



EMPLOYEE HANDBOOK

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June 2016

City of Merriam

Employee Handbook

Table of Contents

A. Welcome

B. Employee Acknowledgment

General Information

- 1.01 Purpose
- 1.02 Application
- 1.03 Employment-at-will
- 1.04 Equal Employment Opportunity
- 1.05 Workplace Discrimination
- 1.06 Harassment
- 1.07 Filing Harassment/Discrimination Complaint
- 1.08 Conflicts of Interest
- 1.09 Oath of Office

Health and Safety

- 2.01 Drugs and Alcohol
- 2.02 On-the-Job Injuries
- 2.03 Equipment and Property
- 2.04 Tobacco Free Environment
- 2.05 Weapons in the Workplace

Recruitment, Hiring, and Employment

- 3.01 Employee Relations
- 3.02 Work Eligibility
- 3.03 Nepotism Policy
- 3.04 Employment Classification
- 3.05 Introductory Period
- 3.06 Outside Employment
- 3.07 Referral Bonus Program

Employee Conduct

- 4.01 Attendance
- 4.02 Appearance
- 4.03 Media Relations
- 4.04 Use of City Communication Resources
- 4.05 Social Media – Employee Guidelines
- 4.06 Time Card Regulations

Compensation Policies

- 5.01 Establishment and Compliance
- 5.02 Payroll Process and Practices
- 5.03 Work Schedules
- 5.04 Overtime, Compensatory Time, and Flex Time
- 5.05 Overtime in Emergency/Call Back
- 5.06a Exempt Employee Pay Policy
- 5.06b Non-Exempt Employee Pay Policy
- 5.07 Cell Phones
- 5.08 Miscellaneous Compensation Policies
- 5.09 Travel Reimbursement

Employee Benefits

- 6.01 Employee Benefits
- 6.02 Community Center Utilization
- 6.03 Tuition Reimbursement
- 6.04 Take Home Vehicles
- 6.05 Language Stipend

Leave Time

- 7.01 Work Leave Time
- 7.02 Holidays
- 7.03 Personal Days
- 7.04 Vacation
- 7.05 Sick
- 7.06 Bereavement
- 7.07 Military Leave and Civil Leave
- 7.08 Family and Medical Leave Act (FMLA)
- 7.09 Lactation Breaks
- 7.10 Volunteer Time

Performance Appraisals

- 8.01 General

Employee Personnel Records

- 9.01 Personnel and Medical Files

Employee Discipline

- 10.01 General Provisions
- 10.02 Code of Conduct

Dispute Resolution/Grievances

- 11.01 General Provisions
- 11.02 Grievance Procedure

Separation of Employment

12.01 General Provisions

12.02 Insurance Continuation After Separation

12.03 Retiree Insurance Benefits

City of Merriam Employee Handbook

WELCOME!

We look forward to you becoming a valuable team member of the City of Merriam. You may have many questions about your job and your role with the City. This handbook is provided as a valuable resource of general information about working conditions, benefits and policies affecting your employment. Any questions, comments or suggestions regarding this handbook or the City in general are welcome and may be directed to your Supervisor, Department Head, Human Resources Manager, or Assistant City Administrator.

We have carefully selected you as a staff member because we believe you will provide the high-quality service that continually makes us the best. We believe that consistent, ethical and quality performance in all of our endeavors is the key to success and will result in loyal, mutually beneficial relationships. As an employee of the City of Merriam, dedication to providing the best service to our citizens should be your number one priority. The City of Merriam affirms this commitment through the following Mission Statement:

To serve the public with transparent government focused on progress.

Again, we are glad you are here and welcome you to Team Merriam!

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City of Merriam Employee Handbook

Employee Acknowledgement

By signing below, I acknowledge that I have received, or know how to access, a copy of the City of Merriam Employee Handbook and that it is my responsibility to read and understand the policies outlined in this employee handbook and any revisions made to it. I understand that the handbook is intended only as a general reference and not a full statement of policies and procedures or a legal contract. I further acknowledge that if I do not understand any part of the Employee Handbook, I may seek clarification from a Department Head, the Assistant City Administrator, City Administrator, or Human Resources Manager.

I understand that except for employment at will status, any and all policies or practices can be changed at any time by the City. I also understand that nothing in this handbook creates or is intended to create a promise or representation of continued employment. Employment with the City is employment at will which means that employment may be terminated at the will of either the City or me at any time.

I further understand that this manual and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of employment.

(Signature)

(Date)

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City of Merriam Employee Handbook

Chapter Title: General Information
Chapter Number: 1
Section Title: Purpose
Section Number: 1.01
Effective Date: January 1, 2005
Revision Date: June 2016
January 2021

This handbook is intended to provide information about working conditions, employee benefits and policies affecting employment with the City of Merriam. The City has developed these policies for the purpose of promoting fair and consistent practices by managers and employees. This handbook is not intended to cover every situation that might occur. In situations that are not specifically covered by this handbook, Department Heads, in conjunction with the City Administrator, Assistant City Administrator, and Human Resources Manager have the authority to set policies, verbally and in writing, or clarify existing policies.

The City's employment policies will apply equally to all employees, unless specifically stated or exempted by law or contract. Federal and State laws will supersede City policies. If any conflict between this handbook and the Municipal Code of Merriam exists, the Code shall prevail.

The City of Merriam reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate. In addition, the City reserves the right to interpret the language of these policies according to their application to a specific situation. Handbook modifications, deletions, or additions must be approved by resolution of the City Council and will be accessible via the city website.

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City of Merriam Employee Handbook

Chapter Title: General Information
Chapter Number: 1
Section Title: Application **Effective Date:** January 1, 2005
Section Number: 1.02 **Revision Date:** June 2016

General

This handbook applies to all employees of the City of Merriam. It is not intended to cover elected officials or non-employees of the city which include: appointed members of boards, commissions, committees, persons engaged under contract to supply expert professional or technical services for a definite period of time, volunteer personnel or candidates for employment, unless otherwise stated.

Department Work Policies and Procedures

Departments may adopt their own specific written work policies and procedures. However, departmental rules shall not be less stringent than, in violation of, or in conflict with the provisions of this Employee Handbook. In the event of conflict, the City Employee Handbook, and not the departmental policies and procedures, shall prevail.

Legality of Content

This Employee Handbook contains the policies and practices in effect at the time of publication and shall supersede prior Employee Handbooks. All provisions herein have been reviewed by legal counsel for the City and have been found to be in conformance with federal, state and local laws and regulations. The City will provide legal assistance, legal defense and full indemnity by insurance or otherwise, for its administrators, elected/appointed officials, department managers, supervisory personnel and other employees for all employment or related actions which are taken within the scope of their authorities and duties and which are in compliance with approved personnel policies. Legal defense costs will be paid if the City approves the attorney and the attorney's legal fee rate. Indemnification will not occur if it is determined that the employee did not act in good faith or did not comply with recognized and settled legal requirements.

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City of Merriam Employee Handbook

Chapter Title: General Information
Chapter Number: 1
Section Title: Employment-At-Will **Effective Date:** January 1, 2005
Section Number: 1.03 **Revision Date:** June 2016

While we hope to have a long and profitable relationship with you, your employment with the City is voluntary.

All employees that do not have written contracts for specific terms that are approved and executed by the employee and by the Mayor on behalf of the City Council are considered at will employees. “At will” means employment is voluntary and may be terminated by you or the City of Merriam with or without cause, with or without notice, and with or without prior consultation or agreement, at any time.

Nothing in the handbook, or any other personnel document, including benefit statements, creates or is intended to create a promise or representation that employment will continue for a set period of time for any employee, or that employment will be terminated only under particular circumstances.

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City of Merriam

Employee Handbook

Chapter Title: General Information
Chapter Number: 1
Section Title: Equal Employment Opportunity
Section Number: 1.04
Effective Date: January 1, 2005
Revision Date: June 2016

It is the policy of the City to provide equal employment opportunity to employees and applicants for employment without regard to age; race; religion; color; sex, sexual orientation; national origin and/or ancestry; gender; disability; military/veteran status, genetic information or other classification protected under applicable law. (The City may consider age if it is a bona fide occupational qualification.)

Equal employment opportunity applies to all terms, conditions and privileges of employment, including hiring, probation, training, promotion, transfer, compensation, benefits and assistance, layoff, recall, employee facilities, discharge, and retirement. The City of Merriam will make reasonable accommodations for the known disability of an otherwise qualified applicant or employee who can perform the essential functions of the job with or without accommodation unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

If you believe you have been subjected to any form of unlawful discrimination, please contact your supervisor, Human Resources, the Assistant City Administrator, or City Administrator. The City will immediately conduct an effective, thorough and objective investigation. If the City determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action will also be taken to deter any future discrimination. The City will not retaliate against you for filing a complaint in good faith and will not permit retaliation by management or your co-workers.

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City of Merriam Employee Handbook

Chapter Title: General Information
Chapter Number: 1
Section Title: Workplace Discrimination
Section Number: 1.05
Effective Date: January 1, 2005
Revision Date: June 2016

The City is committed to providing equal opportunities under law. As such, the City and its employees shall not discriminate against employees or applicants for employment with the City on the basis of: age; race; religion; color; sex, sexual orientation; national origin and/or ancestry; gender; disability; military/veteran status, genetic information or other category protected by law. The City may consider age if it is a bona fide occupational qualification.

Department Heads are responsible to ensure that discrimination does not occur in the work place and will establish appropriate procedures to ensure that non-employees (vendors, contractors, residents, trades people, etc.) are also made aware of the intent of this policy.

Any person believing that he or she has been subject to unlawful discrimination should utilize the complaint and resolution procedures set forth in Policy 1.07.

Employees found to be in violation of this policy will face strict discipline up to and including termination.

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City of Merriam

Employee Handbook

Chapter Title: General Information

Chapter Number: 1

Section Title: Harassment

Section Number: 1.06

Effective Date: January 1, 2005

Revision Date: June 2016

The City is committed to maintaining a work environment that is free of all harassment. The City does not condone any language or action that would cause its employees to feel unequal, inferior, bullied, or harassed. This conduct is prohibited in any form at the workplace, at work-related functions or outside of work if it affects the workplace. This policy applies to all employees, clients, customers, guests, vendors and persons doing business with the City.

Any employee who engages in harassment; who permits employees under his/her supervision to engage in harassment; or who retaliates or permits retaliation against an employee who reports such harassment is guilty of misconduct and will face strict discipline up to and including termination.

Harassment

Harassment consists of unwelcome conduct, whether verbal, physical or visual and is usually based upon one's age; race; religion; color; sex, sexual orientation; national origin and/or ancestry; gender; disability; military/veteran status, genetic information or any other legally protected group status. The conduct prohibited by this policy includes, but is not limited to, inappropriate comments (epithets, slurs, stereotyping), intimidating or humiliating words or actions, violent or rude conduct, loud and abusive language, cursing or other offensive language, or written or graphic material circulated within or posted in the workplace. Additionally, any physical act of aggression such as hitting, pushing, shoving or threats of physical aggression are strictly prohibited.

Appropriate performance reviews, counseling, or discipline by your manager does not constitute harassment.

Sexual Harassment

The City will not tolerate sexual harassment by any of its employees, elected officials, customers, vendors, volunteers or any other person(s) who interacts in the workplace with our employees. Sexual harassment includes, but is not limited to, making unwelcome

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sexual advances, requests for sexual favors, any verbal, visual or physical conduct of a sexual nature, or making submission to such conduct, as a basis for employment decisions, or a condition of employment.

Any person who believes, in good faith, that he/she has been discriminated against, harassed or subjected to retaliation, or who has observed harassment, discrimination or retaliation, is encouraged to promptly utilize the complaint and resolution procedure set forth in policy 1.07.

Supervisors and managers receiving information regarding alleged violations of this policy shall forward such information to the Human Resources Manager, Assistant City Administrator, or City Administrator.

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City of Merriam Employee Handbook

Chapter Title: General Information
Chapter Number: 1
Section Title: Procedure for Filing Harassment/Discrimination Complaint
Section Number: 1.07 **Effective Date:** August 2016

Employees who believe they are the subject of discrimination or harassment prohibited by Policy 1.05 or Policy 1.06 should take the following steps:

Complaint

The employee should feel free to discuss the issue directly with the party participating in or allowing the conduct to occur. If the employee does not feel comfortable with such discussion, or the discussion does not produce an acceptable result, a complaint describing the nature of the situation should be communicated to the supervisor or Department Head within 30 days of the alleged harassment, unless good cause is shown for the delay. The supervisor receiving the complaint should immediately inform the Human Resources Manager. If the employee's supervisor or Department Head is the source or a party to the harassment, the complaint should be filed directly with the Human Resources Manager within 30 days of the alleged harassment, unless good cause is shown for the delay.

Timeliness

All complaints will be investigated in a timely manner so that any ongoing conduct can be immediately halted and immediate discipline taken, if warranted.

Confidentiality

Details of any complaint will be confidential and only shared to the extent necessary to fully investigate the complaint or if such information is compelled to be disclosed by law.

Non-Retaliation

Employees are assured that retaliation due to such complaints is strictly prohibited and if such retaliation occurs, then discipline up to and including termination will also occur.

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City of Merriam

Employee Handbook

Chapter Title: General Information
Chapter Number: 1
Section Title: Conflicts of Interest
Section Number: 1.08

Effective Date: January 1, 2005
Revision Date: June 2016

All employees have a duty to further the City's goals and objectives, and to work on behalf of its best interest. Employees should not place themselves in a position where their actions or personal interests may be in conflict with those of the City of Merriam. Each employee shall make prompt and full disclosure in writing to their Department Head of any potential situation which may involve a conflict of interest.

Employees must also remember that the City of Merriam is a tax-supported entity and the individuals paying those taxes should receive the best quality and highest standard of service possible. Public employees should act in a professional manner, using good judgment and courtesy at all times, and should avoid any type of behavior that could appear illegal or unethical. Employees should carry out their work efficiently, honestly and with the intention of keeping good faith with the public.

Financial Interests

Employees must be independent, impartial and responsible to City interests. Employees may not enter into dealings or financial interests in contracts and services performed by the City. In addition to their own, an employee is deemed to have a financial interest in affairs of any person related to him or her by blood or marriage, including an ex-spouse. This includes deriving any direct or indirect profit resulting from the sale, service, contracting or purchases made on behalf of the city.

City employees may not accept financial benefits that would reasonably tend to influence or appear to influence decisions or encourage that employee to disclose confidential city business. Offers of money, services, benefits, favors or other possible conflicts should be discussed with supervisors and/or City legal counsel.

Political Activity

It is the right of every employee to register and vote on all political issues. Employees are permitted to join political organizations, civic associations or groups, and to become involved in political activities subject to certain restrictions:

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- (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 a City of Merriam 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, s/he 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. Nor are they permitted to campaign for any person running for City office during on-duty hours.
- (d) No supervisor or other person in authority shall solicit any city employee for contributions 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.

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 retained in, the City's service on the basis of their political affiliations or activities.

Confidential Information

The revelation or use of any confidential information, data on decisions, plans, or any other information which might be contrary to the interest of the City without prior authorization is prohibited. The misuse, unauthorized access to, mishandling of confidential information, including personnel information, is strictly prohibited.

Gifts and Gratuities

City employees and officers shall not accept from any person, business or organization any gift or gratuity if it may be reasonably inferred that the giver either seeks to influence action of an official nature or seeks to affect the performance or nonperformance of an official duty, or has an interest which may be substantially affected by the performance or non performance of an official duty. An employee who has a question regarding the appropriateness of accepting a gift or gratuity should consult the Municipal code or contact his/her department head or human resources.

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City of Merriam Employee Handbook

Chapter Title: General Information

Chapter Number: 1

Section Title: Oath of Office

Section Number: 1.09

Effective Date: August 2016

Before entering upon the duties of his or her office or employment, each employee shall be required to subscribe in writing to the oath set out in K.S.A. 54-106.

I do solemnly swear that I will support the constitution and the laws of the United States of America, and the constitution and laws of the state of Kansas, and the laws and ordinances of the City of Merriam, and that I will faithfully and to the best of my ability discharge the duties of << State Position >>. So help me God.

If an employee is opposed to taking an oath, he/she shall be permitted to substitute the words “sincerely and truly declare and affirm” for the word “swear” and the words “I do this under the pains and penalties of perjury” for “so help me God”.

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City of Merriam

Employee Handbook

Chapter Title: Health and Safety
Chapter Number: 2
Section Title: Drugs and Alcohol
Section Number: 2.01
Effective Date: January 1, 2005
Revision Date: June 2016

The City has implemented a Drug-Free Workplace policy and program. This includes the prohibition of possession or distribution of any controlled substance or alcoholic beverage at work, or while in a position representing City business during working hours. Unauthorized violations may result in disciplinary action, up to and including termination.

It is also a violation of policy for an employee to illegally use prescription drugs or to report to work under the influence of illegal controlled substances and/or alcohol.

The Drug-Free Workplace policy is distributed during new employee orientation, and again when any changes in the policy take place. The policy outlines the disciplinary action taken when employees violate the City's standards. The City's program provides information about the risks of illegal drug use and alcohol use in the workplace, as well as information about counseling and treatment.

Testing for City employees includes post-offer testing, post-accident testing, and reasonable suspicion. Those employees whose position requires a commercial driver's license (CDL) may also be subject to random alcohol and drug testing.

Any employee who refuses to take a drug or alcohol test under this policy, or who tampers with or attempts to tamper with such a test, will be subject to disciplinary action, up to and including termination.

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City of Merriam

Employee Handbook

Chapter Title: Health and Safety
Chapter Number: 2
Section Title: On-the-Job Injuries
Section Number: 2.02
Effective Date: January 1, 2005
Revision Date: June 2016

The City requires employees to conduct job tasks safely to protect themselves and others at work. Every accident, near-miss, or injury, regardless of severity, must be reported to a supervisor immediately or as soon as is practicable. The supervisor or department head will file the appropriate workers' compensation reports as required.

In the case of a serious injury requiring medical attention, employees should seek the nearest medical facility. In other cases, the injured employee should seek medical attention using the City's preferred workers' compensation health provider. Upon return to work, a physician's statement of medical condition and release to return to work must be submitted to the Human Resources Manager. The City provides workers' compensation insurance at no cost to employees. If the injury or accident results in lost time, payment of lost wages is governed by state law.

If a workplace injury requires long-term medical attention, the injured employee will work with the supervisor and the Human Resources Manager to determine a return-to-work date, explore temporary restricted duty job opportunities, and eligibility for continuing employment. Temporary restricted duty job assignments need not be confined to the employee's current department or pay rate to which the employee is assigned at the time of injury. Absences due to work related injuries or illnesses may be counted as leave under FMLA.

If you see any potential hazards that need attention, notify your supervisor, department safety representative, or Human Resources immediately.

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City of Merriam

Employee Handbook

Chapter Title: Health and Safety
Chapter Number: 2
Section Title: Equipment and Property
Section Number: 2.03

Effective Date: January 1, 2005
Revision Date: June 2016

Employees are provided adequate tools, equipment, and vehicles to perform their job. It is the responsibility of employees to use them safely and to cooperate in the care and maintenance of equipment owned by the City. Such tools and equipment are not to be removed from City property or taken home without prior authorization from the Department Head. Employees operating a City vehicle are required to have a current driver's license. When using a personal vehicle for conducting City business, employees may be required to provide proof of personal automobile liability coverage.

Any accident involving a City vehicle or personal vehicle while conducting City business must be reported immediately to the appropriate law enforcement agency and to the employee's supervisor. In addition, the employee is required to notify his/her Department Head immediately regarding any traffic violation that may impair their ability to operate a vehicle for City purposes. Failure to do so may result in disciplinary action. Employees who are involved in an accident involving a City vehicle may be subject to a post-accident drug/alcohol test.

Employees driving a city vehicle or utilizing their own vehicle for City business are reminded of the following:

- Seat belts must be worn at all times
- Texting while driving is not allowed under any circumstances
- There is no smoking allowed in a City vehicle

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City of Merriam Employee Handbook

Chapter Title: Health and Safety

Chapter Number: 2

Section Title: Tobacco Free Environment

Section Number: 2.04

Effective Date: January 1, 2005

Revision Date: June 2016

January 2021

The City of Merriam is committed to providing a safe and healthy work place. Smoking, smokeless tobacco, use of e-cigarettes/pipes and other tobacco and nicotine products is not permitted at any time inside city facilities or vehicles. (Nicotine patches are permitted.)

Smoking areas are designated for each facility and receptacles should be used for depositing cigarettes. Employees who smoke or use smokeless tobacco products must observe the same guidelines as non-smokers for the frequency and length of break periods.

Those employees who smoke and would like to take this opportunity to quit should contact Human Resources for information on smoking cessation programs provided as part of the City's benefits.

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City of Merriam

Employee Handbook

Chapter Title: Health & Safety
Chapter Number: 13
Section Title: Weapons in the Workplace **Effective Date:** July 2016 (Per
Section Number: 2.05 K.S.A. 75-7c01 7/2016 update)
7/2016)

Employees who are not otherwise prohibited by state or federal law, may carry a concealed handgun, consistent with the Kansas Personal and Family Protection Act, as amended, where the carrying of a concealed handgun is allowed under the provisions of state law.

- a) Any employee carrying a concealed handgun, pursuant to the provisions of state law, must keep said handgun completely concealed, in a proper holster or similar product, with all safety features in place, and on his or her person and attended to at all times.
- b) Other than certified law enforcement officers, it is outside the course and scope of employment for any City employee or contractor to brandish, intentionally display, use, discharge, point or threaten any person with the use of a weapon in the workplace or in the exercise of his or her duties.
- c) If an employee chooses to store a firearm within their own vehicle on City property, storage must be outside of plain view and the vehicle must be locked when the employee is not in the vehicle.
- d) Any injury resulting from an employee choosing to carry a concealed handgun will not be considered for workers' compensation.
- e) The election of an employee to carry a concealed handgun should not interfere with the employee's ability to perform his/her job duties.

Subject to other policies and procedures of the City of Merriam and Kansas law, certified law enforcement officers are the only individuals authorized to use deadly force while acting for and on behalf of the City of Merriam. No other employee will have the immunities, nor be entitled to the same indemnity afforded certified law enforcement officers. Additionally, the City will not provide for, reimburse, or pay attorney fees or

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other costs in defense of any employee who uses deadly force other than law enforcement personnel.

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City of Merriam Employee Handbook

Chapter Title: Recruitment, Hiring, and Employment
Chapter Number: 3
Section Title: Employee Relations **Effective Date:** January 1, 2005
Section Number: 3.01 **Revision Date:** June 2016

The City of Merriam believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisor, Department Head, Human Resources, or Assistant City Administrator.

Experience has shown that when employees deal openly and directly with supervisors, the work environment can be more satisfactory, communications can be clear and attitudes can be positive. The City of Merriam consistently demonstrates its commitment to employees by responding effectively to employee concerns.

Guidelines regarding relations between elected officials and city staff are addressed in the City Council policy No. 105.

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City of Merriam

Employee Handbook

Chapter Title: Recruitment, Hiring, and Employment
Chapter Number: 3
Section Title: Work Eligibility
Section Number: 3.02
Effective Date: January 1, 2005
Revision Date: June 2016
January 2021

Notice of Open Positions

When an open position is to be filled, the position may be advertised internally, to the general public, and/or posted on the City's website.

Employment Testing

Tests for job applicants will be limited to skills or performance testing, to determine the level of competence or ability to perform certain tasks associated with the job being sought.

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.

An applicant may be disqualified for employment if:

- The applicant has established an unsatisfactory employment record, as evidenced by reference check, or similar nature as to demonstrate unsuitability for employment;
- The applicant has made a false statement of material facts in the application; cannot legally hold the position; or offers money, service, or anything of value to win favor during the application process;
- Failure of medical examination (i.e. a medical examination that indicates the applicant cannot perform the essential functions of the job, or poses a direct threat by doing so, and reasonable accommodation is not possible or feasible);
- Failure of a drug/alcohol test;
- Unsatisfactory background and/or credit report. A criminal conviction or negative credit history will not necessarily disqualify an applicant. Factors such as the date of the occurrence, seriousness of the occurrence, nature of the offense,

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and the relationship of the offense or occurrence, and the position applied for, will be taken into consideration.

The City reserves the right to hire the most qualified applicant that best fits the needs of the City and the position.

Medical Examinations and Drug Screening

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 successfully passing all required tests.

Driver's License

For employees who may be required to drive or operate equipment requiring a driver's license, driving records and license validity will be checked. Applicants may be disqualified from further consideration if driving record is determined to be unsatisfactory.

Identity and Employment Authorization: On or before an employee's hire date, all employees shall complete an employment eligibility verification statement (I-9) in compliance with the federal Immigration Reform and Control Act of 1986. To continue employment, documents confirming employment eligibility must be submitted within three days of hire date for review. Copies of such documents will be kept with each employee's original I-9 form.

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City of Merriam

Employee Handbook

Chapter Title: Recruitment, Hiring, and Employment

Chapter Number: 3

Section Title: Nepotism Policy

Section Number: 3.03

Effective Date: January 1, 2005

Revision Date: June 2016

The City does not encourage the hiring of members of the immediate family of current City employees for full-time, part-time, or temporary/seasonal employment with the City. For the purposes of this section, immediate family shall be defined as spouse, children, parents, brothers, sisters, grandparents, grandchildren, in-laws (mother, father, brother, sister, daughter, son), aunts, uncles, nieces, nephews, or stepchildren. In no event may immediate family members be employed in situations where one would exercise direct or indirect supervision by another family member.

If two employees become related to each other within the definition herein contained, they may continue to be employed with the City provided that (1) one party does not directly or indirectly supervise the other party; (2) the situation does not create a potential conflict as determined by the City Administrator; or (3) there are not performance problems within the Department caused by the situation. In circumstances where it is determined that the two employees cannot continue to work for the City, the individuals concerned will decide who is to resign. If one of the employees does not voluntarily resign within thirty (30) days, the City will decide.

Immediate family members of the Governing Body are not eligible for any employment with the City. However, an employee who is an immediate family member of the Governing Body, and who is employed prior to such member taking office, shall retain his/her employment with the City.

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City of Merriam

Employee Handbook

Chapter Title: Recruitment, Hiring, and Employment

Chapter Number: 3

Section Title: Employment Classification

Section Number: 3.04

Effective Date: January 1, 2005

Revision Date: June 2016

Revision Date: August 2020

Full-Time Regular

Full-time regular employment consists of at least 40 hours of work each week. This includes both exempt and non-exempt classifications (as defined in the Fair Labor Standards Act – FLSA). Regular full-time employees are eligible for benefits.

Part-Time Benefit-Eligible

Part-time benefit-eligible employees are those whose work hours are at least 20 hours per week, but fewer than 40 hours per week. The scope of benefits received may vary proportionately with the number of hours typically scheduled for a part-time benefit-eligible employee. Certain benefits may not be available to part-time benefit-eligible employees.

Part-Time Non-Benefit-Eligible

Regular part-time employees are those employees who are employed on an on-going basis who are not benefit-eligible and in no case may work more than 1,000 hours in a calendar year.

Temporary/Seasonal

Temporary/seasonal employees are those typically hired for a period of less than six months. Temporary/seasonal employees may be FLSA exempt or FLSA non-exempt, but are only eligible to receive benefits mandated by law (e.g. social security, workers compensation). Temporary/seasonal employees are not entitled to sick leave, vacation pay, or holiday pay. As outlined by the FLSA, seasonal aquatic personnel are not entitled to overtime pay.

Retiree

A retiree is an individual who leaves employment and immediately begins receiving retirement benefits through the KPERs or KP&F Retirement Systems.

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Elected Officials

Elected officials are not considered employees of the City and are therefore not covered by the policies outlined in this handbook. They may, however, receive compensation and some benefits, as outlined in the City Code and Governing Body Rules.

Changing Classifications

Employees hired in any employment classification and move into a different category at a later date will retain their original hire date as their anniversary date for evaluations and for calculating years of service. If an employee moves from a non-benefit eligible classification to a benefit-eligible classification, the date that occurs will be date used to calculate benefit accruals.

Classification Plan

A position compensation plan, based upon and graded according to assigned work duties and responsibilities, is developed and maintained to provide standardization and proper classification of all positions in the service of the City. With approval of the Governing Body, new positions may be established, combined, or abolished.

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City of Merriam Employee Handbook

Chapter Title: Conditions of Employment
Chapter Number: 3
Section Title: Introductory Period **Effective Date:** January 1, 2005
Section Number: 3.05 **Revision Date:** June 2016

All new and rehired employees, with the exception of Police Officers, work on an introductory basis for the first six months after their date of hire. Upon satisfactory completion of the introductory period, employees enter the “regular” employment classification. Any period of time away from the work place in excess of two weeks, excluding a legally protected absence, will not count towards the six month introductory period. (Police Officer introductory period will be established on a case-by-case basis by the Police Department.)

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the position meets their expectations. The City of Merriam uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the City of Merriam may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice. Completion of the introductory period does not entitle the employee to remain employed by the City for any definite period of time. During the introductory period, employees shall have no right to utilize the grievance procedure as it relates to discharge or other discipline.

An employee’s initial introductory period may be extended beyond six months with approval from the Assistant City Administrator or City Administrator, but in no event shall an introductory period last more than one year.

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City of Merriam

Employee Handbook

Chapter Title: Conditions of Employment

Chapter Number: 3

Section Title: Outside Employment

Section Number: 3.06

Effective Date: January 5, 2005

Revision Date: June 2016

Unless specified in a separate agreement, employees may hold outside jobs as long as they meet the performance standards of their job with the City of Merriam. All employees will be judged by the same performance standards and will be subject to the City's scheduling demands, regardless of any existing outside work requirements.

If the City determines that an employee's outside work interferes with the performance or the ability to meet the requirements of the City as they are modified from time to time, the employee may be asked to terminate the outside employment if s/he wishes to remain with the City.

Outside employment that constitutes a conflict of interest as described in Section 1.08 is prohibited. Employees may not receive any income or material gain from individuals outside the City for materials produced or services rendered while performing their jobs for the City.

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City of Merriam

Employee Handbook

Chapter Title:	Recruitment, Hiring, and Employment		
Chapter Number:	3		
Section Title:	Referral Bonus Program	Effective Date:	January 2017
Section Number:	3.07	Revised Date:	May 2022

It is the City of Merriam's mission to recruit and hire the most qualified applicants for employment opportunities. The referral bonus program is based on the belief that current employees understand what it means to be a successful city employee.

To qualify for the bonus, the referring employee should ensure the applicant puts their name in the referral line of the application. The applicant may only name one (1) referring employee.

The city offers referral bonuses based upon the schedule below:

- Referring employee will be offered a \$500 bonus on the payroll following the referred employee's start day
- If the position is filled within 8 weeks of the original posting date, the referring employee will receive \$250 following the referred employee's 6-month anniversary
- If the position takes longer than 8 weeks to fill from the original posting date, the referring employee will receive a \$1000 bonus on the payroll following the referred employee's 6-month anniversary

Referral bonuses will only be available for full-time openings, unless otherwise noted in the job posting. Referrals must not have been previously employed by the city in any capacity.

All City of Merriam employees qualify to participate in the program with the following exceptions:

- Department Heads, Human Resources Manager, and Council members
- Anyone involved in the hiring decision

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City of Merriam Employee Handbook

Chapter Title: Employee Conduct

Chapter Number: 4

Section Title: Attendance

Section Number: 4.01

Effective Date: January 1, 2005

Revision Date: June 2016

Attendance

If an employee is going to be absent, s/he must report that absence according to the employee's department guidelines. Failure to report, other than in an emergency situation, may result in disciplinary action. Unexcused and/or excessive absences can lead to disciplinary action up to and including termination. An employee who is absent for three (3) consecutive workdays without properly notifying his/her supervisor will be deemed to have voluntarily resigned his/her position.

Timeliness

Employees are to report for work on time and to be punctual for appointments and meetings. Furthermore, work assignments are to be completed by the due date. Frequent tardiness can result in disciplinary action or termination.

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City of Merriam Employee Handbook

Chapter Title: Employee Conduct

Chapter Number: 4

Section Title: Appearance

Section Number: 4.02

Effective Date: January 1, 2005

Revision Date: June 2016

Citizens observe employees of the City of Merriam often in the course of their work. As City representatives, employees are expected to meet high standards both in the quality of their work and in presenting a professional image to the public. While there is not a formal dress code, employees are expected to maintain good physical grooming, have a neat and clean appearance, and display a pleasant disposition to citizens and colleagues.

Uniforms or additional appearance guidelines may be required for certain jobs within the City. Employees will be responsible for complying with all departmental appearance guidelines.

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City of Merriam Employee Handbook

Chapter Title: Employee Conduct

Chapter Number: 4

Section Title: Media Relations

Section Number: 4.03

Effective Date: August 2016

Employees are not authorized to make official statements, issue press releases or place advertisements without prior approval from the City Administrator or his/her designee. In all other circumstances, the City Administrator and/or Assistant City Administrator should be notified immediately upon receipt of media inquiries involving the City of Merriam and its operation(s).

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City of Merriam

Employee Handbook

Chapter Title: Employee Conduct

Chapter Number: 4

Section Title: Use of City Communication Resources

Section Number: 4.04

Effective Date: August 2016

All use of City provided communication resources must be appropriate and business related. Inappropriate use may subject employees to discipline, up to and including termination. Examples of inappropriate use includes:

- Use of the systems in violation of any City policy;
- Use of the systems to create, send, solicit or intentionally receive messages, pictures or computer files which are fraudulent, illegal, pornographic, obscene, sexually suggestive, insulting, sexist, racist, discriminatory or harassing;
- Use of the resources to conduct illegal activities;
- Excessive use of resources for personal or non-business related reasons;
- Loading software which is not approved in advance by the Department Head;
- Making illegal copies of licensed software;
- Using software that is designed to destroy data, provide unauthorized access to the City's computer or communications equipment, or which would disrupt city's computer or communication equipment in any way;
- Using the City e-mail, voicemail systems, or computer resources for personal gain.

Any message or file created, stored, and/or sent using the City's computer or communications equipment is city property and may be subject to the Kansas Open Records Act. Employees should therefore have no expectation of privacy in any message stored, received or sent using City equipment.

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City of Merriam

Employee Handbook

Chapter Title: Employee Conduct

Chapter Number: 4

Section Title: Social Media – Employee Guidelines

Section Number: 4.05

Effective Date: August 2016

At the City of Merriam, we understand that social media can be a fun and rewarding way to share your life and opinions with family, co-workers, and friends across the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

Employee Guidelines

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether or not associated or affiliated with the City of Merriam, as well as any other form of electronic communication.

Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks involved. Keep in mind that any conduct that adversely affects your job performance, the performance of fellow associates or otherwise adversely affects citizens and/or people who work on behalf of the City of Merriam, or adversely affects the City's reputation, may result in disciplinary action up to and including termination.

Carefully read the Workplace Discrimination (1.05), Harassment (1.06), and Use of City Communication Resources (4.04) policies and ensure your postings are consistent with guidelines established. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

The City of Merriam prohibits retaliatory action against any associate for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this

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policy or for cooperating in an investigation will be subject to disciplinary action up to and including termination.

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City of Merriam

Employee Handbook

Chapter Title: Employee Conduct

Chapter Number: 4

Section Title: Time Card Regulations

Section Number: 4.06

Effective Date: August 2016

The City of Merriam requires that each employee maintain his or her hours of work through the time and attendance software provided by the city. This will keep a record of work attendance and ensure the accuracy of paychecks. Nonexempt employees are required to accurately record their hours worked each day by clocking in/out each shift. All employees (exempt and non-exempt) will utilize the time and attendance software to request leave time including vacation, sick, and personal. For other types of leave, including bereavement or jury duty, employees are to get prior approval through their supervisor.

Employees must only clock in for themselves and are never to clock in for another employee. Employees who clock in for someone other than themselves will be subject to disciplinary action.

Employees may not punch in more than fifteen minutes before the beginning of their shifts and may not punch out more than fifteen minutes after their shift ends, unless overtime hours were previously approved by their manager.

If an employee experiences any problems with the time and attendance program or payroll discrepancies, they are to speak to their immediate supervisor.

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City of Merriam

Employee Handbook

Chapter Title: Compensation Policies
Chapter Number: 5
Section Title: Establishment and Compliance
Section Number: 5.01
Effective Date: January 1, 2005
Revision Date: June 2016

Authority to Establish Salaries

The Governing Body has the authority to establish and approve budgets, salary ranges and benefits of the City Administrator, all other officers, and employees.

Establishment of Pay System

The City of Merriam compensates employees in accordance with decisions by the Governing Body as annual budgets are set and adjusted. Pay for any given position is subject to the annual budgetary process and, as such, may be subject to increase, reduction, or status quo maintenance for any time period. The City Administrator may make suggestions about salary and benefit concerns but the final decision rests with the Governing Body.

Right to Change Compensation

The City reserves the right to change compensation for any reasons deemed appropriate by the Governing Body. Compensation may also be adjusted based upon job performance, significant changes in responsible tasks, and the availability of funds to maintain a solvent City budget.

Compliance with State and Federal Pay Acts

The City will comply with all state and federal pay acts respecting the compensation for employees for services performed.

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City of Merriam

Employee Handbook

Chapter Title: Compensation Policies
Chapter Number: 5
Section Title: Payroll Process and Practices **Effective Date:** January 1, 2005
Section Number: 5.02 **Revision Date:** June 2016
January 2021

Pay Schedule

Employees are paid bi-weekly on alternate Fridays. If the regularly scheduled payday falls on a bank designated holiday, paychecks will be issued the day immediately preceding the holiday. Employees will have their payroll checks direct deposited to the financial institution(s) of their choice, or a payroll bank card will be issued.

Payroll Deductions

No payroll deduction will be made from an employee paycheck unless authorized by the employee or required by law. Employees are required to report changes in family status, address, or other information that could affect the amount of deductions withheld. These include Social Security and income taxes, retirement system contributions, court-ordered child support and any other deductions required by law. Additionally, deductions may be authorized for employee contributions to health, vision and dental insurance, supplemental insurance, deferred compensation plans requested by the employee, and others as may be approved by the City Administrator and allowed by payroll system and relevant laws.

Reporting Hours Worked

It is the responsibility of each employee to maintain his/her hours of work through the time and attendance system provided by the city. The time and attendance system will keep a record of hours worked and ensure the accuracy of paychecks. Nonexempt employees are required to accurately record their hours worked by clocking in/out each shift. All employees (exempt and nonexempt) will utilize the time and attendance system to request leave time including vacation, sick and personal. At the end of the reporting period, the supervisor will approve the time entered, including any leave requests, and verify accuracy. If an employee experiences any problems with the time and attendance system, or payroll discrepancies, they are to speak to their immediate supervisor.

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City of Merriam

Employee Handbook

Chapter Title: Compensation Policies

Chapter Number: 5

Section Title: Work Schedules

Section Number: 5.03

Effective Date: January 1, 2005

Revision Date: June 2016

Work schedules for employees vary throughout the organization. The City's standard hours of operation are 8:00 a.m. to 4:30 p.m., Monday through Friday. Assigned hours of work vary by department and position to meet department goals and schedules. During each eight hour working period employees are allowed two fifteen (15) minute work breaks and a thirty (30) minute unpaid meal break. In all other situations, Department Heads will establish the break policies for their departments. Employees in similar work situations should receive uniform treatment concerning the break policy. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending time as well as variations in the total hours that may be scheduled each day and week. Employees must adhere to their assigned work schedules or be subject to disciplinary action. No employee shall be permitted to work in excess of their normal work week except when so directed and/or allowed by the employee's Department Head.

Work Periods

Pursuant to section 207(k) of the Fair Labor Standards Act and 29 C.F.R. Part 553, the work period for employees engaged in law enforcement is a 14-day work period beginning at 12:00 midnight on Monday.

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City of Merriam

Employee Handbook

Chapter Title: Compensation Policies
Chapter Number: 5
Section Title: Overtime, Compensatory Time, and Flex Time
Section Number: 5.04
Effective Date: January 1, 2005
Revision Date: June 2016

Fair Labor Standards Act (FLSA)

The City adheres to the Fair Labor Standard Act (FLSA) federal law which specifies the federal minimum wage and calculation of overtime.

Exempt vs. Nonexempt Employees

Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, and professional employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis. Job titles do not determine exempt status. Exempt employees will be designated by City policy, following FLSA guidelines.

All employees shall be classified as exempt or nonexempt for purposes of determining compensation for overtime work. Exempt employees are not entitled to overtime pay, except that exempt employees may be granted time off in such amount and in such fashion as the City Administrator or designee determines appropriate compensation for overtime worked. However, exempt employees are not guaranteed time off in exchange for overtime worked.

Overtime Calculations

Overtime will be approved in advance by the Department Head whenever possible. Overtime is calculated as hours worked in excess of 40 hours per week for all non-exempt employees, except nonexempt police officers and seasonal aquatic personnel. Section 207(k) of the FLSA permits the City to calculate overtime as hours worked in excess of 80 hours per pay period for non-exempt shift police officers. Per FLSA guidelines, seasonal aquatic personnel do not receive overtime pay. All overtime hours are paid at one and one-half times the usual hourly wage.

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For purposes of computing overtime, vacation leave and personal days count as hours worked. Sick leave, bereavement, civil and jury duty leave does not count as hours worked for purposes of computing overtime.

For employees who would normally work on a day that is an observed holiday, but do not work because of the holiday, the holiday will be considered a day of work for the purpose of calculating overtime.

Compensatory Time

By arrangement with the supervisor, compensatory time off will be calculated at a rate of one and one-half hours for every hour of overtime worked. Accumulation of compensatory time is strongly discouraged.

Flex Time

A supervisor may allow a nonexempt employee to work hours in excess of the prearranged work day schedule in order to take off time on another day during the same work week. The worked time and the time used are a one for one ratio. The time and attendance system should clearly reflect the actual times worked.

Example 1: An employee who is required to work one hour of overtime on Monday may, with the approval of his/her supervisor, leave one hour early on Thursday instead of receiving pay for the one hour of overtime.

Example 2: An employee who wants to go to a child's school program for one hour on Friday, may be allowed to take shorter lunch periods on Tuesday and Wednesday, arrive early or stay late on a different work day in order to make up the time missed on Friday.

City of Merriam

Employee Handbook

Chapter Title: Compensation Policies
Chapter Number: 5
Section Title: Overtime in Emergency/Call Back
Section Number: 5.05
Effective Date: January 1, 2005
Revision Date: June 2016

Overtime in Emergency

A Department Head or supervisor may require an employee to work overtime in the case of an emergency.

An emergency is a sudden or unforeseen happening that in the opinion of the Department Head or supervisor requires the unscheduled service of an employee to protect the health, welfare, and safety of the community.

If overtime is required for an emergency situation as defined above, employees will be required to work. Disciplinary action may be taken against employees who without good or sufficient reason: 1) refuse to work overtime; 2) fail to appear when scheduled to work overtime; or 3) having indicated s/he would work overtime fail to appear.

Call Back Time

A Department Head may call an employee in to work on a regular day off or may call an employee back to work after a regular work schedule.

All employees who are eligible to receive overtime, and who are called in to work on a regular day off or are called back to work after a regular work schedule shall be paid at the appropriate rate of pay for the hours worked. Such employees shall be paid for a minimum of two hours.

The minimum of two hours shall not apply if the employee was called in or called back during the two hour period immediately prior to the beginning of the employee's next regularly scheduled work shift. Pay for call back begins at the time the employee reports for duty.

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City of Merriam Employee Handbook

Chapter Title: Compensation Policies
Chapter Number: 5
Section Title: Exempt Employee Pay Policy
Section Number: 5.06a
Effective Date: January 1, 2005
Revision Date: June 2016
January 2021

FLSA Salary Basis Rules

In accordance with the Fair Labor Standards Act, exempt employees who are required to be paid on a salary basis may not have their pay reduced because of variations in the quality or quantity of work performed. Subject to exceptions listed below, an exempt employee must receive their full salary for any workweek in which they perform any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work.

Deductions from Pay

There are a limited number of circumstances in which pay deductions can be made from an exempt employee. The City will follow FLSA guidance from the Wages and Fair Labor Standards Act in these areas. If an employee believes an improper deduction has been made, they should contact Human Resources as soon as possible.

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City of Merriam Employee Handbook

Chapter Title: Compensation Policies
Chapter Number: 5
Section Title: Non-Exempt Pay Policy – Working “Off the Clock”
Section Number: 5.06b **Effective Date:** August 2016

The City of Merriam intends to fairly and appropriately pay all non-exempt employees hour-for-hour for all time worked on behalf of the City. Whenever work is performed, whether during the regularly scheduled shift, before or after the regular shift, or during meal breaks, the City intends to pay non-exempt employees for that time. Employees are required to accurately and truthfully record all time they work for the City.

Unless specific advance approval is given by the employee’s manager or supervisor, non-exempt employees are prohibited from taking work home or performing any services (including monitoring email or voice mail) for the City from remote locations and/or outside of normally scheduled hours, via electronic communication devices or otherwise. If it is necessary for a non-exempt employee to respond to a specific request outside of the office and outside of scheduled working hours, the employee must report all such time worked. Employees who perform work off-premises without prior approval may be subject to discipline.

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City of Merriam Employee Handbook

Chapter Title: Compensation Policies

Chapter Number: 5

Section Title: Cell Phones

Section Number: 5.07

Effective Date: August 2016

Employees whose work requires that they be accessible by cell phone will be provided a monthly phone allowance paid to the employee through the payroll system and considered a taxable benefit. The dollar amount of the monthly allowance will be determined by the Department Head and approved by the City Administrator based upon usage. If employees are issued a city cell phone, all records are subject to open records requests.

Basic Usage

Employees in this tier are considered to require basic usage of a cellular phone in that the cellular phone is used primarily to contact the employee when out of the office, in an on-call situation, in an emergency, or attending to City business at locations other than their primary place of work.

High Usage

Employees in this tier generally would spend a great deal of work time out of the office and in the field and do not have easy access to a land-line phone in order to remain in contact with their home base or with clients, customers, or constituents they serve.

Extensive Usage

Employees in this tier, by the nature of their job responsibilities, are required to use cellular communications extensively in the course of their duties.

The employee must provide the cellular phone number to the Department Head or designee for inclusion on the internal mobile phone listing. Department Heads will submit a memo or email to Human Resources authorizing the allowance for payroll processing.

Department Heads are responsible for an annual review of employee business-related cellular phone use to determine if existing cellular phone allowances should be continued as is, changed, or discontinued.

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City of Merriam

Employee Handbook

Chapter Title: Compensation Policies
Chapter Number: 5
Section Title: Miscellaneous
Section Number: 5.08

Effective Date: January 1, 2005
Revision Date: June 2016
Revision Date: January 2021

Expense Reimbursement

An employee will be reimbursed for reasonable expenses incurred in completing his/her work-related assignment in accord with the policies established by the City. Each employee is responsible for providing verified receipts for any expense for which reimbursement is required.

Promotions, Lateral Job Changes, Demotions, and Change in Status

Promotions are those job changes that result in advancement to a job classification with a higher salary range as outlined in the Compensation plan. Salary increases for promotions are subject to approval by the Department Head and City Administrator, in accordance with approved budget limits. The amount of salary increase granted upon promotion shall be 5%, or to the minimum of the salary range for that new job classification, whichever is greater. However, the Department Head, subject to approval by the City Administrator, shall have the ability to grant a promotional increase greater than 5% provided it is within the employee's new salary range.

Lateral job moves are changes to another job classification with the same salary range. An employee taking a lateral transfer, whether by the employee's request or the Department Head's, will retain the same amount of accrued leave and seniority. If the employee's current salary is in the approved salary range, they will not receive any reduction or increase in pay as a result of a lateral move.

Demotions require an employee to change to a job classification with a lower salary range. The demotion may be the result of a disciplinary action, a job reclassification or unsatisfactory work performance. The employee's new salary will be determined by the Department Head and City Administrator and there will likely be a reduction in pay.

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A change in status occurs when an employee moves from a part-time position to a full-time position. Employees moving from part-time to full-time will not automatically receive an increase in compensation. Typically, a salary increase will not be granted if the full-time position is the same salary range as the part-time position; however the City Administrator has the ability to grant an increase based upon the needs and budgetary limitations of the City upon request of the Department Head.

The City reserves the right to make decisions regarding job changes at its discretion.

Temporary Designations

A temporary designation to an interim position must be approved by the City Administrator or designee prior to the employee being placed in such position. An employee serving in an interim position will assume all of the duties and authority of the open position and will meet the minimum qualifications as outlined in the job description. Compensation for an employee in an interim position will be increased to at least the minimum of the pay range of the interim position, or 5%, whichever is greater.

A temporary pay increase may also be authorized when an employee is requested to perform higher level responsibilities, in addition to their normal duties, for a minimum of 30 days up to 12 months, due to a vacancy or extended leave of another employee. Compensation for an employee taking on increased duties will be 2.5% and must be approved by the City Administrator or designee prior to the employee taking on the additional responsibilities.

Exceptional circumstances will be considered by the City Administrator for application of this policy on a case-by-case basis.

Red-Circle Pay

When an employee receives an annual merit increase that would push their salary beyond the maximum for their range, their base rate will be frozen at the top of the salary range and they will receive “red-circle pay” for the remainder of the increase due. This compensation will be paid out equally across 26 pay periods. If an employee leaves employment prior to receiving the full amount of their red-circle pay, the remainder will be forfeited.

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City of Merriam

Employee Handbook

Chapter Title: Compensation Policies

Chapter Number: 5

Section Title: Travel Reimbursement

Section Number: 5.09

Effective Date: August 1, 2013

Revision Date: June 2016

January 2021

April 2024

General

This policy applies to all city employees of the City of Merriam when travel requiring an overnight stay is necessary as part of official City business. Consideration must always be given to the most economical location for conferences, seminars, or trainings when offered in various cities. Department Head or designees are empowered to authorize the approval of all requests for funds, reimbursements, and overnight travel for their employees subject to budget appropriation.

Meals [Per Diem]

The City will adhere to prevailing per diem rates for meals and incidentals that are in accordance with those set forth by the GSA at www.gsa.gov/perdiem. Cities not specifically listed on the GSA website will be considered a “standard destination” and receive the prevailing Federal per diem rate for such destinations. Employees shall receive the per diem amount for meals and incidentals incurred on travel days and conference days. A travel day is defined as one where no business is conducted other than travel. Any meals provided by the conference, as defined in the conference registration schedule, must be deducted from the per diem reimbursement. If a meal has an additional registration fee required, the City will pay the registration fee and the meal must be deducted from the per diem reimbursement. Employees in possession of a City purchasing card should not use it to pay for meals covered by per diem. The costs of alcoholic beverages will not be reimbursed by the City.

Employees seeking per diem travel advances should submit requests to the Finance Department at least 7 days in advance of travel. Employees requesting per diem at the conclusion of travel are not required to produce receipts but should request final payment no later than 14 days after their return.

Lodging Expenses

The City shall pay the cost of a standard room at the suggested conference hotel unless extenuating circumstances prevent staying there. Expenses for in-room entertainment fees and other personal

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expenses will not be considered eligible expenses for reimbursement. When traveling on official business not related to a conference, lodging choices should be based upon economy and accessibility to destination of purpose for travel. Whenever possible, advance arrangements should be made whereby lodging costs can be paid by a City purchasing card or billed directly to the City. When making a reservation within the state of Kansas, employees should inform the reservation clerk that a sales tax exemption letter will be presented at check-in if necessary. Additional expenses incurred by guests are the full responsibility of the employee. Employees are required to submit a Travel Expense Statement to Finance for every trip requiring an overnight stay, whether or not post-travel reimbursement is requested.

Conference Registration

Arrangements should be made far enough in advance so payment of conference registrations can be made directly to the sponsoring organization and to also take advantage of any special pricing opportunities. In addition to the cost of basic conference registration and fees, a Department Head or designee may authorize the payment of additional registration fees for certain pre-sessions, post sessions, or receptions that are clearly a function of the conference and are not considered as entertainment.

Travel Costs

No specific mode of transportation is mandatory; however, employees are expected to use the most economical means available with reasonable consideration given to the time and distance involved.

- ***Air Travel***

The City shall pay the costs of economy, non-refundable airfare for travel on City business. If significant monetary savings can be realized, employees may request or be requested to depart earlier or later than the requested travel day. Charges for baggage not included in the initial airfare, early bird seating, or economy seat selection will be reimbursed.

- ***Driving***

Employees are encouraged to use a City vehicle in lieu of a personal vehicle whenever appropriate. When a City vehicle is used, the employee will be reimbursed for all gas receipts if the gas is not charged directly to the City. If a City vehicle is not available, the employee may choose to drive their own vehicle. In such instances, a mileage allowance at the prevailing IRS rate may be authorized for mileage amounts using City Hall as the starting and ending point. However, in no event shall the City reimburse amounts incurred due to driving [mileage, hotel, and meals] which exceed the costs that would have been incurred for air travel. Employees using their own vehicles shall accept personal liability for any damage or injury occurring as a result of that use. Further, no other allowance for additional passengers, repairs, vehicle maintenance, or citations shall be allowed. The costs of tolls will be reimbursed by the City if receipts are provided.

- *Ground Transportation*

The City will pay the cost of transportation to and from KCI airport. This will typically be in the form of a mileage reimbursement using City Hall as the starting and ending point. Other associated costs, such as parking, will be reimbursed with actual receipts. Employees are also entitled to be reimbursed for transportation expenses incurred upon arrival and departure of destination city on a travel day or other necessary travel occurring on a conference day, including transportation to restaurants. Receipts must be submitted for reimbursement.

Miscellaneous Items and Restrictions

- *Rental Cars*

The use of a rental car will be authorized only in those situations where such transportation is necessary and must be approved by the Department Head or designee. Gasoline receipts, tolls, and parking fees are reimbursable for approved car rental.

- *Gratuities*

In some cases, gratuities or tips for service are necessary in the course of travel. Although not mandatory on the part of the employee, the City will reimburse gratuities for services. This includes, but is not limited to, ground transportation, storage of luggage and related items, valet parking when no other reasonable parking circumstances exist, and other necessary miscellaneous services. Gratuities over \$10.00 require a receipt.

- *Unforeseen Delays*

If travel is extended due to unforeseen circumstances such as flight delays, the City will pay for additional costs incurred. The employee may charge these additional costs to their purchasing card as long as the costs are allowable costs and receipts are provided.

- *Cancellation*

In the event an employee is unable to complete their travel, they should try and find an alternate attendee. If no alternate attendee can be found, they should make every effort to cancel and have refunded any funds committed to their accommodations [hotel, conference registrations] as soon as possible. Employees are not responsible for any costs that cannot be refunded. If an employee is issued airline travel credits, instead of a monetary refund, the employee is not required to transfer those to the City.

City of Merriam Employee Handbook

Chapter Title: Employee Benefits
Chapter Number: 6
Section Title: Employee Benefits
Section Number: 6.01

Effective Date: January 1, 2005
Revision Date: June 2016
January 2021

Benefit Eligibility

Regular, full-time employees and part-time employees working an average of 20 or more hours per week and covered under the Kansas Public Employee Retirement System (termed “benefit-eligible part-time employees”) will be eligible to participate in benefits offered by the City.

Coverage

Coverage is effective the first day of the month following employment, or status change to an eligible position.

The effective date of termination for benefits will be the employee’s last day. Coverage end date will be determined based on plan requirements. The employee will receive benefit continuation in accordance with COBRA guidelines.

Current Benefit Details

Details about the City’s current benefit offerings, including plan details and rates, are available in the annual benefits guide, which is available on the City’s website or through Human Resources.

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Chapter Title: Employee Benefits
Chapter Number: 6
Section Title: Community Center Utilization
Section Number: 6.02
Effective Date: January 2021
Revised Date: April 2022

Regular employees and retirees of the City of Merriam are eligible to receive discounted rates for memberships, fitness programs, and room rentals at the Merriam Community Center. The value of any discounts is reported to the employee/retiree as additional compensation on Form W-2 or Form 1099 Misc.

Active Employee Memberships

- Regular employees (full-time and part-time) are offered a free adult membership to the Merriam Community Center. This benefit is available upon becoming an active employee and ends at the end of the month in which the employee is no longer in active status.

Employees who do not take advantage of membership at the time of hire, will be provided the opportunity to take advantage of this benefit two times per year. Employees will be notified by mid-December and mid-May that enrollment for the benefit is occurring. The membership will take effect on the 1st of the following month. The memberships will remain active until the employee is no longer in active employment status.

- The membership benefit can be used to cover the complete cost of a monthly adult membership or it can be used as a credit towards the purchase of another level of membership. If the employee chooses to use it as a credit towards another level of membership, the employee will be responsible for paying the difference. If members of the same household are employed by the City, the maximum discount available for any other level of membership is equivalent to one monthly adult membership. This membership remains active until the employee provides a written 30-day notice or the employee is no longer in active employment status with the City.

Retiree Memberships

Retirees (as defined in Policy 3.04) will receive a discount equivalent to the cost of a monthly senior membership beginning the month following their status change to retiree. This discount can be used to cover the complete cost of a single senior membership or can be used as a credit towards the purchase of another level of membership. If the retiree chooses to use this discount towards the cost of a more expensive level of membership, they are responsible for paying the difference through their account at the Community Center.

Fitness Classes

Regular employees and retirees may take fitness classes offered at the Community Center

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for a reduced fee. Contact the Community Center for the most current list of applicable courses and their fees.

Room Rentals

Regular employees may rent rooms for their personal use at the resident rental rate. This benefit also applies to room rentals at the Merriam Visitors Bureau. Contact the Community Center or Visitors Bureau for availability and pricing information.

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City of Merriam

Employee Handbook

Chapter Title: Employee Benefits

Chapter Number: 6

Section Title: Tuition Reimbursement

Section Number: 6.03

Effective Date: January 2017

All regular full-time employees, having completed their introductory period, are eligible to take advantage of educational and vocational courses that may improve performance in their current position and better prepare them for promotion to related and higher level positions in the municipal service. The intent of this benefit is to offset the burden of educational costs not reimbursed otherwise.

The proposed course(s) must show a direct relationship to the employee's work, i.e. to improve the work performance of the present or envisioned future work for the City. Subject to budget availability, upon successful completion of any approved course with a minimum grade of "B," the City will reimburse up to \$2,500 per calendar year.

The application form, available from the Human Resources Manager, must be completed and approved prior to enrollment in the course. This application must indicate the education intent of the student and the anticipated course(s) to be taken. After the form is completed, the employee shall submit it to their Department Head who will determine if the course is beneficial to the employee's current job related duties, or future promotional opportunities. Once the Department Head approves the request; it will be forwarded to the City Administrator for final approval. Tuition reimbursement denials may be appealed to the City Administrator.

After completion of the course, the employee must submit a copy of his or her grades and proof of payment for tuition and books to the department director within 90 days of course completion. Requests received after 90 days will be denied. The department director will submit the request to the Human Resources Manager for reimbursement.

If an employee's request for reimbursement under this policy is approved, he/she will be required to sign a document, in which he/she agrees to re-pay the reimbursement to the City if he/she is separated from employment within one year after receiving the reimbursement. The City's educational assistance plan is intended to qualify for favorable tax treatment under Section 127 of the federal tax code.

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City of Merriam Employee Handbook

Chapter Title: Employee Benefits
Chapter Number: 6
Section Title: Take Home Vehicles
Section Number: 6.04

Effective Date: January 2021

Departments may assign City vehicles for use by employees if necessary for the performance of job duties. City vehicles, other than “Qualified Non-Personal Use Vehicles” (as defined by the IRS), may be assigned to an employee only upon the written approval of their department director and the City Administrator, and will be reviewed annually.

Take home vehicles are provided to the employee for business use only. Personal use is prohibited except for commuting between the employee’s home and work locations. However, *de minimis* use, such as a small personal detour is permitted. Commuting in a take home City vehicle is personal use and will be classified as a taxable fringe benefit in accordance with federal and state tax law. A non-cash amount will be reported in employee wages and subject to appropriate tax withholdings.

Commuting in a “Qualified Non-Personal Use Vehicle” by a sworn police officer is not considered a taxable fringe benefit.

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City of Merriam

Employee Handbook

Chapter Title: Employee Benefits

Chapter Number: 6

Section Title: Language Stipend

Section Number: 6.05

Effective Date: April 2024

Benefit-eligible employees of the City of Merriam are able to receive a language stipend up to \$1,300 per calendar year. This benefit will be paid in \$50 increments on each regularly scheduled pay cycle. The intent of this benefit is to better serve the citizens and patrons of the city as well as compensate our bi-lingual employees for their needed skillset.

At this time, the greatest need for our community is dual English-Spanish speakers. Therefore, the program will be restricted to English-Spanish. As further information becomes available and a need is warranted, the program is subject to change for additional languages, as approved by the City Administrator. The City Administrator has the right to determine the positions where bi-lingual employees are needed and the needed number and work assignments of bi-lingual workers.

In order to qualify for this benefit employees will agree to the following terms:

- 1) Employee will inform Human Resources Manager that they wish to apply for the benefit.
- 2) Employee will complete an annual language proficiency exam.
- 3) Employee will agree to providing translation services during working hours, where appropriate.

In accordance with the terms outlined above, the City will also reimburse the documented costs for any employee to become proficient in Spanish up to \$500.

Employee will begin receiving the language stipend on the first pay period following successful results of the language proficiency exam.

The language stipend will increase the employee's total earned income and will be taxed accordingly.

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City of Merriam

Employee Handbook

Chapter Title: Leave Time
Chapter Number: 7
Section Title: Work Leave Time
Section Number: 7.01
Effective Date: January 1, 2005
Revision Date: June 2016

Work Leave Time

Leave time refers to normal working hours not worked by employees. It may be paid time or unpaid. Regular full-time and benefit-eligible part-time employees are eligible for paid holidays, vacation, and sick leave, as well as some other types of leave time required by circumstances. Holidays are those designated days that the City offices are closed for business.

The employee's supervisor or Department Head must approve all leave time. Time off requests should be submitted through the time and attendance system for the period the leave is to be taken.

An unauthorized absence is any absence from work for which the employee did not obtain prior approval; or, if the employee did not notify his/her immediate supervisor of such absence in accordance with department policy. Any unauthorized absence shall be considered unpaid time. Any employee who takes an unauthorized absence may be subject to disciplinary action up to and including dismissal.

Any employee who is absent for three or more consecutive days without authorization, shall be deemed to have voluntarily resigned his/her position.

The Department Head, with approval from the City Administrator, may excuse an unauthorized absence if it is found that there were extenuating circumstances.

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City of Merriam Employee Handbook

Chapter Title: Leave Time

Chapter Number: 7

Section Title: Holidays

Section Number: 7.02

Effective Date: January 1, 2005

Revision Date: September 13, 2021
April 22, 2024

Holidays

The following holidays are observed by the City.

New Year's Day, January 1st

Martin Luther King, Jr. Day, 3rd Monday in January

Memorial Day, last Monday in May

Juneteenth, June 19th

Independence Day, July 4th

Labor Day, 1st Monday in September

Thanksgiving Day and the day after, 4th Thursday in November and the next day

Christmas Day, December 25th

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday.

When December 25 falls on a Tuesday then, Monday, December 24 is observed as an additional holiday. When December 25 falls on a Thursday, then Friday, December 26 is observed as an additional holiday.

Payment for Holidays

The City will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Regular full-time employees will receive eight (8) hours holiday pay. Benefit eligible part-time employees will receive holiday pay on a pro-rated basis equal to the number of hours they normally and regularly work.

Eligibility for holiday pay requires that the employee be in paid status the scheduled workday before and after the holiday.

All FLSA non-exempt benefit-eligible employees who are required to work on a city observed holiday shall be paid holiday pay plus time and one-half their regular rate of pay for all hours worked on the observed holiday. All FLSA exempt benefit-eligible employees will receive their

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normal weekly salary during a week that includes an observed holiday(s), whether or not they work on the day the holiday is observed.

If the designated and observed holiday differs from the actual holiday, employees who only work on the actual holiday will receive time and one-half their regular rate of pay for the time worked on the holiday in addition to the holiday pay (for the observed holiday). An employee who works both the City observed and designated holiday and the actual holiday will only be paid time and one-half for the hours worked on actual holiday or the observed holiday, but not both.

Illustrations

City observed and designated holiday is Friday.

Actual holiday is Saturday.

1. Employee works a regular eight (8) hours shift. Employee works his/her regular shift on Friday and Saturday is the employee's regularly scheduled day off.

Employee will be paid for eight (8) hours holiday pay, eight (8) hours at time and one-half for hours actually worked on Friday, and receive no compensation for Saturday (day off). Total compensation: 20 hours.

2. Employee works a regular eight (8) hours shift. Employee's regular day off is Friday. Employee works his/her regular shift on Saturday (actual holiday).

Employee will be paid for eight (8) hours holiday pay, no compensation for Friday, and time and one-half for all hours actually worked on Saturday. Total compensation: 20 hours.

3. Employee works a regular eight (8) hour shift. Employee's regular work schedule includes working both Friday and Saturday. Employee works a regular shift on both days.

Employee will be paid for eight (8) hours holiday pay, eight (8) hours at time and one-half for either Friday or Saturday, and eight (8) hours at straight time for either Friday or Saturday. Total compensation: 28 hours.

City of Merriam Employee Handbook

Chapter Title: Leave Time
Chapter Number: 7
Section Title: Personal Leave
Section Number: 7.03

Effective Date: January 1, 2005
Revision Date: June 2016
January 2021
April 2022

Eligibility

Regular full-time and benefit-eligible part-time employees are granted personal leave each year.

Use

Personal leave will be credited to employees on January 1 of each year and must be used by the last day of the last pay period in December annually. Any personal leave not utilized by this time will be forfeited. Employees leaving employment with the City will not be compensated for unused personal leave.

Employees must receive advance approval to use personal leave, which is subject to applicable departmental policies for paid time off. In addition, personal leave shall count as hours worked for purposes of computing overtime.

Accrual

Regular full-time employees will receive 24 hours of personal leave annually. Benefit-eligible part-time employees will receive 12 hours of personal leave annually.

In an employee's first year, they will receive personal leave days based upon their hire date.

Month Hired	Regular Full-Time Employees	Benefit-Eligible Part-Time Employees
January – April	24 hours	12 hours
May – August	16 hours	8 hours
September – December*	8 hours	4 hours

*Employees hired after the first pay period of December will not receive a personal leave allocation for the calendar year in which they are hired. They will receive their full allocation for the following year on January 1.

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City of Merriam Employee Handbook

Chapter Title: Leave Time
Chapter Number: 7
Section Title: Vacation
Section Number: 7.04

Effective Date: January 1, 2005
Revision Date: June 2016
 May 2019
 January 2021
 April 2024
 Effective Date: January 1, 2025

Eligibility

Regular full-time and benefit-eligible part-time employees are entitled to paid time off for vacation each year, based on accruals.

Use

Employees must receive advance approval to use vacation leave, pursuant to department guidelines. In addition, vacation leave shall count as hours worked for purposes of calculating overtime. Vacation buy-back hours will not count as hours worked.

To avoid distractions in training and orientation, new employees are discouraged from using accrued vacation time during their introductory period (as identified in City of Merriam Employee Handbook 3.05). Employees leaving service from the City within their introductory period shall not be compensated for accrued vacation leave. Following this time period, employees leaving service from the City shall be compensated for accrued and unused vacation leave.

Accrual

Vacation accrual will begin upon hire. Changes in vacation accrual will be effective the first pay period following the employee’s employment anniversary date. Benefit-eligible part-time employees who move to a regular full-time position will continue to accrue vacation leave based upon their original date of hire.

Employees accrue vacation leave per pay period as follows:

Years of Service	Regular Full-Time Employees		Benefit-Eligible Part-Time Employees	
	Hours (Annual)	Hours (Per Pay Period)	Hours (Annual)	Hours (Per Pay Period)
<1	80	3.08	40	1.54
1	88	3.38	44	1.69
2	96	3.69	48	1.85
3	104	4.00	52	2.00

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4	112	4.31	56	2.15
5	120	4.62	60	2.31
6	128	4.92	64	2.46
7	136	5.23	68	2.62
8	144	5.54	72	2.77
9	152	5.85	76	2.92
10-19	160	6.15	80	3.08
20+	200	7.69	100	3.85

Maximum Vacation Accrual Rates

Employees may not carry over from one payroll period to the next more than the following accrued vacation hours: regular full-time time employees 240 hours; benefit eligible part-time employees 120 hours. Hours in excess of these stated amounts will be forfeited. Employees are responsible for scheduling vacation to avoid forfeiting vacation hours.

Required Vacation Usage

Employees that have accrued maximum vacation hours are required to use a minimum of 40 hours of vacation per calendar year.

Employees with cash handling job functions (may include, but not limited to Finance, Municipal Court, and Parks & Recreation employees, as identified by the Department Head) are encouraged to take one 40-hour block of vacation leave per calendar year.

Exceptions to maximum vacation accrual rates and required vacation rules may be made when the employee’s ability to utilize vacation becomes incompatible with the needs of the City. The City Administrator may grant an exception or allow alternate arrangements when these circumstances occur.

Vacation Buy-Back

Any employee may request the City buy-back vacation hours at their current rate of pay based upon the following stipulations:

- Vacation buy-back will occur in 8-hour increments.
- To ensure employees have some balance remaining, employee cannot buy-down accrued balances below 80 hours (full-time) or 40 hours (part-time).
- Vacation buy-back will only occur on the first pay date of May and/or November.
- Employee must make a written request to the Human Resources Manager no later than April 15 (for May) and/or October 15 (for November).
- Vacation balances eligible for buy-back will be calculated as of April 15 and/or October 15.

If your KPERS membership date is before 7/1/1993, the buy-back will be subject to KPERS. If your KPERS membership date is on 7/1/1993 or after, the buy-back will not be subject to KPERS.

City of Merriam Employee Handbook

Chapter Title: Leave Time
Chapter Number: 7
Section Title: Sick
Section Number: 7.05

Effective: January 1, 2005
Revised: January 1, 2007
June 1, 2012
July 23, 2012
August 27, 2012
June 2016
January 2021

Eligibility

Regular full-time and benefit-eligible part-time employees are entitled to sick leave each year.

Use

Sick leave may be used, when it has accrued, if the employee misses work for personal illness or health care appointments or treatments, to care for members of their immediate family during illness, or for health care appointments for family members. Immediate family, for the purposes of sick leave, is defined as an employee's spouse or domestic partner*, children (including step-children, foster children, and other children living within their household), or parent, including in-laws. It may also be used for any leave provided for by the Family Medical Leave Act.

Sick leave does not count as hours worked for purposes of calculating overtime.

When possible, employees should notify their supervisors in advance when using sick leave for health care appointments. For all other uses of sick leave, the employee must report to their supervisor or Department Head pursuant to the department guidelines. Failure to report sick leave pursuant to the guidelines may result in the denial of sick leave and/or disciplinary action.

An employee must keep their supervisor or Department Head informed daily of their condition. A medical certificate may be required for any absence of more than three (3) consecutive work days or in the case of suspected abuse of sick leave. Failure to fulfill these requirements may result in a denial of sick leave and/or disciplinary action.

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Accrual

Sick leave accrual begins upon hire and accrues per pay period at the following rates:

	Annual Accrual	Per Pay Period	Maximum Annual Accumulation
Regular Full-Time Employees	96.20 hours	3.70 hours	520 hours
Benefit-Eligible Part-Time Employees	48.10 hours	1.85 hours	260 hours

The City will review each employee's accrued sick leave on an annual basis. Employees who have balances above the allowed annual accumulation will receive a payout based on their hourly rate of pay as of January 1st at a rate of 20% for all hours above the maximum allowable accumulation.

Separation of Employment

Regular full-time and benefit-eligible part-time employees separating employment in good standing after 120 months (10 years) of consecutive full time or benefit-eligible part-time service will be compensated for accrued and unused sick leave as follows:

- Payment will be at the hourly rate of pay the employee is earning at time of separation.
- Employee will receive 1% of accumulated time per full year of service at the time of separation, up to a maximum of 30%. Partial years of service will not be included for purposes of calculating the applicable percentage.

Example: John Doe is earning \$30.00 per hour. He has 28.50 years of City service. John has accumulated 485 hours of sick leave available on his separation date. John will receive payment for 28% of sick hours he accrued through his separation date.

Calculation:

- 485 (hours accrued) x 28% (based on 28 full years of service) = 135.8 hours
- 135.8 (hours) x \$30 (per hour) = \$4,074.00

Retirement

Employees retiring from City employment per Policy 3.04 after 120 months (10 years) of consecutive full-time or benefit eligible part-time service will be compensated for 30% of accrued and unused sick leave.

Employees leaving City employment for purposes other than retirement or separation in good standing will not be compensated for accrued and unused sick leave.

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Miscellaneous Provisions

Employees who have exhausted their sick leave and request additional time off, must use all other paid leave prior to taking leave without pay.

Time spent recuperating from an illness that strikes an employee while on vacation leave can be taken as sick leave with proper documentation as determined by the employee's supervisor or Department Head. As soon as possible, the employee's vacation leave should be changed in the time and attendance system to reflect the hours claimed as sick leave.

*Domestic Partner, for the sake of this policy, is defined as a relationship characterized by emotional and financial commitment and interdependence – regardless of gender.

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City of Merriam Employee Handbook

Chapter Title: Leave Time
Chapter Number: 7
Section Title: Bereavement
Section Number: 7.06

Effective Date: January 1, 2005
Revision Date: July 23, 2012
 June 2016
 January 2021

Eligibility

Regular full-time and benefit-eligible part-time employees are entitled to bereavement leave.

Use

Employees should request the amount of time needed through their supervisor or Department Head, who will approve and track bereavement leave in the time and attendance system. Bereavement leave does not count as hours worked for purposes of calculating overtime.

In the event of the death in the immediate family employees shall be allowed paid time off for personal matters relating to the death according to the following schedule:

	Immediate Family Members	Other Family Members
Regular Full-Time Employees	Up to 24 hours	Up to 12 hours
Part-Time Benefit-Eligible Employees	Up to 12 hours	Up to 6 hours

Employees may request time off in addition to paid bereavement leave from the Department Head. If additional time is approved, it may be charged against the employee's available paid leave balances and/or may be taken as a leave of absence without pay.

Immediate Family, for purposes of Bereavement Leave, includes: spouse, domestic partner*, child, parent, sibling, grandchild, grandparent. Corresponding in-law (including the family of domestic partners) or step relations are included, as are any blood relative/dependent living within the same household as the employee.

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Other Family Members, for the purposes of Bereavement Leave, include: aunt, uncle, niece, and nephew, including corresponding in-law (or family of domestic partner) and step relations.

*Domestic Partner, for the sake of this policy, is defined as a relationship characterized by emotional and financial commitment and interdependence – regardless of gender.

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City of Merriam Employee Handbook

Chapter Title: Leave Time
Chapter Number: 7
Section Title: Military Leave and Civil Leave
Section Number: 7.07
Effective Date: January 1, 2005
Revision Date: June 2016
January 2021

Military Leave

The City 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 their supervisor and Human Resources.

Civil Leave

An employee shall be given necessary time off with pay

- when performing jury duty,
- 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,
- when performing emergency civilian duty in connection with national defense, and/or
- 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, per KSA 25-418.

If an employee is involved in a personal lawsuit, either as a plaintiff or as a defendant in an action not related to their duties with the City, the employee may take leave without pay unless they elect to utilize any accumulated vacation or personal leave.

Civil leave is not counted towards hours worked for the purposes of overtime.

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City of Merriam Employee Handbook

Chapter Title:	Leave Time	
Chapter Number:	7	
Section Title:	Family and Medical Leave Act (FMLA)	Effective Date: January 1, 2005
Section Number:	7.08	Revision Date: May 18, 2009 Revision Date: June 2016

General Provisions

The Family and Medical Leave Act (FMLA) entitles eligible employees up to 12 weeks in a 12-month period of unpaid, job-protected leave and continuing pre-existing health coverage for specified family and medical reasons. Employees are eligible if they have worked for the City for at least 12 months (does not have to be consecutive, unless there is a break in employment of more than seven years), and for 1,250 hours during the 12-month period immediately preceding the leave.

For purposes of determining the “12-month period” during which an employee may take 12 weeks of FMLA leave, the City uses a “rolling” 12-month period measured backward from the date an employee uses any FMLA leave. Under the “rolling” 12-month period, each time an employee takes FMLA leave the remaining leave entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months. For example: If an employee takes three weeks leave beginning February 2014, three weeks beginning May 2014, three weeks beginning August 2014, and three weeks beginning November 2014, the employee would not be entitled to any additional leave until February 2015.

Reasons for Taking Leave

Leave must be granted for any of the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee’s child after birth, or placement for adoption or foster care;
- To care for the employee’s spouse, son, daughter or parent who has a serious health condition, or
- For a serious health condition that makes the employee unable to perform the employee’s job.

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Military Family Leave Entitlements

Eligible employees whose spouse, son, daughter or parent is on covered active duty or called to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness.

Impact on Existing Leave Policies

The City requires employees to use all applicable paid leave, in this order, to include sick, personal and vacation before an unpaid leave under this policy will be authorized.

Leave under the FMLA, long term disability, and/or Workers' Compensation may run concurrently.

Advance Notice and Medical Certification

The employee may be required to provide advance leave notice and medical certification. Taking of leave may be denied if the requirements are not met.

- The employee must provide 30 days advance notice when the leave is “foreseeable.” If the employee’s need is not foreseeable, the employee should give as much notice as is practical and reasonable.
- The City requires medical certification to support a request for leave because of a serious health condition and includes service member family leave, and may require second or third opinions (at the employer’s expense) and a fitness for duty report to return to work.
- The City requires certification of the federal active duty call or impending call or order to active duty for an employee who needs leave due to the call to active duty service, or notice of impending call to service, of a family member in the National Guard or Reserves for service as directed by the President of the United States.

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Reduced and Intermittent Leave

Leave may be taken intermittently or on a reduced schedule when medically necessary as certified by the health care provider. Federal law does not require the City to offer intermittent leave or a reduced schedule for the birth or placement of a child (except when medically necessary due to the incapacity caused by child birth itself). Department Heads may authorize or deny a request for a part-time or intermittent leave schedule for the birth or placement of a child based upon departmental operational needs.

Job Benefits and Protection

- For the duration of the FMLA leave, the City will maintain the employee's health coverage under any "group health plan." (Employees will continue to make their contribution towards any "group health plan" during approved leave.)
- Upon return from FMLA leave, employees will be restored to their original or equivalent position with equivalent pay, benefits, and other employment terms. However, an employee who qualifies as a "key" employee, as defined by the Department of Labor, may be denied restoration to employment.
- The use of FMLA cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Administration

FMLA leave requests should be directed to Human Resources which is responsible for making and administering all leave decisions.

The City of Merriam will comply with applicable state or local law to the extent that such law provides greater family or medical leave rights than those of the FMLA or this policy.

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City of Merriam Employee Handbook

Chapter Title: Leave Time

Chapter Number: 7

Section Title: Lactation Breaks

Effective Date: August 2016

Section Number: 7.09

It is the policy of the City of Merriam to provide, in compliance with the Fair Labor Standards Act (FLSA), reasonable break time and appropriate facilities to accommodate any member desiring to express breast milk for her infant nursing child for up to one year after the child's birth.

Lactation breaks, if feasible should be taken at the same time as the employee's regularly scheduled rest or meal periods. Any time exceeding regularly scheduled and paid break time will be unpaid for non-exempt employees.

The employee's Department will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private. Such room or place should be in proximity to the member's work area and shall be other than a bathroom or toilet stall. The designated site will be a private location with a locked door to ensure it is shielded from view and free from intrusion from co-workers and the public.

Any member storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the employee's shift ends.

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City of Merriam Employee Handbook

Chapter Title:	Leave Time	
Chapter Number:	7	
Section Title:	Volunteer Leave	Effective Date: January 2019
Section Number:	7.10	Revised Date: April 2022

Benefit-eligible employees are offered paid volunteer leave to allow employees to give back and support non-profit organizations through the community. Volunteer leave hours will be credited to employees on January 1 of each year and will be lost if not used by the end of the year. New employees will receive paid volunteer leave based upon their hire date as follows:

Current employees and employees hired in the months of January through April will receive 24 hours paid volunteer leave; employees hired in the months of May through August will receive 16 hours paid volunteer leave; and employees hired in the months of September through the end of the last pay period in December will receive 8 hours of paid volunteer leave.

For benefit-eligible part-time employees, hours received will be prorated based upon the number of hours an employee normally and regularly works.

Employees requesting paid volunteer time will submit the request through the Time & Attendance program and provide details on the organization and volunteer activity to be completed. Requests should be made with reasonable advance notice of the proposed time off and approved by the supervisor in advance of performing the volunteer hours. The decision to approve a request is within the discretion of the supervisor, based upon the business and operational needs of the department.

Volunteer time performed on a weekend or during non-work hours may be counted as compensatory time for salaried employees if approved by their manager. Salaried employees will not receive additional pay for volunteer work performed outside of regular work hours.

Employees leaving service to the City shall not be compensated for any unused volunteer leave.

Volunteer leave shall not count as hours worked for purposes of computing overtime.

Under the Fair Labor Standards Act (FLSA), volunteers may not perform the same type of duties performed in their paid positions. Volunteer time shall include travel to and from the volunteer service site as well as the actual volunteer activity.

City of Merriam

Employee Handbook

Chapter Title:	Values Performance Review	Effective Date:	January 1, 2005
Chapter Number:	8	Revision Date:	June 26, 2006
Section Title:	General		June 2016
Section Number:	8.01		January 2021
			April 2024

The City's Values Performance Review works in coordination with the City's pay and classification system. It is designed to maintain an equitable performance assessment process for employees and ensure that employees receive an honest assessment of their performance on a regular and timely basis. The performance of employees, in all employment classifications, will be evaluated on an annual basis, even if they are on a performance improvement plan. The use of performance assessments by the City does not alter the at-will employment status.

Schedule and Eligibility

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, regular basis. These informal discussions should provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

Formal Values Performance Reviews are conducted annually on the employee's original anniversary date, with the exception of Department Heads who are evaluated at the end of the calendar year.

Part-time employees who accept full-time employment with the City will retain their original date of hire as their anniversary date.

Seasonal/temporary employees are not required to receive a Values Performance Review, however, returning employees under this classification may receive an annual salary increase as appropriate for their position.

Annual Merit Increases

Annual merit increases associated with Values Performance Reviews are set during the annual budget process and communicated to employees during open enrollment. The merit increase will be effective the first pay period following the employee's anniversary date.

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Performance Improvement Plans

When a supervisor, in coordination with their department head, determine that an employee's performance necessitates a performance improvement plan, the supervisor will work with Human Resources to develop and deliver said plan, as soon as possible.

If the employee successfully completes the performance improvement plan, and has shown performance progress, they will receive the annual merit increase, as indicated in their Values Performance Review. Annual merit increases will be effective to the employees first pay period following their anniversary date. If the employee is currently on their performance improvement plan at the time of the Values Performance Review, the employee will not receive the annual merit increase.

If an employee does not successfully complete the performance improvement plan, the employee may be terminated. Upon approval by Human Resources, the performance improvement plan may be extended for a specific period of time based on situation-specific circumstances, including the needs of the organization.

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City of Merriam Employee Handbook

Chapter Title: Employee Personnel Records

Chapter Number: 9

Section Title: Personnel/Medical Files

Section Number: 9.01

Effective Date: January 1, 2005

Revision Date: June 2016

Each employee will have an official personnel file maintained by the Human Resources Department. In each employee's file, records regarding position, pay, and other employee status actions will be retained. Other items that may be contained in the file are written notes of explanations, grievances filed, employee forms for taxes and retirement application. The file may also contain disciplinary actions, awards received, training records, and performance reviews. Employee access to his/her own personnel file is by appointment with the Human Resources Manager. Former employees will no longer have access to review their personnel file.

Each employee will be responsible for assuring the personal information in his/her personnel file is correct. Employee should promptly notify the Human Resources Manager of any change in personal data such as change of name, address, telephone number, family status, or beneficiary (for insurance).

A separate medical file will be maintained for all persons employed by the City in accordance with federal and state law. The City will collect and retain job related medical information including employment physical reports, drug screen results, FML requests and physical certifications, any doctor's notes for absenteeism and fitness for duty information.

The information contained in the medical file is confidential and will only be released on a need to know basis as determined by the Human Resources Manager in accordance with applicable federal and state laws.

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City of Merriam Employee Handbook

Chapter Title: Employee Discipline
Chapter Number: 10
Section Title: General Provisions
Section Number: 10.01

Effective Date: January 1, 2005
Revision Date: June 2016

Employees of the City of Merriam are expected to conduct themselves in a professional and law-abiding manner and observe and obey lawful orders and directives received in the course of employment.

Discipline is determined by supervisors and Department Heads and may include a progressive discipline process. The progressive discipline process includes steps such as verbal warning, written reprimand, suspension from duty, and separation by involuntary dismissal. Discipline, however, does not have to be progressive and some actions may result in immediate suspension or dismissal.

Since employees of the City are employed “at-will,” dismissal can take place at any time and for any reason, with or without notice. Because the circumstances vary widely in similar situations, the City retains the right to treat each violation in the Code of Conduct (policy 10.02) on an individual basis without creating a binding precedent for other cases arising in the future. Examples that are given in any rule do not limit the generality of the rule.

In the event of dismissal, the employee will be provided with such notice and rights as required by law.

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City of Merriam Employee Handbook

Chapter Title: Employee Discipline
Chapter Number: 10
Section Title: Code of Conduct
Section Number: 10.02

Effective Date: January 1, 2005
Revision Date: June 2016

CODE OF CONDUCT AND PROGRESSIVE DISCIPLINARY ACTION GUIDELINES

- Code:
1. Oral reprimand
 2. Written instruction and cautioning
 3. Written instruction and a minimum of one (1) day suspension
 4. Written instruction and a minimum of three (3) days suspension
 5. Dismissal

	<u>Definition</u>	<u>1st Offense</u>	<u>2nd Offense</u>	<u>3rd Offense</u>	<u>4th Offense</u>
1.	Absenteeism:				
	A. Excessive, unexplained, or unexcused tardiness (Guide: 3 times in a 30 day period).	1-2	3	4	5
	B. Excessive, unexplained, or unexcused absenteeism	1-2	3	4	5
	C. Absence without authorized leave or permission (AWOL). Any employee absent for three (3) consecutive work days without authorized leave will have been deemed to have abandoned the position and resigned from City employment.	3	4	5	
2.	Abusive Language:				
	A. The use of profanity or abusive language, which would tend to interfere with the efficient operation of City business, or verbal interference with the job performance of fellow employees.	1-3	4	5	
	B. Verbal threats, intimidation, or coercion, directed toward fellow employees, supervisors or citizens.	4-5	5		
3.	Alcohol, Unauthorized Drugs and Controlled Substances (Use and/or Possession of):				

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	A. Reporting to work under the influence of intoxicating beverages or drugs or consumption while on duty.	5			
	B. Being in possession of open containers of intoxicating beverages or drugs while on duty.	4-5	5		
	Definition	1st Offense	2nd Offense	3rd Offense	4th Offense
4.	Assault:				
	Fighting or behavior which provokes or is likely to provoke a fight on the job.	4-5	5		
5.	Bribery:				
	Using or accepting bribery to secure appointment or advantage as a City employee.	5			
6.	Carelessness:				
	A. Carelessness that affects the safety of personnel, equipment, tools or property, or causes materials, parts or equipment to be damaged.	1-2	3	4	5
	B. Failure to keep the department and/or the Human Resources Office notified of proper address or telephone number (if any).	1-2	3	4	5
7.	Conduct (on or off the job):				
	A. Unlawful or improper conduct whether on or off the job which tends to affect the employee's ability to conduct his/her job effectively.	3	4	5	
	B. Wanton or willful violation of City policies and procedures or department operating rules and regulations.	4-5	5		
	C. Knowingly request or aid any person to violate an ordinance or any provision of the City, or engage in such violation(s).	4	5		
	D. Failure to disclose to the City Administrator any interest the employee may have in contracts with the City for the furnishing of supplies, materials, labor or services, except employee services, prior to negotiations and award of contracts.	1-2	3	4-5	
	E. Knowingly accept any money or any gift of a value from any person doing business with the City or from any person contracting with the furnishing of supplies to the City.	3	4	5	
	F. Disclosure to any bidder on a municipal contract, prior to the official opening of bids, information concerning the bid of another person, save and except the identity of the bidders.	3	4	5	

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8. Confidentiality:				
A. Wanton or willful disclosure of confidential information which, if disclosed, could adversely affect the interest of the City or fellow employees.	3-5			
9. Conviction of a Crime (on or off the job):				
A. Any conviction that would tend to affect the employee's performance or ability to perform the job.	3-5	4-5		
B. Conviction of driving under the influence of alcohol or drugs if the conviction would tend to affect the employee's performance or ability to perform the job.	4-5	5		
C. Conviction of a felony offense.	5			

	Definition	1st Offense	2nd Offense	3rd Offense	4th Offense
10. Damaging City Property or Property of Other Employees:					
	Wanton or willful destruction of, misuse of or damage to public property or any City property or equipment of any employee which is located on City occupied premises or used in the performance of City functions.	4-5	5		
11. Damaging Statements:					
	Making or publishing false, vicious, or malicious statements concerning any employee, supervisor or official of the City.	3	4	5	
12. Discrimination:					
	A. Willfully engaging in any act, conduct or activity within the scope of employment which directly or indirectly discriminates against any person, or class of person on the basis of age, sex, race, religion, creed, national origin, disability, or other class protected by law.	3-4	4-5		
	B. Negligently engaging in any act, conduct or activity within the scope of employment which discriminates directly or indirectly against any person or class of person on the basis of age, sex, race, religion, creed, national origin, disability, or other class protected by law.	1-2	3	4	5
13. Disorderly Conduct:					
	Engaging in horseplay, scuffling, wrestling, throwing things, malicious mischief, deliberately	1-2	3	4	5

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	distracting the attention of others, cat calls or similar types of disorderly conduct which would tend to affect the performance of the employee's duties or to interfere with the legitimate work activities of the City or its employees.				
14.	Failure to Meet Acceptable Work Standards:				
	A. Productivity or workmanship not meeting required performance standards.	1-2	3	4	5
	B. Failure to exercise reasonable judgment and/or discretion in the course of official employment.	1-2	3	4	5
	C. Wanton or willful neglect in the performance of assigned duties.	3	4	5	
15.	Falsification of Applications, Records, Time and Attendance/Payroll Records:				
	Intentional or willful falsification of personal or City records including but not limited to employment applications, accident reports, purchase orders, work reports and time and attendance records.	4-5			
16.	Housekeeping Rules:				
	Creating or contributing to unsafe or unsanitary conditions or poor housekeeping which would tend to interfere with the safe and efficient performance of City business.	2-5	5		
	Definition	1st Offense	2nd Offense	3rd Offense	4th Offense
17.	Insubordination:				
	A. Refusal to perform work assigned, to work emergency overtime, or to comply with written or verbal instruction of a supervisor in a timely manner.	4-5	5		
	B. Failure to work overtime, special hours or special shifts after being scheduled according to overtime and standby duty policy, or failure without good cause or legitimate excuse, to respond to call during adverse weather conditions or emergencies.	3	4	5	
	C. Refusal to cooperate in investigations in which the employee is involved or has relevant information.	3-5	5		
	D. Where operations are continuous, leaving the post at the end of the scheduled shift before being relieved by supervisor or authorized employee on incoming shift.	3-5	5		
18.	Interference with Proper Performance of Work:				

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	Concerted interference with work in or about the City's work stations including, but not limited to instigating, leading, or participating in any walkout, strike, sit-down, stand-in, slowdown or refusal to return to work at the scheduled time for the scheduled shift.	5			
19.	Loitering/Wasting Time:				
	A. Wasting time or loitering during working hours.	1-2	3	4	5
	B. Leaving the assigned work area during working hours without permission of the supervisor.	3-5	5		
	C. Disregarding job duties by loafing or neglect of work during working hours.	1-3	4	5	
20.	Personal Gain:				
	No employee shall request, use or permit the use, whether directly or indirectly, of any publicly owned, or publicly supported equipment, vehicle, facility, labor service or supplies (new, surplus, scrap or obsolete).	3	4	5	
21.	Political Activity:				
	No City employee shall, during working hours, directly or indirectly solicit, receive, or be in any manner concerned with soliciting or receiving any assessment, subscription, contribution, or political service whether voluntary or involuntary, in any City of Merriam political activity or engage in any partisan political activities which would impair performances as a City employee.	1-2	3	4	5
22.	Rest Breaks and Meal Breaks:				
	Taking more than the specified time for meals or rest periods.	1-2	3	4	5
23.	Safety Rules and Personnel Policies:				
	A. Failure to report an accident or personal injury in which the employee was involved while on the job.	1-2	3	4	5

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	Definition	1st Offense	2nd Offense	3rd Offense	4th Offense
23.	Safety Rules and Personnel Policies:				
	B. Knowingly violating safety rules or safety practices.	1-3	4	5	
	C. Continued abuse of Personnel Policies and Procedures.	4-5	5		
24.	Theft:				
	Theft of any City property or the property of any employee.	5			
25.	Unauthorized Use of City Property:				
	Unauthorized use, possession or operation of any City property, equipment or vehicles or the property and equipment which is located on City premises or used in City functions.	3	4	5	
26.	Weapons (unauthorized use, carrying or concealing):				
	Unauthorized possession or use of firearms, explosives or weapons on City property.	5			
27.	Other Just Causes Not Specifically Listed As a Cause Herein:				
	Discipline: As appropriate, following progressive discipline guidelines.	1-5			

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City of Merriam Employee Handbook

Chapter Title: Dispute Resolution/Grievances

Chapter Number: 11

Section Title: General Provisions

Section Number: 11.01

Effective Date: January 1, 2005

Revision Date: June 2016

It shall be the policy of the City of Merriam to give individual employees an opportunity to discuss their grievance with their supervisors in order to find mutually satisfactory solutions as rapidly as possible. In the presentation of grievances at any level, employees are assured of freedom from restraint, interference, discrimination, or retaliation.

General Provisions

- A. A “grievance” shall be defined as any dispute concerning the application or interpretation of administrative regulations or policies, or working conditions of employees.
- B. At any step in the grievance procedure, the individual charged with responding to the grievance, may elect to conduct a meeting to gather more information prior to responding to the grievance.
- C. The grievant and/or the City may have an attorney or representative of his/her choice present at any step of the grievance procedure; however, the attorney/representative will serve in an advisory capacity only. The attorney/representative will not present opening or closing statements and will not conduct examination of the witness(es). The attorney/representative may advise his/her client(s) and request examination of specific areas of fact at issue. If the grievant desires an attorney, s/he will furnish the attorney at his/her own expense.
- D. The time limits provided shall be strictly observed, unless extended by written agreement of the parties. Failure by the employee to observe the time limits for submission of a grievance at any step will automatically result in the grievance being considered abandoned. Failure by the City to respond to a grievance within the prescribed time limits will allow the aggrieved employee to advance the grievance to the next step.

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- E. A grievant may not partially accept and partially reject a disposition of his/her grievance. The employee must either accept or reject the disposition of his/her grievance, in its entirety.
- F. No employee shall utilize this procedure to file grievances relating to council policies and ordinances, federal or state statutes (except in the instance of civil rights violations) or in matters where the employee has no direct interest.
- G. Grievances arising from the action of an official other than the immediate supervisor of the employee can be initiated with the Department Head at the next appropriate step of the grievance procedure.
- H. Details of grievances and grievance proceedings shall be kept confidential.
- I. Employees serving an initial introductory period shall have no right to utilize this grievance procedure for any matter concerning discharge or other discipline.
- J. Performance evaluations, separations due to reduction in force, changes in work hours, and classification decisions are not subject to review through this grievance procedure. If an employee disagrees with any statement in a performance evaluation, the employee may submit a written statement of rebuttal setting forth the basis of the disagreement for inclusion with the performance evaluation in the personnel file.
- K. Appeals of termination, involuntary demotion, or suspension of more than three (3) days shall be initiated directly at step 3 of the grievance procedure.

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City of Merriam Employee Handbook

Chapter Title: Dispute Resolution/Grievances

Chapter Number: 11

Section Title: Grievance Procedure

Section Number: 11.02

Effective Date: January 1, 2005

Revision Date: June 2016

Grievances shall be processed in accordance with the following procedure:

STEP 1: In the event that an employee believes there is a basis for a grievance, the aggrieved employee shall first discuss the alleged grievance with his/her immediate supervisor within five (5) working days of the occurrence or knowledge giving rise to the alleged grievance. The supervisor shall respond to the complainant within five (5) working days after presentation of the grievance.

STEP 2: If, as a result of the informal discussion with the immediate supervisor, an alleged grievance still exists, the aggrieved employee may file a formal written grievance with his/her Department Head within five (5) working days after the immediate supervisor's response is received or is due.

The aggrieved employee shall make a written statement to include: a) name of the employee or group of employees involved, b) state the facts giving rise to the grievance, c) identify the administrative regulations or policies alleged to be violated or misinterpreted, d) state the contention of the grievant with respect to the grievance, and e) indicate the specific relief requested.

The Department Head shall respond in writing to the employee within five (5) working days of receipt of the formal grievance.

STEP 3: If the grievance has not been satisfactorily resolved in Step 2, the aggrieved employee may appeal the grievance by submitting a copy of the grievance to the City Administrator or designee within five (5) working days after the Department Head's response is received or is due.

A hearing with the City Administrator or designee shall be scheduled within five (5) working days of receipt of the appeal. The City Administrator or designee will provide a

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written response to the grievant within fifteen (15) calendar days following the close of the hearing.

The decision of the City Administrator or designee is final and not subject to further appeal. If, however, the violation alleged was an action initially taken by the City Administrator, the employee has the right to request a hearing in front of a Grievance Committee to be appointed by the Governing Body. Such committee shall consist of three (3) members; one member shall be a City employee of a classification level comparable to the grievant, one member shall be a Department Head, and the third member shall be chosen at-large from among City employees. No member of the grievance committee shall be employed in the department in which the grievance occurred.

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City of Merriam

Employee Handbook

Chapter Title: Separation from Employment/Re-employment
Chapter Number: 12
Section Title: General
Section Number: 12.01
Effective Date: January 1, 2005
Revision Date: June 26, 2006
Revision Date: June 2016

Separation

Separation occurs when employment ends due to resignation, retirement*, layoff, termination, or death. Two weeks' notice would be appreciated from employees who resign, in order to hire and train a replacement. For separation due to retirement, more notice is requested. Layoff may occur if a position is eliminated or when there is a lack of funding or work.

Payment for final hours worked, regardless of reason for separation, will be made on the next scheduled payday. Employees who have completed their introductory period shall be paid for accrued but unused vacation leave and sick leave pursuant to the sick leave policy.

Re-employment

An employee who leaves City employment in good standing and who is re-employed in the same classification within six (6) months following separation may be reinstated at not more than the salary s/he would have received had s/he remained employed during that time. Such employee will retain the same status as the employee had upon separation.

*An employee is eligible for retirement with the City of Merriam when also eligible to retire through the KPERs or KP&F Retirement System with immediate retirement benefits.

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City of Merriam Employee Handbook

Chapter Title: Separation From Employment
Chapter Number: 12
Section Title: Insurance Continuation After Separation
Section Number: 12.02 **Effective Date:** January 1, 2005
Revision Date: June 2016

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) permits employees leaving their employer to have the option of continuing some of their benefits (health insurance, dental and vision insurance) at their own expense. A person employed by the City, and enrolled in the employee health plan, can choose to continue the insurance coverage if his/her position is lost due to reduction in hours or termination of employment. The spouse of an employee can choose to continue the coverage at his/her expense in the case of the death of the employee, termination of the employee, divorce or legal separation from spouse, or if the spouse qualifies for coverage by Medicare. Similar circumstances would permit the child of a separated employee to continue the coverage. Coverage may be continued for eighteen months, and in some circumstances up to three years. (See chart below) The Human Resources Manager will be able to provide more information on the COBRA options for affected employees and dependents.

Qualified Beneficiary	Qualifying Event	Period of Coverage
Employee Spouse Dependent Child	Termination Reduced hours	18 months (may be extended for all qualified beneficiaries if certain conditions are met in cases where a qualified beneficiary is determined to be disabled for purposes of COBRA)
Spouse Dependent Child	Entitled to Medicare Divorce or legal separation Death of covered employee	36 months
Dependent Child	Loss of dependent child status (>25 years of age)	36 months

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City of Merriam

Employee Handbook

Chapter Title: Separation From Employment

Chapter Number: 12

Section Title: Retiree Insurance Benefits

Section Number: 12.03

Effective Date: January 1, 2005

Revision Date: June 2016

January 2021

Employees retiring per policy 3.04 with at least 120 months (10 years) of service to the City are eligible to receive health care coverage for themselves and their dependents through the City by paying the full monthly premium cost charged to the City by the provider. Eligible employees must enroll in a City health insurance plan as a retiree within 30 days following their separation from employment to be eligible for such coverage. Coverage under the employee group health care benefits plan will cease at the earliest of the following:

1. The retired employee turns 65 years old;
2. The retired employee fails to make required premium payments on a timely basis;
3. The retired employee becomes covered or becomes employed and is eligible to be covered by their new employers plan; or
4. The City ceases to maintain any group health plan.

In the event of the retired employee's death, obtaining coverage elsewhere, or becoming eligible for Medicare, their spouse and/or dependents can elect continuation of benefits in accordance with COBRA regulations. (See policy 12.02)

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