



**EMPLOYEE HANDBOOK  
PERSONNEL POLICY MANUAL**

**ADOPTED BY COUNCIL OCTOBER 15, 2020**

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## RECEIPT AND ACKNOWLEDGEMENT

I acknowledge that I have received a copy of the City of Norwalk, Iowa (hereinafter “the City” or “Norwalk”) Handbook and I further acknowledge that I have read it and understand it. I recognize that the City reserves the right to modify or terminate matters covered in the Handbook at any time. I agree to comply with the policies of the City as set forth in the Handbook. I agree that I have waived any contractual or statutory right to employment by working for the City; I recognize that the Handbook is not a contract, and I further understand that either the City or I may terminate our employment relationship at any time for any reason.

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Employee Signature

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Employee Name Printed

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Date

## FORWARD

Thank you for choosing to be a part of the Norwalk Team. We aim for a high standard in dedication to our Staff as we see you as our most important asset. Our Staff is the primary reason why we have been successful and the key to ongoing success.

This Manual provides information about the City's employment policies. If anything is unclear, please discuss the matter with Human Resources or the City Manager. You are responsible for reading and understanding this Employee Handbook, and your performance evaluations will reflect your adherence to the City's policies as well as expectations set forth by your supervisor and our Elected Officials. In addition to clarifying responsibilities, we hope this Employee Handbook also gives you an indication of the City's interest in the welfare of all who work here.

From time to time, the information included in our Employee Handbook may change. Every effort will be made to keep you informed through suitable lines of communication, including email, miPay announcements and/or notices sent directly to you in your department.

The City of Norwalk wants you to have a satisfying work experience. I believe that we can always improve how we conduct ourselves and how our organization does business. If you have any suggestions or ideas of how we can improve performance, improve customer service, or if you simply have ideas about how we can improve our work environment please communicate these ideas to your supervisor or HR.

I wish for you success and I welcome you to have fun, work hard, and develop your career.

**Luke Nelson | City Manager**



## INTRODUCTION

The rules, regulations and procedures outlined in this handbook apply to all employees of the City of Norwalk, Iowa unless expressly modified in a collective bargaining unit agreement approved by Norwalk City Council. These rules, regulations and procedures are not meant, nor shall be construed, to alter the at-will employment relationship between the City of Norwalk and its present or future employees. Nothing in these policies or in other rules or policies adopted by City Council shall in any way be construed as creating an employment contract, either expressed or implied.

Each Department Head may establish separate policies for the purpose of handling matters applicable to their specific department. Such policies shall not; however, conflict with the policies established by the City and must be approved by the City Manager.

Please keep this handbook for future reference. This handbook is provided for informational purposes only. The City may revise the policies, procedures, benefits and plans described in the handbook at any time without prior notice. On an as-needed basis, the City reviews its policies and employee benefits, and the City retains the exclusive right to change, add to, eliminate, or modify any of the policies in the handbook or any employee benefits at any time at its discretion, with or without notice. If you have any questions about certain policies or their interpretation in this handbook, contact the City Manager or Human Resources to get answers to your questions.

This handbook does not address all circumstances and situations which may arise. This handbook does not contain all of the policies of the City but is designed to give guidance to many essential personnel policies of the City. To see all current amendments please contact the Human Resources for a current version of the Employee Handbook.

## DEFINITIONS

Regular Full-time Employee: an employee who is regularly scheduled to work at least forty (40) hours per week and has successfully completed their probationary period. Full-time employees are eligible to receive all benefits provided in this Handbook.

Regular Part-time Employee: an employee who is regularly scheduled to work less than thirty (30) hours per week. Regular part-time employees are eligible for employee benefits in accordance with the following:

1. Regular part-time employees who routinely work more than twenty (20) hours per week but less than thirty (30) hours per week, are eligible to receive one half (1/2) of each of the following full-time related benefits: holidays and paid time off (PTO) or vacation, sick leave and personal time for grandfathered employees who accrue under the former leave time system.
2. Regular part-time employees who routinely work more than thirty (30) hours per week but less than forty (40) hours per week, are eligible to receive three-fourths (3/4) of the following full-



time related benefits: holidays, paid time off (PTO), vacation, sick leave and personal time; and in addition, insurance benefits (health, dental and life), provided the employee authorized the premium be paid through his/her regular payroll deduction.

Temporary Employee: is an employee who is hired to work for a period of six (6) consecutive months or less. Such employees are hired for an intentionally limited time period. Temporary employees are not eligible to receive benefits but are subject to the same work rules as all other employees.

Seasonal Employee: an employee who is hired for a season. Seasonal employees are not eligible for any benefits; however, seasonal employees are subject to the same work rules governing full-time employees. A seasonal employee does not become a regular employee by virtue of being employed longer than the agreed upon employment term.

Part-time/Paid-On-Call Employee: an employee of the Norwalk Fire Department that is not classified as Regular Full-time or Regular Part-time fall into this category. Unless otherwise noted elsewhere in the handbook, Paid-On-Call Employees are not eligible to participate in the City's benefit program or accumulate leave time.

Exempt Employee: is a salaried employee who is not covered by overtime provisions of the Fair Labor Standards Act and is not eligible to receive overtime compensation.

Nonexempt Employee: is an hourly employee and is covered by the provisions of the Fair Labor Standards Act and is eligible to receive overtime compensation.

## **EQUAL EMPLOYMENT OPPORTUNITY**

### **Non-Discrimination**

The City of Norwalk supports equal employment and advancement opportunities for all individuals without regard to race, color, religion, gender, sexual orientation, gender identity, age, national origin, marital status, disability, status as a veteran, physical or mental disability and any other category protected by any applicable local, state or federal law. This policy extends to all terms, conditions and privileges of employment, as well as the use of all Employer facilities and participation in all Employer-sponsored activities as follows:

1. Recruitment, advertising and job application procedures;
2. Hiring, promotion, demotion, transfer, layoff, termination, right of return from layoff and rehiring;
3. Rates of pay or any other form of compensation and changes in compensation;
4. Job assignments, job classifications, organizational structure, position descriptions, line of progression, and seniority lists;

5. Leave of absence, sick leave or any other leave;
6. Fringe benefits, available by virtue of employment, whether or not administered by the City.
7. Selection and financial support for training, including apprenticeships, professional meetings, conferences and other related activities and selection for leaves of absence to pursue training;
8. Activities sponsored by a covered entity including social and recreational programs; and
9. Any other term, condition or privilege of employment.

Harassment, retaliation, coercion, interference or intimidation of any employee is strictly forbidden and any employee who experiences such behavior should report it immediately to his or her supervisor, Department Head, Human Resources or the City Manager.

## **Harassment**

The City of Norwalk is committed to providing a work place free from harassment. The City maintains a strict policy prohibiting sexual harassment and harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, age, national origin, marital status, disability, veteran status, physical or mental disability and any other category protected by any applicable local, state or federal law. This prohibition applies to all employees, volunteers, vendors, residents or citizens of the City.

### **Sexual Harassment Defined**

Sexual harassment prohibited by this policy includes any unwanted sexual advances, requests for sexual favors or visual, verbal or physical conduct of a sexual nature when:

Submission to such conduct is made a term or condition of employment; or submission to or rejection of such conduct is used as a basis for employment decisions affecting the individual; or such conduct has the purpose or effect of unreasonably interfering with an employee's work performance or creating an intimidating, hostile or offensive working environment.

The following is a partial list of conduct that would be considered sexual harassment:

1. Unwanted sexual advances.
2. Offering employment benefits in exchange for sexual favors.
3. Making or threatening retaliation after a negative response to sexual advances.
4. Visual conduct such as leering, making sexual gestures, displaying sexually suggestive objects or pictures, cartoons, calendars, or posters.
5. Verbal conduct such as making or using derogatory comments, epithets, slurs, sexually explicit jokes, sexual banter or innuendoes, or comments about an employee's body or manner of dress.

6. Written communications of a sexual nature distributed in hard copy or via a computer network.
7. Verbal sexual advances or propositions.
8. Verbal abuse of a sexual nature, graphic verbal commentary about an individual's body, sexually degrading words to describe an individual, suggestive or obscene letters, notes or invitations.
9. Physical conduct such as touching, assault, impeding or blocking movements.
10. Retaliation for making harassment reports, threatening to report harassment or participating in a harassment investigation.

### **Other Types of Harassment**

The City prohibits other forms of harassment on the basis of race, color, religion, gender, sexual orientation, gender identity, age, national origin, marital status, disability, veteran status, physical or mental disability and any other category protected by any applicable local, state or federal law. Such prohibited harassment includes, but is not limited to, the following:

1. Verbal conduct such as threats, epithets, derogatory comments or slurs;
2. Visual conduct such as derogatory posters, photographs, cartoons, drawings or gestures.
3. Written communications containing statements that may be offensive to individuals in a particular protected group, such as racial or ethnic stereotypes or caricatures.
4. Physical conduct such as assault, unwanted touching or blocking normal movement.
5. Retaliation for making harassment reports, threatening to report harassment or participating in a harassment investigation.

### **Harassment Complaint Procedure**

Any employee who believes he or she has been subjected to harassment prohibited by this policy should immediately report that behavior to the City Manager, Human Resources, or any Department Head with whom the employee works. An employee can report a complaint of harassment to any one of these individuals, but should make sure to follow the chain of command whenever possible.

If an employee becomes aware of harassing conduct engaged in or suffered by a City employee, regardless of whether such harassment directly affects that employee, the employee should immediately report that information, preferably in writing, to the City Manager, Human Resources or any Department Head with whom the employee works.

A complaint of harassment will be reviewed in a manner that considers both parties. Human Resources will review the complaint and conduct a consultation with the complainant. The consultation will help summarize the process to be conducted if the complaint moves forward for full investigation. The

consultation will also seek to determine if the complaint is of a level that constitutes a full investigation. If Human Resources determines that a full investigation is justified then the following process shall be followed. In some instances the Administration and Policy Committee may be consulted for assistance in this determination.

If the harassment complaint is found to be valid and warranting an investigation, Human Resources shall conduct an immediate, thorough and objective investigation of the claims. The Mayor, City Manager and two Council Members will conduct a final review of the investigation.

When a determination regarding the alleged harassment has been made, Human Resources shall communicate to the person claiming harassment as soon as practical. The type of discipline administered will be dependent upon the severity of the conduct, as well as any other factors presented in the particular circumstances. Employees violating this policy are subject to discipline up to and including termination.

The City strictly prohibits retaliation against any person by another employee or by the City for using this complaint procedure, reporting harassment or for filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by the City or a governmental enforcement agency. Prohibited retaliation includes, but is not limited to, termination, demotion, suspension, failure to hire or consider for hire, failure to give equal consideration in making employment decisions, failure to make employment recommendations impartially, adversely affecting working conditions or otherwise denying any employment benefit.

### **Reasonable Accommodation**

A qualified individual with a disability may request a reasonable accommodation in writing to Human Resources. Upon receipt of an accommodation request, the City will meet with the requesting individual to discuss the request.

The Department Head, a physician, counselor or other appropriate professional, as determined by the Human Resources or City Manager, will make a ruling of the feasibility of the requested accommodation, considering factors, including, but not limited to, the nature and cost of the accommodation requested, the availability of outside funding, the City's overall financial resources and the accommodation's impact on the operation of the City, including its impact on the ability of the requesting employee as well as other employees to perform their assigned duties.

Human Resources will inform the employee of the City's decision on the accommodation request in writing, detailing the decision and how to proceed with the accommodation. The City encourages employees to engage in an interactive process to accommodate any disabilities by proposing their own accommodations. The City will work to provide options for reasonable accommodation to any disabled worker that makes a request.

## **CONDITIONS OF EMPLOYMENT AND WORK RULES**

### **Workplace Violence**

The City of Norwalk has a policy of zero tolerance for violence in the workplace. Nonviolence is an essential job requirement for all positions at The City of Norwalk.

Acts or threats of physical violence, including intimidation, harassment and/or coercion which involve or affect the City or which occur on City property will not be tolerated.

Acts or threats of violence include conduct that is sufficiently severe, offensive or intimidating to alter the employment conditions at the City or to create a hostile, abusive or intimidating work environment for one or several City employees. Examples of workplace violence include, but are not limited to:

1. All threats or acts of violence occurring on City premises, regardless of the relationship between the City and the parties involved in the incident.
2. All threats or acts of violence occurring off the City premises involving someone who is acting in the capacity of a representative of the City.

Specific examples of conduct that may be considered threats or acts of violence include, but are not limited to:

1. Hitting or shoving an individual
2. Threatening an individual or his/her family, friends, associates or property
3. The intentional destruction or threat of destruction of City property
4. Harassing or threatening phone calls
5. Harassing surveillance or stalking
6. The suggestion of violence is appropriate
7. Unauthorized possession or inappropriate use of firearms or weapons

The City's prohibition against threats and acts of violence applies to all persons involved in the City's operation, including, but not limited to, City personnel, contract and temporary workers and anyone else on City property when his/her actions affect the City's interest. Violation of this prohibition will lead to disciplinary action, up to and including termination, and/or legal action as appropriate.

Every employee and every person on City property is encouraged to report incidents, threats or acts of physical violence. The report should be made to the Human Resources, the City Manager or any Department Head. Nothing in this policy alters any other reporting obligation established in City policies or in state, federal or other applicable law.

## **Workplace Safety Policy**

The City of Norwalk desires to provide a safe working environment for its employees. Accordingly, you may be required to participate in safety and accident meetings in an effort to reduce the possibility of injury. Employees are expected to comply with all safety and health requirements whether established by management or by federal, state or local law.

Employees are required, as a condition of employment, to exercise due care in the course of their work to prevent injuries and illnesses to themselves and to their fellow workers. Employees have a responsibility to report any unsafe working conditions or practices to a supervisor.

Employees violating recognized rules, procedures or standards, or acting in such a manner as to endanger their own or another's personal safety shall be subject to disciplinary action which may include an oral or written warning, suspension or termination. Failure to report an injury can result in disciplinary action. Failure to report an accident or injury can also adversely affect any claim for workers' compensation.

## **Work Eligibility**

As an employee of The City of Norwalk you will be required to comply with certain conditions of employment, including furnishing documentary proof of your right to work in the United States. This proof is required by federal law. A federal form called the I-9 will tell you what documents are required. An employee may not begin work without presenting the documents required by the I-9 Form.

## **Employment at Will**

All employees are employees-at-will. Employment is for an indefinite period of time and is terminable at any time with or without cause being shown by either the employee or the City of Norwalk. No representative, employee or manager has any authority to enter into any contract or agreement to the contrary. This employee handbook is not a contract and is not designed to create any contractual rights.

## **Probationary Employment Period**

Some City Departments utilize a probationary period to call specific attention to a more detailed review of performance during the first 12-months of service with the City. However, whether during the initial employment period, probation period or otherwise, all employees remain "at will."

Your continued employment will depend upon many things including your performance, adherence to policies and procedures, supervisor expectations, our continued need for your services, and the City of Norwalk's financial resources.

## **Employee Status**

In order to maintain accurate payroll and personnel records, appropriate forms must be completed in the event of the following changes:

Name  
Address

Telephone Number  
Marital Status  
Job and/or Salary Change  
Unpaid Leaves of Absence  
Change in Number of Dependents  
Reduction in Work Hours  
Termination of Employment

## **Job Posting and Filling Vacancies**

It is the policy of the City to fill job vacancies with the most qualified employee possible. All vacancies will be posted on the City website for at least ten (10) calendar days prior to filling the position. Current employees will be given consideration for all vacancies.

## **Personal Appearance and Cleanliness**

All employees are required to attire themselves in a fashion that will reflect a positive image based upon the departments' standard operating procedure. Uniforms shall be required when specified. Casual or business attire for non-uniform employees shall conform to standards of good taste.

If you have a question about appropriate professional dress or appropriate personal cleanliness, discuss it with your supervisor or Human Resources. If your dress is felt to be inappropriate by management, you will be asked to either change or not wear the clothing in the workplace again.

This policy will not be applied in a manner that discriminates based on any protected class.

## **Release of Employee Information to Outsiders**

In response to external inquiries, it is the policy of The City of Norwalk to verify dates of employment and job titles, and will provide no other information except to otherwise comply with the Iowa Open Records Act. The City will release only what information is required pursuant to the Iowa Open Records Act and it will do so without the employees consent. In the absence of an Open Records request or other statutory duty, the City will keep information related to your employment confidential. If you want salary or wage information released to a creditor or other party, submit a signed written request to Human Resources. If you receive an external inquiry about a current or former employee, do not provide any information. Immediately direct the inquiry to Human Resources or the City Manager.

## **Confidentiality of Files and Personnel Records**

Official personnel records are retained and secured by the City Clerk. Personnel records include all forms, applications, agreements, written notes and memos documenting any decisions relating to an individual's employment with the City.

Employees may not discuss or release any confidential information from an employee's file unless authorized to do so.

Information in an employee's file will not be released to any unauthorized person without the written consent of the employee. Authorized persons include the City Manager, Human Resources, Department

Head or designated representative. For credit and employment purposes, HR will verify an individual's employment and provide information about dates of employment and job title. The City will cooperate with any federal, state or local law enforcement agency that has authority to investigate an employee.

Separate confidential files including employee medical information are maintained by Human Resources.

### **Access to Personnel Files**

Employees have the right to review their own personnel files by making an appointment with Human Resources.

If an employee disagrees with something in his/her file or wishes to add any information to the file, the employee shall notify the Department Head or Human Resources in writing. The information should be submitted to the Human Resources in writing. Employees may not remove any information from their files.

Copies of an employee's file will be provided to the employee, within a reasonable period of time, after the employee requests the information.

### **Tobacco Products**

The City of Norwalk will comply with federal and state laws regarding smoking in the workplace. All City-owned buildings, facilities and vehicles are smoke-free. All tobacco usage, including smoking and smokeless tobacco, as well as electronic cigarettes, is prohibited in all City-owned buildings, facilities, vehicles and equipment, and on all public grounds owned by the City except in designated areas in accordance with the Iowa Smokefree Air Act.

### **Alcohol and Illegal Substances**

Alcohol consumption and/or the use of illegal drugs during the regular workday (including the lunch period) are strictly prohibited. Attendance at work while under the influence of alcohol or illegal drugs is also against our policy. Violation of this policy can result in disciplinary action, including employment termination.

Allowances for alcohol consumption will be made for conferences and social events such as a golf outing. In these situations, employee should exercise discretion and behave in a manner that is consistent with the City's public image.

Any employee charged with a criminal drug violation, or operating while intoxicated, must inform the city within five (5) days. An employee who fails to report within the designated time will be subject to immediate discharge.

### **Lunch Periods**

Non-exempt employees are not to perform work for the City of Norwalk during lunch unless specifically requested by management.



## **Inclement Weather**

This policy is applicable to all full-time and regular part-time employees. Any closings will be at the discretion of the City Manager.

Some City offices, facilities or operations may, on occasion, be closed due to inclement weather or other causes. On occasions when City offices are closed by the City Manager, employees may be allowed to make up their work hours at the discretion of and as approved by the Department Head. When an employee is unable to report to work due to inclement weather and is otherwise unable to work remotely, he or she will be permitted to use accumulated leave time such as PTO, vacation, holiday or compensatory time to make up to his or her regular pay for the time not worked.

It is the responsibility of each Department Head to ensure his or her operations are open in the event he or she is unable to report to work.

## **Rehiring Former Employees**

Employment benefits cease at termination. A former employee that is rehired will be considered a new employee and is subject to the probationary employment period. Any waiting periods for employee benefits would also apply.

## **Personal Use of City Equipment**

All equipment is property of The City of Norwalk and is to be used exclusively for its business. Please do not use equipment or resources for personal use and personal business.

The City of Norwalk retains the right to ensure that this equipment is used properly. On occasion, the City may monitor e-mail, computer usage, faxes, or other City of Norwalk electronic or communication equipment. All computer passwords must be shared with the City Manager or your supervisor. Desks, lockers, and other storage places are the property of The City of Norwalk and may be searched at the discretion of the City of Norwalk.

The City assumes no responsibility or liability for any items of personal property which are placed in the desk or work space which is assigned to you.

## **Social Media Policy**

All officials and employees of the City of Norwalk will abide by the City's Social Media Policy. The City's Social Media Policy can be found as Exhibit B. The City Manager or Human Resources may be contacted with any questions regarding the City's Social Media Policy.

## **Solicitations and Distributions**

Solicitation for any cause during working time and in working areas is not permitted. You are not permitted to distribute non-company literature in work areas at any time during working time. Working time is defined as the time assigned for the performance of your job and does not apply to break periods and meal times. Working areas do not include the lunchroom or the parking areas. Solicitation during authorized meal and break periods is permitted so long as it is not conducted in working areas.

However, employees are not permitted to sell chances, merchandise or otherwise solicit money or contributions without management approval.

Persons not employed by The City of Norwalk are prohibited from soliciting or distributing literature on company property.

## **Work Hours**

The City of Norwalk's normal business hours are 8:00 a.m. to 4:30 p.m. Monday through Friday excluding holidays. Each employee is responsible to be available during office hours to fulfill our customers' needs. Your hours may vary depending upon our customer and departmental needs. The Department Head will discuss with the employee his or her hours.

## **Employee Work Schedules**

All employees are scheduled for work in accordance with expected levels of work activity. Work schedules are prepared utilizing the most current information available regarding expected work levels. Employees are expected to check the schedule daily and adhere to it.

You must notify your supervisor no later than 1 hour prior to the beginning of your scheduled shift by personal phone call if you are going to be absent or otherwise unavailable to start work at the scheduled time. Failure to do so may result in disciplinary action or termination.

Failure to call or report to your supervisor during any scheduled shift for three (3) successive days is considered a voluntary separation.

Occasionally an employee may need to request time off for a personal matter during a time which he or she has been scheduled to work. When such a conflict is known two weeks in advance, you may request time off to your supervisor. If you must take time off with less than two weeks prior notice, you must request the time off as soon as possible from your supervisor. It is helpful if you find someone to exchange scheduled work times with prior to requesting time off. Any time off is only authorized by your supervisor.

## **Pre-Employment Physical**

Prospective eligible employees may be required to submit to a pre-employment physical examination by a qualified physician designated by the City. This examination must be completed prior to a person being hired. The expense of the physical will be paid by the City.

## **Employment Physicals for Continuing Employment**

The City may, from time to time, require certain employees to undergo a medical examination to demonstrate their ability to continue employment. The expense of the physical will be paid by the City. Any employee refusing to submit to an examination when requested shall be deemed to have voluntarily resigned from City employment.

## **Expectations & Communications Protocol**

Employees have certain responsibilities to the City. They are expected to work a full day and to do their part in maintaining good working relationships with supervisors and fellow employees. Employees are expected to preserve and respect the corporate image of the City.

The City's reputation is a valuable public asset. As such, Employees are expected to utilize appropriate communications with respect to the City's corporate image both in and outside of the workplace.

When discussing employment or HR matters, employees should speak directly to his/her supervisor for the most effective and expeditious communications. If the issue is not resolved or question unanswered, protocol dictates moving up the chain of command to the next supervisor in line. HR matters should remain confidential.

## **Veterans' Preference**

The City recognizes and follows Veterans' Preference laws.

## **Employment of Relatives**

The City does not prohibit the employment of relatives, but there are restrictions that must be followed when hiring, transferring, or promoting employees. Regular full time and regular part time Employees should not be employed in or transferred to a position where someone in a leadership capacity within the City is related by blood, adoption, marriage or domestic partnership to the candidate for employment. Leadership capacity includes, but is not limited to the Department Head or supervisor.

The City Manager or Human Resources should not employ any family member anywhere within the City.

Under this policy an immediate family member is defined as a spouse (including domestic partner, romantic partner or cohabitant), parent (by birth, adoption or a step parent), child (by birth, adoption or a stepchild), sibling (by whole, half-blood, adoption or step sibling), niece or nephew of a sibling (as defined above), aunt/uncle or cousin (of employee or spouse), grand parent, grandchild or any corresponding in-law.

If two employees marry, become related, or begin sharing living quarters with one another, and one of the employees is in a leadership capacity, only one of the employees will be permitted to remain employed. The decision to leave will initially rest with the two relatives involved. If an agreement cannot be reached within 60 days by the two individuals involved, the City will take appropriate action to remedy the situation. Such action may include termination from employment.

Employees affected by this policy as of the date of this Handbook are exempt from this provision.

## **Vehicle and Seatbelt Policy**

All vehicles and equipment owned by the City are for official use only and cannot be used for personal business without prior approval of management. However, you may take a vehicle during a lunch break

if your destination immediately after lunch is farther from your normal workplace than the location where you eat lunch.

At no time shall any person(s) be allowed in city vehicles unless for city business or city sponsored activities without prior approval of management.

The use of any alcohol, tobacco products or drugs in city vehicles or equipment is prohibited.

If an employee is required to operate a motor vehicle as part of his or her job duties, that employee must maintain a valid operator's license and be insurable under the City's liability policy as a condition of continued employment.

Seatbelts are required to be worn in Iowa and must be used by City employees at all times while performing work for the City. This includes all personal and work vehicles which have factory-installed seatbelts including skid loaders, utility carts, backhoes, and mowers which have a Roll Over Protection Structure.

### **Gifts and Conflicts of Interest**

It is the policy of the City of Norwalk that elected officials, commission members, board members, committee members, employees and professional consultants ("City Officials" or "officers") shall not use their official position or the knowledge gained therein in such a manner that a conflict would develop between the City's interest and their personal affairs. These individuals shall avoid any conflicts between their personal and outside interests and the interests of the City and shall avoid any conduct which might adversely affect or appear to affect the exercise of their official judgment.

An employee may accept gifts if they are not from a restricted donor. A restricted donor is any individual or company that does business with the City. An employee can accept a nonmonetary gift from a restricted donor if the gift, or the employee's portion of the gift, does not have a fair market value of more than \$3.00. Restricted donors may give a nonmonetary gift valued at more than \$3.00 if the gift is clearly given to the whole staff and not any individual employee. There is no violation as long as no individual consumes a portion of the gift worth more than \$3.00.

For the purpose of this policy statement, a "Gift" means the rendering of money, property, services, granting a discount, loan forgiveness, payment of indebtedness or anything else of value in return for which legal consideration of equal or greater value is not given and received if the donor is in any of the following categories:

- a. Is doing or seeking to do business of any kind with the City, meaning being a party to any one or any combination of sales, purchases, leases or contracts to, from, or with the City.
- b. Is engaged in activities which are regulated or controlled by the City.

- c. Has interest which may be substantially and materially affected by the performance or non-performance of the donee's official duty.
- d. Is a lobbyist for a prospective matter within the donee's jurisdiction.

When used in this section, "contract" means any claim, account, or demand against or agreement with the City, express or implied. A City officer or employee shall not have any interest, direct or indirect, in any contract or job of work or material or the profits thereof or services to be furnished or performed for the City, except as permitted under Iowa law. A contract entered into in violation of this section is void. The provisions of this section do not apply to:

- a. The payment of lawful compensation of a City officer or employee holding more than one City office or position, the holding of which is not incompatible with another public office or is not prohibited by law.
- b. The designation of a bank or trust company as a depository, paying agent, or for investment of funds.
- c. An employee of a bank or trust company, who serves as treasurer of a City.
- d. Contracts in which a City officer or employee has an interest solely by reason of employment, or a stock interest of the kind described in subsection b, or both, if the contracts are made by competitive bid, publicly invited and opened, and if the remuneration of employment will not be directly affected as a result of the contract and the duties of employment do not directly involve the procurement or preparation of any part of the contract. The competitive bid requirement of this subsection shall not be required for any contract for professional services not customarily awarded by competitive bid.
- e. The designation of an official newspaper.
- f. A contract in which a City officer or employee has an interest if the contract was made before the time he was elected or appointed, but the contract may not be renewed.
- g. Contracts with volunteer firemen or civil defense volunteers.
- h. A contract with a corporation in which a City officer or employee has an interest by reason or stockholdings when less than five percent of the outstanding stock of the corporation is owned or controlled directly or indirectly by the officer or employee or the spouse or immediate family of such officer or employee.
- i. A contract made by competitive bid, publicly invited and opened, in which a member of a City board, commission, or administrative agency has an interest if he is not authorized by law to participate in the awarding of the contract. The competitive bid requirement of this

subsection does not apply to any contract for professional services not customarily awarded by competitive bid.

An employee shall not become involved in any activity, which impairs attendance or efficiency in the performance of their duties as a City employee. An employee shall not engage in any employment, activity or enterprise which is inconsistent, incompatible or in conflict with duties as an employee of the City of Norwalk. Employees should apprise their supervisors of outside employment

No employee, officer or agent of the City shall participate in selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- a. The employee, officer or agent;
- b. Any member of his immediate family;
- c. His or her partner; or
- d. An organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

The grantee's officers, employees or agents shall neither solicit nor accept gratuities, favors or anything of monetary value of more than \$3 from any one party during one calendar day.

### **Residency Requirement**

All employees, except the City Manager, Police Chief and Fire Chief will be allowed to reside outside city limits. The City Manager, Police Chief and Fire Chief must obtain residency in Norwalk city limits within 12 months of hire date. The City may require certain positions to maintain a minimum response time.

### **Political Activity**

No employee of the City shall:

1. Solicit political contributions while on the job, while using employer's equipment or when performing job duties;
2. Engage in any political activity during working hours which impairs the efficiency of the employee's position or presence during working hours; or,
3. Seek to use any political endorsement in connection with obtaining a job with the employer.
4. In accordance with the requirements of Iowa Code § 55.4, if you are a regular employee of the City and become a candidate for any city elective office, you may take leave of up to 30 days. The employee may use accrued or unpaid leave during this period of time. The request for any such leave will not be made later than 30 days before the primary or general election day and it continues until you are no longer a candidate.

5. Any employee who is elected to political office may take leave in accordance with Iowa Code § 55.1.

These regulations do not prevent any employee from:

1. Becoming or continuing to be a member of a political club or organization;
2. Attending a political meeting;
3. Enjoying entire freedom from all interference in casting his or her vote;
4. Seeking signature to any initiative or referendum petition directly affecting his or her rates of pay, hours of work, retirement or other working conditions; or,
5. Distributing badges, pamphlets, dodgers, handbills or other participation in any campaign or campaign in connection with a petition, if the activity is not carried on during hours of work or on City property.

### **Notification of Arrests and Other Governmental Action**

Employees are expected to perform their assigned jobs, respect and follow City policies, and obey the law. In the event that employees are arrested or receive a citation for any crime, have any criminal charges filed against them, or receive notice of the disposition of any criminal charges pending against them (including, but not limited to, a conviction, a guilty plea, a plea of nolo contendere (no contest), or deferred judgment) they must notify Human Resources.

Notification must occur within seven (7) calendar days of notification to the employee unless otherwise required under the policies detailed in any other section of this handbook. Employees whose duties require possession of a Commercial Driver License and/or who regularly and frequently operate City vehicles must report all charges and citation, including traffic tickets such as speeding tickets. Other employees need not report such traffic tickets.

Employees who have any contact with minor children in the course of their employment must notify the Human Resources of any child abuse complaints filed against them. Employees must notify the Human Resources regarding the findings in any complaint against them alleging child abuse. Human Resources must be notified of any complaints and findings immediately.

Information relating to arrests, criminal charges and child abuse complaints will be treated as confidential and maintained as part of the employee's personnel file. Employees who do not notify the City as required by this policy may be subject to disciplinary action up to and including termination.

## **Employee Licenses and Certifications**

It is the employee's responsibility to keep his or her licenses and/or certifications current. All required licenses and certificates shall be brought to the appropriate department head to be copied for the employee's personnel file. Failure to keep required licenses and certifications current may result in termination.

## **Personal Code of Conduct**

The employment of every employee shall be contingent upon acceptable conduct, satisfactory performance of duties, and compliance with personnel rules and regulations. An employee has demonstrated conduct unbecoming an employee of the City while on or off duty if:

1. That the employee is incompetent, negligent, or inefficient in the performance of his/her duties;
2. That the employee has been disrespectful and/or abusive in his/her attitude, language or has been abusive in his/her conduct toward fellow employees, superiors, elected officials or the public;
3. That the employee has violated any lawful or official regulation, order or rule or failed to obey any lawful and reasonable direction given to him/her by his/her supervisor;
4. That the employee, through negligence or willful misconduct, has caused damage to public property or waste of public supplies;
5. That the employee has made a false statement in his/her application for employment;
6. That the employee has hindered the regular operation of the department because of unauthorized absenteeism, tardiness, or has absented himself/herself from duty during regular working hours;
7. That the employee has been involved and at fault in an avoidable accident on the job in a city vehicle or on city property;
8. That the employee has misappropriated city funds, appropriated city property for personal use without permission, or illegally disposed of city property;
9. Insubordination – refusal to follow orders and instruction directly related to the performance of his/her job;
10. Refusal to work overtime when a reasonable request is made that allows the employee sufficient time to alter personal plans. If the request to work overtime is due to an



emergency situation, the employee needs to be made aware of the importance of the request and barring extreme personal circumstances, they are expected to report to work;

11. Representing their personal opinion/s as those of the City of Norwalk;
12. Creating strife, discord and disharmony among other city employees by constant and repeated negative statements, criticism or attitude;
13. Sleeping while on duty;
14. Failure to follow established safety policies and guidelines established by his/her department;
15. Engaging in actions that would damage the City's corporate or public image.
16. All threats or acts of violence occurring off the City premises involving an employee of the City if the threats or acts affect the legitimate interest of the City.
17. Any acts or threats resulting in the conviction of an employee or agent of the City, or of an individual performing services for the City on a contract or temporary basis, under any criminal code provision relating to violence or threats of violence that adversely affect the legitimate interests of the City.

### **Work Rules and Disciplinary Action**

The City reserves the right to discipline employees as it may be deemed by the Department Head to be necessary and appropriate. Our discipline policy attempts to correct problem situations and to provide an atmosphere in which an employee can learn from past mistakes where appropriate. Disciplinary action may take any of the forms described below, depending on the seriousness of the problem and the management's evaluation of the likelihood of satisfactory improvement. The level of discipline takes into consideration such factors as: the severity of the discipline problem, the nature of the discipline problem, the recency and frequency of prior discipline and the employee's overall performance. Management retains the discretion to begin the disciplinary process at any step. All employees are employed at will.

#### **1. Informal Counseling**

If an employee's performance or conduct fails to meet requirements, the City Manager or HR Director may meet with the employee to discuss the problem. During informal counseling the problem may be defined, corrective action identified and the consequences of continued deficient performance of conduct outlined. This is usually the first step in dealing with less serious problems.

#### **2. Formal Warning**

An employee may be placed on a formal warning for more serious problems. A formal warning may be either oral or written and informs the employee that termination procedures may result if the deficient performance or conduct continues.

### 3. Suspension

If the employee fails to improve conduct or performance after counseling, the employer may suspend his or her employment for any period of time, with or without pay. The maximum number of hours an employee may be suspended without pay is forty (40) hours by the Department Head and eighty (80) hours with the approval of the City Manager.

### 4. Terminations

If the employee fails to achieve the improved conduct or performance after counseling or warning, his or her employment may be terminated.

### 5. Immediate Discharge

An employee may be discharged immediately if the problem involves illegal conduct or if the employee's performance or conduct is such that continued service would no longer be in the best interest of Norwalk. Norwalk retains the sole discretion to determine what problems merit immediate termination.

In the event an investigation is undertaken, an employee may be placed on administrative leave with pay. This does not constitute a disciplinary action, but the investigation may lead to a disciplinary action.

While discipline is normally progressive in nature, each case shall be considered in conjunction with the severity of the offense or conduct and need not follow the progression.

Unpaid suspensions of employees who are exempt under the Fair Labor Standards Act shall be for periods of complete workweeks in accordance with the provisions of the act.

More serious examples of conduct justifying immediate termination include physical violence, gross inefficiency or inaccuracy, theft, breach of honesty, or violations of the City's policies and procedures. Each case shall be considered on its own merits with due consideration as to the nature of the offense, the cause, the background, the likelihood of repetition and the attitude of the offender. These rules are only examples and as always, you may terminate your employment at any time, with or without cause, and the City retains that same right.

## **Other Rule Infractions**

Other infractions or misconduct may occur that have not been specifically covered in the handbook. Any rule infraction or violation will be dealt with in accordance with the policy of fair administration of rules and regulations.

## **Iowa Ombudsman**

Iowa law requires all employees be notified of the authority of the Iowa Ombudsman to investigate complaints under Iowa Code Chapter 2C. The ombudsman's powers are described in Iowa Code section 2C.9 and the subjects of his or her investigations are described in Iowa Code sections 29C.11 and 29C.11A. The Office of the Iowa Ombudsman may be reached at [www.legis.iowa.gov/ombudsman/](http://www.legis.iowa.gov/ombudsman/).

## **COMPENSATION AND BENEFITS**

### **Pay Days and Pay Cycle**

Employees are paid every other Friday for the two week period ending the previous Saturday at midnight. There are 26 pay days per year.

### **Wages and Salary Administration**

Norwalk adheres to the Fair Labor Standards Act for employers. Under the Fair Labor Standards Act, employees are either “exempt” or “non-exempt” from overtime provisions. Generally only “executive,” “administrative,” and “professional” employees are exempt. These categories are defined by federal law. Non-exempt employees are paid overtime for all hours worked in a week in excess of 40 hours. Exempt employees are not paid overtime. The City Manager or Human Resources will tell you when you begin employment if you are an exempt or non-exempt employee.

### **Overtime**

All non-exempt employees who work over forty (40) hours in a workweek (12:01 a.m. on Sunday through Saturday night at midnight) are eligible for overtime pay equal to one and one-half times the normal rate of pay for each hour worked. The Fire Department workweek shall begin at 6:00 AM on Sunday and end at 5:59 AM the following Sunday. All overtime hours must be approved by Department Heads before the overtime is worked. Only hours actually worked are counted for overtime purposes. Paid time off, holidays or other paid non-work time is not counted as work time for the purpose of computing overtime.

Exempt employees are not eligible for overtime.

### **Time Sheets**

Employees must keep track of their work time on time sheets or other City of Norwalk provided forms. Do not begin work or mark your time sheet before your scheduled start time. You should mark your sheet in and out for lunch and other personal absences. No one may mark another employee’s time sheet. Time must be rounded to the nearest quarter hour.

### **Pay Period**

All employees will be paid via direct deposit, unless otherwise authorized by HR, on a bi-weekly basis unless changed due to holiday or other extenuating circumstances. Paydays are every other Friday.

### **Deductions from Paychecks**

In addition to the required withholding from paychecks for Federal and State taxes, Social Security (FICA), Medicare and IPERS, employees may authorize deductions for the following items: Deferred Compensation (section 457 plan), health, dental and vision insurance premiums, additional life insurance premiums, and flexible spending plan deductions. Other legally required deductions may be made upon notice to the affected employee.

## **Workweek**

The normal workday for full-time employees shall consist of eight (8) hours; exceptions may be specified in union contracts or by department. Normally, there will be a thirty (30) minute unpaid lunch period available for each employee. All employees shall normally receive a fifteen (15) minute paid rest period during each one-half (1/2) shift. The times and arrangements for lunch and rest periods may vary, depending on the nature of the work being performed and will be granted at the sole discretion of the immediate supervisor. However, the break period(s) may not be taken at the beginning and/or end of the day, i.e., 8:00am-8:15am or 4:15pm-4:30pm.

## **Compensatory Time**

All non-exempt employees who work in excess of forty (40) hours, calculated in increments of one-quarter (1/4) hour, in any workweek shall be paid either in cash or granted compensatory time off at the rate of one and one-half (1 ½) hours off for each hour of overtime worked.

The determination of whether an employee receives cash or compensatory time will be at the discretion of the City. The City may choose to cash out compensatory balances at any time. The accumulation of compensatory time will be limited to forty (40) hours. All accumulated compensatory time will be cashed out prior to the commencement of a new fiscal year.

Compensatory time off will be granted at the discretion of the Department Head. Neither sick, vacation, PTO or other personal leave time will be counted as working time for the purpose of determining overtime and/or compensatory time.

Except for emergencies, the employee's Department Head must approve any work in excess of the normal work period in advance.

## **Educational Incentive**

The employer may reimburse any employee for the cost of obtaining a work related degree/certification as determined by the employer. Details of the educational incentive program are at the department head's discretion. This would include such details as: maximum incentive, definition of "completed," and grade level attainment. The amount will be agreed upon by the City and employee and established in writing. Proof of completion of coursework is required.

Should the employee leave the employment of the City for any reason during the two year period immediately following the semester for which reimbursement was made, said employee shall repay the reimbursement amount in full to the employer. The incentive is provided pending pre-approval and available funding as determined by the department supervisor or City Manager.

## Employee Benefits

***Disclaimer: The City reserves the right to alter, modify or terminate any of the insurance plans, programs and benefits that are listed below at any time, with or without notice, subject only to its obligation, if any, to bargain with an employee organization. The City reserves the right to change insurance carriers at any time.***

***The insurance benefits for all plans that are referred to in this section are subject to the terms and conditions of the policies the City has with the insurance carrier.***

The group insurance program the City provides for regular full-time employees and their dependents is constantly being reviewed to provide a cost-effective foundation upon which you can build the security and well-being required for you and your dependents. The following is a brief outline of the coverage provided:

- Medical Insurance
- Dental Insurance
- Vision Insurance
- Life Insurance
- Voluntary Life Insurance
- Short-Term Disability Insurance
- Long-Term Disability Insurance

Employees opting not to have any City of Norwalk health insurance coverage must provide proof of other coverage and will receive a monthly annuity.

## Health Insurance Benefits

The City of Norwalk currently offers health insurance and other benefits to its employees. These benefits are subject to change or cancellation. Separate booklets or summary plan descriptions exist for these benefits and will be provided to you. These documents will provide you with a detailed summary of those plans.

## Workers' Compensation, Social Security and Other Government Benefit Plans

The City of Norwalk provides funds for payments you might receive under workers' compensation, Social Security, and unemployment insurance. These payments are made according to state or federal law and are paid for in part by Norwalk.

## COBRA

If you resign or your employment is otherwise terminated, or if your work hours are reduced, and consequently you or your dependents are no longer eligible to participate in the group health insurance plans offered by the City, you and your eligible dependents may have the right to continue to participate for up to 18 months at your (or your dependents) expense. The 18-month continuation coverage period provided in the event of your termination or reduction in working hours may be extended to 36 months for your spouse and dependent children, if, within that 18-month period, you die or become divorced or legally separated, or if a child ceases to have dependent status. In addition, if you enroll for Medicare during the 18-month period, your spouse and dependent children may be entitled to extend their continuation period to 36 months, starting on the date that you become eligible for Medicare.

If you are determined to be disabled under the Social Security Act at the time of your termination or reduction in hours, you may be entitled to continuation coverage for up to 29 months.

Your eligible dependents may extend coverage, at their expense, for up to 36 months in our group health insurance plans in the event of your death, divorce, legal separation, or enrollment for Medicare benefits, or when a child ceases to be eligible for coverage as a dependent under the terms of the plan.

After the initial election, the beneficiary must remit applicable premiums to the City's third party administrator. Failure to make timely payments shall result in termination of coverage.

If this election for continuation of coverage is made, you and your dependents may have the option of converting this coverage to an individual policy with our insurance carriers at the end of the continuation period. Please refer to the plan booklet for details concerning your continuation/conversion options.

Human Resources will contact you concerning these options at the time termination occurs or your work hours are reduced. Human Resources or designee will contact your qualified beneficiaries in the event of your death or enrollment for Medicare benefits. However, in the event that you become divorced or legally separated, or one of your dependents ceases to be eligible for coverage under our group health insurance plan, you and/or your dependent is responsible for contacting the plan administrator to discuss continuation/conversion rights. You and your qualified beneficiaries are also responsible for notifying the plan administrator within 60 days of qualifying for social security disability benefits.

House File 2539, which passed in 2008, and Health Care Reform in 2010, requires Norwalk to allow employees' children, to remain on the City's health insurance policy. Coverage for the child will continue until the annual renewal date of the coverage on or after the date the child reaches age 26. Grandchildren are not considered "dependents" for purposes of health insurance.

Employees who retire from City employment before age 65 are eligible to continue in the City's group health insurance plan up to age 65. Coverage must be continuous, and the retired employee must pay

the full cost of the premium until the employee attains 65 years of age. At the time the employee reaches age 65, their spouse is eligible for an additional 36 months of coverage, or their Medicare eligibility date, whichever occurs first. For purposes of this section, a retired employee is one who has applied for and is receiving an IPERS retirement allowance.

### **Flexible Spending Account**

IRS Section 125 (Flexible Spending Reimbursement Plan) is available to employees. The flexible spending plan allows you to pay for certain expenses through a pre-tax payroll deduction, which can result in significant tax savings. There are three types of eligible expenses: health plan premiums, medical/dental expenses and dependent care expenses. This process is an annual election.

### **IPERS**

The Iowa Public Employees' Retirement System (IPERS) is a defined benefit plan and has a "qualified plan" status under Federal Internal Revenue Code § 401(a). The principal purpose of IPERS is to provide an adequate retirement plan for public employees. Contributions are made to IPERS for an employee's public service by both the member and employer. Employees contribute to IPERS through payroll deductions. An Employee can opt out of IPERS, for more information contact HR. An employee's position or job classification determines the contribution rate applied to the member's covered wage.

### **Deferred Compensation**

Deferred Compensation is a voluntary retirement savings program that allows regular full-time employees to set aside a portion of their salary for use as income in retirement. Through automatic payroll deduction, an employee may choose how much to save per paycheck (subject to IRS annual limits). The City offers a bi-weekly pre-tax match benefit to all regular employees of the City of \$1.00 for every \$1.00 an employee contributes to the deferred compensation plan, up to a maximum match amount per pay period. See Human Resources for current match amount.

To enroll in this benefit, eligible employees must complete forms provided by the City. It is the employee's responsibility to initiate the paperwork to access this benefit.

### **Safety Shoes and Clothing**

The City of Norwalk provides reimbursements or direct distribution for various articles of clothing, including safety shoes, safety glasses and uniforms. Specific uniform policies may be adopted by individual departments.

### **Vision Support Device Policy**

Once every two years, an employee may submit a request for reimbursement of prescription vision support devices, which assist the employee in performing work-related duties, in an amount not to exceed two-hundred dollars (\$200). Note that certain jobs require OSHA-approved safety glasses that must be shatterproof with flexible frames. Anti-reflective coating and tinting will be allowed if part of



the prescription or assists the sight of the employee. Second sets of glasses and eye examinations are not eligible for reimbursement under this policy. It is suggested that City employees use Optometric Associates, located at 1228 Sunset Dr., Suite A, whenever possible. This allows the City the benefit of a 15% discount on the eyeglasses, while promoting the local business community and providing accessibility to ongoing eye care. If the employee uses the local vendor, he/she will be reimbursed up to two-hundred fifty dollars (\$250) every two years. Please note that this is a reimbursement to the employee, the City will not pay the provider directly.

### **Employee Assistance Program**

The City provides a benefit to employees and their family members through an Employee Assistance Program (EAP). The EAP can help prevent or solve personal problems that might occur in your life. The EAP is available to provide you with free, confidential and professional services to deal with problems before they begin to affect your job performance and health.

## **LEAVES AND OTHER ABSENCES**

### **Family Medical Leave Policy**

In accordance with the Family and Medical Leave Act of 1993 ("FMLA"), it is the policy of the City to grant up to 12 work weeks of family and medical leave during a 12-month period to eligible employees. The 12-month period means a rolling 12-month period measured backward from the date leave is taken and continuous with each additional leave day taken. Although pay may be available from other City of Norwalk benefits during an FMLA leave, this FMLA policy only grants time off and there is no provision for pay associated with FMLA leave. However, an employee must exhaust all paid leave during his or her FMLA leave period.

To be eligible for Family and Medical Leave, the employee must:

- have been employed by the city for at least 12 months;
- have worked for at least 1,250 hours for the City during the 12 months period immediately preceding the leave, and;
- Work at a location where the City has at least 50 employees within 75 miles.

An eligible employee is entitled to FMLA leave if any of the following things happen:

- The birth of a son or daughter or placement of a son or daughter with the employee for adoption or foster care;
- To care for a spouse, son, daughter, or parent who has a serious health condition;
- For a serious health condition that makes the employee unable to perform the essential functions of his or her job;
- For any qualifying exigency arising out of the fact that a spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status, or;

- To take 26 weeks of leave to care for a covered service member with serious injury or illness.

A serious health condition is defined by law. Generally, it is a condition which requires inpatient care at a hospital, hospice or residential medical care facility, or a condition which requires continuing care by a licensed health care provider. This policy covers illnesses of a serious and long-term nature resulting in recurring or lengthy absences. Generally, a chronic or long term health condition which, if left untreated, would result in a period of incapacity of more than three days, would be considered a serious health condition.

If a husband and wife both work for the City of Norwalk, and each wishes to take leave for the birth or placement of a child, the husband and wife together may only take a combined total of 12 weeks of leave.

While an employee is on leave, the City of Norwalk will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition, the City of Norwalk will require the employee to reimburse the City for the amount paid for the employee's health insurance premium during the leave period.

Under the City's current FMLA policy, the employee pays a portion of the health insurance premium for coverage. While on paid leave, the City will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make his/her share of premium payment, either in person or by mail. The payment must be received by the City by the 10<sup>th</sup> of each month. If the payment is more than 30 days late, the employee's health coverage may be dropped for the duration of the leave.

An employee who takes leave under this policy will be able to return to the same job or a job with equivalent status, pay, benefits, and other employment terms.

The employee may use FMLA leave intermittently or, under certain circumstances, may use the leave to reduce the workweek or work day, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 weeks for a 12-month period. Medical certification must be provided to justify intermittent or reduced work schedule.

The City may ask for certification of the serious health condition. The employee should try to respond to such a request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of leave.

Certification of the serious health condition shall include the date when the condition began, its expected duration, diagnosis and brief statement of treatment. For medical leave for the employee's own serious health condition, the certification must include a statement that the

employee is unable to perform the functions of the employee's position. For a seriously ill family member, the certification must include a statement that the patient requires assistance and that the employee's assistance would be beneficial or desirable.

Except when leave is not foreseeable, all employees requesting leave under this policy must submit the Medical Certification Form to Human Resources.

When an employee plans to take leave under this policy, the employee must give the City 30 days' notice. If it is not possible to give 30 days' notice, the employee must give as much notice as is practical. An employee undergoing planned medical treatment is required to make a reasonable effort to schedule the treatment to minimize disruptions to the City of Norwalk's operation.

## Attendance

Attendance is an important part of job performance. All employees shall attend work as scheduled each day unless they receive authorized leave from the appropriate Department Head. Suitable documentation may be required. Call your supervisor prior to, or within one hour, of the start of the employee's scheduled shift.

## Paid Holidays

Eligible employees receive the following paid holidays:

New Year's Day	Memorial Day
Fourth of July	Labor Day
Veteran's Day	Thanksgiving Day
Day after Thanksgiving	Christmas Day

The Day before, or after Christmas, as annually designated.

Holidays are calculated at eight (8) hours each.

Holidays Falling on Weekends: when a holiday falls on a Saturday, it will be observed the Friday prior to the holiday. When a holiday falls on a Sunday, it will be observed on the following Monday.

Holidays Occurring During Leave of Absence: when a holiday comes during a leave of absence for which the employee receives compensation, the holiday will not be counted as part of the leave of absence.

Work on Holidays: employees required to work on recognized holidays shall be paid one and one half (1 ½) times their regular hourly rate for the hours actually worked on the Holiday. Fire Department Lieutenants will be paid two (2) times their regular hourly rate for the hours actually worked on the Holiday.

## Paid Time-Off (PTO)

Paid Time-Off shall be credited to all eligible employees hired after July 1, 2015 and to current eligible employees who elect to switch to PTO as follows:

Years of Service	Accrual Per Pay Period	Accrual Per Pay Period	Accrual Per Pay Period
	FT Employees	Reg PT Employees working more than 20 hours per week but less than 30 hours per week	Reg PT Employees working more than 30 hours per week but less than 40 hours per week
<b>0-5 Years</b>	5.85 hours	2.93 hours	4.39 hours
<b>6-15 Years</b>	7.38 hours	3.69 hours	5.54 hours
<b>16-20 Years</b>	8.92 hours	4.46 hours	6.69 hours
<b>21+ Years</b>	10.46 hours	5.23 hours	7.85 hours

The maximum PTO accrual shall be 360 hours for full-time employees, 180 hours for regular part-time employees working more than 20 hours per week but less than 30 hours per week and 270 hours for regular part-time employees working more than 30 hours per week but less than 40 hours per week. If an employee reaches this maximum (including any compensatory time), the employee shall not be credited with any additional accrual until such time as the employee reduces his/her PTO bank. An employee may elect to cash out no less than 40 hours of PTO anytime as long as sufficient notice is given to the payroll clerk. If two or more employees request PTO at the same time, and staffing levels will not permit all requests, seniority shall prevail in grant of the request of employees in like job classifications.

PTO time used for an employee's illness or for an illness in the employee's immediate family shall be scheduled in advance when possible. The City recognizes that in certain instances it is impossible to schedule PTO in advance when an illness occurs.

Upon resignation or termination, an employee shall be paid for all unused PTO left at the time of separation from employment.

Current eligible employees wishing to switch to PTO accrual will be able to transfer vacation and personal leave bank balances at a rate of one hundred percent (100%). Sick leave bank balances above 80 hours will freeze at 80 hours until such time that bank is depleted. Employee may exchange four (4) hours of sick leave for one (1) vacation hour as long as the minimum sick leave balance is maintained prior to conversion to PTO accrual.

Employees are eligible to donate or receive donated leave for an absence from work that meets the definition of Medical Leave. Leave must be donated in increments of no less than one (1) hour. An

employee interested in donating or receiving leave should see his/her immediate supervisor to accomplish this. A maximum of 40 hours per employee may be donated. An employee on the sick leave accrual schedule adopted prior to July 1, 2015 may donate sick leave to a person classified under the new Paid Time Off (PTO) policy adopted July 1, 2015 at a ratio of 2:1. An example is 20 hours of sick time donated would transfer to 10 hours paid time off to the employee receiving the donation. If both employees are on the same leave policy, hours will be transferred 1:1.

## Vacation

All employees hired prior to July 1, 2015 that have not elected to change to PTO accrual shall earn vacation time on the following schedule:

Years of Service	Accrual Per Pay Period	Accrual Per Pay Period	Accrual Per Pay Period
	FT Employees	Reg PT Employees working more than 20 hours per week but less than 30 hours per week	Reg PT Employees working more than 30 hours per week but less than 40 hours per week
<b>0-5 Years</b>	3.08 hours	1.54 hours	2.31 hours
<b>6-15 Years</b>	4.62 hours	2.31 hours	3.47 hours
<b>16+</b>	6.16 hours	3.08 hours	4.62 hours

It is recommended that employees with multiple weeks of vacation take at least one whole week at one time. Department Heads shall consider the needs of the City and grant vacation requests at the convenience of the employee, when possible.

An employee will automatically carry forward no more than the individual's annual accrual plus forty (40) hours of vacation leave on his/her anniversary date, unless so approved by the Department Head and City Manager. If a carryover is granted, the accumulated carryover hours must be used within six (6) months from the time the carryover was granted, otherwise the carryover hours will be automatically cashed out. If an employee has more than the permitted vacation leave on his/her anniversary date and has not received approval for carrying forward additional leave, the excess leave will be automatically cashed out. The employee is responsible for monitoring his/her leave balances and proactively requesting the carryover of additional leave. If the authorization is not submitted to the payroll officer in a timely manner, the clerk will automatically cash out the excess leave during the pay period following the employee's anniversary date.

## Personal Leave

Eligible employees will receive twenty-four (24) hours of personal leave time (or the appropriate portion thereof) annually on the employee's anniversary date. Personal leave must be taken within 12 months.

## Sick Leave

Employees hired before July 1, 2015 that have not elected to change to PTO accrual shall earn sick leave on the following schedule:

Accrual Per Pay Period	Accrual Per Pay Period	Accrual Per Pay Period
FT Employees	Reg PT Employees working more than 20 hours per week but less than 30 hours per week	Reg PT Employees working more than 30 hours per week but less than 40 hours per week
3.08 hours	1.54 hours	2.31 hours

1. Sick leave may only be used for bona fide sickness or non-work related accidental injury of the employee. Sick leave may be used for doctor and/or dentist appointments during work time.
2. The maximum sick leave accrual shall be 800 hours for full-time employees, 400 hours for regular part-time employees working more than 20 hours per week but less than 30 hours per week and 600 hours for regular part-time employees working more than 30 hours per week but less than 40 hours per week.
3. No payment shall be made for unused sick leave upon termination of employment except in the case of the employee's death or bona fide retirement under the provisions of applicable Federal or State statutes or when contractual arrangements exist. In those instances of death or bona fide retirement, the employee, or the designated beneficiary, shall receive payment of thirty percent (30%) of his/her unused sick leave based upon the employee's current rate of pay.
4. Any employee who requests sick leave shall contact the Department Head or designee prior to, or within one hour, of the start of the employee's scheduled shift.
5. A medical verification of illness or injury may be required by the City for the substantiation of the need for sick leave. An approved medical release may be required before the employee returns to work.
6. The Department Head may extend sick leave on a case-by-case basis.
7. A Department Head may order sick leave in the event that he/she has determined that an employee has exhibited an inability to safely perform his/her duties. The Department head may require an evaluation prior to the employee's return to work.
8. Sick leave may be used for the serious illness of the employee's child or spouse when such illness requires the attendance of the employee.

9. Sick leave may be used for the absence related to the birth or adoption of a child.
10. Abuse of the sick leave benefit will not be allowed. Verifiable uses where sickness or injury requires time away from work are to be expected. In contrast, if an employee misses several days over a twelve (12) month period, one (1) day at a time, then an attendance problem may exist. As a general rule of practice, excessive use of the benefit will be considered if an employee has six (6) or more occurrences of absence using the sick leave benefit within a given twelve (12) month period. Should this situation take place, a counseling session will be scheduled to investigate the reason for the absences. Following the counseling session, a documentation of discussion will be drafted summarizing the conversation and identifying steps to be taken to reduce the number of absences in the future.
11. An employee who is receiving workers compensation may use sick leave to make his/her paycheck whole.
12. An employee who is on bereavement leave may use twenty-four (24) hours of sick leave in conjunction with the bereavement leave.
13. Exchange of Sick Leave for Vacation Leave: Employees, who have a minimum of eighty (80) hours of sick leave accrued, may exchange four (4) hours of sick leave for one (1) vacation hour as long as the minimum sick leave balance is maintained. Requests made within 90 days of termination of employment will be denied, except in specific and negotiated circumstances. Employees should contact the payroll officer for this purpose.
14. Exchange of Vacation for Sick Leave: Employees may exchange vacation leave for sick leave at a one-to-one ratio at any time, as long as the sick leave maximum is not exceeded. Employees should contact the payroll officer for this purpose.

Employees are eligible to donate or receive donated leave for an absence from work that meets the definition of Medical Leave. Leave must be donated in increments of no less than one (1) hour. An employee interested in donating or receiving leave should see his/her immediate supervisor to accomplish this.

### **Advance Sick Leave**

Sick leave may be granted in advance and charged against sick leave subsequently earned, or against annual leave or compensatory leave available or subsequently earned. Indebtedness for such leave shall not exceed twenty-four (24) hours, and in no case shall the indebtedness plus leave already used exceed the total amount available to an employee in a given calendar year. The Department Head or Human Resources must be reasonably assured that the employee will not separate from employment before the leave can be earned. Any advance of sick leave in excess of sixteen (16) hours must be supported by a physician's statement attesting to the nature of the disability/illness and stating the period of time



expected to be involved. The request will be denied if there is a reason to believe that the employee will not return to duty or if sick leave has been abused in the past. All accumulated sick and annual leave must be exhausted before advance leave is credited.

### **Leave Time Accruals**

The employee must work or be on approved paid leave for a minimum of eighty (80) hours in the calendar month in order to receive accrued benefits for that month – i.e. sick, vacation.

### **Workers' Compensation**

All employees of the City are covered by worker's compensation insurance. If the employee does not return to work after twelve (12) weeks, COBRA will automatically go into effect.

Sick leave or PTO may be used to supplement paycheck, to make the employee whole. However the total gross amount of workers' compensation and leave time shall not exceed regularly scheduled hours in a pay period, i.e., 80 hours.

### **Return-To-Work / Temporary Modified Assignment**

It is the policy of the City of Norwalk to provide temporary modified work, if available at the earliest possible date following an injury or illness, for employees who are unable to return to their regular job classifications. This policy is to complement the procedures applicable to employees eligible for reasonable accommodation or covered under the Americans with Disabilities Act (ADA) or leave benefits under the Family and Medical Leave Act (FMLA).

Inquiries about the ADA or FMLA should be directed to the Human Resources.

#### **Eligibility:**

Whenever an employee becomes unable to temporarily perform his/her regular job classification the City (direct supervisor, department head or Human Resources) may offer temporary modified work. Whether temporary modified work is offered is always dependent upon the individual circumstances.

#### **Definitions:**

Modified Duty - Temporary work assignments within the worker's physical abilities, knowledge and skill (also known as light duty and transitional duty). Modified Duty assignments must be accompanied with a Work Status Report or medical provider's certification.

#### **Objectives:**

- Provide procedures for administering temporary modified return-to-work assignments;
- When possible, temporary modified assignments will be made available to injured workers to minimize or eliminate lost time from work. The City cannot guarantee temporary modified assignments and is under no obligation to offer, create or burden any specific position for the purpose of offering placement to such a position.
- Promote speedy recovery and rehabilitate employee back to work as effectively and as quickly as possible while keeping the employee's work patterns and income consistent.

- Complete the essential tasks of the employee's job function.
- Maintain communication among all parties to ensure quality medical care and to manage claim costs.

**Procedures:**

**Employee's Direct Supervisor or Human Resources:**

- Provides the employee with a job description that reflects the essential functions and physical demands of the position and a Work Status Report for the designated medical provider to complete
- Reviews the completed Work Status Report or medical certification in conjunction with the job description to determine if a temporary modified work is available in any department within the City. Consults with the Designated Medical Provider if necessary.
- Fills out the RTW Agreement and meets with the employee to review
- Monitors on-going medical and work adjustment, meets with employee as needed to review status
- Determines from Medical Provider whether restrictions apply both at home and at work or other non-work location.

**Employee**

- Takes required paperwork to designated medical provider appointments (job description, Work Status Report)
- Reviews and signs RTW Agreement
- Follows work restrictions as prescribed by designated medical provider
- Adheres to the temporary restrictions and accommodations, does not perform any activities that exceed work restrictions Adheres to restrictions both at work and elsewhere as determined by Medical Provider.
- Reports immediately to supervisor any work duties or activities that exceed work restrictions
- Reports immediately to supervisor if any work restriction(s)/accommodation(s) cause discomfort or make medical condition worse
- Informs supervisor in advance of medical appointments, schedule any medical appointments during non-work time, if possible
- Updates supervisor with current Work Status Report or updated certification from designated medical provider after every appointment

In the event an employee refuses a temporary modified assignment, which is within the restrictions identified by the designated medical provider, workers compensation benefits could be affected. In such cases, City will notify the insurance carrier of the employee's refusal of the temporary modified assignment. For an employee covered by the FMLA, an employee may refuse a light duty or modified work assignment, but it may have an adverse effect on the employee's workers' compensation benefits.

If, at the end of the temporary modified duty assignment, the employee is able to perform his/her regular job duties with or without reasonable accommodations, then the employee may return to his/her regular position. If, at the end of the temporary modified duty assignment, the employee is not able to perform his/her regular job duties with or without reasonable accommodations, the City will

review the employee's medical condition and determine whether the individual is a qualified individual with a disability and whether the employee's work restriction can be reasonably accommodated to allow the employee to return to work in some capacity. If no reasonable accommodation is available to return the employee to the previous or different position, the City will then consider placing the employee on a time limited unpaid leave of absence or ending the employment.

### **Jury Duty**

An employee required to serve as a juror shall receive his/her regular wages. In order to receive payment for such duty, the employee must submit certification of service. When released from jury duty during working hours, the employee will report to work within two (2) hours. Employees shall decline or indemnify the city for any monies paid by the State for jury services.

### **Bereavement Leave**

Bereavement leave is defined as an absence from regular duty, which has been administratively authorized, and which does not result in a charge against leave of any kind or a loss in salary, although is noted on time cards for recordkeeping purposes. The Department Head or Human Resources shall verbally approve bereavement leave; bereavement leave may not be unreasonably withheld. Eligibility for bereavement leave shall be restricted to the following:

1. Death in the immediate family (parents, spouse or domestic partner, child, siblings, grandparents and grandchildren and corresponding in-laws) of the employee will be granted a maximum of three (3) days, provided the employee attends the funeral/memorial service of said relative; or
2. Death in the extended family (aunts/uncles, nieces/nephews and corresponding in-laws of the employee will be granted a maximum of one (1) day, provided the employee attends the funeral/memorial service of said relative.

### **Military Leave**

Norwalk will grant leaves of absence for military service to full-time and part-time regular employees in accordance with applicable state and federal law. A full-time or part-time regular employee, who is a member of the uniformed services, when ordered by proper authority to serve in the uniformed services, shall be granted leave for the period of service. The first 30 calendar days of military leave each calendar year shall be without loss of pay. Any amount of military leave taken during any part of an employee's scheduled workday, regardless of the number of hours taken, shall count as one day toward the 30 calendar days without loss of pay. Absences required for military service that exceed 30 calendar days shall be granted in accordance with Norwalk's policies on paid time off, vacation, personal, compensatory time, or unpaid leave, and with applicable state and federal law.

Your eligibility for reemployment with Norwalk after you complete military service will be determined in accordance with applicable state and federal law. Conditions for reemployment are briefly explained as follows:

1. You, or an appropriate officer of the uniformed service in which you serve, must give advance written or verbal notice of your service to your immediate supervisor, unless military necessity prevents you from giving notice or if it is otherwise impossible or unreasonable;
2. The cumulative length of the absence and all previous absences from your employment with the County for reason of military service must not exceed five years;
3. Your discharge from military service must be for reasons other than dishonorable.
4. When you return from military service, you must report to work or submit a timely application for reemployment. Employees on active duty training assignments or inactive duty training drills or other service of less than 30 days must report to work by the beginning of their first regularly scheduled work day that would fall eight hours after you return home. Employees on longer military leave must apply for reemployment in accordance with applicable state and federal law.

Employees on leave for military service and any of their dependents entitled to coverage under the City's health insurance plan are entitled to coverage as follows:

1. An employee that leaves employment for less than 31 days is entitled to continued health insurance coverage, and will not be required to pay more than what an active employee would pay for coverage.
2. An employee that leaves employment for more than 30 days is allowed to elect to receive continued coverage under the City's health insurance plan for up to 18 months following separation from employment or until the employee's reemployment rights expire, whichever event occurs first. Norwalk may require the employee to pay up to 102% of the premium.

### **Executive Leave and Time for Exempt Employees**

Exempt employees shall not receive overtime compensation either in the form of pay or time off. The City Manager or Department Head, if appropriate, may grant reasonable periods of time off to these employees when he/she feels that it is warranted in recognition of extra hours worked.

In recognition of the additional hours spent at council, commission, board and civic group meetings after hours on a regular basis, executive level members of the City's management team will accrue twenty-four (24) hours of executive leave annually, which must be used annually in the same manner as personal leave. Those employees on the PTE scale are not eligible for Executive Leave as it is calculated in their PTE leave rate.

## Voting Leave

Norwalk encourages all employees to fulfill their civic responsibilities and to vote in all official public elections. Generally, your working hours are such that you will have ample time to cast your vote before or after working hours. However, if you do not have three consecutive nonworking hours between the opening and closing of polls in which to vote, you may submit a written request to your department head as soon as possible before the election for paid time off up to three hours to vote. Your department head will notify you of the time you will be allowed to vote.

## TERMINATION

### Removal of Appointees

Removal of appointees shall be accomplished in accordance with the requirements of [Section 372.15, the Code of Iowa](#). Prior to the filing of the Notice of Removal with the City Clerk, the employee shall be given notice of proposed action containing a statement of reasons for the proposed action and provided an opportunity for an informal hearing before the officer or body proposing the removal and all issues connected with the removal. Following that hearing, the officer or body may file the written order of removal with the City Clerk. The employee shall be afforded the appellate rights set forth in Section 372.15, the Code of Iowa.

### Discharge from Employment

All Norwalk employees are employees at will. Both the City and employee have the right to terminate the employment relationship at any time.

An employee's employment relationship shall be ended if any of the following occurs:

1. Employee quits or retires.
2. Employee is discharged.
3. Engaging in other work while on leave of absence or giving false reason for leave.
4. Falsification of employment application.
5. An employee absent from work for three (3) days without notice to Employer without cause for not calling in.
6. Failure to report for work at the end of leave of absence.
7. Failure to report to work within five (5) days after being notified to return to work following layoff, when notice of recall is sent by certified mail to employee's last known address, according to Employer records.
8. An employee is off for any reason for twelve (12) months or the length of the employee's service, whichever is shorter.

The City retains the discretion to terminate the employment relationship with the employee at any time.

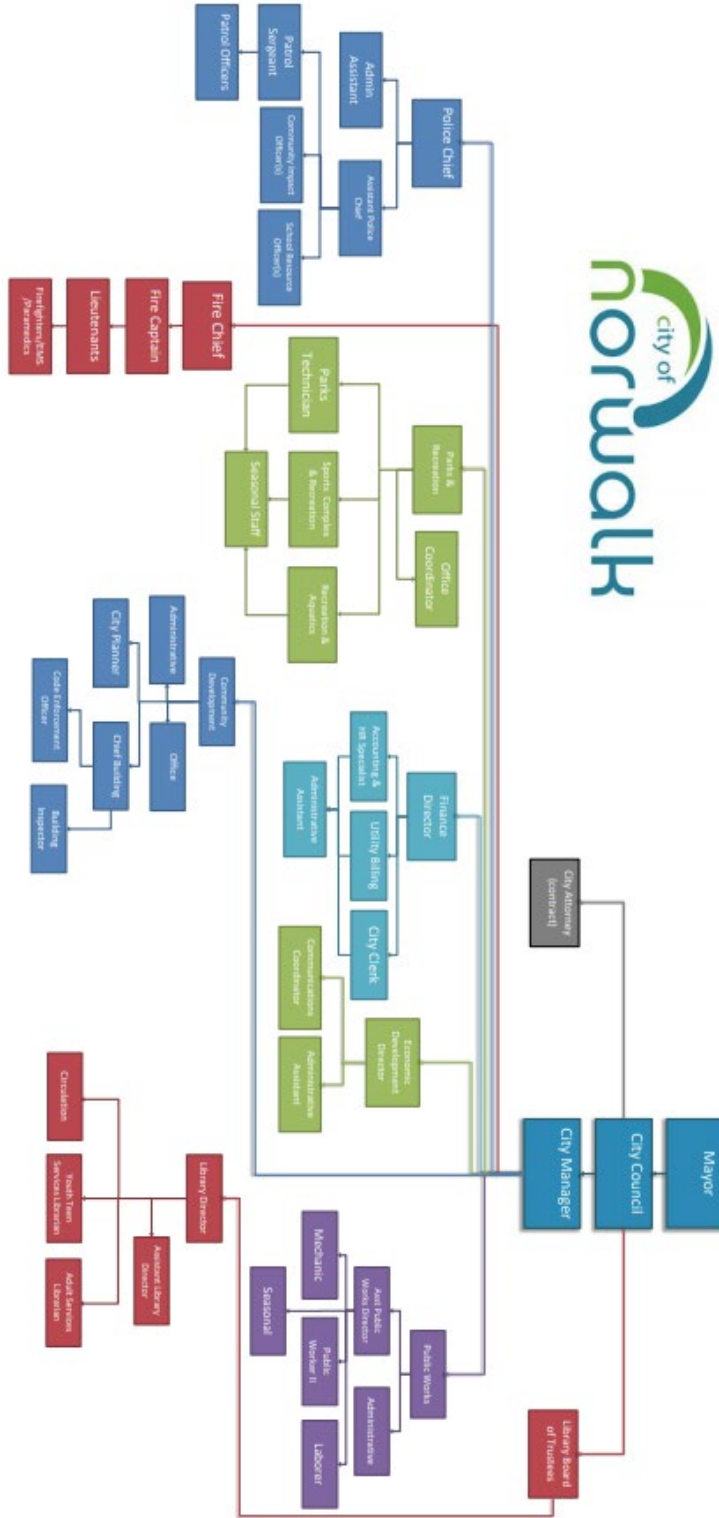
### **Employee Resignation**

Any employee wishing to terminate employment for any reason is encouraged to give a minimum of two (2) weeks' notice prior to the effective date of the resignation. Resignation notice must be in writing to your supervisor with the reason and the effective date; your supervisor will then notify the City Manager, if necessary. An employee giving a two week notice of his/her resignation will be given the opportunity to work until the effective date; if his/her work performance is at a competent level, he/she may be allowed to work longer than two weeks at the discretion of the supervisor.

### **Final Paycheck**

The employee's final paycheck will be available on the normal payday for the last pay period or as required by State Law. The final paycheck will include the applicable amount of leave time to be paid out. It is the employees' responsibility to keep the Employer informed of their current address and phone number.

# APPENDIX A - Organization Chart



## APPENDIX B – Social Media Policy

### I. Overview

The City of Norwalk's official website, located at [www.norwalk.iowa.gov](http://www.norwalk.iowa.gov), will remain the City's primary online source for communicating information to the public, however the City sees a business need to use social media websites as additional communication channels to help promote its programs, events, services, and to represent itself appropriately and consistently on the Internet. Social media technology allows news of an event to spread quickly and is a good forum to facilitate public discussion.

A social media presence is yet another way government can communicate to the broadest possible audience of those it serves and also provide its residents the ability to communicate with their government pursuant to the terms of this policy.

### II. General Procedures

1. The City of Norwalk intends to use social media as follows:
  - a. To supplement information from other City communication sources, such as the website and draw more eyes back to those communication sources;
  - b. To disseminate time sensitive information as quickly as possible (i.e. emergency information);
  - c. To facilitate two-way communication, promote transparency and social engagement in government; and
  - d. To broadcast the City's messages to the widest possible audience.
2. The Communications Coordinator shall be responsible for the City's primary social media pages.
3. Any department requiring consistent and frequent social communications may be asked to start its own site(s) and to provide staff to maintain it. Each department will be responsible for the content and upkeep of any social media sites the department may create.
4. Elected officials; appointed members of City Boards, Commissions and Committees, Volunteers; and employees must comply with the guidelines outlined in this document.
5. Employees representing the City of Norwalk on the City's social media sites must conduct themselves professionally and in accordance with this policy at all times as representatives of the City.



### **III. Standards for Operating and Maintaining a Social Media Presence**

The City of Norwalk's social media accounts and their associated content should focus on significant City interest areas and be organized in a manner that avoids ambiguities and/or conflicting information across the City's various communication mediums, including other City social media websites. Departments' administration and use of City social media websites must comply with applicable laws, regulations and policies, as well as proper business etiquette. The City's social media sites are subject to the Iowa open records laws, and any articles or content posted on such sites are subject to public disclosure.

All City of Norwalk social media pages will adhere to the content standards below:

- Social media websites are to be consistently branded in order to communicate a clear association with the City, and must contain a Disclaimer and Comments Policy as set forth below. Branding should include, but is not limited to, the inclusion of the City logo excluding Police and Fire, city department information (address, phone number, and hours of operation) and any other aesthetic "look and feel" defined by the Communications Coordinator now or in the future.
- The City has a "page" in Facebook, not a "group." Facebook pages offer distinct advantages, including greater visibility, customization, and measurability.
- The City's Communication Coordinator will standardize and provide all City Facebook page displays to include the City logo and other pertinent information.
- Any City Facebook page will be based on a template that includes consistent City branding and style. The communication coordinator will provide departments/divisions with the template.
- Facebook is more casual than most other communication tools but still represents the City at all times. Utilize jargon, abbreviations, hashtags and social media tags in an appropriate manner.
- A social media app or platform shall not be used unless it serves a business purpose, adds to the user experience, comes from a trusted source and is approved by the Communications Coordinator.
- All City sponsored social media sites shall prominently post the Disclaimer and Comments Policy found in Exhibit A. In situations where a social media site does not allow for prominent posting of the Disclaimer and Comments Policy, a link to a PDF copy of the Disclaimer and Comments Policy shall be posted instead.
- Posts and monitoring shall be done during office hours, with the exception of emergency situations and all comments or questions shall be responded to in a timely manner within those parameters.

- AFTER HOURS: In the event of an emergency need for an after-hours posting, the communication coordinator shall be contacted to post information on the City's website followed by social media.
- The City's official website shall remain the City's primary online medium for communicating information to the public such as press releases, documents with the exception of emergency communication efforts, events, postings about City functions and other social media engagement posts must be related back to information first posted on the website. While no City information shall be posted exclusively to social media websites, simple "reminders" and "shares" are appropriate and encouraged. Content posted to social media sites if necessary must contain links directing users back to the City's official website for in depth information, forms, documents, or online services necessary to conduct business with the City of Norwalk.

#### **IV. Interacting on Social Media**

The City of Norwalk social media sites may "like" or "follow" government entities; nonprofit and nonpartisan organizations related to City functions; local media sites; and elected officials.

Posts or comments related to the City and the community at large may be shared to the extent that they correspond with the City's social media goals.

#### **V. Accuracy and Timeliness**

The City of Norwalk will make every effort to ensure the accuracy of the information provided on its social media pages. However, several factors that are beyond the City's control (including unauthorized modification of electronic data, transmission errors, browser incompatibilities, information that has been cached on the local computer or storage device, or other aspects of electronic communication in an evolving and time sensitive environment) can affect the quality of the information displayed on the site. For that reason, the City does not guarantee the accuracy of the information provided on its social media page and is not liable for reliance on this information.

The City's timeliness about posts and responses to comments may also vary based on staff availability. Therefore, a disclaimer shall be posted on any social media site, stating:

*This social media page is intended to get information out to a wide number of people quickly, not as an in depth or complete source of information, but as an evolving supplement to the City of Norwalk's website ([www.norwalk.iowa.gov](http://www.norwalk.iowa.gov)), newsletter, press releases, and in person communications. Staff will post or respond to comments within office hours and within the varying perimeters of staff availability. For these reasons, staff may not respond to every comment or question posted on the social media site.*

*THIS INFORMATION IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS OR A PARTICULAR PURPOSE, OR NON-INFRINGEMENT. THE CITY*

*OF NORWALK ASSUMES NO RESPONSIBILITY FOR ERRORS OR OMISSIONS IN THIS PUBLICATION OR OTHER DOCUMENTS OR FILES WHICH ARE REFERENCED BY OR LINKED TO THIS WEBSITE. IN NO EVENT SHALL THE CITY OF NORWALK BE LIABLE FOR ANY SPECIAL, INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGES OF ANY KIND, OR ANY DAMAGES WHATSOEVER, INCLUDING, WITHOUT LIMITATION, THOSE RESULTING FROM LOSS OF USE, DATA OR PROFITS, WHETHER OR NOT ADVISED OF THE POSSIBILITY OF DAMAGE, AND ON ANY THEORY OF LIABILITY, ARISING OUT OF OR IN CONNECTION WITH THE USE OF THIS INFORMATION. THIS PUBLICATION COULD INCLUDE TECHNICAL OR OTHER INACCURACIES OR TYPOGRAPHICAL ERRORS. CHANGES ARE PERIODICALLY ADDED TO THE INFORMATION HEREIN; THESE CHANGES WILL BE INCORPORATED IN NEW EDITIONS. THE CITY OF NORWALK MAY MAKE IMPROVEMENTS AND/OR CHANGES IN THE INFORMATION AND/OR DOCUMENT(S) DESCRIBED ON THIS WEBSITE AT ANY TIME.*

## **VI. Responding to Comments**

In cases where comments are accepted, the staff member responsible for the page MUST monitor the site regularly and respond within one business day.

Guidance on When/How to Respond to Comments:

- If the person has a question – Respond with information or point them back to the City’s website or other resource. You may ask them to contact you offline when appropriate (when it is a private issue, when the issue is one in which there is little or no interest by others, etc.)
- If the person has a complaint – If inaccurate, politely correct inaccuracies. When a general complaint, thank them for sharing feedback and give any other direction that may be needed. If it is regarding a personal matter, reply that you would like to address the issue offline and provide contact information.
- If the person leaves a general comment, like “Wow, this is cool” or “Can’t wait,” no response is required.
- If the person wants to start debating with an employee – Take the conversation offline. Do not debate them on the site. It is ok to correct inaccuracies and to provide evidence to support information, but avoid debates.
- Staff discretion on responding to post that may be considered passive aggressive, antagonistic, posts previously answered or posts that have multiple comments that needs addressed. You may choose to respond or no response required depending on the nature of the post.

When in doubt on how to respond to a comment, please contact the Communications Coordinator for guidance.

## **VII. Removing Comments**

Comments violating the City's Disclaimer and Comments Policy shall be removed promptly. When a person's comment is removed, the City should post a reason for removing the post (i.e. "A comment to this post was removed because it endorsed a political candidate. This is in violation of the City's comment policy (link to policy)"). Removed comments should be archived for our records by completing the tracking form found in Exhibit B and submitting it to the Communications Coordinator. The City reserves the right to restrict or remove any content deemed in violation of this social media policy or any applicable law. Repeat individual violators may be removed or blocked from commenting on City social media sites.

## **VIII. Correcting Mistakes**

If an employee makes a factual mistake on a City social media site, he/she should correct it as soon as possible. Corrections should be upfront and timely. If modifying an earlier post, make it clear that the post has been corrected. Designate corrections with "Fixed Link" or "Fact Correction" prior to the correction. Do not try to "hide" corrections, as someone may have seen the incorrect information and may be acting upon it.

## **IX. Review Procedures**

The Communications Coordinator will have access to all City sponsored social media sites, including rights to edit a site. Each site will be monitored weekly to ensure the site is meeting its intended purpose, that it is being updated regularly, that the content is appropriate and to look for any possible problem that would reflect negatively on the City.

## **X. Employee Conduct**

All employees have a responsibility to help communicate accurate and timely information to the public in a professional manner. When using social media, employees must follow all policies outlined here and in the Employee Handbook.

Employees designated to participate in social media are expected to follow these principles:

- Postings shall be related to that department's specific function and subject matter expertise.
- Postings shall be factual, respectful, and on-point. They should not be off topic, or offensive.
- Employees must notify the City Communications Coordinator of any media contacts received related to their posts. Further, under no circumstances shall non-department head personnel comment to reporters regarding matters of City policy, opinion, or interpretation.

- City social media sites or equipment may not be used by staff as a platform to share personal opinions or for political purposes, private business or charitable activities, commercial or personal transactions, or for any other purpose prohibited by law.
- Staff may acknowledge sponsorships, partnerships or thank organizations, businesses or residents.
- Replies to individual constituent inquiries received via social media sites must be retained per the City's record retention schedule.

#### **XI. Employees' Personal Social Media Pages**

The line between personal and professional, public and private can be easily blurred in social media. The following guidelines must be followed when using a personal social media account:

- Personal social media account names by employees should not be tied to the City except for page management of the City site. Additionally, staff should not use their personal social media accounts to speak on behalf of the City.
- Employees with personal social media accounts never have the right to post non-public and confidential information such as information related to co-workers, personnel data, medical information, and claims or lawsuits against the City.
- When responding to an item on the City's page or on any other page, ask yourself if you or your department would be embarrassed to see the comment appear in the news. If so, don't post it.

Employees must take great care to make it clear that their personal opinions are their own and do not represent the official policy position of the City. It is important for employees to remember that their personal communications may reflect on the City, especially if they are commenting on City business, supervisors, or policies. The following guidelines apply to personal communications including various forms of social media, letters to the editor of newspapers, personal endorsements, email, City correspondence, newsletters, and television news.

- All employees are expected to actively protect any information considered private or protected under Data Privacy and HIPPA Compliance laws.(Questions should be directed to the Norwalk City Clerk.)
- Employees shall not comment on social media postings unless it's in a positive statement. Employees can like and share events and postings to promote the City.
- Employees shall be truthful, courteous and respectful toward supervisors, coworkers, citizens, customers and other persons associated with the City. Employees shall not engage in name-calling or personal attacks.

Employees shall not post anything with content that violates the City's Disclaimer and Comment Policy.

## **XII. Elected Officials and Officials Appointed to City Boards, Commissions and Committees**

- Elected officials shall not use official City social media sites for campaigning purposes.
- Elected officials shall not post comments or links to any content that endorses or opposes political candidates or ballot propositions, including links to an elected official's campaign site.
- All comments posted during an election season by anyone who has filed for office will be removed.
- Elected officials should be mindful of the risks of electronic communication in relation to the Open Meeting Law; two way communications between elected officials should be strictly avoided. Adding to a post or comment that would create a quorum of the group you represent should also be strictly avoided. (If the comment or posting requires official review it should be handled before the group during a public meeting.)
- Elected officials should not use social media as a mechanism for conducting official City business other than to informally communicate with the public.
- Elected officials should reveal that they are elected officials for the City if/when making a post and be honest, straightforward, and respectful.
- Elected officials should be sure that efforts to be honest do not result in sharing non-public information related to coworkers, personnel data, medical information, claims or lawsuits, or other non-public or confidential information.
- Elected officials should add value to any social media discussion by staying focused on the issue.
- To help prevent errors and liability issues, officials are encouraged to ask the appropriate staff person or department to post official City documents (i.e., an ordinance recently passed by the City Council), rather than summarizing them from memory.
- If an elected official makes a mistake, it should be corrected as soon as the official is made aware of the error. Corrections should be upfront and as timely as possible. If you modify an earlier post, make it clear the posting has been corrected. Consider designating corrections with "Fixed link" or "Fact correction" prior to the correction.
- Elected officials who are contacted by the media on a topic of official City business should contact the Communications Coordinator for direction.

Elected officials shall not post anything with content that violates the City's Disclaimer and Comment Policy.

EXHIBIT A

**DISCLAIMER & COMMENT POLICY**

**(To be prominently posted on every social media page)**

The purpose of this and other City sponsored social media sites is to communicate between the City, its individual departments and members of the public. The City reserves the right, in its sole discretion, to change, modify, add or delete comments or posts, photos and videos in accordance with this policy.

The City will remove comments that:

1. Contain obscenities;
2. Demean specific individuals or groups of people;
3. Promotes, fosters or perpetuates discrimination of protected classes;
4. Promotes, fosters or perpetuates harassment of any kind;
5. Contain content intended to defame any person, group or organization;
6. Contain factual inaccuracies;
7. Qualify as SPAM;
8. Are not topically related to the particular social medium article being commented upon;
9. Express support for or opposition to political campaigns or ballot measures;
10. Contain sexual content or links to sexual content;
11. Solicit commerce or advertisements including promotions or endorsements;
12. Conduct or encourage illegal activity;
13. Contain violent or threatening language;
14. Disclose confidential, sensitive, or proprietary information;
15. Compromise the safety or security of the public or public systems;
16. Violate a legal ownership interest of any other party, such as trademark or copyright infringement; or
17. Any content that the City believes does not foster the intent of its social media policy.

Additionally, ALL comments posted during an election season by anyone who has filed for office will be removed.

The City of Norwalk has the right to remove a comment from and/or block a user who is not using their legal name or otherwise appropriately identifying themselves.

The City of Norwalk has the right to reproduce any pictures or videos posted to this site in any of its publications or websites or any other media outlets. The City of Norwalk has the right to quote any comments or suggestions left by users.

The views, postings, positions or opinions expressed on this site do not necessarily reflect those of the City of Norwalk.

All content posted on this site is subject to disclosure under the Iowa open records laws.



**Advertising**

The City of Norwalk does not endorse any product, service, company or organization advertising on its social media pages. The ads that appear on social media pages are sold, posted and maintained by those social media sites.

**Privacy policy**

Please note that the City of Norwalk does not share information gathered through its social media sites with third parties for promotional purposes. However, any information you provide to the City is subject to the open records law.

EXHIBIT B

REMOVED COMMENTS TRACKING FORM

All comments removed from a City sponsored social media site should be documented with this form or submit a screenshot of the posting to the Coordinator. Please deliver or email to Shelby Hisel, Communications Coordinator, at shisel@norwalk.iowa.gov.

1. City of Norwalk social media site affected: \_\_\_\_\_

2. Date of original post: \_\_\_\_\_

3. Screen name of poster: \_\_\_\_\_

4. Entire comment that was removed (attach separate page if more room is needed:

\_\_\_\_\_  
\_\_\_\_\_

5. Reason for removal of comment: \_\_\_\_\_

\_\_\_\_\_

6. Date comment was removed and explanation for removal was posted to social media site:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Comment removed from City of Norwalk social media site by: \_\_\_\_\_

8. Other pertinent information (if applicable): \_\_\_\_\_

\_\_\_\_\_

Date this report was received by the Communications Coordinator : \_\_\_\_\_

This form will be retained by the Communications Coordinator for a period of 1 year.