

City of Red Bluff
Administrative Policies & Procedures – Personnel Manual

Subject: Personnel Rules	Number: 22-1
	Effective Date: 10/17/2023
Departments Affected: All	Supersedes (Number/Date):
Authority: Section 2.82-A. Red Bluff City Code	File References: Approved: Approved by City Council on: 10/17/2023

Overview: It is the purpose of these Rules to establish a system of uniform and appropriate personnel policies and procedures that shall maintain the quality of personnel administration consistent with such principles as:

- a) Recruiting, appointing, and promoting employees on the basis of their relative ability, knowledge, and skills, including open consideration of qualified applicants for initial appointment.
- b) Retaining employees on the basis of the adequacy of their performance, correction of inadequate performance, and separating employees whose inadequate performance cannot be corrected.
- c) Assuring impartial treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, religion, color, gender, sexual orientation, age, marital status, national origin, or physical or mental handicap or any other basis proscribed by law and with proper regard for their privacy and their constitutional rights.

Applicable to: Except as otherwise provided, the provisions of these Rules shall apply to all offices, positions, and employees in the service of the City, except:

- a) Elected Officials.
- b) Members of Appointed Boards, Commissions, and committees.
- c) Volunteer personnel who receive no regular compensation other than reimbursement for expenses.
- d) Emergency employees who are hired to meet the immediate requirements of an emergency condition, such as an extraordinary fire, flood, earthquake, or other disaster, which threatens life or property.

Guidelines: **Authority**
The Personnel Rules have been enacted under the authority of the City of Red Bluff City Council.

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Scope

This document is a compilation of Rules, which govern and affect personnel administration for all employees of the City of Red Bluff. The provisions of these Rules shall not supersede any state law, federal law, or current collective bargaining agreement between an employee organization and the City of Red Bluff. The provisions of these Rules shall not preclude specific City departments from developing operational policies and procedures. If this Rule conflicts with another law, policy, or agreement, the stricter document will apply.

Severability

If any provision, section, paragraph, sentence, clause, or phrase of these Rules, or the application of such to any person or circumstance, shall be held invalid or declared unconstitutional or void, the remainder of the Rules shall not be affected.

Amendments to Rules

Other than for non-compliance with state or federal law, the procedure for amending or adopting a new Rule is below.

- a) A Department Head must make a request to the Human Resources Department to amend or adopt a Rule. The Human Resources Department may also initiate an amendment or new Rule.
- b) The revised or newly created Rule is presented to the Department Heads for review and must be approved by a majority vote.
- c) The Human Resources Department will meet and confer with the appropriate bargaining units regarding the impact on the members.
- d) The Human Resources Department will present the Rule to the City Council for adoption.
- e) Upon Council adoption, the new or amended Rule is effective immediately and replaces the existing Rule.

The Human Resources Department may also initiate an amendment at any time without following the process above for the following reasons:

- a) When a change in state or federal law deems the Rule to be non-compliant.
- b) When the language could be revised for better clarification without changing the intent of the Rule.

Access to the Personnel Rules

The Personnel Rules will be posted on the City website and available to the public and employees.

Specific Department Policies

The provisions of these Rules shall not preclude the development of operational policies and procedures within specific departments of the City, provided that such policies and procedures are consistent with these Rules. Alternate standards shall be submitted to the Human Resources Department for review and compliance in consultation with the City Manager.

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DEFINITIONS

457(b) Plan: A pre-tax retirement plan in which an employee defers compensation.

Absence: The failure of an employee to report for work when they are scheduled to work.

Abuse: Intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself, herself, or another.

Abuse of Sick Leave: The misrepresentation of the actual reason for taking sick leave, using sick leave for unauthorized purposes, or failure to report sick leave, and may include chronic, persistent, or patterned use of sick leave.

Active Duty: Ordered active military service for members of the Armed Forces of the United States, National Guard, or the Naval Militia.

Acts of Violence: The exertion of force or aggression with the intent of causing injury or abuse.

ADA: Americans with Disabilities Act.

Adverse Action: A disciplinary action that results in a loss of an existing employment benefit, such as an unpaid suspension, salary step reduction, involuntary demotion, or termination.

Allocation: The full-time equivalent (FTE) assignment of an individual position to an appropriate class within a department, as determined in the position allocation list.

Alternate Schedule: A variation of the standard workweek with the purpose of better serving the public and providing flexibility in coverage. Alternate schedules include 4/10 schedules, 9/80 schedules, hours from 7:00 am – 3:30 pm, and others, but in each case, the schedule will result in employees working a fixed schedule.

Appeal: In the context of this City of Red Bluff Personnel Rule, a procedure by which a disciplinary action is brought before a higher authority for review.

Applicant: For the purpose of this rule, “applicant” will include any prospective regular employee, extra help employee, or volunteer.

AQI: The Air Quality Index (AQI) tells you how clean or polluted the air is, and what associated health effects might be a concern.

Authorized Absence: Permission to be absent from duty for a specified purpose, with the right to return before or upon the expiration of the leave.

AWOL: Absent Without (approved) Leave.

Benefit: Any service or supply covered by the member's health insurance plan.

Break in Service: Termination of City employment for any length of time.

Budget Process: Recommended or adopted budget.

Bumping Right: The right of an employee who is facing layoff may displace an employee with less seniority in accordance with this rule.

CalPERS: The California Public Employees Retirement System is a defined benefit retirement system.

CalPERS Retiree: An employee of a CalPERS employer who terminates active employment and receives a monthly CalPERS retirement allowance.

Candidate: For the purpose of this rule, “candidate” will include any prospective regular employee, extra help employee, or volunteer.

Career Path Demotion: When an employee is seeking a position with a salary range lower than their current classification, however, the new position allows for upward mobility, which exceeds the range and salary of the current classification.

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Catastrophic: A medically certified condition in which the employee is incapacitated and unable to work due to an illness or injury which is estimated to last for at least thirty (30) calendar days.

CFRA: California Family Rights Act.

Classification Specification: Job descriptions that outline essential functions of a position based upon an analysis of the duties and responsibilities performed, supervision received or exercised, organizational considerations, and the qualifications necessary to perform those duties, including, but not limited to title, class characteristics, a definition of the class, a list of examples of duties, and a statement of qualifications required for appointment.

Coordination of Benefits: Also known as integration of wages, or supplementation, is when an employee receives disability or paid family leave benefits, and also uses available leave to cover the difference in salary.

COBRA: The Consolidated Omnibus Budget Reconciliation Act (COBRA) is a federal law that may allow an individual to keep health coverage after employment ends, loss of coverage as a dependent of a covered employee, or another qualifying event.

Copyright: The exclusive legal right, given to an originator or an assignee to print, publish, perform, film, or record literary, artistic, or musical material, and to authorize others to do the same.

Crime Victim: For the purpose of this Rule, a crime victim is one who is a victim of one of the following crimes: a) a violent felony as defined in Penal Code 667.5; b) a serious felony as defined in Penal Code 1192.7; or c) a felony provision of law proscribing theft or embezzlement. 6203

Cyberbullying or Cyber Harassment: Bullying or harassment that takes place over digital devices like cell phones, computers, and tablets. Cyberbullying can occur through short message service (SMS), text, and apps, or online in social media, forums, or gaming where people can view, participate in, or share content. Cyberbullying includes sending, posting, or sharing negative, harmful, false, or mean content about someone else. It can include sharing personal or private information about someone else, causing embarrassment or humiliation.

Date of Hire: The date the employee begins employment as a regular employee with the City of Red Bluff.

DD214: Certificate of release or discharge from the armed forces of the United States.

Defined Benefit: A retirement formula used to determine the percentage of pay an employee is eligible to receive upon their retirement.

Demotion: The movement of an employee from a higher-paying classification to a lower-paying classification.

Designated Person: For purposes of paid sick leave, a "designated person" means "a person identified by the employee at the time the employee requests paid sick leave." This definition does not require the person to be related by blood, or even a family-equivalent relationship. The City of Red Bluff limits an employee to one designated person per calendar year for paid sick days.

Direct Supervisor/Direct Supervision: This is characterized by the person physically present and supervising the daily tasks of the subordinate. This person is generally the person who assigns work, evaluates the employee, enforces rules, and imposes discipline.

Direct Threat: A significant risk of substantial or imminent harm, which cannot be eliminated or reduced to an acceptable level by reasonable accommodations. Assessment of whether a person poses a direct threat must be made on a case-by-case basis.

Disaster Service: Activities authorized and carried out pursuant to the California Emergency Services Act to aid in the response and recovery phases of a disaster or emergency.

Disaster Service Worker (DSW): Pursuant to the California Emergency Services Act, any person employed by a county, city, state agency, or public district in California is a public employee and is considered a Disaster Service Worker.

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Discovery: The compulsory disclosure by a party to an action, of relevant documents referred to by the other party.

Discrimination: Adverse actions, decisions, or other treatment affecting an employee and motivated by or directed toward the employee on the basis of race, religion, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, gender, gender identity, gender expression, sexual orientation, genetic information, marital status, military or veteran status, or age, including but not limited to those affecting hiring, placement, compensation, assignments, leave, promotion, training, disciplinary action, lay-off, recall, transfer, leave of absence, termination, and reinstatement.

Disparate Impact: Following a rule or practice that has a discriminatory impact on a protected person (unintentional).

Disparate Treatment: Treating an individual less favorably than another individual for discriminatory reasons (intentional).

DOJ: California Department of Justice.

Domestic Partnership: Two adults who are not married and have chosen to share one another's lives in an intimate and committed relationship of mutual caring. Such a relationship must be registered with the State of California.

Domestic Violence: Abuse perpetrated against any of the following persons: 1) A spouse or former spouse; 2) A cohabitant or former cohabitant; 3) A person with whom the accused perpetrator is having or has had a dating or engagement relationship; 4) A person with whom the accused perpetrator has had a child, where the presumption applies that the male parent is the father of the child of the female parent; 5) A child of a person defined here in 1, 2, 3, or 4; or 6) Any other person related within the second degree.

Drugs: For the purpose of personnel rules, "drugs" shall mean any controlled substance not legally obtainable under State or Federal law – including, without limitation: the amphetamine group, cocaine, opioids, phencyclidine, and cannabis – or a prescription medication obtained or used without a valid prescription from a licensed physician.

Dual Fill: When an incoming employee and an outgoing employee occupy the same allocation for a defined transition period for the purpose of training and/or assuming a position while the outgoing employee exhausts leave at separation.

Electronic Information Systems: Technology or software, administered by the City of Red Bluff, designed to collect, process, store, and distribute electronic information.

Eligible Family Members: Legal Spouse; domestic partner; natural, adopted, or stepchild(ren) under 26 years of age (even if married or employed); Legal Ward(s) under 18; a disabled dependent child; qualified dependents of a spouse or domestic partner.

Eligibility List: An eligibility list is an arrangement of candidates for employment who are deemed qualified as a result of an open recruitment process. An eligibility list is limited to use only by the department within which it was established.

Emergency: For the purpose of this rule, examples of an emergency requiring a DSW response include, but are not limited to, a declared fire, flood, earthquake, public health emergency, or other natural or manmade disaster.

Emergency Military Leave: A military leave for members of the National Guard during such time as the Governor may have issued a proclamation of a state of emergency or insurrection or during such time as the National Guard may be on active duty for one or more situations.

Emergency Rescue Personnel: Emergency rescue personnel means any person who is an officer, employee, or member of a fire department or fire protection or firefighting agency of the federal government, the State of California, a city, county, city and county, district, or other public or municipal corporation or political subdivision of the state or of a sheriff's department, police department, or a private fire department, or of a disaster medical response entity sponsored or requested by this state, whether that person is a volunteer or partly paid or fully

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paid, while he or she is actually engaged in providing emergency services as defined by Section 1799.107 of the Health and Safety Code.

EOC: Emergency Operations Center.

Essential Services: Services that, if not provided, would endanger the life, health, or personal safety of the whole or part of the population; or services which are not essential in the strict sense of the term, but where the extent and duration of disruption might be such as to result in an acute local crisis endangering normal living conditions of the population; and in public services of fundamental importance.

Excessive Absenteeism: The amount of time the employee is absent from work is frequent, and significantly disrupts the workflow in the department.

Excused Absence: An absence that occurs when an employee has sufficient accrued paid time to cover such absence and one of the following conditions are met: 1) The absence is scheduled in advance with the employee's manager or supervisor, such as a vacation, medical appointments, jury duty, family activities, funerals, etc.; 2) the employee notifies their employer in advance of their scheduled shift in the case of an unexpected illness or injury (which may require medical documentation).

Exempt Status: If an employee qualifies as exempt, the City is not required to pay overtime for hours worked in excess of forty (40) per workweek.

Exit Interview: A survey conducted by an employer or an organization with an individual who is separating from employment.

Family Member: Spouse or significant other; natural, step or legal: child, grandchild, parent, grandparent, sibling, niece, nephew, aunt, uncle; father-in-law; mother-in-law; son-in-law; daughter-in-law; or individual living in the employee's immediate household.

Family Sick Leave: Time away from work for employees to attend to the health needs of a qualifying family member.

FBI: Federal Bureau of Investigation.

FBOR: Firefighters' Bill of Rights

FEHA: Fair Employment and Housing Act (California).

File: An official paper or electronic record.

Final Compensation: Calculated by averaging your highest base pay rate over a continuous 12- or 36-month period.

Flexibly Allocated: Multiple classifications identified within a single allocation on the Position Allocation List, which allows the department flexibility in filling the position.

Flexibly Staffed: Multiple positions identified within a single allocation on the Position Allocation List (i.e., Account Clerk I & II) in which an employee may promote without the recruitment process, once they have met or exceeded the qualifications of the entry-level position through fulfilling training requirements, licensing, or experience timeframes.

FMLA: Family Medical Leave Act.

Follow-Up Questions: A question that is asked after a structured interview question to provide the interviewee with a better understanding of the candidate's initial answer. For example, "What was the outcome of this project?", "Can you expand on that?", "Can you provide an example of a time when you used the method you described?"

FLSA: Fair Labor Standards Act.

FTE: Full Time Equivalent.

Full-Time: Defined in Labor Code Section 515(c) as 40 hours per week.

Good Standing: Refers to complying with expectations for workplace conduct and not subject to suspension or disciplinary actions.

Harassment: Any unwelcome or offensive conduct motivated by or directed to a person on the basis of race, religion, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex, gender, gender identity, gender expression, sexual

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orientation, genetic information, marital status, military or veteran status, or age, including harassment of a person of the same gender as the harasser.

Health Care Provider: A medical provider under FMLA and CFRA described as 1) A doctor of medicine or osteopathy authorized to practice medicine or surgery by the state in which the doctor practices; 2) A podiatrist, dentist, clinical psychologist, optometrist, or chiropractor authorized to practice, and performing within the scope of their practice under state law; 3) Nurse practitioners, nurse-midwives and clinical social workers, authorized to practice, and performing within the scope of their practice, as defined under state law; 4) A health care provider as previously listed, who practices in a country other than the United States, who is authorized to practice in accordance with the law of that country.

Holiday Pay: A monetary compensation an employee may receive for an observed holiday.

Holiday Time Off: Time off accrued in lieu of receiving holiday pay. Holiday time off may accrue only when the holiday lands on an employee's regularly scheduled day off or when an employee is scheduled to work on a holiday.

Hostile Work Environment: Referred to under Equal Employment Opportunity Commission (EEOC) guidelines as "work environment" harassment. A hostile work environment exists when one's behavior within a workplace creates an environment that is difficult or uncomfortable for another person to work in, due to discrimination. Hostile work environment harassment is a common complaint in sexual harassment cases when there is unwelcome sexual advances, requests for sexual favors (even if not of a quid pro quo or conditional nature), verbal, visual and physical conduct of a sexual nature. Conduct creating a hostile work environment is a violation of this rule whether or not there is any tangible, adverse impact on the employee's job benefits. The conduct need not be explicitly sexual to meet this definition and may include repeated or continuing unwelcome or offensive romantic advances, requests, invitations, or unwelcome or offensive overtures to express a romantic or intimate interest in another employee.

HVAC: Heating, Ventilation, and Air Conditioning system.

Immediate Family Member: Includes the employee's or the employee's spouse's (or registered domestic partner's) child, foster child, parent, step-parent, foster parent, sibling, step-sibling, grandparent, great-grandparent, grandchildren, the other parent of a child, aunt, uncle, niece, nephew, and any relative/person who resided with the employee at the time of death.

Imminent Danger: An immediate concern about the safety of yourself or someone else.

Impaired: Affected by alcohol or drugs to the extent of not functioning normally or safely.

Inactive duty: Reserve obligations and scheduled reserve drill periods or other non-ordered training.

Incompatible activities: Any activities prohibited under the Guidelines section of this Rule.

Indirect Supervisor/Indirect Supervision: This is characterized by some form of authority over the work of the employees but does not directly supervise the employee. In other words, is responsible for the work, but not the worker. A good example of an indirect supervisor may be a Department Head, as opposed to the Office Manager.

Interactive Accommodation Process: Also referred to simply as the interactive process, is a discussion between the employee or applicant, the health care provider for the employee or applicant, and the employer. The discussion is meant to be collaborative in nature. Each party shares information about the disability or the limitations of the disability which may affect the employee or applicant's ability to perform the essential functions of the job.

Intern: A student who works alongside others in a trade or occupation to gain practical work experience in a supervised environment. Internships are for students looking for real-world experience within a government setting without the guarantee of a job at the end of the internship or at graduation. Individuals must be enrolled in an accredited U.S. college and be at least 18 years of age.

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Interpretation: The process of orally translating the words of a person speaking a different language.

Intoxicant: Any agent or substance capable of causing intoxication or poisoning.

Involuntary Demotion: Failed probation, discipline issues, layoff, or other just cause may be reasons for an involuntary demotion.

IP: Improvement Plan.

IRS: Internal Revenue Service.

Layoff: Defined as a reduction in the workforce.

Limited Term: A temporary position with a designated start and end (sunset) date, generally associated with a specific project or funding.

Line of supervision: The connection of an employee and a supervisor on an organizational chart. For example, Bob is supervised by Mary, who is supervised by Joe, who is supervised by Tom. Bob and Tom are in a "line of supervision".

Live Scan: The technique and technology used by law enforcement agencies and private facilities to capture fingerprints and palm prints electronically, without the need for the more traditional method of ink and paper.

Medical Certification Requirement: When an employee who may be abusing sick leave is required to provide a doctor's note for each use of sick leave when returning to work.

Medical Condition: Either of the following: 1) Any health impairment related to or associated with a diagnosis of cancer or a record or history of cancer; or 2) Genetic characteristics, including a) Any scientifically or medically identifiable gene or chromosome, or combination or alteration thereof, which is known to be a cause of a disease or disorder in a person or in his or her offspring or that is determined to be associated with a statistically increased risk of development of disease or disorder, and that is presently associated with any symptoms or any disease or disorder, b) Inherited characteristics which may be derived from the individual or the family member, and are known to cause a disease or disorder in a person or his or her offspring, or is determined to be associated with a statistically increased risk of development of a disease or disorder, and are presently not associated with any symptoms of any disease or disorder.

Medical Review Officer (MRO): A licensed physician responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical examinations for certain drug test results.

Mental Disability: Includes but is not limited to: Having any mental or psychological disorder or condition, such as mental retardation, organic brain syndrome, emotional or mental illness, or specific learning disabilities which limits one or more major life activities.

Military Caregiver Leave: Family Medical Leave that allows employees to care for an injured covered service member.

Military Family Leave: Family and Medical Leave specific to the needs of military families. There are two types of Military Family Leave: Qualifying Exigency Leave and Military Caregiver Leave.

Moral Turpitude: An act or behavior which gravely violates the sentiment or accepted standard of a community.

MOU: Memorandum of Understanding between an employee organization and the City of Red Bluff.

N95: A respiratory protective device designed to achieve a very close facial fit and very efficient filtration of airborne particles.

Negative Dilute Specimen: A urine specimen which has more water than urine.

Nepotism: The practice of an employee using his or her influence or power to aid or hinder another in the employment setting because of a personal relationship.

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New Hire: For the purpose of this Rule, a “new hire” would be someone who has been employed such a short time, that they have not had the opportunity to accrue more than a month’s worth of sick leave/vacation.

Next of Kin: A person’s closest living blood relative or relatives.

Notice of Resignation: A notice of separation informing the employer of the employee's intent to resign.

Notice of Retirement: A notice of separation informing the employer of the employee's intent to retire.

Notice of Separation: A formal written correspondence signed by the employee notifying the employer of the employee's intent to resign from their position by way of either resignation or retirement.

Non-Paid Status or Uncompensated Leave: When an employee is on an approved job protected leave of absence, such as industrial disability leave, FMLA, CFRA, or PDL, but is uncompensated due to the exhaustion of paid leaves.

Non-Regular Employees: Extra-help employees, retired annuitants, temporary/contract workers (employed by an outside temporary agency), and probationary employees or any type of employee who is not a regular employee.

Occurrence: An occurrence of sick leave is defined as one continuous period of absence of any duration for the same reason, or a period of absenteeism related to a single cause if supported by acceptable medical documentation. An occurrence may include paid or unpaid time. Doctor appointments, bereavement leave, or leave under a protected leave does not qualify as an occurrence.

Official Duty: An employee who is summoned as a witness in official capacity on behalf of the City of Red Bluff. This is official duty, leave for legal matters.

Open Eligibility List: An open eligibility list is an arrangement of candidates for employment who are deemed qualified as a result of an open recruitment process conducted by the Human Resources Department. An open eligibility list is established, approved, and maintained by Human Resources.

Open Ended Questions: Questions that require more than a simple one word answer and typically allow for a more thought out or meaningful response.

Open Recruitment: The process of attracting, selecting, and appointing the most qualified applicant for a position from within the City.

OSHA: Occupational Safety and Health Administration, a division of the United States Department of Labor.

Outside Employment: Any work or service, other than City employment, for which the employee accepts compensation, including, but not limited to, other paid employment, self-employment, or an ownership interest in a private business.

Overtime: All hours worked in excess of eight (8) in a single workday, all hours worked in excess of forty (40) in a single workweek and the first eight (8) hours worked on the seventh consecutive day of work in the workweek, unless an alternative schedule that is outlined in the applicable MOU is approved or assigned. In those cases, refer to the MOU for overtime rules.

PAF: Personnel Action Form.

Paid Administrative Leave: Temporary leave with pay from a job assignment while an allegation of misconduct or other similar circumstances is investigated.

PAL: The Position Allocation List, which contains the number of allocated full-time or part-time positions in each City department or budgetary division as determined by the City Council.

Part-time Employee: Those that work intermittent or irregular schedules for an indeterminate amount of time. These employees must average under 30 hours a week in a rolling twelve (12) month period, as defined from their date of hire per Affordable Care Act (ACA) requirements.

Particulate Matter: Tiny particles suspended in the air, many of which may be hazardous.

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Patent: The exclusive right granted for an invention, which is a product or a process that provides a new way of doing something or a new technological solution to a problem.

Pattern of Sick Leave Use: The repeated use of sick leave on a particular day or before and/or after scheduled days off, weekends, or holidays.

PDL: Pregnancy Disability Leave; Unpaid, job-protected leave, which allows employees to take up to four months (17.3 weeks) of disability leave per pregnancy. Leave can be taken before or after childbirth, or during any period of time the employee is physically unable to work because of pregnancy or a pregnancy-related condition.

PEPRA: Public Employee's Pension Reform Act.

PERL: Public Employee Retirement Law.

Personal Relationship: For the purpose of this rule, personal relationships include association by blood, adoption, marriage, and/or cohabitation. In addition, there may be personal relationships beyond this general definition that could be subject to this rule.

PFL: For the purpose of this Personnel Rule, Paid Family Leave provides benefits to parents who need to take time off to bond with a new child.

Physical Disability: Includes but is not limited to having any physiological disease, disorder, condition, cosmetic disfigurement, or anatomical loss which affects one or more body systems, including neurological, immunological, musculoskeletal, special sense organs, respiratory, including speech organs, cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, or endocrine which limits one or more major life activity.

PM2.5: The smallest atmospheric particulate matter (2.5 micrometers or smaller) and is usually the most harmful.

POBR: The Public Safety Officers' Procedural Bill of Rights (Government Code Sections 3300-3312, or AB301) applies to public safety officers' when subject to investigation or discipline.

POST: Peace Officer Standards and Training.

Pre-Employment Evaluation: Requirements that must be met prior to an official offer of employment, including a criminal background check, fingerprinting, reference checks, physical examination, drug screening, proof of work eligibility, and other documents verifying qualification for the position (licenses, test results, etc.).

Prescription Medication: Any substance lawfully obtained or possessed pursuant to a valid prescription from a licensed physician, nurse practitioner, or physician's assistant.

Probation Period: A fixed period of time, typically twelve (12) months, which allows an employer to assess the employee's skills, knowledge, and work conduct before making a final determination regarding an employee's suitability for the position.

Probationary Employee: An employee serving an initial probation period.

Probationary Status: The status of an employee who is serving a probationary period of the position and/or class in which he/she is currently employed following either initial appointment or promotion.

Progressive Discipline: A disciplinary approach based on progressive efforts to inform the employee of an issue and create an opportunity for improvement.

Promotion: The movement of a regular employee from one classification to a higher-paying classification.

Protected leave: A leave of absence that provides job protection under the law, such as the Family Medical Leave Act, the Uniformed Services Employment and Re-Employment Act, the Americans with Disabilities Act, the California Family Rights Act, Pregnancy Disability Act, Military Spouse Leave, Bone Marrow and Organ Donation Leaves, Domestic Abuse Leave, Victims of Crime Leave, Voting Leave, Jury Duty/Witness Leave, and Emergency Personnel Leave.

Public Record: Any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency, regardless of physical form or characteristics. For example, public records may include but are not limited

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to, hard-copy documents, most information maintained electronically, photographs, audiotapes, and/or videotapes, regardless of the manner in which the record has been stored.

Qualified Individual: A person who satisfies the job-related requirements of the position, and is able to perform the essential functions of the position with or without reasonable accommodation.

Qualifying Event: A change in family status through marriage, domestic partnership, birth, or adoption. Other qualifying events may include loss of coverage, change in military status, change in the custody status of a child, or exceeding a lifetime limit on benefits under another health plan.

Qualifying Exigency Leave: Family and Medical Leave that allows employees to attend to qualifying exigencies for their family member on active military duty.

Qualifying Family Member: A parent, spouse, child, or designated person as defined by the State of California.

Quid Pro Quo: Commonly referred to under EEOC guidelines, as “conditional” harassment. Quid pro quo (this for that – i.e., something offered or given in exchange for something else) harassment occurs when submission to the harassing conduct described above is made an explicit or implicit term or condition of employment; or rejection of such conduct is used as the basis for employment decisions.

Reasonable Accommodations: For purposes of this rule, reasonable accommodations may include the implementation of safety measures, including a transfer, reassignment, modified schedule, changed work telephone, changed work station, installed lock, assistance in documenting domestic violence, sexual assault, or stalking that occurs in the workplace, an implemented safety procedure, or another adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, or stalking, or referral to a victim assistance organization.

Reasonable Suspicion: When two observers, who are trained in the detection of drug use, articulate and substantiate in writing specific behavioral, performance, or contemporaneous physical indicators of being under the influence of drugs and/or alcohol on the job.

Reclassification: A change in a position by either increasing or decreasing the level of responsibility based on the difficulty of the work performed.

Regular Employee: One who occupies a permanent full-time position. A regular employee is an employee who has successfully completed the probationary period. The status of a regular employee has no pre-determined end date of employment.

Reinstatement: Returning from retirement status to active employment with a CalPERS employer.

Retaliation: Adverse actions, decisions, or other treatment including, but not limited to, threats or coercion affecting an employee and motivated by or directed toward the employee on the basis of the employee’s participation as a complainant or witness in a report or complaint of discrimination, harassment, or retaliation, or the employee’s participation in the investigation of such a complaint, including but not limited to actions, decisions, or other treatments affecting hiring, placement, compensation, assignments, leave, promotion, training, disciplinary action, layoff, recall, transfer, leave of absence, termination, and reinstatement.

Retired Annuitant: (RA) A former member of the California Public Employee’s Retirement System who is rehired by the same employer, or a different employer who participates in the same retirement system. RAs are at-will employees who work for a CalPERS employer without reinstating from retirement.

Retirement Formula Benefit Age: The age at which an employee may receive retirement benefits. (For example, age 55 for the “2% at 55” formula.)

Salary Anniversary Date: The date an employee is eligible for a salary increase, determined by the start date in their most recent position (new hire, promotion, demotion, etc.).

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Salary Basis: A predetermined amount of compensation each pay period on a weekly or less frequent, basis.

Screening Checklist: A simple delineation of required or preferred criteria listed in the classification specification or on the job announcement.

SDI: State Disability Insurance.

Seasonal Employee: Seasonal employees are those that work irregular or regular schedules for a determined amount of time, typically no longer than six (6) months.

Self-Isolation: A contagious person may be isolated at home instead of being hospitalized, as directed by a healthcare provider.

Self-Quarantine: A person who has been exposed and is at risk for contracting a contagious disease may practice self-quarantine as recommended by a healthcare expert.

Serious Health Condition: An illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential care facility; or continuing treatment by a health care provider.

Service Credit: Represents the amount of time worked for a CalPERS covered employer.

Sexual Assault: Any of the crimes set forth in Penal Code §261-262, 265, 266-267, 269, 273.4, 285-286, 288-289, and 311.4.

Sexual Assault Counselor: A person who: 1) is employed by a domestic violence victim service organization, whether financially compensated or not, for the purpose of rendering advice or assistance to victims of domestic violence; 2) is engaged in any office, hospital, institution, or center commonly known as a rape crisis center, whose primary purpose is the rendering of advice or assistance to victims of sexual assault and who has received a certificate evidencing completion of a training program; 3) is a psychotherapist; 4) has a master's degree in counseling or a related field; or 5) has one year of counseling experience, at least six months of which is in rape crisis counseling.

Sexual Harassment: Any unwelcome or offensive behaviors regarding sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to or rejection of this conduct explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive work environment. This also includes any unsolicited written or oral communications and physical or visual contact with sexual overtones, including emails, internet links, screen savers, etc. There are two types of sexual harassment – Hostile Work Environment and Quid Pro Quo.

Shelter-in-Place: Stay at home as much as possible, only going out for essentials like food and supplies, or for medical reasons.

Sick Leave: Sick leave is time away from work for employees to address their own personal health needs.

Significant Other: A person with whom someone has an established romantic or sexual relationship.

Skelly Meeting: An opportunity for an employee to refute or mitigate allegations prior to the imposition of disciplinary action.

Skelly Officer: The person who provides an objective review of the proposed discipline and the employee's response.

Social Distancing: Deliberately increasing the physical space between people to avoid spreading illness. Examples of social distancing are standing at least six feet away from others, working from home instead of at the workplace, or holding meetings via conference call or by other electronic devices.

Soft Skills: Personal attributes that enable someone to interact effectively and harmoniously with others.

Spouse on Leave for Military Deployment Leave: Leave that allows the spouse of an active military member to take time off while his/her spouse is on leave from active deployment.

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- Stalking:** A crime where a person is engaged in a pattern of conduct with the intent to follow, alarm, place under surveillance, or harass another person.
- Standard Non-Exempt Public Record:** Records that are requested regularly and/or on a reoccurring basis and have been pre-approved by City Legal Counsel as not requiring legal review.
- Subject Matter Expert (SME):** A person who has expertise or knowledge in a particular career field, job, or topic.
- Supervisory Authority:** Authority over matters such as hiring, retention, transfer, promotions, performance evaluations, discipline, leave requests and compensation decisions.
- Tardiness:** Not being at the designated workstation and ready to work at the designated time or the failure to return to work at the scheduled time following a meal break or rest period.
- Temporary Employee:** An employee working in a position designated as a limited term.
- Temporary Military Leave:** A leave of absence from public employment to engage in ordered military duty, including travel time for purposes of active military training, encampment, naval cruises, special exercises, or like activity as a member of the reserve corps or Armed Forces of the United States, the National Guard, or the Naval Militia.
- Termination of Retirement:** The cancellation of your monthly retirement allowance.
- Threats of Violence:** Remarks, gestures, or communication causing the individual to be concerned about their safety or the safety of others.
- Trademark:** A symbol, word, or words legally registered or established by use as representing a company or product.
- Trained Observer:** An employee who has successfully completed the City facilitated training for reasonable suspicion, or works as a law enforcement officer.
- Under the Influence:** An employee who has reported to work under the influence of drugs or alcohol and has raised reasonable suspicion to require a drug and/or alcohol test under the City's testing policy and receives a positive test for drugs and/or alcohol in accordance with the testing procedures determined by the laboratory.
- Undue Hardship:** An action that would violate an employer's duty to furnish and maintain a place of employment that is safe and healthful for all employees.
- Unlawful Employment:** Retiree employment found to be in violation of the retirement law and regulations.
- Unrepresented Employee:** Someone who is hired pursuant to an ordinance, resolution, or contract and does not include any employee represented by a recognized employee organization.
- USERRA:** Uniformed Services Employment and Reemployment Rights Act.
- Victim:** A person on which domestic violence, as defined in this Rule, has been perpetrated.
- Volunteer:** Any work or service for which the employee does not accept compensation, usually provided in the form of labor for a community event or organization.
- Workplace Bullying:** Inappropriate behavior, either direct or indirect, whether verbal, physical, or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Actions such as offensive language, humiliating, gossiping, threatening, or disparaging treatment; coercive, belittling, sabotaging, isolation, and discourteousness are considered abusive behaviors and may be considered workplace bullying. These actions may be verbal or non-verbal, acts of commission or omission, direct or indirect, covert or overt, or incidents of aiding or abetting. This includes cyberbullying.
- Workplace Violence:** Any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior which occurs at the work site. Workplace violence ranges from threats and verbal abuse to physical assaults and even homicide.
- Workstation:** The area where an individual performs work and/or uses equipment specific to their assigned tasks.

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Workweek: The regular workweek is defined to consist of seven (7) consecutive calendar days, Saturday through Friday. The workweek will begin at 12:00am on Saturday, and end at 11:59pm on Friday.