up

A follow-up review will be completed by Human Resources within six (6) months after harassment allegations have been confirmed to ensure the harassment has discontinued and all parties involved are not subjected to retaliatory behaviors.

CITY OF BILLINGS
HARASSMENT REPORT
(Submit to Human Resources)

Name: _____ Job Title: _____

Department: _____ Supervisor: _____

STATEMENT:

Name(s) of Witnesses:

Description of Incident: (Describe in your own words the actions of all involved - attach additional pages if necessary)

I understand that Human Resources will conduct an investigation of my report.

A report of harassment, its investigation, the outcome of the investigation and any action taken relating to a specific employee is confidential. Dissemination of confidential information shall be limited to persons with a need to know in order to conduct an investigation and take appropriate corrective action.

I hereby authorize dissemination of information regarding this report to other persons with a need to know.

I acknowledge that I have read and understand the above statements and certify that all information I have provided is true to the best of my knowledge.

Employee Signature: _____ Date: _____ Time: _____

Submitted to: _____ Date: _____ Time: _____

March 2004

No Smoking in City Owned Buildings / Vehicles

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings is concerned with the health, safety, and welfare of its employees.

Policy

Ordinance 99-5084 established a smoke-free environment for all indoor areas of City-owned buildings and in all City-owned vehicles. Any employee who violates this ordinance may be subject to disciplinary action. One posted exception involves a vehicle that is assigned to only one employee. The City Administrator must make all other exceptions.

Procedure

Do not smoke in City-owned buildings or vehicles, unless a vehicle is assigned to you or approved by the City Administrator.

Political Activity

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that City employees must use their time at work to focus on work, not on political activities.

Policy

Employees may not solicit any money, influence, service, or item of value or promote any political committee or the nomination or election of any person to public office while on the job.

This section is not intended to restrict the right of employees to express their personal political views.

Procedure

Employees should contact their supervisor if they are asked to utilize, work time for political activities.

Workplace Violence

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City's goal is to maintain a safe and secure environment for its citizens and employees. The safety and security of City employees is critical. Threats, threatening behavior, acts of violence, or any related conduct, which disrupts an employee's work performance or the City's ability to perform services, will not be tolerated. The City of Billings recognizes that family violence, violence at work, and any other violence can affect an employee's work performance.

Policy

Definition

Violence is defined as the use of physical force, harassment or intimidation, or the abuse of power or authority.

- Acts of violence include the use of weapons of any kind and any unwanted physical attack such as hitting, pushing or throwing objects.
- Threats of violence include any expression (speech, conduct, writing, etc.) designed to frighten, terrorize, or otherwise place a person in fear of bodily injury.

Specific examples of prohibited conduct:

- Hitting or shoving an individual.
- Intentionally harming or threatening to harm an individual or his/her family, friends, associates, or his/her property through physical means. Threats to harm others if certain events do or do not transpire, as well as threats to immediately and unconditionally harm others.
- Intentionally destroying or threatening to destroy property owned, operated or controlled by the City of Billings.
- Making harassing or threatening telephone calls; sending harassing or threatening letters or other forms of written or electronic communications.

- Harassing surveillance, also known as “stalking”: the willful, malicious and repeated following of another person and making a credible threat with intent to place the other person in reasonable fear of his or her safety.
- Carrying or having weapons on City property (except law enforcement personnel in the line of duty). A weapon is defined as any device that may be used to inflict bodily harm. Examples include but are not limited to: guns, knives, clubs, bombs or any other items designed to inflict injury. (See Weapons policy.)

The City of Billings is committed to working with its employees to maintain a work environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior. All reports of incidents will be taken seriously and will be dealt with appropriately. Such behavior can include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. Individuals who commit such acts may be removed from the premises during the investigation period and will be subject to corrective action that may include termination of employment.

Procedure

The impact of violence, whether it occurs on or off the job, is to control a person by causing pain or fear of pain to the victim or his/her family, friends, associates, or his/her property through physical means. The City acknowledges that human relationships are subject to conflict and that some employees are exposed to violence by the nature of their jobs. The City intends to take positive steps to:

1. Minimize the potential for violence in and around the workplace.
2. Reduce the negative consequences for those employees who experience or encounter violence in their personal or work lives.
3. Foster a work environment of mutual respect and healthy resolution of conflicts.

Employees are prohibited from engaging in any act -- either on City premises or during the performance of work-related duties -- that threatens the safety, health, life or well-being of an employee and/or a customer. Such acts include, but are not limited to:

- threatening, intimidating, coercing, harassing or assaulting an employee or customer

- sexually harassing an employee or customer
- carrying weapons on City property or possessing a weapon on City property (except law enforcement personnel in the line of duty)
- allowing unauthorized persons access to non-public areas of City property without management permission
- using, duplicating or possessing keys to City property without authorization
- stealing, or attempting to steal, property of the City, an employee or a customer

Responsibilities and procedures promulgated in this policy are intended to ensure that:

- proactive measures are taken to foster an atmosphere of courtesy, dignity and respect among employees and between employees and citizens
- situations conducive to workplace violence are identified and reasonable steps taken to minimize risk to employees and citizens
- acts of violence involving employees are reported and investigated
- employees who experience violence in the workplace have avenues for resolution and support

Responsibilities

All employees share in the responsibility to minimize the occurrence and effects of violence. The following responsibilities are minimum guidelines to establish accountability for preventing and dealing with workplace violence:

Department Heads, Division Managers, Managers

1. Ensure that the workplace provides for the physical security of employees to minimize the risk of serious injury or death.
2. Establish policies and procedures as necessary to minimize and resolve conflict between employees and customers.

3. Establish training requirements for employees designed to prevent and respond to incidents of workplace violence.
4. Participate, as appropriate, in resolution of employee grievances and investigations of reported threats or other incidents of workplace violence.

Supervisors

1. Monitor workplace security, customer relations and employee behavior to identify conditions that present significant risk of workplace violence.
2. Enforce City and Department policies and procedures intended to minimize and respond to incidents of workplace violence.
3. Ensure and encourage employee participation in City and Department workplace violence training programs.
4. Facilitate conflict resolution without violence in the workplace. Encourage employee participation in Employee Assistance Programs, as appropriate, to manage personal situations that may lead to violence.

All Employees

1. Treat all employees, customers, vendors and all other persons with courtesy, dignity and respect at all times on City premises and during the performance of work-related duties.
2. Report threats and acts of violence experienced or witnessed on City premises to the supervisor and/or to Human Resources. Report other violent conditions, as appropriate, that may affect the workplace, such as restraint orders and domestic threats.
3. Participate in City and Department workplace violence training.
4. Report conditions and behaviors conducive to workplace violence to the supervisor and/or the Human Resources Manager.

Human Resources

1. Ensure that training on this policy is available to all employees.
2. Assist department heads, as necessary, in providing training for employees designed to prevent and respond to incidents of workplace violence.
3. Investigate reports of assault, threats, harassment or other violence. Convene a Threat Assessment Team as appropriate.
4. Provide employee assistance to victims of violence.

Courtesy and Respect for Others

All City employees and all citizens deserve to be treated with dignity and respect. Courteous and respectful treatment is the single best way to avoid incidents of violence in the workplace. (See Mutual Respect and Sexual Harassment policy)

Dealing with Tense or Violent Situations

The primary objective in any potentially violent situation is to protect yourself from harm. Use de-escalation techniques when you can and withdraw if de-escalation doesn't work. Do not use force unless (1) you are a sworn police officer acting within the scope of your duties or (2) you are attacked by another individual and cannot escape. Following are examples of de-escalation techniques:

If you encounter extreme anger or rage:

- remain calm
- give the individual ample space
- ensure that you have an escape route
- try to keep a barrier between you and the individual
- maintain direct eye contact when speaking
- speak clearly and slowly
- don't talk with your hands

- don't argue or raise your voice
- get assistance, if necessary
- use a pre-arranged code word to warn others, if you have one

If you are confronted or attacked by an individual:

- give them any valuables they ask for
- if you are attacked:
 - ◆ make as much noise as possible
 - ◆ strike out at vital areas such as eyes, throat, shins, groin
 - ◆ escape as quickly as possible
- if the individual has a gun or other weapon:
 - ◆ try to remain calm
 - ◆ don't try to be a hero
 - ◆ do not act in a confrontational manner
 - ◆ speak slowly and clearly
 - ◆ follow the perpetrator's instructions exactly, within reason
- after a violent incident:
 - ◆ try not to touch anything
 - ◆ notify your supervisor or the police as soon as possible
 - ◆ in the event of rape, do not wash or change clothes until questioned by police and examined by a medical professional

Reporting and Investigation

Acts of violence by a co-worker must be reported to the supervisory chain, the Department Head, and Human Resources as soon as possible in order to ensure that incidents are investigated and appropriate action is taken. Any employee (including a supervisor or manager) must complete a "Report of Workplace Violence" if they are:

- threatened by another employee
- a victim of a violent act by another employee
- aware of work-related threats or violent acts by another employee

Each report will be promptly evaluated and investigated.

Report acts of violence by customers or citizens and situations or locations to your supervisor. The supervisor will investigate, involving law enforcement and Human Resources as appropriate, and take necessary action to minimize the potential for violence.

Confidentiality

Information about an incident or threat will be disclosed on a need-to-know basis only, so that a fair and thorough investigation can be conducted and appropriate action can be taken. The City will take appropriate measures to ensure the safety and privacy of the individuals involved to the fullest extent of the law.

Discipline

An employee who engages in prohibited conduct will be subject to appropriate disciplinary action as determined by the findings of the investigation (see Corrective Action policy), up to and including termination of employment. In addition, certain actions may cause the employee to be held legally liable under state or federal law.

Retaliation

Episodes of workplace violence can be eliminated only if employees are willing and able to report threats, violent acts and other unsafe conditions. The City of Billings encourages employees to come forward with such reports and promises to promptly investigate all complaints of retaliation and impose appropriate disciplinary action, up to and including termination.

Training and Awareness

The City of Billings will provide workplace violence training for all of its employees, including supervisors and managers. These sessions will explain the City's policy on workplace violence, as well as procedures for reporting and investigating threats, violent acts, and unsafe workplace conditions. In addition, employees will be informed of their responsibilities and of the measures they can take to protect themselves and their co-workers from episodes of workplace violence.

The City will make other training available to foster an environment of courtesy, dignity and respect for all persons. Examples of such training include diversity awareness, customer relations, conflict resolution, communication skills, stress management, mutual respect, and handling threats. Participation in Employee Assistance Programs is encouraged for employees who would benefit from individual support.

CITY OF BILLINGS
REPORT OF WORKPLACE VIOLENCE
(Submit to Human Resources)

Name: _____ Job Title: _____

Department: _____ Supervisor: _____

STATEMENT:

Name(s) of Witnesses:

Description of Incident: (Describe in your own words the actions of all involved - attach additional pages if necessary)

I understand that Human Resources will conduct an investigation of my report. A report of workplace violence, its investigation, the outcome of the investigation and any action taken relating to a specific employee is confidential. Dissemination of confidential information shall be limited to persons with a need to know in order to conduct an investigation and take appropriate corrective action.

I hereby authorize dissemination of information regarding this report to other persons with a need to know.

I acknowledge that I have read and understand the above statements and certify that all information I have provided is true to the best of my knowledge.

Employee Signature: _____ Date: _____ Time: _____

Submitted to: _____ Date: _____ Time: _____

SECTION 4

Terms of Employment



Absence Control

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

This policy establishes guidelines to be used for monitoring and addressing employees' absenteeism from work.

Policy

Regular attendance at work for all employees is a crucial component in the delivery of quality public services, whether one works directly with the public or not. While the expectation is that employees work all of the shifts that they are scheduled, perfect attendance is not always possible. The absence control plan is designed to deal with those inevitabilities. This policy deals with excessive "unscheduled absences" (such as repeatedly calling in sick), tardiness, and failures to report to work.

A progressive corrective action process is outlined for supervisors to monitor and address attendance problems. Some attendance problems are symptomatic of other problems, which may be eliminated or reduced by referral to the Employee Assistance Program, Human Resources or other services available to employees.

Supervisors are responsible for accurate and timely documentation and communication to employees.

The plan focuses on absences from work and not on the reasons for them, with some exceptions covered below.

Supervisors should share the plan with employees and ensure that they understand the expectations for attendance at work.

Supervisors should communicate with employees when expectations are not being met, including suggestions for improvement and consequences if

improvement does not occur. (The supervisor should keep notes of this informal counseling and discussions.)

When formal corrective action occurs, supervisors must use a Corrective Action form to document the action. A copy is sent to the employee's file in Human Resources.

Exemptions from Absence Control

The following are not included as occurrences:

- Absences due to workers' compensation injuries or illness
- Absences qualifying under the Family and Medical Leave Act (FMLA) -- unless FMLA balance has been exhausted
- Approved funeral leave
- Vacation time or other prescheduled and approved time off
- Military leave of absence
- Jury duty
- Court subpoena
- Approved personal leaves of absence
- Approved scheduled Medical/Dental Appointments

Procedure

Supervisors will record unscheduled absences by some means convenient for the supervisor. Supervisors will routinely review their records of their employees' unscheduled absences in order to determine if corrective action is to be implemented.

The following definition of an occurrence applies: A single occurrence is defined as either one specific day, part of a day, or a combination of successive days of absence. Absences resulting because of a medical condition will be addressed on a case by case basis. For example, reoccurrences of the flu or common cold are counted as separate occurrences.

Absence patterns

Those exhibiting patterns of absence would more likely receive corrective action than if there were no patterns. Patterns also may be indicative of some other underlying problem, possibly warranting discussion or referral. An example of an absence pattern would be routine absences on Fridays, Mondays, or days after holidays.

"Playing the System"

"Playing the system" to be regularly absent the maximum number of times allowed without receiving corrective action will increase the likelihood of corrective action in borderline cases.

Effect on work

While all absenteeism affects work somewhat, the supervisor may lean toward corrective action in borderline cases where there is more significant impact on work performance.

If, after evaluating the above, the supervisor determines that an occurrence has occurred, the following actions shall be taken:

1 st Occurrence	Employee Discussion
2 nd Occurrence	Employee Discussion
3 rd Occurrence	Employee Discussion
4 th Occurrence	Employee Discussion
5 th Occurrence	Employee Discussion
6 th Occurrence	Oral Warning
7 th Occurrence	Written Warning
8 th Occurrence	One Day Suspension
9 th Occurrence	Termination

Occurrences are counted within a twelve (12) month time period, July 1 to June 30.

Tardiness

Tardiness normally begins immediately after the scheduled start of the shift, unless otherwise defined by the work unit. Tardiness for work, especially when chronic, can create many problems for the work unit including difficulty accomplishing the normal work functions, as well as creating potential morale problems. Therefore, tardiness requires special attention under this policy.

Supervisors have the ability to deal with tardiness of less than one hour separately. The standard is three incidences of tardiness (of less than one hour) per quarter triggering progressive corrective action for the first offense. This separate tardiness corrective action needs to be monitored manually if there is a problem, and the incidences need to be less than one hour to count as one of the three incidences triggering corrective action.

Supervisors need not wait for the quarter to end to issue corrective action for tardiness. Tardiness corrective action may occur any time an employee is tardy at least three times of less than one hour, in the same quarter. Also, an employee could receive two steps of tardiness corrective action in the same quarter if tardy six times in the same quarter.

Failure to Report to Work Without Notification

It is imperative for the proper functioning of operations that employees give as much advance notice as possible when they will be unable to work all or part of a scheduled shift. Failure to report to work without notification, unless such failure can be reasonably explained, will result in a written warning for the first offense, a suspension for the second offense, and termination for the third offense within one year. Failure to report to work without notification for three consecutive shifts will result in immediate termination.

Misrepresentation

Abuse of sick leave benefits by such misrepresentations as calling in "sick" without being ill, will be addressed through the Corrective Action policy, over and above the Absence Control guidelines.

Annual Performance Reviews

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that performance reviews are important.

Policy

Employees are to be evaluated annually on the anniversary date of placement in their current position. Based on the results of this annual review, for non-union employees, the department determines the amount of the merit increase that will be awarded to the employee, up to 5%. The increase will be applied to the current base wage unless the employee is at the maximum of the pay range of that position. If an employee is at the maximum step, then the employee will be ineligible for merit pay increases and will only receive cost-of-living adjustments.

Performance evaluations can also be done at other times during the year and used as a tool to improve or correct performance.

Procedure

Each employee must be evaluated on an annual basis on the anniversary date of placement in the employee's current position, when the employee has a job change, and/or prior to a supervisor change.

Corrective Action

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

This policy establishes a set of guidelines for the corrective action process to be followed when an employee has performance, attendance or behavior problems that interfere with work, customer service or operations of the City of Billings.

Policy

Corrective action should be used to correct inappropriate behavior or performance issues. Supervisors are responsible for accurate and timely documentation of inappropriate behaviors or performance. Corrective action should be used consistently.

Supervisors should identify and inform employees of:

- What is expected behavior and the performance standards of their job
- When they are not meeting these expectations
- What must be done to correct the deficiencies identified and an improvement plan with a timeline for its accomplishment
- Consequences if improvement does not occur

The corrective action process is meant to assist employees in recognizing the seriousness of their behavior or performance deficiency and to encourage their commitment to improve. In many situations, informal counseling may be utilized to resolve issues prior to the formal corrective action process.

Informal counseling is used by management to remind employees of City and/or Department policies and practices. Supervisors can utilize informal counseling to explain the performance expectations of the job to the employee who is not meeting the performance standards or job requirements. Notes of an informal counseling session should be retained by the supervisor and may be referenced at a later time. Supervisors may choose to have the employee acknowledge the informal counseling session in writing by initialing the notes.

Supervisors must complete a Corrective Action Form after each formal step of the process. Employees will be asked to sign this form indicating that they have had an opportunity to review it. If an employee elects not to sign, then this should be noted on the form. Employees should be given a copy at the time of the discussion. The original Corrective Action Form is sent to Human Resources for review and is then placed in the employee's personnel file (located in Human Resources). The employee may petition that discipline be removed from his/her file. This petition is submitted to the employee's immediate supervisor who then forwards the request through management channels to Human Resources. Human Resources will: review the request, review the individual's personnel file, and make a recommendation to the City Administrator. The decision of the City Administrator is final and binding.

In some cases, an immediate suspension, with pay, pending an investigation is appropriate. There may be situations where an employee may be terminated without progressing through the steps outlined in this policy. Some steps can be repeated or omitted if the facts of the situation warrant it. Human Resources should be contacted throughout the corrective action process as a resource and to ensure consistency throughout the City.

Suspensions in excess of one shift (8-hours, 10-hours, or 12-hours) must be approved by the City Administrator (see Procedure). In all cases involving suspension of any time or discharge, the situation and relevant information shall be reviewed by the Human Resources Office prior to issuance. Suspensions with pay may be used when an investigation is conducted and there is a need to remove the employee from the work place during the conduct of the investigation.

Procedure

There are different levels of discipline that may be imposed for violations including informal counseling, oral warning, written warning, suspension, demotion, and termination. The level of discipline imposed is dependent on the seriousness of the offense or similar past offenses.

Supervisors are encouraged to coordinate with Human Resources prior to conducting informal counseling or an oral warning. For written warning, suspension, demotion, and termination, supervisors are required to coordinate with Human Resources. For suspensions of more than one shift, City Administrator approval is required.

Grievance Procedure

A grievance is a dispute or a difference of interpretation of City and/or Departmental policies between an employee and the City. These disputes may involve economic issues or disciplinary actions that affect the employee's wages, fringe benefits or working conditions. All parties to the grievance should make every attempt to resolve problems at the lowest possible level.

Step 1: Within ten (10) working days of the incident's occurrence or the employee's first reasonable knowledge of it, the employee shall discuss the grievance with his or her immediate supervisor. If the supervisor cannot correct the problem:

Step 2: Within the next five (5) working days, the employee must submit the grievance in writing to his or her division head. The division head must reply, in writing, within ten (10) working days. If the grievance is still unresolved:

Step 3: Within the next five (5) working days, the employee must submit the grievance in writing to the department head along with the response from the division head. The department head may meet with the employee to discuss the grievance prior to acting on the grievance. The department head will, in any case, provide a written response to the employee within ten (10) working days of receipt of the grievance. If the grievance is still unresolved:

Step 4: Within the next five (5) working days, the employee must forward the written grievance, all written responses, and a request for further review to Human Resources. Human Resources will then make a recommendation to the City Administrator. The employee must include their reasons for not accepting the resolution offered by the department head. After the City Administrator reviews the grievance and all of the supporting information, a written response will be submitted to the employee. The City Administrator's reply will be final and binding. Time limits may be extended by written mutual agreement of the parties at that step. Reasonable requests for time extensions shall not be denied.

Working days are defined as Monday through Friday, not including holidays, in regards to this section.

Pre-Suspension and Pre-Discharge (Due-Process) Procedure and Disciplinary Action

An employee of the City who is facing suspension or possible discharge due to the seriousness of an infraction is afforded the opportunity to present information pertinent to his/her situation before disciplinary measures are taken. In addition, the employee will be informed in writing of the charges against him/her, of the possible disciplinary action that may be taken, and of the time, date and place at which the employee will be given an opportunity to respond to the charges. Following the meeting, the City will determine the appropriate disciplinary action to be taken and will promptly inform the employee, in writing, of that decision. See the detailed procedure near the end of this policy.

Due Process Hearing

Hearing Procedures

For All City of Billings Employees

General: This document outlines the procedural guidelines for the conduct of due process hearings. All departments within the City of Billings for both union and non-union employees will follow these procedures.

Purpose: The purpose of this hearing is to provide non-probationary employees a meaningful opportunity to be heard at a meaningful time, in all cases, where a suspension or termination may result.

Procedure:

City:

A Due Process Letter will be drafted by Human Resources, in coordination with the supervisor and his/her department. The letter will include a detailed description of the charges against the employee, the possible disciplinary action that may be taken, and of the time, date and place at which the employee will be given an opportunity to respond to the charges.

The employee's immediate supervisor (the individual who does the employee's performance evaluation, approves his/her leave requests, initiates and delivers discipline, etc.) will schedule the due process hearing. The hearing will be scheduled at least seven business days from the date of the due process letter.

A representative from Human Resources will chair the hearing for the purpose of managing the proceedings. The employee's immediate supervisor, division head or department head will summarize the evidence of misconduct, ask the employee questions, and record the employee's explanations.

Human Resources may request that someone from the Legal Department be present. This would most likely happen when the employee has indicated that he/she will have legal counsel present at the hearing. The immediate supervisor may also request that an "expert" be present. An example might be an auditor from Finance when the issue concerns the handling of City funds. These individuals will only provide guidance to the Chair and the immediate supervisor concerning issues raised during the hearing.

The Chair will tape record the hearing and will provide a copy of the tape to the employee if requested. Court reporters are not permitted to be present or to transcribe the hearing.

Employee:

The employee may: participate in the hearing process; may elect not to participate; or may elect to provide a written response to the allegations set out in the due process letter.

If the employee desires to participate in the process then he/she may either personally present their response to the allegations – or – the employee may elect to have legal counsel (non-union employee) or a union representative present at the hearing to present a response.

No witness will be allowed to testify, however, written witness statements, signed and dated by the witness, which support the employee, may be provided to the immediate supervisor for consideration.

If the employee elects not to participate in the hearing but does desire to provide a written response to the allegations, then he/she must hand deliver the written response to Human Resources no later than 5:00 PM on the last business day before the hearing is to be held.



Corrective Action Form

Name of Employee

Job Classification

Date of Discussion

Department

Work Unit

ISSUE (Employment or HR Policy Violated):

POINTS TO COVER (List prior disciplinary actions, date, and violation):

EXPECTED IMPROVEMENT/SUGGESTIONS FOR IMPROVEMENT/TIME FRAME:

CONSEQUENCES IF IMPROVEMENT DOES NOT OCCUR: Continued violations of this type will result in further discipline up to and including termination of your employment.

EMPLOYEE COMMENTS:

ACTION BEING TAKEN:

- Oral Warning/Reprimand
- *Written Warning/Reprimand
- **Suspension for _____ working days, from _____ through _____.
Return at scheduled starting time on _____.
- **Transfer/Demotion
- ***Discharge
*Requires coordination/consultation with Human Resources.
**Requires the approval of the Department Head and coordination/consultation with Human Resources. If more than 8 hours or one shift suspension, then approval of City Administrator is required.
***Requires the approval of the Department Head and City Administrator and coordination/consultation with Human Resources.

Additional Person(s) Present During Discussion

Date

Employee Signature

(This is to certify that I have been given a copy. My signature does not imply agreement.)

Date

Supervisor Signature

Date

Department Head Signature

Date

Human Resources Signature

Date

Original: **Human Resources**

Copy: **Employee**

Supervisor

Union (if applicable)

March 2004

Demotions

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that demotions are based on demonstrated abilities, experience, skills, personal capabilities, performance evaluations, and the needs of the City.

Policy

When an employee is voluntarily demoted, the new salary of the employee will be the rate closest to their present salary, but no higher than the maximum of the new salary range.

When an employee is involuntarily demoted the Department Head, Human Resources Manager and the City Administrator will determine the rate of pay. However, the rate of pay will not be higher than the maximum of the new salary range. The employee's evaluation date will change to the date the new position becomes effective.

Procedure

The employee's chain of command evaluates his/her performance and works with Human Resources if they recommend a demotion.

Drug and Alcohol Testing: For Cause/Reasonable Suspicion Testing

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings has a strong commitment to its employees to provide a safe work place and to establish high standards of employee health and safety. Consistent with the spirit and intent of this commitment, the City has established this policy regarding drug and alcohol abuse. Quite simply, our goal will continue to be one of establishing and maintaining a work environment that is free from the effects of alcohol and drug abuse.

Policy

This policy shall cover all part-time, full-time, regular, seasonal and on-call employees of the City of Billings. This policy is a qualified testing program as defined under 39-2-207 MCA

The City strictly prohibits the use, sale, transfer, manufacture, or possession of alcohol, drugs or controlled substances during City time or on City property, premise or work site (including City vehicles). Violators will be subject to disciplinary action up to and including termination of employment for a first offense.

The City prohibits employees from reporting for or being at work while under the influence of alcohol, drugs or controlled substances. Violators will be subject to disciplinary action up to and including termination of employment.

Employees who must use a prescription drug that causes adverse side effects (e.g. drowsiness, impaired reflexes or reaction time) or may affect ability to perform work in a safe and productive manner must notify his or her supervisor prior to starting work, or operating City equipment.

All tests will be conducted by a laboratory certified by the U.S. Department of Health and Human Services. Collection of samples, chain of custody, testing and confirmation tests will be by approved standard methods.

DEFINITIONS

Aberrant: A deviation from what is right, true, normal, etc.

Adulterate: To change or tamper with a specimen.

Alcohol: Beer, wine, and all forms of distilled liquor containing ethyl alcohol. References to use or possession of alcohol include use or possession of any beverage, mixture or preparation containing ethyl alcohol.

Breath Alcohol Testing: The determination of Blood Alcohol Concentration by measuring the amount of alcohol in exhaled breath.

Chain of Custody Requirement: The collection, transportation and confirmation testing of any urine samples will be performed in accordance with 49 CFR, part 40.

Confirmed Positive: A laboratory report that a substance has been identified in a urine specimen by both Immunoassay and gas chromatography/mass spectrometer testing methods. For alcohol, a confirmed positive breath alcohol test consists of a positive result on a screening test and a positive result on a confirmation test.

Controlled Substances: Chemicals that may be legally sold only on the order of a professional who holds a special license.

Dilute: A specimen that contains so much water that the concentration of solutes or analytes in the specimen falls below a certain limit.

Drug: Any substance (other than alcohol) that has known mind or function - altering affects on a human subject, specifically including psychoactive substances and including, but not limited to, substances prohibited or controlled by State and Federal controlled substance laws.

Follow-up Unannounced Testing: The subsequent testing for alcohol and other drugs without prior notice when a previous test has been verified a confirmed positive, confirmed positive for alcohol and/or on return-to-work following alcohol or drug related treatment.

Forensic Urine Drug Testing Proficiency Program: The procedures used by the National Institute of Drug Abuse (NIDA) to ensure that approved laboratories meet the standards established by the Department of Health and Human Services for the testing of urine specimens for drugs of abuse.

Illegal Substances: Drugs which by law may not be sold or traded for human use other than closely supervised and specially approved medical procedures.

Medical Review Officer (MRO): A licensed physician trained in the field of substance abuse.

Possess: To have on one's person or in one's personal effects or under one's control.

Reasonable Suspicion/For Cause: Documented specific, contemporaneous, articulable observations concerning the appearance, conduct, behavior, and speech or body odors, which are consistent with the effects of substance abuse.

Treatment: A program, either in-patient or out-patient for alcohol and/or drugs that is recommended by qualified Substance Abuse/Chemical Dependency Treatment Professionals.

Under the Influence/Impaired: When an employee is affected by a drug or alcohol or the combination of a drug and alcohol. The symptoms of influence and/or impairment are not confirmed to those consistent with misbehavior, nor to obvious impairment of physical or mental ability such as slurred speech or difficulty in maintaining balance. A determination of use, influence, and/or impairment can be established by a professional opinion, urine, blood or any other commonly used scientific valid tests, and in some cases by a lay person's opinion. An employee will be presumed to be impaired and in violation of this policy whenever the presence of drugs is detected at levels determined by the testing laboratory as constituting a positive indication for drugs. An employee will be presumed to be impaired by alcohol whenever the presence of alcohol is detected. An alcohol test of 0.04 will justify removal of the employee from a driver sensitive position.

Procedure

JOB APPLICANTS

A selected applicant being considered for a City position is required to submit to a drug test prior to the applicant's appointment or hire. A negative drug test result and remaining drug-free are conditions of employment. Two dilute samples resulting in inconclusive test results will be considered a positive test. Any applicant having a positive test result will not be hired unless they have a satisfactory explanation. The applicant who is deemed ineligible for employment will be ineligible to apply to the City for a position and may not be tested for one-year. Any applicant refusing to be tested will be considered a positive and will no longer be considered for employment by the City for one year.

Applicants' specimens which have yielded a positive initial test result (verified by reassay) will be confirmed by gas chromatography/mass spectrometry

(GC/MS) tests. The applicant will be notified by the Medical Review Officer (MRO) of the positive result from GC/MS confirmatory test and the applicant may have the sample retested or obtain a confirmatory test by an independent laboratory selected by the applicant. The applicant must request a retest or independent test within 48 hours of the notification by the Medical Review Officer (MRO) of the positive result.

The attached **CONSENT FORM FOR COLLECTION AND TESTING OF URINE SAMPLE** will be completed by all applicants selected for hire.

The Drug specimen collection and drug testing of urine shall be conducted at medical facilities and laboratories selected by the City. The City hereby adopts the written testing procedures of the collection and testing laboratories. The collection and testing laboratories shall make their written procedures available to any person subject to testing. The laboratories shall provide chain-of-custody documentation for each specimen tested. The laboratories shall comply with all federal regulations and guidelines, including but not limited to 49 C.F.R., part 40 and 40 C.F.R., part 653.

EMPLOYEES

Any employee who has a verified confirmed positive drug and/or alcohol test will be subject to the following disciplinary action:

A first offense will require the employee to do the following:

- Meet with a Substance Abuse Counselor through the City's Employee Assistance Program, prior to returning to work.
- Follow all recommendations made by the Substance Abuse Counselor to remain employed by the City of Billings. Sick leave and the Family and Medical Leave Act will govern pay and time off.
- Submit to a drug/alcohol test and have a negative result prior to returning to work. Any positive results must demonstrate a reduction in the chemical of choice. If the MRO determines the employee has continued to use alcohol or drugs, this would constitute as a second verified confirmed positive.
- Submit to unannounced follow-up testing for a 12-month period. A second offense of a verified confirmed positive drug and/or alcohol test would result in the termination of employment from the City of Billings.

The above consequences will not have time limits of when it will be removed from an employee's file.

Employees refusing or unreasonably delaying submission of a specimen or who adulterate or substitute a specimen, will be considered as if they have a verified confirmed positive specimen and will be declared unfit for duty.

An initial dilute specimen will require a second, immediate, new specimen. If the second specimen is negative, the overall result will be negative. If the second specimen is positive, the overall result is a verified confirmed positive. If the employee refuses the second test, as stated above, then the overall result will be considered a verified confirmed positive and the employee will be declared unfit for duty.

An employee who provides a verified confirmed positive drug or alcohol test on two separate occasions shall be subject to discharge on the second occurrence.

Employees who provide a verified confirmed positive drug or alcohol test for the first time will be required to follow the Substance Abuse Professional's recommendation for treatment. If treatment recommendation is not followed, then the employee will be subject to discharge.

Any employee who provides a verified confirmed positive drug or alcohol test during the 12-month follow-up unannounced testing period will be considered to have provided their second verified confirmed positive drug or alcohol test and will be subject to discharge.

Any employee who feels that he or she has an addiction or dependence to drugs or alcohol is encouraged to seek assistance through the City's Employee Assistance Program (phone: 237-3585) free of charge or through their own personal physician. Requests for information concerning such assistance will be confidential. An employee seeking assistance for drug or alcohol dependency may be covered under the City's health care plan. Please review your Plan Document or call EBMS (phone: 245-3575) to determine coverage issues.

If an employee is tested and the employee disputes the result or believes that he or she has a reasonable explanation for the failed test, then the employee will be given the opportunity to provide the medical review officer any medical information that is relevant to interpreting the test results, including information concerning currently or recently used prescription or non-prescription drugs. Employees may also request a second test, also known as a split sample, of the same initial test to be performed by a qualified lab. If

the second test is negative, then the results of the test shall be deemed to have been negative.

All information, interviews, reports, statements, memoranda, and test results shall be confidential and shall not be disclosed to anyone except: (39-2-207 MCA)

- The tested employee
- The City's designated policy coordinator
- In connection with any legal or administrative claim arising out of the implementation of sanctions, or in response to inquiries relating to a workplace accident involving death, personal injury, or property damage in excess of \$1,500 when there is reason to believe that the employee may have caused or contributed to the accident.

In addition, information obtained in the testing process that is unrelated to the use of dangerous drugs or alcohol may not be released by the medical review officer (MRO) to the City.

All employees will be subject to a urine test for drugs and/or a breath test for alcohol when there are reasons to believe that prohibited substance abuse is a potential factor in affecting job performance. A reasonable suspicion referral for testing will be made on the basis of documented specific, contemporaneous, articulable observations concerning the appearance, behavior, and speech or body odors, which are consistent with the effects of substance abuse.

Reasonable suspicion determinations will be made when there is concurrence from a supervisor (two supervisors are preferred but not required) who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably conclude that an employee may be adversely affected or impaired in his/her work performance due to prohibited use or abuse of prohibited substances.

All costs associated with testing will be paid for by the employer.

Employer will conduct regular education and provide information to employees on the health and workplace safety risks associated with the use of controlled substances and alcohol.

Drugs to be tested in a urinalysis are: amphetamines, cocaine, marijuana, opiates and phencyclidine (PCP).

If a supervisor suspects an employee is violating this policy, then that supervisor should:

1. Document any observations and signs that substance abuse may be present. Complete the Reasonable Suspicion Incident Record (attached). If possible, obtain concurrence from another trained supervisor or Human Resources.
2. Contact Human Resources to arrange for testing. If not available, then call St. Vincent Healthcare Center directly at 237-4114.
3. Complete the Alcohol and/or Controlled Substance Test Notification (attached).
4. Isolate and inform the employee. Provide the employee with a copy of the Test Notification. If the employee refuses to take a drug or alcohol test, inform him or her that refusal is considered a confirmed positive test and that it will result in termination of employment.
5. Transport the employee to and from the test site. If test results are pending/unknown or if any test is positive, drive the employee home or allow the employee to make arrangements to be picked up. Do not let the employee drive him/herself. If the employee is belligerent and insists on driving himself or herself home, then contact the Police Department through 911.
6. Immediately submit copies of the Incident Record and Test Notification to Human Resources.
7. Release the employee from work until test results are available (alcohol tests are available immediately; drug tests are available within 24 hours).
8. The Medical Review Officer will make contact with the employee directly if necessary, prior to any determination of a verified confirmed positive drug test result.
9. Any employee who tests positive for the presence of prohibited substances will be evaluated by a City of Billings selected Substance Abuse Professional (SAP). The SAP will evaluate the employee to determine what assistance, if any, the employee

needs in resolving problems associated with use or abuse of prohibited substances.

10. If all results are negative, the City will pay the employee for all work time missed while waiting for the results (no sick or vacation time will be deducted).
11. If the results are positive (first offense), then for the day of testing, the employee will be paid for any hours worked and the rest of the day will be without pay (once the employee is taken home after the test), and any subsequent days, including rehabilitation, will be sick time.

Any questions regarding this policy should be directed to Human Resources.

Probationary Period

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that all employees should have time to adjust to new surroundings, assume an increasing workload and prove that they are the proper person for the position.

Policy

It is the policy of the City of Billings that all employees are subject to a one-year probationary period.

Procedure

Employees begin the one-year probationary period on the first day of work. An employee may be dismissed at any time during the probationary period without cause. Vacation and sick leave are accrued during the initial employment period. Sick leave may be used after 90 days of continuous employment and vacation leave may be used after six months of continuous employment.

Employees terminating from the City prior to three (3) months or six (6) months will not receive sick or vacation pay out, respectively.

Promotions and Transfers

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that transfers and promotions are based on demonstrated abilities, experience, skills, personal capabilities, performance evaluations, disciplinary record, and the needs of the City.

Policy

Employees in a new position may not apply for posted vacancies outside their present division for one year. However, this provision may be waived by the Department Head if he/she desires to do so. Human Resources is to be notified of any waivers.

Procedure

Upon a transfer/promotion to a position in a higher pay range, the salary will be increased 10 percent (10%) above the previous salary, or the entry rate of the higher range, whichever is greater, or at a rate determined by the Department Head with consultation and approval from Human Resources. The salary paid will never be greater than the maximum of the salary range.

In addition, if this rate of pay places the newly appointed or promoted non-bargaining/management employee at a rate of pay greater than that of an individual in the same position in the division, then the lower paid individual may be raised to the same rate of pay if the individual's past performance justifies it and budgetary resources are available. The approval of the Department Head, Human Resources and the City Administrator is required.

When an employee transfers between positions in the same pay range the rate of pay will remain unchanged.

The employee's evaluation date will change to the date the new position becomes effective.

Recruitment and Selection

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

This policy provides guidance for the recruitment and selection of applicants for City of Billings vacant positions.

Policy

It is the policy of the City of Billings to recruit and select persons for appointment and employment, and to train, advance, promote, and transfer such persons on the basis of individual capability, potential, or contribution to the programs and goals of the City.

Each department head, supervisor and employee of the City of Billings is responsible for conducting appointments and employment activities in support of and in compliance with this policy.

The City of Billings respects, supports, and observes the laws, directives and regulations of the state and federal government that prohibit discrimination.

A climate of equal opportunity that nurtures and supports the fullest contributions of each employee is essential "to provide our community with an excellent quality of life by delivering cost effective public service." Creating and sustaining this climate is the responsibility of all who work for the City. Leadership is expected to reinforce these principles.

Human Resources is responsible for assembling employment and enrollment data and implementing new diversity efforts. Human Resources, in coordination with others, may investigate individual complaints and concerns.

This policy is related to all phases of employment including but not limited to: recruitment, selection, testing, employment, placement, layoff, promotion, demotion, transfers, discipline, termination, pay rates, and training. This policy does not preclude discrimination based on bona fide occupational qualifications or other recognized exceptions under the law.

The City of Billings also believes in making reasonable accommodations as needed to enable qualified disabled employees and applicants to satisfactorily

perform the essential functions of City jobs, except where the accommodations would impose an undue hardship on the City.

All applicants for employment with the City of Billings will be recruited from the reasonable labor market and evaluated on each person's individual qualifications and abilities. All City of Billings employees shall be afforded equal employment opportunities during their terms of employment and are guaranteed protection against retaliation for exercising any legal or administrative procedures to secure rights to equal employment opportunities or testifying on behalf of someone else doing so.

All supervisory personnel are responsible for, and shall be committed to, achieving and promoting equal employment opportunity with the City of Billings.

This policy also relates to the use of all facilities and participation in all City-sponsored employee activities. It is the responsibility of each supervisor of the City to insure affirmative implementation of this policy so as to avoid any discrimination in employment practices. In addition, each employee has a responsibility not to discriminate and to report instances of discrimination by others.

If an employee believes he/she is being subjected to any of these forms of harassment, he/she must bring this to the attention of the immediate supervisor or other functionally related management person or Human Resources. The very nature of harassment makes it impossible to detect unless the person being harassed registers his/her discontent and/or reports the offensive conduct.

Procedure

Vacancy Announcement Requirements: The recruitment process for any vacant position will not begin until a current position (job) description, which accurately describes the essential functions of the job and any job specific addendum(s), is on file with Human Resources. Assistance in identifying essential job functions is available from Human Resources. Vacant positions that are in the reclassification process will not be advertised until that process is finished. Human Resources will notify the hiring supervisor if a position is not current.

Vacancy Announcement Request: The recruitment and selection process begins when a completed Personnel Requisition form is submitted to Human Resources. A copy of the form may be downloaded from the Human Resources site on the City intranet and is located at the end of this policy. The hiring supervisor must indicate if he/she desires anything submitted with

the City Application (i.e., cover letter, resume, etc.). Accompanying the Vacancy Announcement Request will be, if applicable, the items identified under Selection Devices.

Vacancy Announcement Development: The vacancy announcement will contain a description of the essential functions and the minimum standards for education, experience, and any physical requirements that are necessary. The hiring supervisor shall develop these standards with assistance from Human Resources.

Vacancy Announcements: All internal and external vacancy announcements will be printed using the format in the example at the end of this policy and may be downloaded from the Human Resources site on the City intranet. The vacancy announcement shall contain the following information:

1. Job Title – the title used in the position (job) description
2. Position Number
3. A summary description of the job’s essential functions (taken from the position (job) description)
4. A description of the qualifications and competencies (knowledge, skills, and abilities) required to perform the essential functions including educational requirements and any physical and mental requirements (taken from the position (job) description)
5. Entry level salary
6. Application closing date
7. A list of all required application materials and forms
8. Type of position: full-time, part-time, temporary, or seasonal
9. Hours of work – either days, evenings, nights, or varies
10. A statement requiring pre-employment drug screening

Supplemental Questions: Supplemental questions provide applicants a written avenue for describing specific knowledge, skills, and abilities (or competencies) that relate to the job being applied for. These supplemental questions may be used as an additional screening tool and/or a part of the

hiring decision. If supplemental questions are used the following shall be complied with:

1. Questions must relate to the essential functions that are listed in the position (job) description and that are included in the minimum qualifications in the vacancy announcement
2. If writing ability, in addition to content, is to be evaluated in the response, that must be noted in the documentation provided to the applicant
3. Reasonable accommodations must be provided at the request of the applicant

Vacancy Posting Requirements/Options: The requirements and options for posting vacancy announcements are listed below. Hiring supervisors shall coordinate with Human Resources concerning the below:

1. Internal to the City: The hiring supervisor may wish to seek applicants from within the City. These vacancy postings will be posted for a minimum of five (5) calendar days.
2. External: Human Resources will post external vacancy announcements in the Billings Gazette, the City of Billings Internet Site, and the City of Billings Job Posting Phone Hot-Line. The majority of the aforementioned postings will be posted for a minimum of six calendar days.

Positions that are difficult to fill or where there are recurring vacancies may be openly advertised continuously. Identical positions, which come open in the same department within ninety (90) days of the initial posting closing date, may be filled with the same applicant list/pool. An exception to the aforementioned is the Billings Police and Fire Departments. They may use the same applicant pool until a new advertisement is placed and a new applicant pool is established.

Positions filled on a temporary basis for more than ninety (90) days are to be advertised in accordance with this section. Positions to be filled for less than ninety (90) days may or may not comply with this section.

Screening and Selection: Human Resources is responsible for:

1. Receiving application materials from applicants
2. Providing a list (Candidate Tracking Form) of all applicants which meet minimum qualifications along with each applicant's application material(s) to the hiring supervisor

Hiring supervisor and/or selection panel is responsible for:

1. Reviewing the material provided by the applicants and Human Resources
2. Interviewing all applicants which meet minimum requirements, or narrowing the number of applicants to be interviewed by establishing job related/requirements rationale for each person selected for an interview as well as those not selected

Interview Setup: The hiring supervisor is responsible for contacting applicants for interviews. If applicants are contacted by phone, they need to be informed of the date, time, and location of the interview. If the applicant cannot be contacted by phone, a letter should be sent and the aforementioned information shall be provided. Applicants who do not show up at the appointed time or applicants who withdraw from the interview process may be removed from the applicant pool. Human Resources must be contacted if the hiring supervisor wishes to exclude an applicant for any other reason.

Internal Interview Applicants: Internal applicants, for City vacancies, will be granted paid time to attend the interview. Once the interview is completed, the employee is expected to return to their work assignment and complete their respective shift.

Selection Devices: The City recognizes many selection devices as long as they:

1. Are job related
2. Do not create an undue barrier to employment or advancement for protected classes

3. Are in compliance with existing policies, bargaining contracts, and relevant state and federal law
4. Are pre-approved by Human Resources

Selection devices must be defensible and must allow for the selection of the best candidate for the vacant position. Selection criteria must be applied equally to all candidates. Possible selection devices include any combination of the following items:

1. Structured questions and suggested answers
2. Behavioral questions and suggested answers
3. Applicable job-related performance tests
4. Relevant education and experience
5. Supplemental questions
6. Written interview questions

All selection materials must be pre-approved by Human Resources and submitted with the Vacancy Announcement Request before the applications will be forwarded to the hiring supervisor.

Interviews: Interviews are a reliable method of determining more about the capabilities of minimally qualified candidates. Although interviews are important, the other selection criteria, such as those listed previously, shall be considered. The interview committee should consist of at least three people but no more than five. All members of the selection committee should be familiar with the position being filled and the department.

It is suggested that the applicant have access to a copy of the interview questions to refer to during the interview. After the interview is completed with each applicant, the interview questions must be obtained from the applicant.

Follow-up questions, as long as they are job-related, may be asked of the applicant. These follow-up questions may be based upon an answer to a previously asked question or based upon the application material that the applicant submitted. All follow-up questions must be captured for retention in the recruitment file.

Testing: A hiring supervisor may give and use the results of a job related test provided that the results are not intended to or used to discriminate because of race, color, religion, sex, national origin, or disability. Structured tests are useful for assessing job-related qualifications in many positions. Technical skills can often be more readily demonstrated through structured tests. If a test is used then, the following must be in place:

1. Identical written instructions must be given to each applicant
2. An identical amount of time must be given to each applicant
3. Testing facilities and equipment must be the same for each applicant
4. A minimum shall be established prior to testing
5. Tests, like other materials, must have suggested answers or goals, that must be retained with other materials
6. Upon request from a disabled applicant, reasonable accommodation for testing shall be made

Selecting the Top Applicant:

Determine the Top Applicant(s): The hiring supervisor and the selection committee must review all relevant information, including the interview results, any test results, and any other material to determine the top applicant(s).

Veterans' Public Employment Preference: Whenever the hiring supervisor uses a scored procedure, a veteran who is an initial applicant for hiring with the City, must have added to his/her score the following percentage points of the total possible points that may be granted in the scored procedure:

- 5 percentage points for being a veteran; and
- 10 percentage points if the veteran is disabled or an eligible relative.

In order for a veteran, disabled veteran, or eligible relative to be eligible for the preference, the applicant must be:

- a United States citizen; and
- meet the minimum qualifications for the position applied for. If no applicant meets the minimum qualifications and the hiring supervisor fills a training position, then veterans' preference must be applied.

A disabled veteran who receives 10 percentage points for being disabled does not receive an additional 5 points for just being a veteran. The maximum percentage points that can be earned by a veteran is 10.

If the hiring supervisor does not use a scored process, the hiring supervisor must give preference to a disabled veteran, eligible relative, or veteran, in that order, over any nonpreferred applicant holding substantially equal qualifications.

Reference Check(s): Former employers are the appropriate contacts for references. Hiring supervisors are responsible for conducting reference checks. All reference check questions must be job related. The City of Billings Reference Check Form will be used for all reference checks conducted on applicants and will be included in the recruitment file for the position. Caution should be used when utilizing personal references. Personal references would be more appropriate for those applicants who have limited work experience. Unusual reference information shall be referred to Human Resources.

Background Checks: The City of Billings will check the background of applicants for certain positions in the following ways:

1. Criminal Background Check: The City has the right and obligation to thoroughly investigate conviction records. Any that relate to the duties of the position may be used to disqualify an applicant. The final decision on disqualifications for convictions rests with the hiring supervisor and Human Resources. The criminal records background check release needed to conduct the background check is available from Human Resources.
2. Professional License or Certification: If a position requires the incumbent to have a valid license or professional certification, then a copy of such license or certification shall be requested from the applicant by the hiring supervisor to be provided at the time of the interview.

Hiring Preferences: Prior to requesting approval to hire the selected applicant, the hiring supervisor shall review the various employment preferences, which place additional obligations on the City. Assistance is available from Human Resources. The preferences cited are those that have not yet been mentioned. Additional information about these preferences may be requested from Human Resources.

1. Public Employee (Police & Fire) Disability Retirement: A recipient whose disability retirement allowance is canceled by the Public Employees' Retirement Board, as provided in 19-9-904, and 19-13-804, MCA, must be reinstated to the position held by the member immediately before retirement or to a position in a comparable pay and benefit category with duties within the member's capacity, whichever opens first.

Veterans Employment Preference: See page 9, Veterans' Public Employment Preference.

Approval To Hire: Upon the completion of the selection process, the checking of references, the background check (if applicable) and the review of the various employment preferences, the hiring supervisor/selection committee must submit the Certification for Hiring form to Human Resources. The committee shall explain why the selected applicant is the best candidate. Human Resources will notify the hiring supervisor when the materials are received and the hiring decision is approved. **Note: An offer of employment cannot be made until Human Resources reviews the documentation for legal compliance.**

Conditional Offer of Employment: The Americans with Disabilities Act prohibits pre-employment inquiries about a disability to assure that qualified candidates are not screened out because of a disability. After making a conditional offer of employment additional information about medical or physical condition may be gathered. For these reasons, medical exams or testing can only be done after a conditional offer of employment is made.

Job Offer: A person selected for a position should receive a written confirmation from the hiring supervisor. The confirmation will be placed in the personnel file and should include the minimum information:

1. Start date
2. Initial work schedule and where to report to work
3. Classification, grade and base salary
4. Probationary period information
5. The duration and FTE of the position
6. Name of the immediate supervisor
7. A signature block for the employee to formally accept the job offer

8. That a valid driver's license or valid picture ID and original social security card will be required for processing.
9. Statement that the letter is not a contract and that conditions of employment are subject to change based upon the results of the mandatory drug test
10. Telephone number to call in order to make an appointment for a drug test

A copy of the job offer letter and the signed original must be forwarded to Human Resources. A form letter is available from Human Resources or on the City intranet.

Unsuccessful Applicant Notification Letters: Both internal and external unsuccessful applicants will be notified in writing by the hiring supervisor. Additionally, internal applicants will receive a phone call from the hiring supervisor prior to the written notification. A form letter is available from Human Resources or on the City intranet.

Selection Documentation: The following materials shall be included among the documents to be saved, by Human Resources, for each selection in accordance with the City Records Retention Policy. Files will, at a minimum, include:

1. The position description
2. A copy of the vacancy announcement
3. A copy of advertisements
4. A list of all recruitment sources
5. Job posting sources
6. All applications, supplements, questionnaires and other application materials
7. A copy of all selection devices and any criteria
8. A copy of the screening information
9. Correspondence with applicants
10. A copy of the hire letter

11. The Certification for Hiring form

Confidentiality and Access to Materials: All application and selection materials shall be confidential, unless otherwise stated on the vacancy announcement, and may not be released to any person not involved in administering the hiring process. Materials may be released upon the receipt of a properly executed administrative or judicial order. Hiring supervisors or Human Resources may discuss, upon request from an applicant, the selection process and scores (if applicable) related to that individual. Information about other applicants is confidential and may not be released.

City of Billings Personnel Requisition

Date _____ **Department** _____ **Division** _____

Position to be filled _____ **Position Type (circle one):** Full-Time

Part-Time

Temporary

Seasonal

Grade: _____ **Hours of Work:** _____ **Days of Rest:** _____ **Position Number:** _____

Advertisement Means (circle one): Internal _____ **Replacement for:** _____
External

Payroll Distribution (number & %): _____
(Note: %'s must equal 100%)

Specific Qualifications/Requirements Not Indicated in Position Description:

Budgeted Position (circle one): Yes No **If no, please explain:**



Supervisor's Signature **Date**

Department Head Signature **Date**

Staff Review: _____ **Approved / Disapproved**
Human Resources

_____ **Approved / Disapproved**
Fiscal Review

City Administrator's Approval: _____ **Date** _____



FOR HUMAN RESOURCES USE ONLY:

Position filled by _____ **Start Date:** _____

City of Billings Certification For Hiring

Job Title: _____ FTE: _____ Position Number: _____

Location: _____ Circle One: Full-Time Part-Time
Temporary Seasonal

_____ has been selected for the above position.
Name of Applicant

The starting date is: _____

Hiring Supervisor: _____
(Print Name)

Date

Committee Member

Committee Member

Committee Member

Committee Member

Supporting Rationale For Selection:

Recruitment/Selection approved by Human Resources:

Printed Name Signature Date

City of Billings

Authorization for Release of Information

****Personal Inquiry Waiver****

To Whom It May Concern:

I respectfully request and authorize you to furnish the City of Billings, _____, with any and all information that you may have concerning me, my employment (work), education records, my reputation, my financial, and credit status.

Please include all information of a confidential or privileged nature, and provide photocopies of same, if possible and if requested. Your cooperation in this reply will be used to assist the City of Billings, _____ in determining my qualifications and fitness for the position, for which I have applied.

Any information you provide in response to a request for this information will be used solely for the purposes of permitting the City of Billings, _____ to make a fully informed hiring decision. It will not be distributed to or shared with any other individual or entity, not even myself as the applicant. I hereby release you, your organization, and others from any liability or damage, which may result to me from furnishing the information requested.

Signed and dated this _____ day of _____, 20_____.

Printed Name

Signature

Social Security Number

Address

City

State Zip

**PRE-EMPLOYMENT
AUTHORIZATION AND RELEASE
BILLINGS POLICE DEPARTMENT**

I _____ am an applicant for a position as a licensed peace officer or for a position leading to employment as a licensed peace officer with the Billings Police Department. A thorough investigation of my employment background and personal history is being conducted to evaluate my qualifications and suitability for employment as a licensed peace officer.

I hereby authorize any representative of the Billings Police Department bearing this release to obtain any information in your files pertaining to my employment and I hereby direct you to release such information upon request of the bearer. I do hereby authorize a review and full disclosure of all records, or any part thereof, concerning myself, by and to any duly authorized agent of the above described law enforcement agency, whether said records are of public, private, or confidential in nature.

The intent of this authorization is to give my informed consent for full and complete disclosure. I reiterate and emphasize that the intent of this authorization is to provide full and free access of all information maintained by you for the specific purpose of pursuing a background investigation that may provide pertinent data for the above described law enforcement agency to consider in determining my suitability for employment as a licensed peace officer. It is my intent to provide access to all information however personal and confidential it may appear to be.

I consent to your release and photocopying of any and all public and private information that you may have concerning me, my work record, my background and reputation, my military service records, education and training records, my financial status, my criminal history record, including any arrest records, any information contained in investigatory files, efficiency ratings, complaints or grievances, filed by or against me, the records or recollections of attorneys at law, or other counsel, whether representing me or another person in my case, either criminal or civil, in which I presently have, or have had an interest, attendance records, polygraph examinations, and any internal affairs investigations and discipline, including any files which are deemed to be confidential and/or sealed. I specifically consent to and authorize you to provide photocopies of any Polygraph Reports, Recording Tapes or Written Reports in your possession, which concern me to the above described law enforcement agency.

I hereby release you, your organization, and all others from liability or damages that may result from furnishing the information requested, including any liability or damages pursuant to any state or federal laws. I hereby release any custodian of such records, including the officers, employees and agents of any custodian, both individually and collectively, from any and all liability for damages of whatever kind, which may at any time result to me, my heirs, family or associates because of compliance with this authorization and request to release information, or any attempt to comply with it. I direct you to release such information upon the request of a representative of the above described law enforcement agency regardless of any agreement I may have made with you previously to the contrary. The law enforcement agency requesting the information pursuant to this release will discontinue processing my application if you refuse to disclose the information requested.

I understand my rights under Title 5, United States Code, Section 552a, the Privacy Act of 1974 and, with regard to access and to disclosure of records, and I waive those rights with the understanding that information furnished will be used by the above described law enforcement agency in conjunction with employment procedures. Should there be any question as to the validity of this release, you may contact me at the address listed on this form.

I agree to indemnify and hold harmless any person to whom this request is presented and his/her agents and employees, for and against all claims, damages losses and expenses, including reasonable attorney s fees, arising out of or by reason of complying with this request.

Signature Date

(Current Address) (State) (Zip)

Phone Number: () _____

City of Billings
Reference Check Form*

This form is to be completed for the top candidate(s). Please use a new form for each reference. This completed form must be forwarded to Human Resources with the other application/selection materials.

INFORMAL REFERENCES CANNOT BE USED AS A BASIS FOR HIRING DECISIONS.

Reference Checker Name: _____ **Position Number:** _____

Applicant Name: _____ **Position Title:** _____

Reference Name: _____

Professional Reference (check one): _____ **Current Employer** _____ **Former Employer**

Employment Dates: _____ **Reason for Leaving:** _____

1. Were you the immediate supervisor?

If so, how long have (did) you supervise the applicant?

2. (Read the applicant's statement of duties on application) Is this an accurate description of the applicant's duties? If no,

Please explain:

3. What is your assessment of the applicant's ability to plan and organize?

4. Describe the applicant's ability to work with others.

5. What would you identify as the applicant's strongest work-related asset?

6. What would you identify as the applicant's strongest work related deficit?

7. Describe their ability to take constructive feedback.

8. How would you rate the applicant's attendance? _____ Good _____ Average _____ Poor

Please explain:

9. Overall assessment of applicant.

10. Would you re-hire the applicant? _____ Yes _____ No If no, please explain:

11. Other questions (These must be recorded here and must be job related): _____

****If you need more room for further explanation, please add additional sheets.***

Resignation

This policy supersedes all previous policies and/or handbooks published by the City of Billings. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

Purpose

The City of Billings believes that an advance notice regarding resignation and an exit interview are important and courteous actions.

Policy

Employees who choose to resign must write a letter of resignation. The letter must be addressed and given to the employee's immediate supervisor at least fourteen (14) calendar days in advance of the employee's projected last day.

Procedure

Prior to leaving, Human Resources will conduct an exit interview. Department Heads are encouraged to conduct exit interviews with their departing employees. Employees must return all City property (keys, uniforms, etc.) to their immediate supervisor prior to being issued their final check from Human Resources. The immediate supervisor will notify Human Resources when all City property has been returned.

Human Resources will provide a copy of the City Grievance procedures to all employees who depart employment with the City.

NOTES:

ADMINISTRATIVE ORDER NO. 88 REPEALED the following Administrative Orders:

- 1) AO #11
- 2) AO #14
- 3) AO #16
- 4) AO #22
- 5) AO #32
- 6) AO #47
- 7) AO #58
- 8) AO #61
- 9) AO #65
- 10) AO #66
- 11) AO #67
- 12) AO #68
- 13) AO #69
- 14) AO #70
- 15) AO #71
- 16) AO #72
- 17) AO #73
- 18) AO #77

And created the Human Resources Policies concerning *GENERAL* issues.

ADMINISTRATIVE ORDER NO. 89 created the Human Resources Policies concerning *COMPENSATION AND BENEFITS* contained in this manual.

ADMINISTRATIVE ORDER NO. 90 created the Human Resources Policies concerning *EMPLOYMENT* issues contained in this manual.

ADMINISTRATIVE ORDER NO. 91 created the Human Resources Policies concerning *TERMS OF EMPLOYMENT* issues contained in this manual.