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# PERSONNEL POLICIES AND GUIDELINES CITY OF CANTON, KANSAS

## ARTICLE A. GENERAL

A-1. **Policies Established.** The following policies, guidelines and other provisions for Personnel Administration in the City of Canton are established to:

- (a) Promote and increase the efficiency and effectiveness of city service.
- (b) Develop a program of recruitment, advancement and tenure, which will make city service attractive as a career.
- (c) Establish and maintain a uniform plan of performance evaluation and compensation based upon the relative duties and responsibilities of each position to assure a fair and equitable wage or salary to all employees.
- (d) Establish and promote high morale among city employees by providing good working relationships, uniform personnel policies, and an opportunity for advancement without regard to race, color, sex, disability, religion, age, national origin or ancestry.
- (e) Establish city employment and personnel policies. These policies and guidelines do not create contractual employment rights. All employees are considered to be at-will employees for the purposes of city employment.

A-2. **Application of Policies.** These policies and guidelines shall apply to all employees in the service of the city except elected officials.

A-3. **Personnel Records.** The city shall keep adequate records of all persons employed, their pay scale, period of time worked, accrued vacation and sick leave, all absences for vacation, sick, or other leave, approved compensation and/or overtime, and all other records directed to be made and maintained under these policies and guidelines or under applicable state or federal law.

A-4. **Amendment of Policies.** These policies may be amended from time-to-time in the same manner as they were adopted.

## **ARTICLE B. POSITION CLASSIFICATIONS**

**B-1. Objectives and Purpose.** Position classification is a system of identifying and describing different kinds of work in the organization in order to permit equal treatment in the organization in order to permit equal treatment in employment practices and compensation. Each city position may, at the discretion of the Governing Body, and on the basis of the duties, responsibilities, skills, experience, education and training required of the position, be allocated to an appropriate class, which may include either a single position or two or more positions.

**B-2. Job Descriptions.** Each position shall have a concise descriptive title and a description of the essential and marginal functions (tasks) of the position. Such descriptions shall be approved by the Governing Body and shall be kept on file in the office of the city clerk and shall be open for inspection by any interested party during regular office hours.

**B-3. Pay Plan.** A pay plan has been adopted by the Governing Body of the City of Canton and is on file in the City Clerk's Office. Pay ranges assigned to each position shall be periodically reviewed and revised by the Governing Body.

- In the event an employee attains the maximum level on the pay scale, the salary for that individual will be reviewed in order to remain competitive with other third class cities.

## ARTICLE C. RECRUITMENT AND PROMOTION

### C-1. Definitions.

(a) *Full-Time Employee* is one employed to work a normal week of 40 hours on a regular and continuing basis. The workweek shall begin on Monday and end on Friday for all employees except the police department.

(b) *Part-Time Employee* is one employed to work less than 32 hours per week on a regular and continuing basis.

(c) *Season Employee* is one employed to work on a regular and/or recurring basis during a specific season or portion of a year.

(d) *Volunteer* is a non-paid individual in the position he or she holds. When acting as a volunteer an individual is not an employee regardless of other city employment.

**C-2. Recruitment.** It shall be the policy of the City to provide fair and equal opportunity to all qualified persons to enter city employment on the basis of demonstrated merit and fitness determined by fair and practical methods of selection, without regard to race, color, sex, disability, religion, age, national origin, or ancestry.

**C-3. Qualifications for Employment.** All applicants for any position with the City shall meet the minimum qualifications established for that position. Each applicant shall complete a job application form. A medical examination or other testing, including drug testing, may be required only after an offer of employment has been made, provided that such exams or testing are required of all such applicants who are offered employment in similar positions or position classifications. The offer of employment is contingent upon applicant passing required tests.

**C-4. Promotion.** It is the policy of the City to fill vacancies for supervisory, skilled and upper-level positions from within the ranks of present employees whenever possible. All employees seeking promotion shall be expected to meet the minimum qualifications for the position to which they seek promotion. A medical examination or other testing, including drug testing, may be required only after an offer of promotion has been made, provided that, such exams or testing are required of all such employees are offered promotions in similar positions or position classifications. The offer of promotion is contingent upon applicant passing required tests, when deemed necessary by the *City Manager/Administrator/Clerk or Mayor*.

**C-5. Citizenship Verification.** All employees initially hired after November 7, 1986, for any position with the City, shall complete an employment eligibility statement in compliance with the Federal Immigration Reform and Control Act of 1986.

**C-6. Advertisement of Job Openings.** When a job position is to be filled, the position may be advertised to the general public and where deemed necessary. Positions for City employment shall be advertised for a minimum of two weeks. In an emergency situation, the *City Manager/Administrator/Clerk. or Mayor* may hire someone on a temporary basis during the advertising period.

## ARTICLE D. COMPENSATION

### **D-3. Performance Evaluations.**

(b) An evaluation of the performance of each full-time and part-time employee based on his or her duties and responsibilities maybe prepared by the employee's immediate supervisor on an annual basis. The evaluation shall be in writing on forms approved by the City Manager/Clerk or Mayor. The supervisor shall evaluate at least quarterly, any employee who has received a

poor performance  
rating.

## ARTICLE D. COMPENSATION

### D-1. Pay Plan.

(a) The salary of each employee of the City, except those appointed officers whose salary is specifically set by ordinance, shall, at least annually, be set at an amount within the pay range of the position class the employee is assigned. An employee's continued employment at the salary rate within the class assigned to him or her shall be contingent upon the provisions outlined in Section D-3.

(b) Employees working on a part-time basis shall receive that portion of the salary assigned to their position to be determined by the actual time they work.

### D-2. Pay Increases.

(a) Pay increases shall not be routine or automatic and are subject to approval by the Governing Body.

(b) Annual cost-of-living pay increases may be given as approved by the Governing Body.

(c) Subject to the approval of the *Governing Body, the City Manager/Administrator/Clerk of Mayor* may award a pay increase to an employee based on an annual performance evaluation submitted by the employee's immediate supervisor.

(d) The Governing Body shall establish an employee position for the city. The Governing Body shall at the time a position is established set a base salary for that position. The *City Manager/Administrator/Clerk, or Mayor* shall write a job description for each such position established by the Governing Body. The *City Manager/Administrator/Mayor* shall hire and fire all city employees.

### D-3. Performance Evaluations.

(a) Employee performance evaluations may be considered in determining salary increases and decreases within the limits established in the pay plan, as a factor in promotions, as a factor in determining the order of layoffs, and as a means of identifying employees who should be promoted or transferred, or who, because of their low performance, should be demoted or ~~dismissed~~

(b) An evaluation of the performance of each full-time and part-time employee based on his or her duties and responsibilities maybe prepared by the employee's immediate supervisor on an annual basis. The evaluation shall be in writing on forms approved by the City Manager/Clerk or Mayor. The supervisor shall evaluate at least quarterly, any employee who has received a poor performance rating.

(c) Evaluations, upon review by the supervisor and after the employee has had an opportunity to respond, shall be included in the employee's personnel file.

(d) The Mayor is the administrative supervisor over the city operations.





#### D-4. Pay on Termination.

(a) An employee, who is terminated from city employment, shall receive his or her final paycheck on the first regularly scheduled payday following his or her termination.

(b) Employees discharged for cause, and those who voluntarily terminate without giving a minimum of two weeks notice, shall not be eligible to receive pay for any accrued benefits other than unused vacation.

#### D-5. Overtime Work.

(a) Compensation for authorized overtime work shall be given in the form of compensatory time off from work at the rate of one and one-half times the period of time worked over the normal workweek. All employees, by accepting employment with the City of Canton, implicitly agree to the payment of overtime in compensatory time off from work. The City Manager/ Administrator/ Clerk/Mayor may compel the use of compensatory time off from work at the city's discretion. All employee compensatory time off from work shall be utilized within 5 days following the accrual of compensatory time unless prior approval has been obtained from the Mayor.

(b) All "FLSA - Non-Exempt" employees shall be eligible to receive overtime compensation time off from work for all hours worked in excess of the normal city work week (as defined in C-1), except for full-time police officers.

Full time police officers shall be eligible to receive overtime compensation time off from work only for work hours which exceed 92 hours per pay period.

(c) All overtime work must have prior authorization by the *City Manager/Administrator/ Clerk, or Mayor*. The department head shall maintain records and report any overtime worked to the City Clerk immediately following accrual.

Employees shall be compensated for overtime work only after actually working normal workweek hours designated for each department. Compensation time for overtime work will not be recognized when nonworking time occurs during the workweek - such as vacation, sick leave or paid holidays observed during the normal work week.

#### D-6. Flex Time.

(a) Employees are allowed the limited use of flex time upon authorization by the *City Manager/Administrator/Clerk, or Mayor*.

#### D-7. Pay Periods; Paydays.

(a) The City shall pay all employees semimonthly. Should the regular payday fall on a Saturday, Sunday, or city holiday, pay shall be distributed on the working day immediately preceding/following that day.



## ARTICLE E. ATTENDANCE AND LEAVE

### E-1. Hours of Work.

(a) General Employees. The normal work week for general employees, which includes all employees other than police officers, shall be 40 hours consisting of five eight hour days.

(b) Nonnal Work Hours. No employee shall be pennitted to work in excess of their nonnal workweek except when so directed by the employee's department head, or City Manager/Administrator/Clerk, or Mayor.

**E-2. Rest Breaks.** Employees are entitled to a rest break of 15 minutes for each four hours of work. The time of the rest break, usually mid-morning and mid-afternoon, shall be detennined by the employee's immediate supervisor, or City Manager/Administrator/Clerk, or Mayor.

### E-3. Holidays.

(a) The following days shall be paid holidays for city employees:

News Year's Day	January 1
Memorial Day	Last Monday in May
Independence Day	July4
Labor Day	First Monday in September
Veterans Day	November II
Thanksgiving Day	Fourth Thursday in ovember
Day Following Thanksgiving Day	
Christmas Day	December 25
Mayor's Holiday	1 Day During Week of Christmas

From time-to-time, and for certain occasions, the Mayor may designate other days as special holidays on a one-time basis.

(b) When New Year's Day, Independence Day, Veterans Day or Christmas falls on a Saturday or Sunday, the preceding Friday or following Monday may be declared a holiday by the *City Manager/Administrator/Clerk or Mayor*.

(c) Employees required to work on a City observed holiday shall be granted an alternative day off during the pay period.

(d) Part-time employees shall be paid only for City observed holidays which fall on days for which they would otherwise have been scheduled to work. The amount of such pay shall be equal to the wages they would have earned for the number of hours they would have been scheduled to work on that day. Seasonal and temporary employees shall not receive paid holidays.

(e) To be eligible to receive pay for a city holiday, an employee must not have been absent without leave either on the workday before or the workday after the holiday.

(f) The Chief of Police shall schedule one officer to be on-call status on a holiday. In the event the officer should be called out that officer would be eligible for compensation time off from work for the period of time he was called out.

- The Police Department will be required to work Independence Day, July 4.

City employees are also allowed 2 floating holidays that may be taken on a day of their choice or for the following holidays:

Presidents Day  
All Schools Day

- Floating holidays SHALL NOT be accumulated from year to year.

#### E-4. Vacation

(a) *Entitlement.* Each full-time employee of the City is entitled to paid vacation leave to be earned, credited and claimed as hereinafter provided:

One week earned after one (1) year of continuous service from hire date. Two weeks earned after two (2) years of continuous service from hire date. Three weeks earned after six (6) years of continuous service from hire date. Four weeks earned after fifteen (15) years of continuous service from hire date.

Paid vacation shall not be accumulated from year to year.

(b) *Scheduling.* The dates for the taking of vacation leave shall be scheduled in consultation with the Mayor/Clerk. In cases where the requested vacation schedules of two or more employees would adversely affect the efficient operation of the city, vacation leave shall be granted on the basis of seniority of city employment.

(c) *Holiday During Vacation.* City holidays which occur during the taking of an employee's authorized vacation leave will not be counted as a day of vacation.

(d) *Minimum Hours.* Employees may use vacation leave in units of not less than one hour, subject to the approval of their supervisor.

(e) *Termination.* Upon termination, an employee shall be compensated for all earned but unused vacation subject to E-4 (a) at their final rate of pay. Terminating employees not completing one full year's employment shall not be eligible for vacation pay. Vacation taken prior to one year's employment shall be deducted from the final paycheck of the employee.

E-5. Sick Leave. Full-time employees, and part-time employees who are employed to work at least 20 hours or more per week, shall be entitled to sick leave with pay for absences resulting from illness, injuries, accidents or other physical incapacity, occurring either on or off the job. No employee shall be permitted to use sick leave for any period spent on unauthorized leave. No employee will be compensated for unused sick leave upon termination.

(a) *Amount of Sick Leave.* Full-time employees shall earn eight hours of sick leave for each month of service.

(b) *Accumulation of Sick Leave.* No employee may accrue more than 720 hours of sick leave.



(c) *Computing Sick Leave.* Any absence for a fraction or part of a day, which is chargeable to leave, shall be charged in increments of not less than one hour.

(d) *Doctor's Certificate.* For sick leave in excess of three workdays, a department head or City Manager/Administrator/Clerk or Mayor may require a signed statement from a health care provider verifying the employee's inability to perform his or her assigned duties because of illness.

(e) *Notification.* To be eligible for paid sick leave an employee, or his or her representative, shall notify his or her immediate supervisor and give the reason for the absence no later than two hours after the beginning of the first workday for which sick leave is taken.

(f) *Abuse of Sick Leave.* An employee who improperly claims sick leave shall be subject to disciplinary action, including loss of pay or dismissal. Sick leave hours may not be used for purposes other than the purposes outlined in this section.

(g) *Sick Leave is intended* for use by the employee in cases of illness, injury, accidents or other physical incapacity or doctor appointments for the employee, employee's spouse or other dependents.

**E-6. Maternity Leave.** An employee who becomes pregnant may claim and receive maternity leave in the same manner as provided for sick leave; provided, however, that the employee may elect to utilize any accrued vacation leave if, and to the extent, such leave is available. An employee may also take leave without pay in the same manner as any other employee on leave without pay status. Maternity leave with or without pay, following termination of pregnancy, shall not exceed a reasonable period of time. If medical complication related to the pregnancy exist, the employee may, with the approval of the department head of City manager/Administrator/Clerk, or Mayor remain on maternity leave until released by the employee's physician. The provisions of the Family and Medical Leave Act may apply in some circumstances, E-11 below.

**E-7. Funeral Leave.** In the case of death of a member of an employee's immediate family (to include only the spouse, children, mother, father, brother, sister, grandparents or close-relatives by marriage of the employee or employee's spouse, full-time employees shall be granted funeral leave not to exceed three consecutive working days. Such leave may be charged against any unused sick or vacation leave, unless the employee elects to take leave without pay.

**E-8. Injury Leave.**

(a) All injuries occurring on the job shall be reported as soon as possible to the employee's immediate supervisor.

(b) Any employee injured on the job shall be eligible to receive injury leave with pay during the seven-day waiting period for workers' compensation claims.

(c) When an employee receives compensation under the workers' compensation act, the pay he or she receives from the City, while an employee of the City, shall be the difference between his or her regular rate of pay and the amount he or she receives from workers' compensation.

**E-9. Military Leave.** The City of Canton recognizes and adheres to all applicable state and federal laws regarding leaves for uniformed service to the State of Kansas as well as the United States. Any employee who needs time off for uniformed service is to immediately notify his or her supervisor and the *City Manager/Administrator/Clerk, or Mayor*, both of whom will provide a detailed explanation to the employee of his or her reemployment rights under K.S.A.

48-517 (governing members of the Kansas national guard, Kansas air nation guard, and the Kansas state guard that are 'called or ordered to duty') and 38 S.S.C. 4301 *et seq.* the Uniformed Services Employment and Reemployment Rights Act (USERRA) covering persons performing duty, voluntarily and/or involuntarily in the U.S. Army, Navy, Marine Corps, Air Force, Coast Guard, Army National Guard, Air National Guard, and Public Health Service commissioned corps.

**E-10. Civil Leave.**

(a) *Civil Leave With Pay.* An employee shall be given necessary time off with pay (1) when performing jury duty, (2) when appearing in court as a witness in answer to a subpoena or as an expert witness when acting in an official capacity in connection with the City, (3) when performing emergency civilian duty in connection with national defense, or (4) for the purpose of voting when the polls are not open at least two hours before or after the employee's scheduled hours of work.

(b) *Civil Leave Without Pay.* If an employee is involved in a personal lawsuit either as a plaintiff or as defendant in an action not related to his or her duties with the City, the employee may take leave without pay unless he or she elects to utilize any accumulated vacation leave.

**E-11. Other Leave.**

(a) *Meetings, Seminars.* Any employee may be granted leave with pay to attend meetings, seminars and conventions related to the employee's work for the City when such attendance is authorized by the *City Manager/Administrator/Clerk, or Mayor*.

(b) *Educational Leave.* An employee, upon written request, may be granted leave without pay for a period up to one year to further his or her education or seek specialized training, upon recommendation of the employee's department head and approval by the *City Manager/Administrator/Clerk, or Mayor*.

(c) *Leave of Absence.* An employee, upon written request, and with the recommendation of his or her department head, may be granted a leave of absence without pay for a period of up to six months, subject to the approval of the *City Manager/Administrator/Clerk or Mayor*.

**E-12. Request for Leave.** Except as provided in Section E-5 (e) as to sick leave, all leave must be authorized in writing by the employee's department head or *City Manager/ Administrator/ Clerk, or Mayor* prior to leave time being taken. A copy of each leave record, including records of sick leave taken, signed by the employee and department head, shall be maintained in the clerk's office.

**E.13. Credits for Paid Leave.** An employee while on paid sick leave, vacation leave or other leave with pay shall continue to earn credit for sick leave and vacation leave, but no leave credit shall be earned by an employee while on leave without pay.

**E.14. Shared Sick Leave.** An employee who lacks sufficient earned sick leave to cover the period of absence because of temporary medical disability, including pregnancy, may be granted leave without pay, as described herein. However, with the approval of the *City Manager/Administrator/Clerk, or Mayor*, any eligible employee may transfer up to 120 hour (3 work weeks) of sick leave to any eligible employee so long as the donating employee's sick leave does not drop below 96 hours. All donors' and recipients' names shall be kept confidential. All requests for shared leave shall be made through the *City Manager/Administrator/ Clerk, or Mayor*.



## **ARTICLE F. OTHER EMPLOYEE BENEFITS**

**F-1. Retirement --OASDI Benefits.** All eligible employees of the City are under the federal OSADI social security system, and receive the benefits thereof in accordance with federal laws and guidelines. The cost of this benefit is paid equally by the City and the employee, with the employee contribution subject to payroll deduction.

**F-2. Retirement-KPER Benefits.** All eligible employees of the City are members of the Kansas public Employees Retirement System (KPER) and receive the benefits thereof in accordance with state laws and guidelines. Under current law, KPER members contribute four percent of salary, by payroll deduction. The employer's share is determined by KPER, and varies annually.

**F-3. Retirement Date.** The federal Age Discrimination in Employment Act shall be the policy for City retirement. Normal retirement benefits under KPER and OASDI accrue at 65.

**F-4. Workers' Compensation Benefits.** All employees of the City receive the benefits of the Kansas Workers' Compensation Act, in accordance with such law and guidelines. The cost of this benefit is paid entirely by the employer.

**F-5. KPER Death and Disability Benefits.** All employees who are contributing members of KPER are eligible for the insured death and disability benefits provided by KPER, which is supplemental to the regular KPER benefits. The cost of this benefit is paid entirely by the employer. This insured death and disability benefit begins on the first day of employment, whether or not the employee is a contributing member of KPER.

**F-6. Unemployment Compensation.** All employees receive the benefits of the Kansas Employment Security (unemployment compensation) Act, in accordance with such law and guidelines. The cost of this benefit is paid entirely by the employer.

**F-7. Life Insurance.** In addition to the death benefits provided under OASDI and KPER, the City may make available to each employee the option of purchasing group life insurance, administered by KPER, on a payroll deduction basis. The cost of this additional life insurance is paid by the employee and varies with the options selected by the employee.

**F-8. Health Care Program.**

(a) All permanent full-time employees shall be eligible for the City's group health insurance program. The City currently pays the full premium on this insurance for the employee's and employee family's benefits.

(b) When an individual employee is required to contribute because of participation in the City's group health care program the amount of such contribution shall be a payroll deduction.

(c) All cost for health care insurance shall be paid by the employee during any period the employee: is on leave without pay; is on suspension without pay; is on unauthorized leave; or is participating in any unlawful work stoppage.

(d) Health care insurance coverage shall be extended to an individual who is temporarily disabled and drawing workers' compensation while serving as a city

employee.

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(e) No employee shall be entitled to cash payment in lieu of health care insurance coverage.

## **ARTICLE G. VOLUNTARY SEPARATION**

**G-1. Resignation.** An employee who terminates his or her employment voluntarily shall be terminated in good standing, providing the employee gives a minimum of two weeks written notice to his or her immediate supervisor or department head. Under appropriate circumstances, a shorter period of notice may be approved by the *City Manager/ Administrator/Clerk or Mayor*.

**G-2. Reinstatement.** An employee who was terminated in good standing and who is reemployed within a period of 120 calendar days following separation may be reinstated at not more than the salary he or she was receiving at the time of his or her termination. Upon reinstatement within 120 calendar days following separation, an employee shall receive credit for all unused sick leave he or she had accrued as of the time of separation.



## ARTICLE H. SEXUAL HARASSMENT

**H-1. Definitions.** Sexual harassment is defined as the threat or insinuation by one employee or group of employees, either explicitly or implicitly, that his/her refusal to submit to sexual advances will adversely affect his/her employment, evaluation, wages, advancement, assigned duties, shifts, or any other condition of employment or career development (quid pro quo); or

The subjecting of an employee(s), by another employee(s), to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical, so as to create an intimidating, hostile, or offensive working environment.

**H-2. General Policy.** It is the policy of the City of Canton to maintain a work environment free of intimidation, insult, and harassment based upon race, religion, sex, age, national origin, ancestry or disability. To insure that this policy is strictly adhered to, the city will not tolerate the sexual harassment (or any other types of harassment) of any of its employees, and will take immediate disciplinary action if such behavior should occur.

no employee, whether supervisory or non-supervisory, may sexually harass another employee. Sexual harassment as defined includes but is not limited to:

- (a) Unwelcome touching, propositions, and/or advances;
- (b) Abusive and/or vulgar language of a sexual nature;
- (c) The date(s) and approximate time(s) of the sexual harassment;
- (d) The specific nature of the sexual harassment, how long it has gone on, and any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against him/her as a result of the harassment;
- (e) Witness to the harassment, if any;
- (f) Whether he/she has previously reported such harassment and if so, when and to whom; After

receiving a sexual harassment complaint, the recipient of the complaint shall assist the employee filing the complaint with documenting the incident in writing and the employee shall affix their signature attesting to the accuracy and truthfulness of the complaint. All information disclosed in the complaint procedure will be held in strictest confidence and will only be disclosed on a need-to-know basis in order to investigate and resolve the matter.

**H-3. Review of a Sexual Harassment Complaint.** It shall be the responsibility of the *City Manager/Administrator/Clerk, or Mayor* to coordinate the investigation and review of sexual harassment complaints. The *City Manager/Administrator/Clerk, or Mayor* may delegate the investigation to the appropriate City employee. If the *City Manager/Administrator/Clerk, or Mayor* is the subject of the complaint, an independent individual shall coordinate the investigation of the complaint. The following procedures shall apply to the receipt, review, and handling of such complaints;

- (a) The person to whom the complaint is made shall immediately present it to the *City Manager/Administrator/Clerk or Mayor*;

(b) An investigation into the alleged incident shall be promptly started;

(c) The investigator shall make and keep a written record of the investigation, including notes of verbal responses made to the investigator by the person complaining of sexual harassment, witnesses interviewed during the investigation, the person against whom the complaint of sexual harassment was made, and any other person contacted by the investigator in connection with the investigation;

(d) The investigator shall notify the employee accused of the sexual harassment as promptly as possible of the complaint and the sincerity of the allegations (immediate notification is not necessary if such notification would jeopardize the investigation);

(e) The employee accused of the sexual harassment shall be given appropriate opportunity to refute the allegation and present information and/or witnesses on his/her behalf;

Based upon the investigation report, the *City Manager/Administrator/Clerk, or Mayor* shall determine whether the conduct of the person against whom a complaint of sexual harassment has been made constitutes sexual harassment. In making that determination, the *City Manager/ Administrator/Clerk, or Mayor* shall look at the record as a whole and at the totality of circumstances, including the nature of the conduct in question, the context in which the conduct, if any occurred. The determination of whether sexual harassment occurred will be made on a case-by-case basis.

If the *City Manager/Administrator/Clerk, or Mayor* determines that the complaints of sexual harassment are founded, he/she shall take immediate and appropriate disciplinary action against the employee guilty of sexual harassment.

The disciplinary action shall be consistent with the nature and severity of the offense, whether a supervisory relationship exists, and any other factors the *City manager/Administrator/Clerk. or Mayor* believes relate to fair and effective administration of the City, including the effect of the offense on employee morale, public perception of the offense, and the light in which it casts the City. The disciplinary action may include demotion and/or suspension, dismissal, warning, or reprimand. A determination of the level of disciplinary action shall also be made on a case-by- case basis.

If the *City Manager/Administrator/Clerk, or Mayor* determines that the complaint of sexual harassment is unfounded, he/she shall notify the employee accused of sexual harassment of the determination. Action shall also be made on a case-by-case basis.

The employee making the complaint shall be notified of the results of the investigation and the discipline, if any, to be administered.

If the *City Manager/Administrator/Clerk, or Mayor* determines after reviewing the investigation report that the complaint was intentionally falsified by the employee filing the complaint, the *City Manager/Administrator/Clerk or Mayor* shall take immediate and appropriate disciplinary action against said employee.





H-4. Has Been Removed

H-5. Record of a Sexual Harassment Complaint. All records, except those affected by the Kansas Open Records Act, concerning a sexual harassment complaint shall be confidential and kept in separate locked file. Access shall be granted only with the City Manager/ Administrator/Clerk or Mayor's approval and to parties who have a direct and relevant need to know.

## ARTICLE I. POLITICAL ACTIVITY

**1-1. Political Activity.** It is the right of every employee to register and vote on all political issues. Employees are permitted to join political organization, civic associations or groups, and to become involved in political activities subject to the restrictions of this article.

(a) As private citizens, employees may participate in all political activities, including holding public office, except where holding an appointive or elective office is incompatible with the employee's City employment.

(b) Any employee desiring to become a candidate for City elective office shall first take leave of absence without pay or resign. Should an employee on leave of absence without pay be unsuccessful in seeking such elective office, he or she shall be returned to employment on the same terms and conditions as any other employee who has taken leave of absence without pay. An employee is considered to be a candidate for elective office once all statutory requirements have been met to qualify as a candidate.

(c) Political activity must not interfere with job attendance or performance. Employees are not permitted to solicit or handle political contributions in City elections. They are not permitted to wear or display political badges, buttons or signs on their person or on City property during on-duty hours.

(d) No supervisor or other person in authority shall solicit any City employee for contribution of money or labor for any candidate for elective office, or otherwise compel, or attempt to compel, any employee to support a candidate for elective office or to engage in any political activity.

(e) The purpose of this policy is to prevent and avoid the appearance of impropriety on the part of any City employee. City employees are neither appointed to, nor retain in, the City's service on the basis of their political affiliations or activities.

## **ARTICLE J. OUTSIDE EMPLOYMENT**

**J-1. Outside Employment.** Outside employment constitutes a City employee holding a second job with another employer. Outside employment by a full-time employee is permitted only when such outside employment: (1) is considered secondary to service with the City; (2) does not interfere with the performance of duties for the City; and (3) no legal, financial or ethical conflict of interest results from such dual employment.

## ARTICLE K. WORKPLACE SAFETY

**K-1. General Safety.** All employees are required to wear appropriate safety equipment and follow appropriate safety precautions according to City and/or departmental policy at all times. Failure to comply with safety policies may result in disciplinary action.

**K-2. Workplace Violence.** The City of Canton has a policy of zero tolerance for violence. If an employee engages in any violence in the workplace, or threatens violence in the workplace, the employee shall be terminated immediately for cause. No talk of violence or joking about violence will be tolerated.

"Violence" includes physically harming another, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, and threatening or talking of engaging in those activities. It is the intent of this policy to ensure that everyone associated with the City, including employees and citizens, never feels threatened by any employee's actions or conduct.

**K-3. Substance Abuse Policy.** The City of Canton has a responsibility to its employees and citizens to take reasonable steps to assure safety in the workplace and in the services it provides. To this end, the City reaffirms its policy that the following are strictly prohibited.

(a) Reporting for work under the influence of intoxicants, including alcohol, illegal drugs, or controlled substances; and

(b) The use, possession, sale, or distribution of such intoxicants, illegal drugs, controlled substances, or related paraphernalia, in any manner during work hours, or while engaged in City business, on City property, or in City Vehicles. Further prohibited is use of such drugs and/or alcohol on ones personal time, the extent that such use negatively impacts an employee's work performance.

## **ARTICLE L. TELECOMMUNICATIONS**

**L-1. Telecommunications Policy.** The City's e-mail, computer, Internet, and voice mail systems are City property. These systems are in place to facilitate the employee's ability to do their jobs efficiently and productively. To that end, these systems are solely for City purposes, and gross abuse of these systems for personal use is prohibited. The City may intercept, monitor, copy, review, and download any communications or files employees create or maintain on their systems. When using the Internet, exercise discretion. Sending materials of a sensitive nature or materials that constitute "confidential information" is prohibited unless the information is properly encrypted to prevent interception by third parties.

Employee communications and use of City e-mail, computer, Internet, and voice mail systems will be held to the same standard as all other business communications, including compliance with anti-discrimination and anti-harassment policies. It is expected that employees will use good judgment in the use of the City's system. Management should be notified of unsolicited, offensive materials received by any employee on any of these systems.

Employee consent and compliance with e-mail, computer, Internet, and voice mail policies is a term and condition of employment. Failure to abide by these rules or to consent to any interception, monitoring, copying, reviewing, and downloading of any communications or files is grounds for discipline, up to and including termination.

## TRAVEL

**M-1. Travel Policy.** In an effort to provide fair and equitable policy pertaining to travel by employees necessary for the conduct of their particular assignments, the City of Canton establishes the following policy and procedure for work related travel by employees.

The City of Canton shall allow employees to utilize city vehicles for work related travel. Travel shall be defined for the purposes of this policy as any out-of-town trip(s). An employee shall receive permission from the appropriate department head for any travel. Any overnight travel shall be approved in advance by the appropriate department head and *City Manager/ Administrator/Clerk. or Mayor.*

City vehicles shall be used for travel whenever possible. Scheduling of vehicles shall be performed by the appropriate department head. Scheduling the use of a city vehicle shall be done with the City Clerk. When a city-owned vehicle is unavailable for travel, the employee's personal vehicle may be used with approval of the *City manager/Administrator/Clerk. or Mayor.* The rate of per-mile reimbursement shall be set by the IRS. and all travel related expenses shall be kept at a minimum.

City owned maintenance department vehicles may be used to transport the employee on-call to home from the work place and to the work place from home with approval of the governing body. This shall be deemed as a De Minimus Transportation Benefit as stated in IRS Publication 15-B.

**N-1. Residency.** All city employees shall reside within the city limits of the City of Canton unless the governing body grants permission to live outside of the city limits.

## ARTICLE 0. DISCIPLINE

**0-1. Authority to Discipline.** Department heads are responsible for the conduct and effective performance of all employees under their jurisdiction and shall report problems to the Mayor who shall have the authority and the responsibility to discipline employees for violations of the city's personnel policies and any departmental guidelines.

**0-2. Employee Rules.** Whenever people work together, some rules and guidelines for conduct are necessary. We have not attempted to list every rule or policy but instead have listed some basic rules. We will discipline, up to and including discharge, for violations of any rule or policy including the following, or for any other inappropriate conduct or action:

(a) Insubordination, failure to carry out instructions, or failure to follow rules (including safety rules), or violating other policies as set forth in this handbook or otherwise made known to employees:

(b) Interference with business or production, inefficiency, incompetency, or neglect of duties;

(c) Unexcused or excessive tardiness or absence from work or work station: (d)

Dishonesty;

(e) Handling or punching timecard of another, allowing own timecard to be punched by another, or altering a timecard without authorization;

(f) Possession or removal from our premises, property of ours or others without authorization;

(g) Abusive or discourteous language, threats, fighting or injury to the person or property of our employees, customers or others doing business with or seeking to do business with us;

(h) Being under the influence, possession, sale or use of alcohol or unprescribed drugs on work time or while on *our* property;

(i) Gambling or possession of weapons on work time or on our property;

(j) Soliciting or distributing literature in violation of policy.

If your performance, work habits, overall attitude, conduct, or demeanor becomes unsatisfactory in our judgment based on violations of the above rules or otherwise, you will be subject to discipline, up to and including termination.

**0-3. Disciplinary Actions.** The following types of disciplinary actions are officially recognized by the *City Manager/Administrator/Clerk, or Mayor*:

(a) *Verbal Warning.* A verbal warning is an oral reprimand given to an employee by his or her supervisor or department head. A record of the warning shall be recorded in the employee's file.

(b) *Reprimand.* A reprimand is a written censure to an employee by his or her supervisor or department head, a copy of which shall be recorded in the employee's file.

(c) *Probation.* Probation is a trial period of a specific length of time during which an employee is required to fulfill a set of conditions, or to improve work performance. or  
to improve on the job behavior. Failure to meet the probationary requirements may result in additional disciplinary actions.



to improve on the job behavior. Failure to meet the probationary requirements may result in additional disciplinary actions.

(d) *Salary Reduction.* A salary reduction is the lowering of an employee's rate of pay within the pay range to which the employee's position is assigned.

(e) *Demotion.* A demotion is the placement of an employee into a position of a lower pay range.

(f) *Suspension.* A suspension is the removal of an employee from service, with or without pay, for a specific period of time.

(g) *Termination.* Termination is the removal of an employee from City employment.

**0-4. Procedure for Disciplinary Action.** Whenever the misconduct of an employee occurs that in the judgment of the Mayor or Governing Body justifies the application of disciplinary actions, other than a verbal warning, the Mayor may:

(a) Document the misconduct in writing.

(b) Determine the appropriate disciplinary action to correct the problem.

(c) Meet with the employee to review the problem and the proposed disciplinary action. The meeting should be in private and include only the employee, supervisor, department head or other persons requested to be present by the Mayor.

(d) Give the employee an opportunity to refute the facts or argue against the proposed disciplinary action. The employee may submit comments in writing to be attached to the record of the disciplinary action.

(e) Make a final decision as to the disciplinary action.

(f) Notify the employee of the action in writing, except for verbal warnings. A copy of the documentation of misconduct and a note as to the form of disciplinary action taken shall be provided to the Clerk or Mayor for insertion in the employee's personnel file.

**0-5. Notice to Employees of Discipline and Termination.** As is stated in A-1 (e), all employees are considered at-will employees. This means the City may terminate an employee or an employee may resign at any time, with or without cause. Although this policy includes the possible procedure for disciplinary action, an employee can be disciplined or terminated at any point in the procedure without the procedure being used. An employee may also be disciplined or terminated for inappropriate conduct not specified in these policies.

## City of Canton Employee Scale

Chief of Police	\$ 27,000- \$ 34,320.00
Police Officer	\$ 24,000- \$ 29,462.78
Maintenance Superintendent	\$29,000- \$42,917.20
Maintenance Assistance	\$ 24,500 - \$ 34,957.31
City Clerk	\$ 28,500 - \$ 41,600.00

\* These salaries are based on both experience and education when it comes to hiring new employees. Also the pay scales will be used in case of a pay reduction due to disciplinary actions.

\* Once an employee has topped out on their pay scale. Their pay will be looked at to stay competitive with other cities are size.

Marty

## CITY OF CANTON

### EMPLOYEE ACKNOWLEDGEMENT FORM

The employee handbook describes important information about the City of Canton and I understand that I should consult my Department Head or Council regarding any questions not answered in the handbook.

Since the information, policies, and benefits described herein are subject to change, I acknowledge that revisions to the handbook may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment, nor a legal document. I acknowledge that no employment contract, either expressed or implied, is offered to me as a result of this handbook. I understand and acknowledge that the City of Canton is an **Employer at Will** and that my employment may be terminated at any time and for any reason. I have received the handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and revisions made to it. I understand that by my signature I acknowledge that I have been given the opportunity to read this handbook.

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Employee's Signature

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Date

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Employee's Name (Printed)

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Attested by

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Date

Note: This form must be filed in the City Clerk's Office for inclusion in per