



TOWN OF
QUEEN CREEK
ARIZONA



Welcome to the Town of Queen Creek	11
Employee Rules	12
Code of Ethics	13
Employee Policy Administration (Policy #1)	14
A. Introduction	14
B. Purpose and Objectives of the Administrative Policies and Procedures Manual	15
C. Adoption and Amendment of Policies	15
D. Administration of Administrative Policies and Procedures Manual	16
E. Directors', Managers' and Supervisors' Responsibility	16
F. Department-specific Policies and/or Procedures	17
Position Classification, Merited Service, and At-Will Employment (Policy #100)	18
A. Position Classification	18
B. Merited Status Employment	22
C. At-Will Status Employment	22
At-Will Status Employment (Procedure #110)	24
Employee Compensation (Policy #200)	26
A. Maintenance and Administration of the Compensation Plan	26
B. Adjustments to Salary	26
C. Rates of Pay	30
Employee Compensation (Procedure #210)	36
A. Trial Employment Period	36
B. Promotion	36
C. Transfer (Lateral)	36
D. Starting Salary Authorization	37
E. Overtime Compensation	37
F. Compensatory Time	39
G. Pay Periods and Pay Dates	39
Payroll (Procedure #220)	40
A. Payment of Wages	40
B. Approving Time	40
C. Planned or Unscheduled Absences	40
D. Tracking Time	41

Town of Queen Creek Administrative Policies and Procedures Manual

E. Corrections	41
F. Payroll Responsibilities	41
G. Employee Responsibilities	41
H. Deductions	41
Service Awards (Procedure #235)	44
Bilingual Pay (Procedure #240)	45
A. Eligibility	45
B. Compensation	46
Police-Sworn Mid-year Market Adjustment (Procedure #250)	47
Employment (Policy #300)	49
A. Equal Opportunity Employment	49
B. Recruitment and Selection Process	50
C. Personnel Files	50
D. Trial Employment Period	51
E. Retirement	51
F. Layoff	51
G. Contracts and Employment Agreements	51
H. Benefits	52
I. Volunteers	52
J. Independent Contractors	52
Recruitment of Town Staff (Procedure #310)	53
A. Requests to Recruit	53
B. Posting of Job Announcements	53
C. Recruitment Process	53
D. Application Forms	55
E. Screening of Applicants	56
F. Candidate Travel Expenses	57
G. Offer of Employment	57
H. Temporary Employees Hired Through Third Party Agencies	59
I. Background Investigations and Pre-Employment Drug Tests	59
Internal Options for Filling Positions (Procedure #320)	60
A. Promotion	61
B. Transfer/Lateral	61
C. Demotion	61
D. Acting Assignments	62

E. Recall/Re-employment	62
Anniversary and Performance Review Dates (Procedure #330)	63
A. Anniversary Date	63
Retirement (Procedure #335)	64
Trial Employment Period (Procedure #340)	65
A. Duration	65
B. Prior to Completion of Trial Period	66
Background and Reference Check (Procedure #350)	67
A. Reference, Employment and Academic Checks	67
B. Criminal History Record	67
C. Medical Examination	68
D. Substance Abuse Screening	68
E. Credit Checks	69
F. Requirements for Motor Vehicle Use	69
G. Exception to this Procedure	70
Resignation (Procedure #360)	71
A. Resignation	71
B. Resignation Procedures	72
C. Notice regarding Terms and Conditions of Employment	72
D. The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA)	72
Layoffs- Reduction in Force (Procedure #365)	73
A. Order of Separation	73
B. Layoff Eligibility List, Recall of Employees on Layoff Eligibility List	74
Strike (Procedure #367)	75
Reappointment to a Town Position (Procedure #370)	76
A. Following Resignation	76
B. Following Layoff	76
Employee Personnel File (Procedure #380)	77
A. Entry of Material into Files	77
B. Confidential and Medical Files	78
C. Access to Files	78
D. Removal of Materials	78

E. Verification of Employment	79
F. Status of Files for Former Employees	79
Neptotism and Personal Relationship (Procedure #390)	80
A. State Statute	81
B. Town Policy Definition/Clarification	81
C. Immediate Family Members	81
D. Marriage between Employees	81
E. Personal Relationships	81
Americans with Disabilities Act and Pregnant Workers Fairness Act – Reasonable Accomodation (Procedure #397)	82
A. Requesting Reasonable Accomodation	84
B. Processing the Request	85
C. Request for Medical Information	86
D. Confidentiality	86
E. Timeline for Processing Reasonable Accommodations	87
F. Reasonable Accomodation Determination	88
Performance Evaluation System (Procedure 400)	89
A. Performance Administration	89
B. Performance Management	90
C. Employee Performance Improvement Process	90
Performance Evaluation Rating System (Procedure #410)	92
A. Frequency of Evaluations	93
B. Performance Criteria	93
C. Performance Ratings	93
D. Relationship to Regular Appointment and Annual Salary Review	93
E. Special Reviews (Performance Improvement Plan)	94
F. 360-Degree Evaluation Considerations	94
G. Individual Development Plan (IDP)	94
Employee Performance Improvement Process - PIP (Procedure #420)	95
Employee Spotlight Program (Procedure #430)	97
Orientation, Training, Development, Education and Tuition Reimbursement (Policy #500)	98
A. Training Costs	98
B. Eligibility for Training	98
C. Training and Educational Priorities	99

Training and Development (Procedure #510)	101
A. Job-related Seminars, Conferences, or Workshops	101
B. Travel to and from Local Training	102
C. Travel Costs	102
D. Compensation for Attending Job-Related Training	102
E. Budgeting for Job-Related Training	103
Tuition Reimbursement (Procedure #520)	104
A. Eligibility	104
B. Terms of Tuition Reimbursement	103
C. Costs	103
D. Financial Implications	106
E. Tuition Reimbursement Budget	106
F. Compensability	106
G. Education Incentive	106
Attendance and Leave (Policy #600)	108
A. Work Hours	108
B. Requesting Leaves of Absence	109
C. Holidays	109
D. Vacation Leave	111
E. Sick Leave	113
F. Family and Medical Leave	117
G. Paid Leave Categories	117
H. Volunteer Leave	118
I. Personal Leave	119
J. Victim Rights Leave	120
K. Alternative Work Schedules	120
L. Teleworking	120
Hours of Work and Attendance (Procedure #610)	121
A. Recording Work Hours	122
B. Timekeeping	123
C. Adjustments and Corrections	123
D. Breaks	124
E. Absence Due to Emergency Conditions	125
F. Absence Without Authorized Leave	125
G. Flextime	125
H. Exempt Employees	125

Holidays (Procedure #620)	126
A. Holidays Falling on days Town Offices are closed	126
B. Holiday Compensation	127
C. Floating Holidays	127
Vacation Leave (Procedure #630)	128
A. Scheduling of Vacation Time	128
B. Vacation Pay on Termination	128
Donation of Vacation Leave (Procedure #635)	129
A. Application for Recipient	130
B. Review of Request	130
C. Employee Donation Process	131
D. Termination of Personal Emergency	131
E. Monitoring	132
F. Prohibition of Coercion	132
Sick Leave (Procedure #640)	133
A. Use of Sick Leave	133
B. Change of Employee Status	134
C. Certification of Illness or Injury	134
D. Family Sick Leave	134
E. Sick Leave Incentive	134
F. Unused Sick Leave for Retirement Health Savings Account (RHS)	135
G. Outside Employment	136
H. Abuse of Sick Leave	1366
I. Sick Leave Payout at Separation	136
Family and Medical Leave (FMLA) (Procedure #650)	137
A. Eligibility	138
B. FMLA Qualifying Events	138
C. Advance Notice Requirements	140
D. Calculation of 12 Month Period	140
E. Paid Leave Substitution	140
F. Medical Certification/Eligibility Requirements	141
G. Intermittent/Reduced Scheduled Leave	141
H. Joint Employment	142
I. Continued Health Benefits	142
J. Return to Work	142
K. Outside Employment	143

L. Unlawful Discrimination	143
M. Time-keeping Responsibilities	143
Paid Parental Leave (Procedure #665)	144
A. Eligibility	144
B. Duration	144
C. Pay During Leave	145
D. Insurance Coverage and Benefits	145
E. Return to Work	145
Other Leave Categories (Procedure #660)	146
A. Military Leave	145
B. Bereavement Leave	149
C. Jury Duty Leave	150
D. Voting Leave	150
E. Injury Leave	150
F. Administrative Leave	150
G. Volunteer Leave	151
Personal Leave (Procedure #670)	152
Alternative Work Schedule (Procedure #680)	154
A. Types of Alternative Work Schedules Available	154
B. Eligibility	155
C. Responsibilities	155
D. Scheduling Flex Day Off	155
E. Working on Flex Day Off	155
F. Lunches and Breaks	156
G. Holiday, Vacation, and Sick Pay	156
H. Definitions Flex Day	156
Teleworking (Procedure #690)	157
Professional and Personal Conduct (Policy #700)	161
A. Relevant Issues	163
B. Harassment, Discrimination, Workplace Violence and Unlawful Activity	168
C. Chain of Command	168
D. Secondary Employment	168
E. Political Activity	168
F. Acceptance of Gifts	170
G. Employee Residency	170

Town of Queen Creek Administrative Policies and Procedures Manual

H. Professional Attire at Work	1700
I. Employee Uniforms	1700
J. Use of Town Computer Hardware and Software	1700
K. Delegation of Authority	171
L. Confidentiality	171
Discrimination, Harassment and Offensive Behavior (Procedure #710)	1722
A. Equal Employment Opportunity	172
B. Anti-Harassment Policy	172
C. Sexual Harassment	172
D. Other forms of Harassment	173
E. Reporting Discrimination, Harassment and/or Offensive Behavior	175
F. Harassment/Sexual Harassment Complaint Procedure	175
G. Investigation	176
H. Education	176
I. Implementation	176
J. Enforcement	176
K. Confidentiality	177
L. Reprisals	177
M. Penalties	177
N. Misuses	177
O. Intolerable Working Conditions	177
Workplace Violence Prevention and Response (Procedure #715)	178
A. Prohibited Conduct	178
B. Reporting Procedures	179
C. Risk Reduction Measures	179
D. Dangerous/Emergency Situations	1800
E. Enforcement	180
F. Responsibilities	180
G. Employee Assistance Program	1833
H. Response	1833
I. Disclosure of Information	185
J. Definitions	1855
Chain of Command (Procedure #716)	1866
Secondary Employment (Procedure #720)	187
A. Conditions for Secondary Employment	187
B. Request for Approval of Secondary Employment	188
C. Use of Town Equipment or Materials	188

Political Activity (Procedure #730)	189
Professional Attire at Work (Procedure #736)	191
A. Standard for Office Staff	191
B. Department Specific	193
C. Enforcement	194
Employee Uniforms (Procedure #738)	195
A. Eligible Employees	195
B. Footwear	196
C. Jackets	196
D. Pants/Trousers	196
E. Care of Uniform Clothing	196
F. Financial	197
Electronic Messaging Usage (Procedure #740)	198
A. Acceptable Uses	198
B. Prohibited Uses	198
C. Privacy	200
D. Etiquette/Ethics	2000
E. Retention of Electronic Communications	202
F. Mayor and Council Communications	204
Remote Access and Use (Procedure #750)	205
Appropriate Use of Computer/Network Resources (Procedure #760)	2076
A. Appropriate Use	2076
B. Inappropriate Use	208
C. Computers and Energy Conservation	209
Request for Reviewing Security Camera Footage and Badge Reader Report (Procedure #765)	210
A. Request Submission	210
B. Approval Process	210
C. Exceptions	211
Hardware, Software and Services (Procedure #770)	212
A. Procurement Rules	212
Internet Use (Procedure #780)	214

Town of Queen Creek Administrative Policies and Procedures Manual

A. Internet Access	214
B. Regulations to Follow When Accessing the Internet	215
C. Information Technology Responsibilities	216
D. Supervisor and Manager Responsibilities	216
Social Media Use (Procedure #785)	217
A. Responsibilities	218
B. Inappropriate Use – Town Social Media	218
C. Additional Inappropriate Use of Personal Social Media	219
D. Archives and Retention	219
E. Comments	219
Cellular Phones and Radios (Procedure #790)	221
A. Usage, generally	221
B. Town’s Cellular Telephone Plan	221
C. Responsibilities	222
D. Monitoring Cellular Telephone Services	222
E. Safety	222
F. Damage, Loss or Theft	223
G. Cell Phone Allowance Plan	223
H. Discipline	224
Prevention and Retention of Records (Procedure #795)	225
Town Staff Support of Committees, Commissions, and Boards (Procedure #797)	2257
Mediation, Discipline, Appeal Process, Administrative Leave and Hearing Officer (Policy #800)	229
A. Mediation Policy	229
B. Discipline Policy	229
C. Appeal Process	230
D. Administrative Leave	230
E. Hearing Officer Hearing	231
Mediation (Procedure #810)	232
A. Process	232
Employee Disciplinary Measures (Procedure #820)	234
A. Verbal Warning	235
B. Written Warning	235
C. Final Written Warning	237

Town of Queen Creek Administrative Policies and Procedures Manual

D. Dismissal/Termination of Employment	239
E. Disciplinary Probation	240
F. Causes for Initiating Disciplinary Action	240
G. Disciplinary Grievance, Disciplinary Action and Appeal Process	242
H. Administrative Leave	243
Employee Appeal Process (Procedure #830)	2444
A. Issues Not Subject to Appeal	244
B. Components of an Appeal	2455
C. Appeal Handling Steps	245
Hearing Officer Hearing (Procedure #840)	250
A. Hearing Officer Hearing	250
B. Legal Counsel	251
C. Witnesses	251
D. Recording of the Appeal Hearing	252
E. Appellant Failure to Appear	252
F. Technical Rules and Procedures of Evidence	252
G. Hearings	252
H. Town Manager Determination	252
Travel and Expenses (Policy #900)	2523
Business Related Travel and Expenses (Procedure #910)	2545
A. Responsibilities	2545
B. Time Worked for Non-Exempt Employees for Day and Overnight Travel	255
C. Overnight Trips	256
D. Transportation	258
E. Lodging	259
F. Registration	260
G. Purchasing Card	260
H. Unallowable Expenses	2601
I. Personal Benefits from Town Travel Not Allowed	262
Business Meeting Expenses – Food and Beverage (Procedure #920)	2623
A. Business Meetings (Food and Beverage)	262
B. Responsibilities	2634
C. Program/Process Controls	263
D. Procedures	264
Use of Town Vehicle (Procedure #930)	265
A. General Use	265

Town of Queen Creek Administrative Policies and Procedures Manual

B. Employee Responsibilities of Town Vehicles	266
C. Authorized Passengers	267
D. Department Responsibilities	267
E. Use of a Personal Vehicle on Town Business	268
F. Town Vehicle Identification	268
G. Overnight Use of a Town Vehicle	270
H. Vehicle Fueling and Emergency Repairs/Maintenance	270
I. Vehicle Parking	270
J. Take-Home Vehicles	271
Relocation Expenses (Procedure #940)	272
Employee Purchasing Cards (Procedure #950)	273
A. Authorized Cardholders	273
B. Application for Purchasing Card Privileges	273
C. Issuance	273
D. Usage	273
E. Duties and Responsibilities	274
F. Transactions/Card Limits	275
G. Returns	275
Employee Safety and Health (Policy #1000)	276
A. Loss Control Program	276
B. Safety Committee Purpose	278
C. Controlled Substance, Drug and Alcohol Use and Testing	279
D. Workers' Compensation	2801
E. Tobacco Use	2801
F. Accident Reporting	2801
G. Wellness Program	282
Safety and Resources (Procedure #1010)	2823
A. General Safety Requirements	282
B. Safety Specific to Certain Activities	284
C. Safety Inspections	287
D. Safety Suggestions	287
E. Industrial Injuries	287
F. Reporting Motor Vehicle Accidents	288
G. Reporting Property Damage or Loss	288
H. Supervisor Responsibilities	288
I. Safety Committee Responsibilities	289
J. Emergency Phone Numbers	290
K. Potential Disciplinary Measures	290

Controlled Substances, Drug and Alcohol Use and Testing (Procedure #1020)	291
A. Types of Authorized Drug and Alcohol Testing	293
B. Testing Procedures	296
C. Testing Costs	298
D. Searches	298
E. Off Duty Conduct	299
F. Prohibited Conduct	299
G. Compliance with the Arizona Medical Marijuana Act	300
H. Management and Supervisory Responsibilities	301
I. Consequences of Prohibited Conduct	301
J. Recordkeeping and Confidentiality	302
K. Additional Requirements for Employees Required to Possess a Commercial Driver's License	302
L. Employee Assistance Program	304
Medical Inquiries (Procedure #1030)	304
A. Circumstances Leading to a Medical Evaluation	304
B. Steps to be Taken to Initiate a Medical Evaluation	304
C. Confidentiality	305
D. Employee Rights	305
Tobacco Use (Procedure #1040)	306
A. Prohibited Areas	306
B. Signage	307
C. Designated Smoking Areas:	307
D. Enforcement	307
Workers' Compensation (Procedure #1050)	308
A. Provisions	3089
B. Notification Requirement	308
C. Procedures to follow if there is a Work-Related Injury other than First Aid	309
D. Leave Accounting	309
E. Refusal of Light Duty	309
F. Doctor's Release	310
G. Sick Leave in Relation to Workers' Compensation	311
Accident and Loss Reporting (Procedure #1060)	3112
A. Reporting Motor Vehicle Accidents	311
B. Reporting Property Damage, Loss, or Theft	312
C. Reporting On-the-Job Injuries	312
D. Reporting Potential Safety Hazards	312

E. Legal Claims Against the Town	3124
Light Duty (Procedure #1070)	314
Visitors in the Workplace (Procedure #1080)	316
A. Hazardous Workplaces	316
B. Children	317
C. Vehicles	317
Infants at Work (Procedure #1085)	3190
Infectious Disease Outbreak (Pandemic) Response	321
A. Business Continuity and Essential Functions	322
B. Prevention and Hygiene Practices	3223
C. Vaccinations and Masks	322
D. Communications	323
Trip Reduction Program (Procedure #1100)	325
Glossary of Terms	325



Welcome to the Town of Queen Creek

Dear Queen Creek Employee,

Welcome to the Town of Queen Creek. As a Queen Creek employee, you are part of an organization that means many things to many people. The Town, as an organization, serves as a facilitator, working to realize the community's vision for itself. We provide the infrastructure citizens need to have safe homes, roads, and places of business. We protect and safeguard public money and property. We offer recreational activities to strengthen the bodies and minds of our youth, helping them to guide to stay on the path to a bright future. We work to make residents' dreams come true for the future development of their community. We budget and plan resources so citizens will get the most from their tax dollars. We provide superior customer service. We improve the lives of the people who choose to live here. The key to the Town fulfilling our mission is our employees. Through you and your quality work, we serve our community with high quality services. When you enjoy your work and get along with your fellow employees, it shows in the quality of our operations. The Town is therefore committed to helping you achieve this goal.

I hope that being a part of our team will be a rewarding and fulfilling experience for you. This Town of Queen Creek Administrative Policies and Procedures Manual ("Manual") is designed to give you information you need to be a productive employee, help you work with others, and help you take advantage of employee benefits. This Manual is written to familiarize you with the policies and procedures of the Town and to let you know what our expectations are. It outlines common personnel procedures and answers frequently asked questions. Please use it as a resource and reference it during your time here on our team.

Our best wishes to you for a satisfying work experience with The Town of Queen Creek. If you have any questions about the information, policies and procedures in this Manual, please do not hesitate to ask the Human Resources Director or me.

The Town Manager



Employee Rules

1. **PEOPLE** are the most important resource. Treat everyone, including each other, with respect and dignity.
2. **NEVER** miss a chance to assist a citizen. Customer service comes first. Help people out whenever you can. Talk to them. Walk with them, don't just point the way to the office they want to find. Park your car away from the door, so customers get the best parking places.
3. Treat others **WELL**. Tell people when they did a good job. The work we do is hard. Help each other out. Give praise.
4. Take care of **YOURSELF**. You're no good to anyone if you don't.
5. **NEVER** surprise the Town Council. You do that by never surprising your supervisor. Keep your supervisor and the Town Manager informed of what's going on. All of our jobs are interconnected, so everything the Town does is part of your job, too.
6. **PEOPLE** are more important than tasks. Remember that when you're under pressure, trying to get a lot of things done at once.
7. Do what is **RIGHT**. If it would not look good on the front page of the newspaper, don't do it. Do things in a way that will make you and others proud. Be impeccably honest.
8. Be **SMARTER** today than you were yesterday. Learn something. Explore. Try a new way once in a while. Look for improvement.
9. Fix the **PROBLEM**, not the blame. It is not important who is to blame, what's important is to make things right, and to learn from mistakes so they do not happen again.
10. **NOW** is the most important time. Do things now. Don't wait.
11. **PRACTICE** before you preach. Before any presentation, practice so you get it right.
12. You can only be as good as you **THINK** you are. Aim high.
13. Search for, and find, another alternative. Think **WIN-WIN** so that you make the best of any situation where people disagree.
14. Remember, we are in this for the long haul. Keep issues in **PERSPECTIVE**.
Adapted from rules advocated by Pete Morrell and Lou Schmidt, 1/96



Code of Ethics

Employees of the Town of Queen Creek have the trust of the citizens. People in the Town depend on us for service. This level of trust creates a special responsibility. All employees are expected to maintain a high level of ethical standards, to act with integrity in all public relationships, and to always conduct themselves in a manner that maintains public confidence.

Employees of the Town of Queen Creek shall uphold the Constitution, the laws of the United States, the State of Arizona, and the Town of Queen Creek, and shall also be:

- I. Honest and trustworthy in what you say, do, and write in all professional relationships.
- II. Dedicated to providing quality services by being cooperative and constructive, and by making the best and most efficient use of available resources.
- III. Fair and considerate in the treatment of citizens and fellow employees, providing service with equality, and granting no special favors.
- IV. Committed to accomplishing all tasks in an efficient and cost effective way, and never performing in a way that will harm the image of the Town.
- V. Recognizing that public and political policy decisions are the responsibility of the Town Council, the people elected to represent the citizens and to set goals.
- VI. Dedicated to improving the lives of the citizens of the Town of Queen Creek.

Abiding by this Code of Ethics always requires hard work and the courage to make difficult choices. But we are all best served by doing what is right instead of what is easy.

POLICY STATEMENT

Subject: Employee Policy Administration

Revision Date: 1/5/2024

Policy Number: 1

Authorized Approval: Council/Gardner/Coffman

Effective Date: 4/1/2010

Purpose

The purpose of this policy is to provide guidance in the development and administration of all Town employee-related policies.

A. Introduction

It is the desire of the Town of Queen Creek to extend its services to its customers in the most efficient manner possible. The Town acknowledges that the well-being of its employees and a harmonious relationship between the Town and its employees is essential to maintaining total quality service delivery.

These Administrative Policies are a statement of expectations, adopted by the Mayor and Council of the Town of Queen Creek, through which the Town of Queen Creek defines employee benefits, employee responsibilities, obligations, and opportunities for professional growth. The Manual further defines how the policies will be carried out. Although employee advice is sought on employee-related policies, final decision-making and enforcement rights are entrusted to the Town Council and the Town Manager.

All employees need to familiarize themselves with this Manual as well as other pertinent policy and procedure manuals or statements issued by the Town. The Town will make reasonable efforts to notify employees of any changes made to these documents, but it is the employee's responsibility to follow current policies and procedures.

If any departmental policy or procedure is more restrictive than the requirement set forth in this document, the departmental policy will take precedence over the provision of this document; however, departmental procedures cannot contradict Town-wide policy.

This Manual is intended to comply with applicable state and federal law and to track changes in the law as it occurs. Any conflict between these policies and procedure and the applicable law, including any changes thereto, is inadvertent and the terms of the applicable law shall govern.

B. Purpose and Objectives of the Administrative Policies and Procedures Manual

These policies and procedures are designed to assist the Town employees in understanding the employee practices and benefits in effect at the Town of Queen Creek at the time of their adoption. They are not, however, intended to imply or express a contract, and the Town reserves the right to amend, change, or discontinue the practices and benefits described in these documents at any time.

The Manual sets administrative policy on such subjects as administrative organization, transportation and travel, records management, vehicle usage, control of forms, employee welfare and development, financial and purchasing procedures, property management, public relations and personnel administration.

The Town Manager may appoint and authorize other Town employees or officers to carry out the intent of these personnel policies. Departmental rules consistent with these policies may be issued subject to review and approval by the Town Manager.

The Town Manager is responsible for administration of the rules and regulations set forth herein. In order to establish uniform administration of these rules, the Town Manager is responsible for publishing a comprehensive administrative procedures manual, which serves as the official communication for implementing policy, establishing procedures, and issuing regulations, orders and announcements.

C. Adoption and Amendment of Policies

The Town Manager shall present to the Town Council, in the form of this Manual, policy statements to be adopted. Amendments and revisions may be proposed by the Town Manager and will be effective upon adoption of the Town Council. These rules shall govern the operation of the Town of Queen Creek human resource management system.

This Manual is not intended to create any contractual obligations, or a contract of employment. This Manual is designed to assist employees in understanding the personnel practices and benefits in effect in the Town of Queen Creek at the time of this printing. The Town reserves the right to amend, change, or discontinue the policies, practices, and benefits described in this Manual at any time without prior notice. For additional information regarding the policies contained in this Manual, contact the Human Resources Director.

D. Administration of Administrative Policies and Procedures Manual

The administration of these policies shall be the responsibility of the Town Manager, or designee. Specifically, the Town Manager is responsible for:

- a. Administering the provisions of these policies;
- b. Preparing amendments to these policies;
- c. Amending administrative procedures, as necessary;
- d. Recommending Town Manager-approved amendments to policy statements to the Town Council for their consideration; and,
- e. Notifying Town personnel of changes to any policy or administrative procedure.

All changes to Town of Queen Creek Policy Statements require legal review by a Town Attorney, review by the Town Manager, and Town Council approval prior to proposed changes taking effect. All changes to the Town of Queen Creek Administrative Procedures require legal review by a Town Attorney and approval by the Town Manager. The following chart further illustrates this distinction:

Town of Queen Creek Policy Statements	Town of Queen Creek Administrative Procedures
<ul style="list-style-type: none"> • Changes require review by Town Attorney and the Town Manager, and Town Council approval 	<ul style="list-style-type: none"> • Changes require review by Town Attorney and Town Manager approval
<ul style="list-style-type: none"> • Are direction-setting 	<ul style="list-style-type: none"> • Are task or action defining
<ul style="list-style-type: none"> • Establish general parameters for the Human Resources system 	<ul style="list-style-type: none"> • Give specific procedures for how Human Resources and Town Departments carry out the policies set forth by the Town Council
<ul style="list-style-type: none"> • General in nature 	<ul style="list-style-type: none"> • Specific in nature
<ul style="list-style-type: none"> • Provide philosophical direction and guidance to the organization 	<ul style="list-style-type: none"> • Establish actions that must be taken to support the philosophies established in policies
<ul style="list-style-type: none"> • Says “we believe this way” 	<ul style="list-style-type: none"> • Says “this is how we do it”

E. Directors’, Managers’ and Supervisors’ Responsibility

It is the Directors’, Managers’ and Supervisors’ responsibility to follow up and implement the administrative policies and procedures. Deviation from these policies or administrative procedures

without prior permission from the Town Manager will be grounds for discipline up to and including dismissal.

F. Department-specific Policies and/or Procedures

Departments may elect to develop and establish their own policies and/or procedures with regard to functions within that department; however, such policies and/or procedures may not conflict with accepted Town-wide policies and/or procedures. If a Department-specific policy and/or procedure is determined by the Town Manager and Town Attorney to conflict with any Town-wide policy and/or procedure, then the Town-wide rule will control.

POLICY STATEMENT

Subject: Position Classification, Merited Service, and At-Will Employment

Revision Date: 1/5/2024

Policy Number: 100

Authorized Approval: Council/Gardner/Coffman

Effective Date: 4/1/2010

Purpose

The purpose of the Classification Plan is to provide a complete inventory and job description of all Town positions. The Plan is designed to establish a salary range for each position that is based on a systematic blending of the position’s internal worth in the Town and the position’s external value in the market.

The Classification Plan shall be developed and maintained so that all positions substantially similar with respect to duties, responsibilities, authority and character of work are included within the same class. The plan shall be amended as the duties, responsibilities, and employment conditions change.

After initial adoption, the pay and classification plan shall be reviewed annually. The Plan may be amended as deemed necessary with approval of the Town Manager. The Town Council must approve expenditures related to updates as well as to the completed, amended pay and Classification Plan.

Policy

A. Position Classification

1. Preparation, Maintenance and Administration of the Classification Plan

The Human Resources Director, or designees, shall be responsible for maintenance and administration of the Classification Plan. This includes recommending the allocation of positions to the appropriate ranges, coordinating the updating of job descriptions, conducting wage and salary surveys and recommending salary structure changes and plan amendments.

The Human Resources Director or a person or agency employed for that purpose, shall prepare a pay and classification plan covering all positions in the Town service. In arriving at salary rates or ranges, consideration shall be given to the prevailing rates of pay, consideration of working conditions for comparable work in public and private employment, current costs of living, suggestions of Department Directors, the Town’s financial condition and policies, and to all other relevant factors.

a. Salary Structure

Periodic surveys of the market will be done to determine the Town’s relative position to the market. The Town Council will determine if a change to the structure is necessary

based upon the position they want the Town to be in compared to the market movement.

The Town will maintain a salary structure for full-time non-sworn, part-time, and sworn positions, excluding Elected Officials and the Town Manager.

b. Application of Rates

Employees occupying a position in the Town service shall be paid a salary or wage established for that position under the pay plan. A new employee shall start at the initial salary of the appropriate level unless the Human Resources Director and the Department Director and Town Manager, or designee, determine that qualified applicants are not available at the salary specified at the initial salary rate or that an applicant has special qualifications that justify a higher starting rate.

c. Salary Ranges

Each salary structure will have several salary ranges with defined minimum and maximum dollar limits. The range defines the pay opportunities for the position. Merit increases based on performance, allows employees to move through the salary range over a period of years.

i. Salary Range Adjustments

When it is determined that the salary range assigned to a particular classification is no longer appropriate due to changes in market conditions, or duties and responsibilities of the classification, Human Resources shall be notified by the Department Director through a memorandum and shall conduct a review of the range assigned to the particular class. If it is determined that the salary range assigned to the classification is either too high or too low, Human Resources shall make a recommendation for change to the Town Manager, or designee, and Department Director. If approved by the Town Manager, or designee, the classification shall be moved to the recommended pay range. If the change is to a lower range, the affected employees shall be moved to the appropriate class in the new salary range. If the change is to a higher range, appropriate adjustments shall be made for the affected employees. In no case shall an employee's pay exceed the maximum in the salary range assigned to the classification, except as may be approved by the Town Manager, or designee.

d. Class Specification

Every position will have a written class specification (job description) that describes its general purpose, essential functions, and minimum qualifications.

The class specification is not meant to be restrictive or all-inclusive, but describes the major functions of a job. It should be reviewed periodically and changed as necessary. A copy of each class specification will be signed by the employee and will be maintained by the Human Resources Department.

i. Interpretation of Class Specifications

The workings in class specifications are descriptive and not restrictive. They are not to be construed as declaring the only duties or responsibilities of any position.

ii. Training and Experience

The minimum qualifications included in the training and experience section of the class specification shall relate to the minimum reasonable standards of required experience and training. Examples include education, certification, licensing, or registration required at the time of original appointment to the position.

iii. Class Specification Titles

The official job title shall be used for the purpose of personnel actions and on all documents referencing the position.

e. Job Evaluation

Positions in the Town are placed in a salary range based on minimum qualifications, knowledge and education, experience, organizational control, human relations skills, budget responsibility, freedom to act, complexity and working conditions, internal equity, and market value.

f. Allocation of Positions

i. Classification of New Positions

The Human Resources Department shall maintain copies of current specifications for all classes of employment. The class specifications are descriptive only and are not to be restrictive in nature. They are intended to indicate the kinds of positions that should be allocated to the respective class as determined by their duties, responsibilities and qualification requirements.

When a Department Director desires to establish a new position, a written job description questionnaire containing the knowledge, skills and abilities required to do the position, as well as the essential functions of the position must be prepared and submitted to the Human Resources Director to conduct a classification analysis of the proposed position to determine the proper range. Requests for new positions may be based upon reorganization, new programs, significant program changes, or increased complexity. A classification review will be conducted after the new position is approved by the Town Council as a funded position.

ii. Reclassification of Existing Positions

Job reclassification occurs when an individual's job duties and responsibilities have changed materially. Reclassification shall not be used for the purpose of avoiding

restrictions concerning demotions and promotions.

Employees shall perform duties and be assigned responsibilities consistent with those outlined in the classification for the position to which they are assigned. A Department Director, Supervisor or an employee may request a job reclassification review if he/she believes that the position has substantially changed in depth, responsibility and/or accountability. If so, a written request for reclassification analysis should be sent through the chain of command to the Department Director.

Human Resources will determine if the position is properly classified, provided the position has not been reviewed within the previous twelve (12)-month period. Such requests must include detailed evidence supporting how the position has changed and how it is inconsistent with the classification specification. Human Resources shall submit recommendations to the Town Manager or designee, and the Department Director to reclassify the position to a more appropriate level, whether new or existing. Communication regarding results should not be shared with the employee until after Town Manager approval of the reclassification report.

Job reclassification will involve the assessment of the position, not the employee who occupies it. Overall workload isn't a factor in determining whether reclassification is justified. Reclassification involves reviewing the type and level of responsibilities and, evaluating the required knowledge, skills and abilities required to perform the job.

- The Department Director shall review the request and the supporting evidence submitted. If the Department Director does not concur, he/she should meet with the supervisor or employee and explain why they do not feel a reclassification is appropriate. If the Department Director agrees with the request, his/her approval of the requested reclassification analysis must include the rationale for the recommended action.
- The Human Resources Director, or designee, will review the reclassification request and corresponding documentation, and list pertinent facts in relation to the request. If the Human Resources Director, or designee, finds that the recommendation is sufficiently documented to support the reclassification, or denies the request, all parties affected shall receive a copy of Human Resources' decision.
- If a reclassification is not recommended by Human Resources, the request will go back to the requesting party for further consideration or withdrawal. If a reclassification is recommended by Human Resources, the request will be forwarded to the Town Manager, or designee, for final approval. The approved document will then be sent to the Finance Department to determine funding availability.
- The above steps should, when possible, be completed within sixty (60) calendar days of the request. In most cases, reclassification review requests will be reviewed in the order of receipt.

- An employee whose position is reclassified for a job having increased responsibilities or complexity of duties is eligible to remain in the position provided he/she meets the minimum qualifications for the new classification. The employee who does not qualify for the new classification may be required to attend further training to acquire the required knowledge, skills and abilities or may be removed from the position and may be transferred to a position within the employee's job skills.
- Employees reclassified to a higher pay grade shall receive an increase based upon the procedure approved by the Town Manager. Reclassified employees shall not be subject to a trial period. Employees reclassified to a lower pay grade will remain at their current salary level.

B. Merited Status Employment

Merited status includes all employees whose positions have been approved and budgeted by the Town Council and have not been included in the at-will service status. The merited service is designed to facilitate efficient and economical services to the public, and to provide for an equitable system of recruitment, classification, compensation, and disciplinary process.

1. It is the policy of the Town of Queen Creek that appointments, promotions and other employment decisions are based upon merit and ability, free of unlawful and political considerations.
2. Tenure of employees in the merited service is subject to satisfactory work performance, necessity for the performance of work, the availability of funds, or other appropriate reasons.

C. At-Will Status Employment

At-Will status employment means includes an employee who is subject to termination at any time with or without cause or notice (unless otherwise stated in a written contract of employment) and without procedural due process at the discretion of the Town. At-Will status includes employees that have not successfully completed their initial trial period and positions in which the Town has determined administrative necessity dictates that the positions be responsive and accountable to Town policy or are temporary and provisional in nature. Unless otherwise listed, at-will status employees are not subject to the Town's procedures governing trial service period (procedure 340), layoff (procedure 365), discipline (procedure 820), rights of appeal (procedure 830), recruitment and selection (procedure 310), and any internal options for filling positions (procedure 320), unless otherwise determined by the Town Manager.

At-Will status positions include:

1. Volunteers and personnel appointed to serve without pay;
2. All Town officers appointed by the Town Council, including:
 - a. Town Manager

- b. Town Clerk
 - c. Town Attorney
3. Staff positions as determined by the Town Manager (see procedure 110)
- a. The Town Manager has the authority to negotiate a written contract of employment with at-will status staff positions. This authorization includes the discretion to negotiate a severance agreement with an at-will status staff position within the contract for involuntary separation of service or resignation.
4. Temporary employees
- a. Temporary employment is limited in nature and does not normally exceed one-year of employment except under special circumstances with the approval of the Human Resources Director. Recruitment for temporary positions is subject to the recruitment and selection procedures (310) of this Manual.
 - b. Seasonal part-time positions.
5. Employees within their initial trial period (see procedure 340).

ADMINISTRATIVE PROCEDURE			
Subject:	At-Will Status Employment		
Revision Date:	1/5/2024	Procedure Number:	110
Authorized Approval:	Gardner/Coffman	Effective Date:	4/1/2017

Purpose

At-Will status employment includes an employee who is subject to termination at any time, with or without cause or notice (unless otherwise stated in a written contract of employment) at the discretion of the Town Council, Town Manager, or designee with the Town Manager’s approval, whichever is appropriate. At-Will status employment includes employees that have not successfully completed their trial period and employees in which the Town has determined that administrative necessity dictates that the positions be responsive and accountable to Town policy or are temporary and provisional in nature. Unless otherwise listed, at-will status employees are not subject to the Town’s procedures governing trial service period (procedure 340), layoff (procedure 365), discipline (procedure 820), rights of appeal (procedure 830), recruitment and selection (procedure 310), and any internal options for filling positions (procedure 320), unless otherwise determined by the Town Manager.

Policy Communication

The policy governing the Town’s At-Will Status Employment can be found in Policy #100.

Procedures

The Town’s At-Will Status Employment policy within this Manual provides the Town Manager authority to identify staff positions as “at-will”. The Town Manager has the authority to negotiate a written contract of employment with at-will status staff positions. This authorization includes the ability to negotiate a severance agreement with an at-will status staff position within the contract for involuntary separation of service or resignation.

Specific At-Will Status positions identified by the Town Manager include, but are not limited to:

- Assistant Town Manager
- Communications & Marketing Manager
- Department Director
- Deputy Department Director
- Deputy Fire Chief
- Digital Media Specialist
- Fire Chief
- Building Official
- HPEC General Manager
- Police Chief
- Police Commander
- Public Information Officer

- Management and Administrative Assistant Positions reporting to the Town Manager or Assistant Town Manager

Note that additional positions may be added based upon Town Manager approval.

Residency Requirement for Selected At-Will Positions

Town Manager, Town Clerk, and Assistant Town Manager shall be residents of Queen Creek within a time period after their appointment dates designated by the Town Council or the Town Manager, respectively, through their associated employment agreement. Department Directors who are not residents of Queen Creek shall reside within a reasonable distance of the town boundaries in order to respond as needed in a timely manner.

POLICY STATEMENT

Subject: Employee Compensation

Revision Date: 10/04/24

Policy Number: 200

Authorized Approval: Council/Gardner/Coffman

Effective Date: 4/1/2010

Purpose

The purpose of the compensation plan is to attract, retain and motivate employees through financial compensation commensurate with the employee’s ability, responsibility, and contribution toward the Town’s goals. This plan is designed to recognize and reward outstanding performance, achieve internal equity, and be externally competitive with market compensation.

Policy

A. Maintenance and Administration of the Compensation Plan

The Human Resources Director, or designees, shall be responsible for maintenance and administration of the Compensation Plan. This includes recommending to the Town Manager any amendments or market changes to the Plan. The Compensation Plan shall establish salary ranges, including a minimum and maximum pay rate and pay steps for an employee to progress through their range. The Town will conduct salary surveys and propose recommendations to the Town Council for market-based adjustments as needed to maintain a market competitive position. The Town will establish pay periods and pay dates.

The Town will strive to provide a total compensation package that is affordable, yet allows the Town the opportunity to attract qualified applicants and retain excellent performing employees. Total compensation includes base pay, certification pay, indirect pay (comprehensive benefits), career opportunities, and a positive culture in which to work.

B. Adjustments to Salary

Salary Range Adjustments

When it is determined that the salary range assigned to a particular classification is no longer appropriate due to changes in market conditions, or duties and responsibilities of the classification, Human Resources shall be notified by the Department Director and shall conduct a review of the range assigned to the particular class. If it is determined that the salary range assigned to the classification is either too high or too low, Human Resources shall make a recommendation for a change to the Town Manager. If approved by the Town Manager, the classification shall be moved to the recommended pay range. If the change is to a lower range, the affected employees shall be moved to the appropriate class in the new salary range. If the change is to a higher range, appropriate adjustments shall be made for the affected employees. In no case shall an employee’s pay exceed the maximum in the salary range assigned to the classification, except as may be approved by the Town Manager.

The overall amount allocated for all increases will be determined based on the Town's fiscal constraints and designated competitive position. No individual's salary should be increased beyond the maximum of their salary range.

1. Completion of Trial Employment Period (See Procedure 340 for details.)
2. Annual Merit Review

Annual merit increases for full-time and regular part-time employees may be in the form of a percentage increase, or be withheld or postponed, depending on job performance and budgeted funds.

- a. Performance Evaluation System

The Human Resources Director shall maintain a consistent performance evaluation system. It is designed to provide alignment between the Town's mission, vision, values, goals, strategic plan, and employee performance expectations. The purpose of the performance system is to improve communication about performance between an employee and their supervisor. Performance ratings are used to provide the basis for successful completion of trial employment and related increases, merit increases, promotions, professional development, training, and performance improvement plans.

The Performance Evaluation System fosters ongoing two-way communication between employees and supervisors; supports the development of clear, consistent, and measurable goals linked directly to the Town's mission and goals; helps to articulate and support training needs and professional development; and, establishes the criteria for making reward and recognition decisions. Performance indicators and goals are the cornerstone of the program. The accomplishment of goals provides the opportunity to recognize individual achievement and professional development.

Performance evaluation focuses on measuring an employee's job performance and is not an evaluation of the employee's personality. Work performance is evaluated on the basis of standards which have been communicated and discussed in advance. The supervisor and the employee work together to determine what changes are needed in order to improve how the employee performs his or her job.

To summarize, the Performance Evaluation System is designed to:

- Link the Town's mission, vision, values, strategic plan and goals to employee performance expectations.
- Strengthen communications between supervisors and employees.
- Encourage employee growth and development.
- Improve employee performance by providing positive constructive and developmental feedback.
- Provide data to document performance.

- b. Salary Increase

Salary merit increases shall be based on the performance level as indicated in the

Performance Evaluation form and budgeted funds. Salary increases will be given as a percentage increase within the range. Each year, the Town Manager, through the budget process, will recommend to Council the appropriate funding for the merit review program.

c. Salary Increase Withheld

In circumstances where the supervisor has determined an employee's performance unacceptable, the supervisor may recommend that an employee receive no salary increase or withhold a salary increase until a future performance review. Initiating a Performance Improvement Plan or progressive discipline will depend on the circumstances.

3. Promotion

When an employee is promoted to a position at a higher salary range, the employee shall receive a five percent (5%) increase or the minimum of the new range, whichever is greater. The Town Manager, or designee, shall have the authority to approve an additional increase, if appropriate.

4. Reclassification

The salary of an employee whose position is reclassified to a lower classification or whose job level is assigned to a lower salary range will be determined by the following procedures:

The employee will be placed within the lower salary range at a salary which is equal but not greater to his/her current rate of pay, or at an appropriate salary range as determined by the Town Manager.

When an employee's position is reclassified to a higher classification, or when a job classification is assigned to a higher salary range, the following procedures shall determine the affected employee's salary:

- In all cases, every affected employee shall be assigned to one of the job classes specified in the new salary range.
- In no case will an employee involuntarily receive a decrease in rate of pay as a result of his/her job classification being moved to a higher salary range.
- Employees assigned to a higher range that overlaps with their present range shall be placed in the higher range such that their pay shall be the same or greater.
- In most cases, affected employees shall retain their review dates for the purposes of performance evaluation and increases. The Town Manager, or designee, may approve a new evaluation date in special circumstances.

Employees reclassified to a classification with a higher pay grade shall receive a five percent (5%) salary rate increase when placed within the new pay grade or the minimum salary rate of the new pay grade, whichever is higher.

When an employee's position is reclassified to a lower salary range, the employees' current salary will not be decreased unless their salary is higher than the maximum of the new range. If the

employee's salary is above the maximum of the new range, the Department Director may recommend, and if the Town Manager, or designee, approves, the employee's salary will remain the same and will be frozen until the salary in the new range reaches the employee's salary level, based on market adjustments.

When an employee's position is reclassified to a position in the same pay range, no adjustment in salary will be made.

5. Transfer at Same Salary Range

When an employee is transferred from one position to another having the same salary range, the employee's pay shall remain the same.

6. Demotion for Non-Disciplinary or Disciplinary Reasons (see Procedure 320 for demotion procedures)

An employee who is being paid a salary higher than the entry level may be reduced in salary on the basis of unsatisfactory work performance or conduct. Such action shall require the specific recommendation of the employee's Department Director with approval of the Town Manager.

An employee may be returned to the former salary at such time as deemed appropriate by the Department Director and approved by the Town Manager.

If a salary reduction is ordered, a special review shall be performed at the time of the final action. The special review will specify the areas that need improvement.

7. Temporary Reassignment to Higher Classification (See Procedure 320 for "acting assignments" procedure)

Upon the recommendation of the Department Director and approval of the Town Manager, an employee may be assigned on a temporary basis to a higher classification than that normally covered by their job grade level. Such assignment shall be limited to a period of 6 months unless circumstances deem a longer period of time necessary with the approval of the Town Manager.

If the appointment is longer than two (2) consecutive pay periods, the employee shall be paid at a rate above his/her current pay step. In most cases, temporary re-assignment is limited to a five percent (5%) increase.

The Town Manager, or designee, has authority to approve an additional increase due to special circumstances.

If the appointment is to be for less than two (2) pay periods, the employee will remain at their original salary.

8. Comprehensive Market Review

When the salary structure is updated due to a comprehensive market review, all merit status employees who are below the proposed minimum of their salary ranges will be brought up to the

new minimum. If financially possible, all employees within the structure will be moved the same percentage as the structure, and remain at their respective place within the range to prevent compression.

9. Market Adjustment

The Town Manager may recommend to the Council each budget year a market adjustment. The overall amount allocated for a market adjustment, if any, will be determined based on the Town's determination of its fiscal constraints and designated competitive position. Market adjustments are applied to each salary range, and to the salary of each employee, except those employees that are above the maximum of the range and/or redlined. Whether to award a market adjustment on any given year shall at all times be within the discretion of the Town. As approved by the Town Council in February 2014, when evaluating a market adjustment, the Town Manager shall consider economic indicators for that evaluation, which Human Resources have identified as:

- Employment Cost Index for State and Local Government Workers
- Consumer Price Index for Western Region

10. Police-Sworn Mid-Year Market Adjustment

At a point after the fiscal year budget is adopted, the Human Resources Department will conduct a market study of the Town's Police-Sworn Compensation Plans against the Police-Sworn defined labor market comparisons. The purpose of the Police-Sworn mid-year market adjustment is to ensure the Town's competitive position within the local market of Police-Sworn comparisons is met in order to attract, retain and motivate Police-Sworn employees as the department continues to grow.

If the Town's Police-Sworn salary plan is below the 85th percentile of the defined labor market midpoint, or outside the top three salaries, the Town Manager can approve a salary plan adjustment to realign the Town's competitive position within the local market of police comparisons. If approved by the Town Manager, the mid-year adjustment will become effective the first pay date in January of that fiscal year.

Police-Sworn employees will maintain their annual step increase as scheduled.

This policy and its associated administrative procedures will expire June 30, 2028 if the goals of the policy have been met for the Town or if no other revisions to the policy have been made.

C. Rates of Pay

1. **Starting Salary.** Normally an employee will be appointed or reinstated at the minimum of the salary range for the job classification.
2. **Overtime Compensation.** Pursuant to the Fair Labor Standards Act (FLSA), except to the extent covered by the Compensatory Time Policy below, the Town will pay overtime to non-exempt employees (except Fire-Sworn employees working 24-hour shifts) who work in excess of forty (40) hours in their designated workweek.

- Employees eligible for overtime shall be compensated at a rate of one and one-half times their regular rate of pay.
- Positions which are exempt under FLSA will not receive overtime but may be given time off for extensive “after hours” work on special projects or under extenuating circumstances at the Town’s sole discretion, as approved by the Department Director.

All rules associated with overtime will be in accordance with the Fair Labor Standards Act, as amended by this Manual.

3. Compensatory Time

Compensatory time is time off work given by some public employers to non- exempt employees in lieu of overtime pay. Pursuant to the FLSA, the Town may provide compensatory time in lieu of overtime pay, at a rate of one and one-half hours for each hour of overtime worked, provided the employee and the immediate supervisor agree to the compensatory time accrual prior to the performance of the work.

The Town of Queen Creek does allow supervisors or Department Directors to grant and approve compensatory time for non-exempt employees. Employees working forty (40) hours per week may accrue up to 40 hours banked of compensatory time (150 hours for Police-Sworn working 40 hours per week). All compensatory time worked will be reported on the time sheet for the pay period during which the overtime was actually worked. Employees may use their compensatory time at their discretion pending approval by their supervisor. The Town may also require employees to accept cash payment instead of receiving compensatory time.

Prior to receiving any compensatory time for the first time, the employee shall execute a Memorandum of Understanding (MOU) and Acceptance (see Appendix). Acceptance of this compensatory time policy will be a condition of continued employment for employees executing the MOU. Newly hired employees shall be informed of this policy and will be required to execute a Memorandum of Understanding and Acceptance. Failure to do so will be grounds of non-hire.

Example 1: A non-exempt employee works Monday through Friday for 40 hours. However, the prior Saturday (the beginning of the workweek), the employee’s supervisor requested for the employee to work an event for 8 hours. Due to a very limited overtime budget, the supervisor approved 40 hours of straight time and 8 hours of compensatory time at one and one-half times (12 hours).

4. Holiday Compensation (See procedure 620)

5. Certification Incentive Program

A Certification Incentive Program may be established to recognize employees who expand their knowledge and skill sets in order to better serve the needs of the Town. Employees in positions requiring a certification (per the applicable official Town job description) may be eligible for certification pay when they complete additional job-related certifications not already required

for their current job. Departments will work with Human Resources to establish guidelines for the program in their department. The program must be approved by both the Department Director and the Human Resources Director.

6. Red Line Rates of Pay

Based upon classification studies, reclassification of a position or a voluntary demotion, the Town Manager may authorize “red line” rates of pay. A “red line” salary is in excess of the maximum rate of pay assigned to the position classification. No salary adjustments, including market, shall be in effect for an employee with a “red lined” salary. Employees who are red lined may be eligible for a lump sum (one-time) merit adjustment based on the employee’s performance.

7. Call Out Pay

The call-out procedure is established to provide for emergency situations where it is determined that additional assistance is required resulting in an employee being called into duty outside of their normal working hours, i.e., in response to an emergency, court duty, etc. Exempt employees are not eligible for call out pay.

If a non-exempt employee is called out to work under the circumstances previously mentioned, the employee will automatically receive credit for two (2) hours worked, regardless of the duration of the call-out. Once the employee works more than two (2) hours, the time paid will be the actual time worked. All time worked under the call-back policy shall be paid at time and a half (1 ½ times the regular rate of pay).

Refusal of an employee to respond to a call-back without good cause shall be cause for disciplinary action.

Example 1: A non-exempt employee worked a regular 40-hour week Monday- Friday. On Saturday morning, a fierce storm blows through Queen Creek. Some Town staff members are called back to work to help clean up the debris on local roads that is presenting a danger to drivers. The employee works for six (6) hours. The employee will receive six hours at 1½ times his regular rate of pay because the employee was called back.

Example 2: A part-time non-exempt employee has worked 20 hours this week Monday-Friday. On Saturday morning, a fierce storm blows through Queen Creek. Some Town staff members are called back to work to help clean up the debris on local roads that is presenting a danger to drivers. The employee works for six (6) hours. The employee will receive six hours at 1½ times the employee’s regular rate of pay because the employee was called back.

Example 3: A non-exempt employee worked a regular 40-hour week Monday- Friday. On Saturday morning, the employee is asked to make sure the Town Hall doors are secure. It takes the employee one (1) hour to check the doors. The employee will be paid for two (2) hours of work at 1½ times the employee’s regular rate of pay because the employee was called back.

8. Stand-By Duty

Non-exempt employees may be assigned to stand-by duty for before and after work hours, holidays, weekends or special events. Exempt employees are not eligible for stand-by duty pay.

a. Eligibility

Stand-by employees are required to be available by telephone or any other approved communication device the entire approved timeframe of stand-by duty. Stand-by employees must be able to be on site of their workplace within one hour of receiving notice. Employees on stand-by duty must refrain from consuming alcoholic beverages or using any intoxicant, including prescribed or over the counter substances that may impair one's ability to satisfactorily perform required job duties. To participate, eligible employees are required to have the appropriate skills, knowledge, and abilities as determined by Town management, to provide appropriate services satisfactorily.

b. Compensation

Employees who are assigned stand-by duty automatically receive \$2.21 per hour on stand-by, whether they are called out to the workplace or not. Employees on stand-by duty who are actually called out to work will be paid according to the Call-Out Duty policy, but will not affect the Stand-By Duty pay. Stand-By Duty pay does not apply during the employee's lunch during the scheduled shift. Stand-By Duty pay ends when the employee's regularly scheduled shift begins.

c. Scheduling

Stand-by duty shall be fairly distributed among all eligible employees. Stand-by schedules may be changed to meet the needs of the Town. If there are two or more participants within the same work group, the Director or supervisor shall evenly distribute stand-by assignments on a rotating basis. If a participating employee does not respond to a call for service within the one-hour timeframe, the employee will forfeit the stand-by pay for that shift and may be subject to disciplinary action upon review.

Example 1: A non-exempt employee normally works Monday – Friday, 8:00 a.m. – 5:00 p.m., with a one-hour lunch. The employee is scheduled to be on stand-by duty for Saturday and Sunday. As per the stand-by duty compensation, the employee will be eligible for 48 hours of compensation at \$2.00/hour (\$96.00 total).

Example 2: A non-exempt employee normally works Monday – Friday, 8:00 a.m. – 5:00 p.m., with a one-hour lunch (9 hours total). The employee is scheduled to be on stand-by duty all workweek which only includes the hours before and after work and all-day Saturday and Sunday. As per the stand-by duty compensation, the employee will be eligible for 123 hours of compensation at \$2.00/hour (\$246.00 total). The 123 hours is derived by taking the number of hours in a workweek ($7 \times 24 = 168$) and subtracting the employee's regular shift schedule, including lunch ($5 \times 9 = 45$): $168 - 45 = 123$. Note that the regular shift-hours, including lunch, are not considered for stand-by pay.

9. Shift Differential

The Town Manager or designee shall determine the employees that are eligible for shift-differential.

a. Eligibility

Shift-differential is paid to eligible, non-exempt full-time employees on a shift working outside of normal daytime working hours (7:00 or 8:00 a.m. to 5:00 or 6:00 p.m.).

A swing shift is a shift of eight (8) or more hours, which includes any regularly scheduled hours between 1:00 p.m. and 11:00 p.m. A graveyard shift is a shift of eight (8) or more hours, which includes any regularly scheduled hours between 9:00 p.m. and 7:00 a.m. Overtime seasonal employees will not be paid shift-differential.

Fire-Sworn and Non-Sworn EMS employees that work 24-hour shifts will not be eligible for shift-differential.

b. Compensation

Employees who are eligible to receive shift-differential will receive \$1.25/hour for every hour of the regular shift.

Non-exempt full-time Police employees who have hours worked that fall within the designate time period and have worked at least 8 hours during the designated time period will receive \$1.00/hour for every hour of a swing shift \$1.25/hour for every hour of a graveyard shift and \$0.75/hour for power swing shift.

Shift-differential does not apply during the employee's lunch break during the scheduled shift. Shift-differential is also not paid for hours worked over the regular shift when work is a continuation of the regular shift. Employees who are called back and perform work outside their regularly assigned shifts do not receive shift pay, but shall be compensated in accordance to call-out pay practices. Shift-differential is not paid to employees on paid or unpaid leave. Shift-differential pay shall be included in the calculation of overtime.

Example 1: A non-exempt employee normally works Monday – Thursday, 7:00 p.m. - 5:00 a.m., with a 30-minute lunch. As per shift-differential pay practices, the employee will be eligible for 38 hours of shift-differential pay at \$1.25/hour (\$47.50) for the week, in addition to her normal hourly rate.

Example 2: A non-exempt employee, normally works Monday – Thursday, 7:00 p.m. - 5:00 a.m., with a 30-minute lunch. However, the employee decided to take a vacation for the week. Because the employee is on paid leave, the employee is not eligible for shift-differential for that week.

10. Bilingual Pay

The Town of Queen Creek recognizes the importance of having bilingual employees to communicate with the residents and customers of the Town in order to meet their needs. There may be instances when the Town, as established by administrative procedures and subject to budgetary constraints, provides additional compensation to employees who have consistently demonstrated their skill and ability in speaking a language other than English or using sign language and are in positions that require significant interaction with the public.

11. Paramedic Pay

Fire-Sworn employees assigned as paramedics may receive paramedic pay. Employees classified as Firefighter, Fire Engineer, and/or Fire Captain receive paramedic pay as an addition to his/her hourly rate. Employees classified as Fire Battalion Chief receive paramedic pay as a stipend. Eligible employees must acquire and maintain all required certifications and complete any annual continuing education requirements.

12. Special Assignment Pay for Police Personnel

Designated positions within the Police Department on special assignment may be eligible to receive specialty pay, depending on the area of assignment.

13. Exceptional Performance Award

Requests for Exceptional Performance Award must be submitted by the Department Director to the Town Manager, or designee. The Town Manager, or designee, has the authority to award an employee who has performed exceptionally by granting the employee a discretionary bonus and/or a day off with pay.

14. Special Pay Increase

A special pay increase granted in recognition of outstanding, exceptional and meritorious service as recommended by the Department Director and approved by the Town Manager, or designee, within the limits of a pay range established for a position.

15. Vehicle Allowance

The Town provides a vehicle allowance to eligible staff positions based on job duties and responsibilities as determined by the Town Manager.

ADMINISTRATIVE PROCEDURE			
Subject: Employee Compensation			
Revision Date:	10/4/2024	Procedure Number:	210
Authorized Approval:	Gardner/Coffman	Effective Date:	4/1/2017

Purpose

The purpose of this procedure is to define how employee compensation will be established and managed.

Policy Communication

The policy establishing the Town’s direction related to Employee Compensation can be found in Policy #200.

Procedures

A. Trial Employment Period

At the conclusion of the initial trial employment period, a performance evaluation shall be conducted and a recommendation shall be forwarded to the Town Manager or designee, indicating that the employee should receive an increase, the increase withheld or postponed, or the employee dismissed, based on their level of performance and budgeted funds (see Procedure #340).

B. Promotion

The promotional increase should be effective on the first day of the pay period that the employee assumes the new position. When an employee is promoted to a position at a higher salary range, the employee shall receive a five percent (5%) increase and placed within the new range or the entry of the new range, whichever is greater. The Town Manager, or designee, shall have the authority to approve an additional increase, if appropriate.

For non-sworn, the newly promoted employee shall be required to complete a new six (6) month trial employment period in the new position. For Fire-Sworn and Police-Sworn, the newly promoted employee shall be required to complete a new twelve (12) month trial employment period in the new position. During the trial period, the employee’s performance in the new position is reviewed and evaluated. The employee’s Department Director/Supervisor will complete a written performance evaluation at the end of the trial period. At the end of the trial employment period, the promoted employee may be eligible for an increase, based on budgeted funds, for successful completion of the promotional trial employment period. Once the employee successfully completes the trial period, the employee’s performance review date will change to the date the trial period ends.

C. Transfer (Lateral)

For non-sworn employees and upon the Department Director’s recommendation, the newly transferred employee may be required to complete a new six (6) month trial employment period in the new position. During the trial period, the employee’s performance in the new position is reviewed and evaluated. The employee’s Department Director/Supervisor will complete a written performance evaluation at the end of the trial period. At the end of the trial employment period, the transferred employee may be eligible for an increase, based on budgeted funds, for successful completion of the transfer trial employment period. Once the employee successfully completes the trial period, the employee’s performance review date will change to the date the trial period ends.

D. Starting Salary Authorization

If a Department Director believes it is necessary to make an appointment or reinstatement above the starting salary rate, the Department Director, with Human Resources approval, may offer up to the midpoint of the range. An offer more than the midpoint of the salary range requires a written justification that must be submitted to the Town Manager, or designee. The memo should explain the exceptional qualifications or work experience, unusual skill level, or the market conditions or specific job duties that require compensation above the entry of the range and explain how funding for this recommendation will be available.

E. Overtime Compensation

For purposes of calculating overtime pay, float holiday leave and paid holidays shall not be considered time worked and shall be deducted from “hours worked” in the workweek. Vacation leave, jury duty leave, sick leave, volunteer leave, military leave, compensatory time and bereavement leave shall be counted as time worked for overtime purposes.

Overtime Calculation		
	Fair Labor Standards Act Requirements	Town Overtime Calculation Effective 10/4/2024
Actual Time Worked	Yes	Yes
Vacation Leave	No	Yes
Jury Duty Leave	No	Yes
Bereavement Leave	No	Yes
Military Leave	No	Yes
Volunteer Leave	No	Yes
Compensatory Time	No	Yes
Floating Holiday Leave	No	No
Paid Holidays	No	No
Sick Leave	No	Yes

It is the policy of the Town of Queen Creek to avoid the necessity for overtime when possible. Department Directors are responsible for the advance planning required to minimize the need for

overtime. Overtime work performed by non-exempt employees must be approved in advance by department management. It is the responsibility of the departments to communicate with employees regarding the required procedure for obtaining prior authorization for overtime work. The procedure may vary by department. If an employee works overtime without prior approval, in some cases the employee may be paid for the overtime or receive compensatory time in the pay period in which it was worked, but he/she shall be subject to disciplinary action. However, the Town reserves the right when it deems it appropriate, to refuse to pay unauthorized overtime.

Neither the FLSA nor Arizona law prevents the Town from requiring an employee to work overtime. Department management may schedule overtime work as required to meet the operational needs of the Town. While it is not the Town's intention or policy to require overtime work on a regular basis, it may occasionally be necessary for some non-exempt employees to work overtime in emergencies or other situations where Town operations and the public good require it. Exempt employees are expected to work whatever time is necessary to meet department needs and organizational service delivery demands.

For purposes of determining overtime status, floating holiday leave and paid holidays shall not count as time worked and therefore cannot cause an employee's payroll hours to exceed 40 in one week. Vacation leave, jury duty leave, sick leave, volunteer leave, military leave, compensatory time and bereavement leave, shall count as hours worked for overtime purposes. Payment for overtime will be made in the pay period in which it was worked. Departments must plan and budget for anticipated overtime payments when preparing annual budget requests. All overtime must be approved by a supervisor prior to working the paid overtime hours.

Examples:

Example 1: A non-exempt employee worked a regular 40-hour schedule plus two hours of overtime at his/her supervisor's request. The employee will be paid for 40 hours at the employee's regular hourly pay rate, and will be paid for two hours at time and one-half the employee's regular hourly pay rate.

Example 2: A non-exempt employee worked eight hours per day Monday through Friday. On Friday, the employee wanted to finish a project and worked ten (10) hours without a supervisor's approval. The employee will be paid forty (40) hours at the employee's regular hourly pay rate and be paid for the employee two (2) hours of overtime at time and one-half the employee's regular hourly pay rate. However, the employee may be subject to discipline from the employee's supervisor for working unauthorized overtime.

The Town has adopted a 3-shift, 56-hour average workweek for the Town Fire and Medical Department. Under Section 207(k) of the Fair Labor Standards Act, employees engaged in fire protection activities are entitled to one and one-half times their regular rate of pay if they work excess hours beyond the adopted work period. In addition, section 207(k) also indicates that any assignment pays, such as paramedic and hazardous duty pay, must be included in the calculation of overtime. The Town has determined to adopt a 14 consecutive day work period for Fair Labor Standards Act (FLSA) purposes. For payroll purposes, Fire-Sworn employees working the assigned A, B, or C shifts, the work period to determine work hours will be 14 days beginning at 7:15 am Saturday and ends 7:14 am the second Saturday the following week. As per FLSA, during this timeframe, the Town will be responsible in paying overtime at time and a half (1.5) after 106

regular hours worked during the two-week time period. Overtime is also paid on the paramedic stipend for those assigned as paramedics. Consistent with 40-hour employees, vacation leave, sick leave, jury duty leave, military leave, compensatory time, and bereavement leave will be considered as time worked for overtime purposes for Fire and Medical Department employees working 24-hour shifts. Floating holiday leave and paid holidays will not be considered as time worked.

Emergency call outs or emergency work activities must be documented within forty—eight (48) hours after completion of the work so that overtime and/or call out compensation may be recorded. If overtime activities are a regular or periodic part of an employee's work schedule, then a supervisor may provide advanced approval to an employee for this overtime.

F. Compensatory Time

Compensatory time shall be limited as much as possible. The maximum accrual for compensatory time shall be 40 hours (150 hours for Police-Sworn working 10-hour shifts) banked. An employee must complete a Memorandum of Understanding and Acceptance of Compensatory Time form prior to having any overtime hours put into a compensatory bank. An employee must also obtain advance approval from their immediate supervisor to schedule use of compensatory time off.

Example 1: If an employee worked forty six (46) hours in one (1) week, or six (6) hours of overtime, nine (9) hours of compensatory time off may be granted in lieu of overtime pay.

Upon promotion or transfer to another department, the employee must be paid out the entire balance of their compensatory time account before moving to their new department. Upon promotion to an exempt position, the employee must be paid out the entire balance of their compensatory time account before moving to the new exempt position. Additionally, upon termination, the employee shall be compensated on their final paycheck for the entire balance of their compensatory time.

The Town Manager may temporarily suspend the accrual of compensatory time at any time, with or without notice.

G. Pay Periods and Pay Dates

Employees will receive their paychecks on a bi-weekly basis. The pay period shall start on Saturday, 12:00 a.m. and end on Friday, at 11:59 p.m. on alternate weeks. Paychecks will be issued no later than the Thursday following the pay period end date.

ADMINISTRATIVE PROCEDURE			
Subject: Payroll			
Revision Date:	1/5/2024	Procedure Number:	220
Authorized Approval	Gardner/Coffman	Effective Date:	4/1/2017

Purpose

The purpose of this procedure is to define how payroll will be established and managed.

Policy Communication

The policy establishing the Town’s direction related to Payroll can be found in Policy #200.

Procedures

The Town of Queen Creek conforms to all terms of the Fair Labor Standards Act (also known as the Federal Wage and Hour Law) with any amendments listed below. The Town of Queen Creek’s payroll is bi-weekly, starting on Saturday and ending 14 days after on Friday. The Town processes payroll in-house using Munis. In addition, the Town uses web-based applications that allow employees to track, view and update Payroll and Human Resources information.

A. Payment of Wages

All staff members receive paychecks no later than every other Thursday, based on time records reflecting hours worked in a 14-day pay period which begins on a Saturday and ends on the second Friday. Payroll processing begins no later than 10:00 a.m. Monday of payday week and checks are distributed no later than Thursday mornings.

B. Approving Time

Employee’s time must be submitted via timekeeping software by the last day of the pay period (Friday). All employees have access to their timesheet online 24/7. Supervisors will have until Monday morning at 10:00am to approve staff time. It is not the responsibility of Payroll, Management Support Technicians, or supervisors to submit time for employees. Employees MUST submit their own time. Supervisor will verify that all time is correct and submit the employee’s time to Payroll prior to the 10:00am deadline. It is not Payroll’s responsibility to contact employees in regard to errors on their time sheets. Payroll will send out a payroll approval reminder every Monday of the payroll week. Payroll recommends employees to enter hours daily or no later than the end of each week. Any unapproved and/or missing time for any employee will not be processed through the regular payroll cycle and may result in delays to the employee’s paycheck.

C. Planned or Unscheduled Absences

If an employee is scheduling a planned time out of the office (ex: vacation, floating holiday, seminar

etc.), or the absence is unscheduled (ex: illness), and is unable to approve their time, it is the employee's responsibility to coordinate with their supervisor to get their time submitted.

D. Tracking Time

All time for employees is tracked by the timekeeping software. All hours for **Non-Exempt** staff are to be manually entered by each employee either daily or weekly. This includes all hours worked as well as any additional hours tied to the employee profile (i.e. stand by, call-out, shift differential, etc.) Hours are then submitted to the supervisor for approval no later than the last day of the pay period (Friday). **Exempt** employees are set up to be paid their regular salary each week. The only entry that will need to be done in the timekeeping software for exempt employees is for exceptions. These hours are to be entered and submitted to the supervisor for approval no later than the last day of the pay period.

E. Corrections

If an employee was paid incorrectly due to the employee's failure to notify their supervisor of the correction in a timely manner, the adjustment/hours will be corrected on the next pay period. If an employee was paid incorrectly due to a system error, Payroll will process a manual check to correct the adjustments/hours. If an employee was not paid at all due to the employee not submitting time by the deadline, Payroll will process a manual check for the employee.

F. Payroll Responsibilities

The payroll office is responsible for administering the Town's Payroll program in a professional and timely manner within applicable legal guidelines and providing timely and accurate processing of payroll for the employees of the Town.

G. Employee Responsibilities

It is extremely important that the employee regularly reviews his/her paycheck to ensure he/she is receiving the correct earnings and deductions, including other relevant information (i.e. correct address, tax deductions, etc.). Incorrect deductions will be corrected at the point of discovery and may require retro-active adjustments from the employee or the Town, depending upon the circumstance, and to rectify the error.

H. Deductions

This section describes the general types of deductions from employee payroll which are authorized. Some deductions are mandatory and some are voluntary. The approval for any deduction from payroll which is not legally required must be approved by Human Resources. Categories of deductions are as follows:

1. Mandatory

Federal and State laws require that employers withhold taxes from wages and salaries. Employees are subject to Federal Income Tax, Arizona State Income tax, local income taxes, Social Security deductions and, if eligible, ASRS and/or PSPRS retirement plan contributions.

Deductions are made by the payroll office based on information furnished by the employee on the federal tax form (W-4) and the Arizona state income tax form (A-4).

Employees have the responsibility to keep the payroll office advised of changes in tax exemptions, marital status, and home address. Employees are able to make changes to their federal tax exemptions, marital status and home address in the ESS system.

2. Garnishments and Other Court Ordered Deductions

Garnishments and other mandatory deductions such as child support, etc., authorized by a court order, federal or state tax levy or other legal entity will be withheld from an employee's after tax wages according to the written instructions accompanying the garnishment order.

3. Voluntary Payroll Deductions

Employees may voluntarily elect payroll deductions for a variety of services such as United Way or other Town-approved charitable fundraising programs, Flexible Spending Account, Health Savings Account, union dues, checking and savings accounts. All such programs will be approved by the Human Resources Department.

Participation to Town group health insurance is optional. However, when participation is elected, insurance premium contributions from employees must be made by payroll deduction.

Certain voluntary deductions will not be made from the third paycheck in months with three paydays.

4. Deductions from Exempt Employee Pay

The Town prohibits improper pay deductions from the salaries of its exempt employees. Exempt employees regularly receive their salary for each pay period, which amount is not subject to reduction because of variations in the quality or quantity of the work performed.

Subject to exceptions established by law (including without limitation full days' absence for certain personal reasons or sickness; certain disciplinary suspensions and penalties); exempt employees of the Town shall receive the full salary for any week in which the employee performs any work, without regard to the number of days or hour worked. Without limiting the generality of the foregoing, deductions from the salaries of exempt employees shall not be made for absences occasioned by the employer or by the operating requirements of the Town. Exempt employees shall not be paid for any workweek in which they did not perform any work at all unless substituted by approved leave programs.

a. Complaint Procedure Regarding Deductions from Pay

If an exempt employee believes that his/her pay has been improperly reduced, the employee should describe the situation in writing and submit the written complaint to both the employee's immediate supervisor and Human Resources. The supervisor and Human

Resources shall review the complaint and shall reimburse employees for any improper deductions.

ADMINISTRATIVE PROCEDURE			
Subject: Service Awards			
Revision Date:	1/5/2024	Procedure Number:	235
Authorized Approval	Gardner/Coffman	Effective Date:	4/1/2017

Purpose

The Town strives to recognize its employees who have demonstrated loyalty to the organization by celebrating their achievements. This procedure provides guidance for length of service awards for those employees who reach a milestone of five years and for each five-year increment thereafter up to thirty (30) years.

Policy Communication

The policy establishing the Town’s direction related to Employee Compensation can be found in Policy #200.

Procedures

Any full-time employee who completes an incremental five-year length of service is to be recognized with a Service Award Certificate and a monetary award based upon the number of years served. There are awards for 5, 10, 15, 20, 25 and 30 years of service. The amount of the award increases in amount as the recognized years of service are reached and is to be grossed up so the employee receives the following net amount:

Years of Service	Net Amount
5 Years	\$125.00
10 Years	\$250.00
15 Years	\$375.00
20 Years	\$500.00
25 Years	\$625.00
30 Years	\$750.00

An employee who began employment on a part-time status and later became full-time will have their part-time period of employment count towards their length of service. The award will be processed as a separate direct deposit or physical check, depending on whether the employee has direct deposit set up, during the pay period of their service anniversary date. Full-time employees will be awarded one day of vacation time, based on the number of hours the employee would work on a normal workday, to their vacation accrual on that pay date stub. Fire-Sworn and Non-Sworn EMS will be awarded 11.2 hours of vacation leave to their vacation accrual on that pay date stub.

Employees will be recognized at the quarterly All-Staff meeting closest to their anniversary date. Employees will be recognized by their name and number of service years.

ADMINISTRATIVE PROCEDURE			
Subject: Bilingual Pay			
Revision Date:	10/4/2024	Procedure Number:	240
Authorized Approval:	Gardner/Coffman	Effective Date:	4/1/2017

Purpose

The purpose of this procedure is to define how an employee in a position that requires significant interaction with the public using American Sign Language and/or a language other than English may receive bilingual pay.

Policy Communication

The policy establishing the Town’s direction related to Bilingual Pay can be found in Policy #200.

Procedures

The Town of Queen Creek recognizes the importance of having bilingual employees to communicate with the residents and customers of the Town in order to meet their needs. Further, the Town believes that it is appropriate to compensate employees, based on Town business necessity, who have demonstrated their knowledge, skill and ability in using American sign language or speaking a non-English language.

Definitions

Bilingual – The ability to speak, read and write two languages fluently. For the purposes of this procedure, English must be one of the two languages.

Periodic customer contact – Approved positions should have contact either internally or externally where their bilingual skills are required and be available to translate outside their regular position as requested. Typically, periodic contact would be at least two (2) times per month. The need should be identified on the bilingual pay request form and approved by the Department Director. Employees are not required to document each contact.

A. Eligibility

Eligible employees must receive authorization from their Department Director and successfully complete a required proficiency examination for their position. A Bilingual Pay Request Form must be completed prior to the proficiency exam, which includes approval by the employee’s supervisor and Department Director. The Human Resources Director, or designee, may request the department and/or employee provide further information, deny the request due to lack of significant interaction, and/or approve the request to proceed with a proficiency examination for certification.

Employees must successfully pass the proficiency examination with a minimum passing score of 66.67% (passing at the “Advanced minus” level). Candidates for sign language bilingual compensation must pass the requirements established by the Arizona Commission for the Deaf and Hard of Hearing as defined by the Intermediate High and above levels. Employees who participate in the program may be required to be recertified at the discretion of Human Resources or the employee’s department. Employees who do not successfully pass the recertification examination will be removed from the program and their bilingual pay will be discontinued. Employees must wait 90 days before retesting and a new Bilingual Pay Request form must be completed.

The Town will pay for the initial examination as well as one (1) retake for the examination if the candidate does not pass the initial examination.

Employees on extended paid or unpaid leave will not be paid bilingual pay. Compensation will be discontinued once an employee’s participation is no longer authorized by the Department Director; the employee has voluntarily withdrawn from the program; and/or, the employee has been transferred, demoted, promoted, or accepted a position which no longer requires significant interaction with the public in a language other than English or sign language.

Employees who participate in the program must be available on a regular basis and may be required to be available for standby and/or call out situations during non-working hours. Eligible employees may be required to provide bilingual services across Town departments.

B. Compensation

The Town Manager will recommend a budget amount to be allocated to each departmental budget to support approved requests for bilingual pay and for any commensurate testing costs. The amount may be adjusted (including elimination) each year to reflect budgetary constraints and the level of employee participation in the program. The need for testing in additional languages other than Spanish will be evaluated each year.

ADMINISTRATIVE PROCEDURE			
Subject: Police-Sworn Mid-Year Market Adjustment			
Revision Date:	1/5/2024	Procedure Number:	250
Authorized Approval:	Gardner/Coffman	Effective Date:	4/1/2010

Purpose

The purpose of this procedure is to define how the calculation of the Police-Sworn employee compensation and salary adjustments will be determined and managed over the next five years to attract and retain Police-Sworn employees.

Policy Communication

The policy established the Town’s direction related to Police-Sworn mid-year adjustments can be found in Policy #200.

Definitions

Police-Sworn: Employees in established sworn positions within the Police Department include the following positions: Police Officer, Sergeant, Lieutenant, Commander, Assistant Chief, and Chief.

Police Defined Labor Market Comparisons: Local Arizona municipalities with established Police Departments will be reviewed as comparisons for terms of this procedure. Municipalities that will be reviewed for comparison are City of Apache Junction, City of Avondale, City of Buckeye, City of Chandler, Town of Gilbert, City of Goodyear, City of Mesa, City of Peoria, City of Scottsdale, City of Surprise, and City of Tempe.

Procedure

While the Police Department continues to grow over the next five years, the Town will maintain a competitive position that is within the 85th percentile of the midpoint or within the top three ranks of the market comparisons, whichever is higher. The process to determine salary plan adjustments will occur as follows:

1. **Annual Market Adjustment** – Each fiscal year, the Town Manager may recommend to the Council each budget year a market adjustment that, if approved by the Council, will take effect at the beginning of the following fiscal year.
2. **Mid-Year Market Adjustment** – At a point after the fiscal year budget is adopted, Human Resources will analyze the Town’s current Police-Sworn Compensation Plan against the Police market comparison cities and towns. If the Town’s Police-Sworn Compensation Plan is below the 85th midpoint percentile or outside the top three salaries, an adjustment recommendation will be recommended to Council for a mid-year adjustment. A mid-year adjustment will become effective the first pay date in January of that fiscal year.
3. **Calculation** – The calculation of the 85th percentile will analyze the placement of the Town’s Police-Sworn salary ranges against the newly adopted salary ranges of the Town’s market comparison cities and towns. The calculation is to be conducted as follows:

- a. List the Police market comparison cities' and towns' minimum, midpoint, and maximum for each police rank. Order the listing based on the midpoint from highest to lowest.
- b. Calculate the 85th percentile market midpoint by using the “=PERCENTILE.INC” formula in Microsoft Excel.
- c. Rank the 85th percentile market midpoint rate to determine the placement within the comparison cities and towns. If placement is within the top three, but not higher than the top, the Town will recommend the associated 85th percentile target rate percent increase to the salary range. If the 85th percentile midpoint rate does not place the Town within the top three, an adjustment may be made to place the Town just above the 3rd place city or town.

Police-Sworn employees will maintain their annual step increase as scheduled.

This administrative procedure will expire June 30, 2028 if the goals of the policy have been met for the Police Department or if no other revisions to the policy have been made.

POLICY STATEMENT

Subject: Employment

Revision Date: 10/4/2024

Policy Number: 300

Authorized Approval: Council/Gardner/Coffman

Effective Date: 4/1/2010

Purpose

The purpose of this policy is to establish guidelines for recruiting, selecting, and retaining qualified personnel for Town jobs. This policy will address the issues of recruitment, maintenance of employee records, trial employment periods, retirement, and layoffs. It is the policy of the Town Council that all recruitment and selection decisions for Town employment are based on merit.

Policy

A. Equal Opportunity Employment

It is the policy of the Town of Queen Creek to assure equal employment opportunity to all qualified persons based solely on an individual's ability to perform the essential functions of a job (subject to any ADA considerations), based on merit and regardless of their membership in any protected classification. It is the intent and the desire of the Town that equal employment opportunity will be provided in all aspects of the employer-employee relationship including, but not limited to: recruitment, hiring, promotions, layoff, termination, demotions, transfers, training, rates of pay, fringe benefits, use of facilities, and other terms, conditions and privileges of employment. The Town's equal employment policy applies to all employment activities. It is the Town's intention to:

1. Recruit, hire and promote for all job classifications without regard to membership in any protected class (i.e., race, color, national origin, religion, age, disability, veteran status, or any other protected categories);
2. Make employment decisions based upon the principles of equal employment opportunities;
3. Not compel an applicant or employee to endorse any statement that provides preferential treatment to or discriminating against any individual as a condition of hire, promotion or transfer.
4. Ensure that promotion, transfer, and demotion decisions are in accordance with principles of equal employment opportunities;
5. Not require nor support any affirmative action policies or practices;

6. Ensure that all other human resource actions such as compensation, benefits, transfers, terminations, Town-sponsored training, and educational tuition assistance are administered without regard to membership in any protected class (i.e., race, color, national origin, religion, age, disability, veteran status or any other protected categories) (see Policy #500); and,
7. Provide equal employment opportunity to those who are disabled, provided they can carry out the essential functions of the position for which they will be hired or to which they will be promoted or transferred; or that reasonable accommodation can be made to allow the employee to perform essential job functions.

Any complaint of alleged discrimination should be reported to the Supervisor, the Human Resources Director, and/or the Department Director, or the Town Manager for appropriate investigation and action. (See Procedure #710)

B. Recruitment and Merit- Based Selection Process

The purpose of the recruitment and merit-based selection process for the Town is to ensure and describe a clear and fair process with maximum flexibility. The process ensures that all position vacancies are filled with qualified, competent individuals who are well suited to perform in the position for which they apply to meet the needs of the Town of Queen Creek. Preferred skills, abilities, experience, performance, and organizational fit will all factor into the hiring decision. The Human Resources Department in cooperation with Department Directors, or designee, will coordinate recruiting efforts.

Based upon a recommendation from the Department Director, Human Resources will determine whether a vacant position will be posted internal only or internal/external at the same time. If a vacant position will be announced and posted internally, it will be posted for a maximum of five (5) business days, unless the Department Director obtains approval from the Town Manager or designee to do otherwise. External postings will continue as long as deemed necessary to obtain a pool of qualified applicants, but will be posted for a period of time spanning a minimum over two weekends.

Recruitment publicity shall be carried out through all appropriate media for a reasonable period of time to assure sufficient opportunity for the labor market to apply and be considered for employment on the basis of abilities and potential. Recruitment shall be carried out on a wide enough scale to assure an adequate number of applicants for consideration.

C. Personnel Files

The Human Resources Department will prepare and maintain a personnel file for each employee of the Town. The personnel file will represent a record of an individual's employment with the Town, and may include, but is not limited to, the following: application(s), contracts or agreements, disciplinary actions, performance evaluations, payroll change forms, and personnel-related correspondence.

Each employee personnel file of the Town will be treated as confidential and the contents thereof disclosed only on an as needed basis. Personnel files shall be protected from access by persons

other than the Town Manager, Human Resources personnel, the Town Attorney, the employee's Department Director and supervisor, and the employee or the employee's ~~has~~ authorized representative.

Employees have the right to review their individual personnel files upon written request to the Human Resources Department.

D. Trial Employment Period

Although there is no guarantee of employment for any specific length of time, the first six (6) months from the date of hire of a full-time employee serves as the initial trial employment period. For regular part-time, Police-Sworn and Fire-Sworn, the initial trial employment period is for one (1) year.

During this initial trial period, the Town reserves the right to "employ-at-will". The employee or the employer may terminate the employment relationship at any time with or without notice. The trial period may be extended for up to an additional 90 days at the request of the Department Director, and upon approval of the Town Manager. Employees in their initial trial employment period do not have access to the appeal process or other dismissal rights laid out in the Town policies or administrative procedures.

Upon satisfactory completion of the initial trial employment period, the employee becomes a merit status employee. Regardless of status or duration of employment, all employees must meet and maintain Town standards for job performance and behavior.

E. Retirement

The Town provides a retirement plan to eligible Town employees to help provide income during their retirement years. All eligible Town employees must participate in the Arizona State Retirement System (ASRS), except Police-Sworn and Fire-Sworn. Police-Sworn and Fire-Sworn employees must participate in the Public Safety Personnel Retirement System (PSPRS), unless previously retired in which required participation in ASRS may be necessary.

F. Layoff

The Town Manager, for reasons that may include a shortage of funds, the curtailment of work, or a material change in job duties, may institute a reduction in force/lay off procedure through the abolition of positions as set forth in the approved procedure.

G. Contracts and Employment Agreements

Certain positions such as Town Manager, Town Clerk and Town Attorney are at-will and serve at the discretion of the Mayor and Council on a contractual basis that details benefits offered but does not specify a guaranteed length of employment. The Town Council authorizes the Town Manager to enter into employment agreements with at-will status staff positions (see Procedure #110) to establish levels of compensation, fringe benefits, and other matters affecting their employment. Specifications provided in these employment contracts shall prevail over the provisions of the Human Resources Policies and Administrative Procedures to the extent the

provisions are inconsistent.

H. Benefits

The Town offers benefits such as medical insurance, dental insurance, vision insurance, life insurance, and retirement plans to its employees. The Town complies with all applicable laws relating to medical insurance coverage and eligibility. Regular employees working at least an average of 30 hours per week or an average of at least 130 hours per month are eligible for medical insurance coverage. Specific detail on these programs can be obtained from Human Resources. The Town reserves the right to modify or discontinue any benefits at any time and for any reason, including without limitation the financial needs of the Town.

I. Volunteers

The achievement of the Town of Queen Creek's goals is best accomplished through active community involvement. For this reason, the Town of Queen Creek promotes and encourages volunteers at all levels and in all appropriate events and programs. Employees are encouraged to assist in the development of meaningful and productive roles in which volunteers can serve the community. Volunteers contribute their unique talents, skills and knowledge in their service to the Town of Queen Creek, and support functions that promote the Town's rich heritage, offerings, and vision.

J. Independent Contractors

At times, the Town may be required to hire self-employed workers which are independent contractors. These individuals work for themselves, controlling the job and the performance of the work completed. Independent contractors provide knowledge, experience, and the labor needed to complete a job. Taxes and benefits become the responsibility of the independent contractor.

An independent contractor is a worker who performs services for the Town, but is not under the Town's direct control. In hiring an independent contractor, the Town generally has the right to direct the result of the work, but not the means and methods by which the independent contractor achieves the result. Examples may include lawyers, contractors, and consultants who follow an independent trade, business or profession in which they offer their services to the Town, and who are not employees. However, whether these people are employees or independent contractors depends on the facts and circumstances in each case.

To assist in determining whether someone should be designated as an employee or an independent contractor, the department has an option to fill out an IRS SS-8 form which will allow the Internal Revenue Service (IRS) an opportunity to give a written determination.

ADMINISTRATIVE PROCEDURE			
Subject: Recruitment of Town Staff			
Revision Date:	10/4/2024	Procedure Number:	310
Authorized Approval:	Gardner/Coffman	Effective Date:	4/1/2017

Purpose

The purpose of this procedure is to describe the process for recruiting to fill open positions. The filling of all vacancies will be made with the objective of obtaining individuals who are qualified and best suited to perform in the positions for which they have applied.

Policy Communication

The policy establishing the Town’s direction related to Recruitment of Town Staff can be found in Policy #300.

Procedures

A. Requests to Recruit

When a vacancy exists or is anticipated for an existing position, the Department Director or hiring Supervisor shall submit a recruitment request to the Human Resources Department. The request is initiated by completing a new-hire recruitment requisition through the recruitment software program.

B. Posting of Job Announcements

For internal recruitments, the Human Resources Department shall post the position on the Town’s website under internal opportunities and email employees the job vacancy. The Human Resources Department shall also email notices of vacancies to Town employees and post positions being advertised externally on the Town website. In addition, in order to attract diverse, qualified applicants, information on position vacancies may be sent to various recruitment sources including, but not limited to: community recruitment sources, appropriate publications, and internet sites.

Job announcements shall indicate that the Town is an “Equal Opportunity Employer” and that reasonable accommodation will be made for applicants as required by the Americans with Disabilities Act Amendments Act of 2008.

C. Recruitment Process

Open competitive positions (external recruitments) shall be available by application to the public. Closed promotional/lateral positions (internal recruitments) shall be open for application only to Town employees who meet the requirements set forth in the promotional/lateral vacancy

announcements. Based on the Department Director's recommendation, the Human Resources Director, or designee, shall determine whether a position shall be filled by any of the following processes:

- Selection off a layoff eligibility list of former employees;
- Internal recruitment;
- Selection off of an established eligibility or re-employment list; and/or,
- Open competitive (external) recruitment.

1. Recruitment Scope and Time Periods

All recruitments will be evaluated whether to open first to internal candidates for a minimum of five (5) working days. The Department Director shall work with Human Resources in determining whether to open the position first internally based on the availability of a qualified pool of internal candidates.

At the conclusion of the internal recruitment, the department may decide it is in the best interest of the Town to also advertise the position externally. With Town Manager or designee approval, the department may begin an external recruitment. When recruiting for a position externally, the internal applicants/candidates meeting minimum qualifications will be considered with external candidates.

Town employee eligibility: upon satisfactory completion of the trial employment period, the employee becomes a merited status employee. Merited status employees who meet the job requirements, except as may be approved by the Town Manager, are eligible for internal recruitment opportunities (employees that are still on their initial trial employment period are not eligible to apply for internal recruitments).

a. Internal applicants/candidates

While internal Town candidates are welcome to apply for open positions, Town employees possessing the minimum qualifications are not guaranteed an interview or appointment to open positions.

Applications for an external vacancy shall be accepted as long as deemed necessary to obtain a pool of qualified applicants and will be posted for a period of time spanning a minimum over two weekends, up to and including the final day the position is open per the job announcement. Based upon the needs of the Town, the Town Manager or designee may approve to shorten the recruitment period. At times, the department, with Human Resources approval, may determine to open a position until the needs of the Town are met.

- b. If the hiring department does not believe there are a sufficient number of qualified applications received for an opening, they may request the position remain open and it may be re-advertised.

- c. When a position has been opened externally, internal candidates, including those that are on their initial trial employment period, may apply for the position up to and including the final day the position is open.

2. Establishment of Eligibility Lists

Qualified applicants who apply for a position but are not selected may be placed on an eligibility list for the position they applied for and/or for another related position within the Town. The related position must be in the same or lower pay range than the position for which the candidate applied. *Example: The Management Support Technician eligibility list may be used to fill a Management Support Assistant position, but not vice versa.* Candidates placed on an eligibility list for a position may be eligible to be interviewed for that position or a related position at a lower pay range, should it become available, without having to reapply. The list will be kept on file in the Human Resources Department for one (1) year from the date the position closed, unless the department requests an extension. Based upon the Department Director's request, Human Resources may extend the expiration of the eligibility list for an additional six months (Fire-Sworn positions may be extended an additional 12 months).

Merit status employees, who have resigned in accordance with all Town Administrative Policies and Procedures and is eligible for re-hire, may be placed on a re-employment list for one year after resignation (*see Procedure #370*).

D. Application Forms

1. Application Forms

All internal and/or external applicants must apply for a vacancy in writing by submitting a Town approved application form through the recruitment software. All applicants may apply for more than one advertised position simultaneously by completing an application for each available position.

2. Receipt of Applications

Completed applications must be received by the Human Resources Department by the closing date and time listed on the job announcement. Incomplete applications and applications received after the designated closing date will not be considered for that position.

3. Unsolicited Applications and Resumes

Applications will only be accepted for open positions that have been advertised during the recruitment period. Resumes may be attached to the application, but it will not substitute for the application. Unsolicited applications and resumes will be kept on file in accordance with the State's records and retention guidelines, but will not be referred to or accepted in lieu of the Town application for positions as they open. The Town will not respond in writing to unsolicited applications and/or resumes.

4. Maintenance of Applications

The Human Resources Department will maintain applications submitted for open positions and will be kept in accordance with the State's records and retention guidelines.

E. Screening of Applicants

The Human Resources Department shall refer all minimally qualified applications to the appropriate Department Director or designee for review. Non-qualifying and/or incomplete applications will remain on file in the Human Resources Department and will not be considered in the recruitment process. Incomplete applications will not be qualified for further consideration.

1. Minimum Qualifications

Applicants for appointment, promotion, or transfer to positions must possess the minimum qualifications stated in the job announcement. The determination as to whether a person meets the specified qualifications set for the position shall be made by the Human Resources Director, or designee. A review of the applicant's employment application, academic credentials, work experience, certifications, skills, examination results if required, and any other pertinent information shall be used in determining whether an applicant possesses the minimum qualifications.

2. Preferred Qualifications

Departments may choose to establish additional qualifications that they prefer a candidate possess. For example, the Department may give preference to candidates with additional education or related experience. Candidates who possess both the minimum and preferred qualifications may be given greater consideration for the position than candidates who only meet the minimum qualifications. Preferred qualifications will be noted in the job postings.

Veterans do not typically receive special preference for internal or external open, competitive positions. However, the Town will consider veteran preference points for firefighter recruitment and testing process. Proper documentation may be needed to verify veteran preference points.

3. Assessments

Assessments to evaluate qualifications of applicants may be conducted by Human Resources, the Department Director, or by persons as properly designated.

1. Written, oral, or practical skills assessments and any other relevant exercises may be required to determine whether an applicant meets the qualifications for a position. Exercises shall consist of selection techniques which fairly assess the qualifications of the candidates, such as but not limited to achievement and aptitude assessments, personal interviews, performance exercises, evaluation of daily work performance, work samples, presentations, or any combination of these or other assessments.
2. The hiring supervisor shall determine the type of assessment necessary after consulting with the Department Director. Departments will work with Human Resources to ensure that all assessments are legal and defensible. Another government agency or a private

company may supply and/or administer an assessment.

3. The department should ensure that all assessment materials are confidential and are handled and maintained only by personnel having authorized access to the material.
4. An interview panel must be used in the interview process. Interview panel guidelines include:
 1. The interview panel will be composed of at least three (3) people. When an internal candidate is being interviewed, every effort will be made to include a panel member from an external agency. If these efforts are not met, a panel member from a different department with no previous knowledge of the internal candidate will be selected.
 2. Under certain circumstances, it is only necessary to have a Human Resources representative present during the initial and the wrap up discussion of the interview. Conditions are as follows:
 1. There are no internal candidates,
 2. The position is entry-level and/or the position with a high volume of recruitments, or
 3. The hiring supervisor has completed in-house training of hiring/interview skills for supervisors.It is Human Resources' discretion to override these conditions as necessary.
 3. The hiring Supervisor or designee shall be the chairperson for the Panel. The chairperson will work with a Human Resources representative to approve an appropriate set of interview questions.
 4. All members of the Panel must be present at all interviews. If a member is absent from any interview, that member is disqualified from participation in the evaluation and any recommendation for the final candidate.
 5. The Panel shall perform in an advisory capacity to the Department Director or designee hiring Supervisor. The Panel members shall refer the top applicants to the Department Director or designee for a hiring recommendation or for an additional interview, if necessary. The Department Director or designee may conduct any additional screening deemed appropriate before making a selection decision.
 6. Once a decision about filling the position is made, Human Resources will conduct the professional and academic reference checks provided by the top candidates for the position, including verification of prior work experience.

F. Candidate Travel Expenses

The Town may pay travel expenses incurred by prospective employees for interviewing purposes with advance approval of the Town Manager or designee. Such expenses may include travel, lodging, meals, or other predefined expenses incurred in the process of attending the interview.

G. Offer of Employment

All offers of employment will be made exclusively by the Human Resources Department. The Human Resources Department will notify Department Directors, hiring Supervisors or designees as

soon as a reporting date has been arranged.

Appointments to vacant positions in the Town service shall be made in accordance with these personnel rules. Appointments and promotions shall be based on merit. Qualifying employees shall consist of selection techniques, which will assess fairly the qualifications of candidates through personal interviews, performance, work samples or any combination of these or other assessments.

All appointments shall be made under the direction of the Town Manager, upon the recommendation of the Department Director, except for those positions filled through appointment by the Town Council (Town Manager, Town Clerk, and Town Attorney).

1. Appointments for Full-time, Budgeted Positions

With all new appointments and promotions, the Department Director shall recommend to the Town Manager or designee that an applicant be hired. The Human Resources Department will prepare a letter offering employment to the applicant.

The Town's practice is to hire new employees at the beginning of the salary range. The Department Director has authority to approve up to the salary range midpoint. If the Department Director would like to recommend a higher salary and/or enhanced benefit package, the Department Director must prepare a detailed memorandum to the Human Resources Director explaining why such a request is justified, and receive approval from the Town Manager prior to discussion with the applicant and the creation of the offer letter. If approval is given, the offer of employment will be extended to the applicant. The offer letter will include the specified benefit or salary enhancements.

2. Appointments for Department Director, Assistant Town Manager, and Deputy Town Manager Positions

The Town Manager reserves the right to appoint candidates to fill the Department Director, Assistant Town Manager, and Deputy Town Manager positions. The Town Manager shall announce to the Mayor and Council of each such appointment at the regular Council meeting following such an appointment. These positions shall serve at-will and at the discretion of the Town Manager.

3. Reorganizational Appointments

The Town Manager reserves the right to reorganize the organizational structure and change jobs, titles and responsibilities for the good of the organization and to better serve the needs of the Town.

4. Appointments for Temporary Positions

Full-time and part-time merit status positions should be requested and justified in the budget process rather than requesting a temporary position. If temporary employment is requested, it is generally for a one-year period.

Once an applicant is selected, the Department Director shall recommend to the Town Manager

or designee that the applicant be hired. The Human Resources Department will prepare a letter offering temporary employment to the applicant for the Town Manager or designee's approval. The offer will indicate that temporary employment will conclude on or before the end of the current fiscal year. If the position is still needed at that time, a supplemental request justifying the continued need for the position shall be submitted through the budget process. If approved, a change of status form indicating the Department's wish to retain the temporary employee must be submitted to the Town Manager or designee for approval.

H. Temporary Employees Hired Through Third Party Agencies

In instances when a Department wishes to contract temporary employment through a third-party agency, the Department Director must prepare a memorandum for the Town Manager or designee explaining why such a request is justified, how it will be funded, and length of service needed, and receive approval from the Town Manager or designee prior to contracting the service. Human Resources will assist the Department in coordinating the employment contract with all third-party agencies.

I. Background Investigations and Pre-Employment Drug Tests

The Town will conduct a background investigation on all employees and volunteers. A pre-employment controlled substance drug and alcohol test will be administered on all candidates who accept an offer of employment in safety-sensitive functions as determined by the Human Resources Director. All offers of employment are conditional upon an applicant's successful completion of a background investigation and, if applicable, a pre-employment controlled substance drug and alcohol test.

1. All background investigations will include a criminal history check, motor vehicle record check, and employment verifications, and when necessary for the position, could also include any of the following: physical evaluation, Office of the Inspector General (OIG) List of Excluded Individuals/Entities screening and/or credit history check.
2. Pre-employment controlled substance drug and alcohol tests will be administered at a facility designated by the Town for all candidates within a safety sensitive position. The candidate must undergo a pre-employment controlled substance drug and alcohol test within 24 hours of receiving the authorization form or the offer of employment will be rescinded.

ADMINISTRATIVE PROCEDURE			
Subject: Internal Options for Filling Positions			
Revision Date:	1/5/2024	Procedure Number:	320
Authorized Approval:	Gardner/Coffman	Effective Date:	4/1/2017

Purpose

The purpose of this procedure is to identify the internal options available for filling positions.

Policy Communication

The policy establishing the Town’s direction related to Internal Options for Filling Positions can be found in Policy #300.

Procedures

The internal recruitment policy intends to give internal applicants full consideration. However, it does not give them hiring preference. Interested Town employees meeting the minimum qualifications will be considered for vacant positions but are not guaranteed an interview or appointment to an open position. Preferred skills, abilities, relevant experience, and performance will all factor into the hiring decision. Town employees who express interest in posted positions, but do not possess the minimum qualifications, will be encouraged to participate in the Town of Queen Creek’s training and educational program as budget allows to develop and prepare themselves for future opportunities.

Department Directors have flexibility in filling job vacancies, however, in coordination and consultation with Human Resources, Directors must ensure that all employment decisions are made on the basis of merit, within budget constraints, and must follow Town policy and State and Federal laws prohibiting discrimination in hiring and employment. To initiate recruitment, the hiring Supervisor must follow established Human Resources procedures outlined in Procedure #310.

Internal candidates can move to open positions or gain additional responsibilities within the Town by the following methods: (1) Promotion; (2) Transfer/Lateral; (3) Demotion; (4) Acting Assignments; (5) Recall; or (6) Temporary Assignments. Each method is characterized by how the position is budgeted for by the Town and by the rights the incumbent in the position may be afforded. All positions will be classified as merited, at-will, temporary, or reserve/volunteer, and will be considered either full-time or part-time.

The effective date of all personnel changes to vacant positions shall be at the beginning of the pay period in which the change is to take place, whenever possible.

Reclassification is a change in an individual position by raising the position to a higher class, reducing to a lower class or by moving to another class at the same level on the basis of significant changes in the kind, difficulty, or responsibility of the work performed in such a position. The job reclassification process is outlined in Policy #100. Reclassification shall not be used for the purpose of avoiding

restrictions concerning demotions and promotions.

A. Promotion

Promotion occurs whenever an employee from a position in one class moves to a position in another class having a higher salary range within the Town. Promotion is not an automatic occurrence at the Town of Queen Creek. The mere number of years of service to the Town is not a guarantee of promotion.

If, in the opinion of the Department Director, a vacancy is best filled through the open-competitive process based on Town Manager or designee approval, the Human Resources Director shall proceed to develop an original employment list or use an existing list according to Procedure #310.

B. Transfer/Lateral

Transfer occurs whenever an employee is moved to another position of equal pay. This includes Town employees who desire to transfer from one position (Management Support Technician in Finance) with the same job title to another position (Management Support Technician in Public Works) with the same job title. When a position is open and the recruitment process begins, such employees shall apply for transfer, using the regular Town application provided by the Human Resources Department. The process for filling an open position internally is described in Procedure #310.

In all cases of employment with the Town, the Town reserves the right to transfer or reassign any employee at any time with or without cause or notice.

No person shall be transferred to a position for which he or she does not possess the minimum qualifications to perform. Upon notice to the Human Resources Director, the Department Director with the approval of the Town Manager, or designee, may transfer an employee at any time from one position to another position in a comparable class. For transfer purposes, a comparable class is one with the same salary range, including the performance of similar duties and substantially the same basic qualifications.

If two (2) or more merited status employees request the same vacant position, the Human Resources Director may require examination in the same manner as promotional vacancies, subject to the above provisions. The Town Manager or designee may reject any transfer or may order a transfer to be accomplished.

C. Demotion

Demotion occurs whenever an employee is moved to a position with a lower grade level. Demotion may be used because of reorganization, discontinuation of a position, inability to properly perform assigned work, a disciplinary sanction, or a voluntary demotion. An employee may request in writing a voluntary demotion for any reason. Such a demotion shall require the approval of the employee's Department Director, Human Resources Director and Town Manager, or designee. Based upon the request, the Town Manager, or designee, may require a pay rate reduction in conjunction with a voluntary demotion.

D. Acting Assignments

The Town Manager, or designee, may authorize an employee to serve in an “acting” assignment for special projects or to fill in for a higher position on a temporary basis. Such appointment shall be for a stated period typically not exceeding one (1) year.

For performing all of the essential functions of the position being filled:

1. Non-exempt Positions

Non-exempt employees who serve in an acting assignment for longer than two (2) consecutive pay periods shall receive a five (5) percent increase in pay, or the minimum of the new pay grade, whichever is greater for the duration of the assignment. The employee will maintain the non-exempt status if the employee continues to perform their non-exempt job functions while filling in for an exempt status job. If the employee is no longer performing the non-exempt job functions of their position and is performing only the exempt job functions, the employee will be considered exempt for the duration of the acting assignment. The Town Manager, or designee, may approve more than a five (5%) percent increase in pay.

2. Exempt Positions

Exempt employees who serve in an acting assignment for longer than two (2) consecutive pay periods shall receive a five (5) percent increase in pay or the minimum of the new pay grade, whichever is greater for the duration of the assignment. The Town Manager, or designee, may approve more than a five (5%) increase in pay.

Once the assignment is completed, the employee shall revert back to his/her original salary.

E. Recall/Re-employment

In filling an open position, a merit status, good standing employee who separated from Town service (through no fault of their own), and who has been recommended for re-employment, will be considered for employment for which they are qualified.

With the approval of the Town Manager, or designee, a merit status employee who has resigned in accordance with all personnel rules and is eligible for re-hire may be placed on the reemployment list and may be re-employed within one year of the effective date of resignation to a vacant position in the same class. Employees hired from the re-employment lists shall, for all purposes, be considered as though they are new hires except as may be provided in this policy. Employees on the re-employment do not have any rights to their former position which is vacant or a vacant position in the same class. Employees on the re-employment list may be required to apply for an open recruitment as provided in this policy.

ADMINISTRATIVE PROCEDURE

Subject: Anniversary and Performance Review Dates

Revision Date: 1/5/2024

Procedure Number: 330

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of these procedures is to establish the accounting of service for employees.

Policy Communication

The policy establishing the Town’s direction related to Anniversary and Performance Review Dates can be found in Policy #300.

Procedures

A. Anniversary Date

1. Use of Anniversary Date

The anniversary date shall be the date the employee is placed in their original position and shall be used as the date to determine years of service.

The employee’s anniversary date will remain the same with any reclassification, promotion, demotion or transfer.

2. Use of Performance Review Date

A performance review date is the date the employee completes his/her trial employment period as a new employee. The employee’s performance review date may change with a promotion, reclassification, demotion, or transfer based upon the Town Manager or designee approval of a new trial employment period in conjunction with any of these changes. Once the trial employment period is completed, future performance evaluations would occur on that date.

ADMINISTRATIVE PROCEDURE			
Subject: Retirement			
Revision Date:	1/5/2024	Procedure Number:	335
Authorized Approval:	Gardner/Coffman	Effective Date:	4/1/2017

Purpose

The Town provides a retirement plan to eligible Town employees to help provide income during their retirement years.

Policy Communication

The Town’s policy establishing the Town’s direction related to Retirement can be found in Policy #300.

Procedure

All eligible Town employees are required to participate in the Arizona State Retirement System (ASRS), except eligible Fire-Sworn and Police-Sworn employees who participate in the Public Safety Personnel Retirement System (PSPRS). Once the employee meets eligibility of their respective retirement system, he or she remains eligible until the termination of employment or move to a position in which the employee becomes ineligible.

The ASRS and PSPRS are cost-sharing, public employee, tax qualified, defined benefit plans. For ASRS, both the employee and employer contribute to the member’s retirement as an equal percentage of compensation. The appropriate percentage for ASRS contributions may change each fiscal year based on actuarial evaluation. For PSPRS, both the employee and employer contribute to the member’s retirement plan as well; however, the employee’s percentage is set by statute whereas the employer’s percentage may change year to year based on actuarial evaluations. As defined benefit plans, both the ASRS and PSPRS compute retirement benefits based on, but not limited to, age, average monthly compensation and/or service credit.

The Town complies with all applicable State laws and regulations regarding hiring ASRS and PSPRS retirees including payment of Alternate Contribution Rate (ACR).

ADMINISTRATIVE PROCEDURE			
Subject: Trial Employment Period			
Revision Date:	1/5/2024	Procedure Number:	340
Authorized Approval:	Gardner/Coffman	Effective Date:	4/1/2017

Purpose

The purpose of this procedure is to establish a trial employment period to be served by each newly hired, transferred, demoted or promoted employee. This procedure will also establish how trial periods may be adjusted.

Policy Communication

The policy establishing the Town’s direction related to Trial Employment Period can be found in Policy #300.

Procedures

Every employee, except at-will, shall work satisfactorily for a trial period (often called a probationary period) in order to satisfy the requirements for employment in the employee’s assigned classification. The trial period is designed to permit both the employee and the Town an opportunity to realistically assess the employee’s performance in the new position. It also allows the employee an opportunity to develop their knowledge, skills and abilities from an entry level to a higher performance level and focus the department director’s/supervisor’s attention on the need to provide appropriate mentoring, training and assistance to help the employee be successful. An employee on his/her initial trial employment period is not eligible for internal recruitments.

A. Duration

All full-time, new-hires, promoted employees, and employer initiated demotions shall be subject to a trial period for a minimum of six (6) months. For part-time regular, Police-Sworn and Fire-Sworn new-hire employees, the trial period shall be a minimum of one year. The trial period may be extended for one ninety (90) day period at the request of the Department Director, and upon approval of the Town Manager, or designee.

A transferred or voluntarily demoted employee may have a six -month trial period based upon the newly assigned Department Director’s recommendation.

Any interruption of service during the trial period may not be counted as part of such period, except as outlined for FMLA and military leave. An interruption of service is defined as a period of 21 or more consecutive calendar days. An employee’s trial period will be extended for the total number of days of the interruption of service. Employees in their initial trial period may not use their vacation accruals.

B. Prior to Completion of Trial Period

Prior to the completion of an employee's trial period, the Department Director, with input from the immediate supervisor, must recommend one of the following actions through the Performance Evaluation process:

1. Merit Status Appointment

Recommend that the employee in his/her initial trial period be appointed to Merit Status and receive a post-trial employment period increase as budget allows. Such recommendation shall be based upon the employee consistently meeting work performance and standards as documented on the Performance Evaluation form. Employees that have been involuntarily demoted (employer initiated) will not be eligible for a pay increase upon the completion of the trial period.

2. Reassignment, Demotion, Transfer, or Termination of Employment

Recommend that the employee's services be reassigned, demoted, transferred, or dismissed. In the case of a promoted employee, the employee may be returned to the previous classification or position, if available. If a position is not available, the employee will be dismissed.

3. Extension of Trial Employment Period

Recommend an extension of an employee's trial employment period due to performance, disciplinary or other related reasons for a specified time not to exceed an additional ninety (90) calendar days. The employee shall be notified of the reason for the extension through the Performance Evaluation process. A completed Performance Evaluation form and decision on the employee's status shall be required at the end of the extension of the trial employment period.

4. Appeal Rights

An employee in his/her initial trial period is considered at-will and is not eligible to use the Town's appeal or disciplinary appeal processes. A Merit Status employee shall refer to the discipline procedure #820.

ADMINISTRATIVE PROCEDURE			
Subject: Background and Reference Checks			
Revision Date:	10/4/2024	Procedure Number:	350
Authorized Approval:	Gardner/Coffman	Effective Date:	4/1/2017

Purpose

The purpose of this procedure is to communicate the process for checking the necessary background information of candidates for Town of Queen Creek employment. This information is collected as a means of protecting the current and future employees, residents, property, and information of Queen Creek.

Policy Communication

The policy establishing the Town’s direction related to Background and Reference Checks can be found in Policy #300.

Procedures

A. Reference, Employment and Academic Checks

After being selected as a top ranked candidate, the references listed on the prospective employee’s application form will be contacted regarding past employment, education, job-related accomplishments, etc. Under normal circumstances, the Human Resources Director or designee shall contact at least three (3) professional references to ensure employability. The findings from these reference checks will be documented prior to recommending the applicant for hire. Depending on the position, the Human Resources Director, or designee, shall verify related degrees and/or certifications from academic institutions within the first two weeks of employment.

Recordkeeping: The Human Resources Director, or designee, will ensure that all information gathered during the reference and background check procedure is kept confidential. Only approved human resources employees employed by Queen Creek will have access to these records. These records will be kept according to the Arizona State Library and Public Records retention schedule on file with the Town.

B. Criminal History Record

Each new adult volunteer and each new appointment to regular and temporary Town employment status will be contingent upon the Town’s review of the criminal history record provided by the third party background screening firm or any other agent engaged by the Town. This will require that each new regular or temporary and adult volunteer employee submit to being fingerprinted according to the established Town procedures.

Authorized Human Resources staff that may possibly come in contact with criminal history information will be given access to view/handle any and all criminal history information. Results of

the criminal history information will be used for the specific purpose for which it is requested (employment purposes only) and will only be accessible to the Human Resources office. Authorized personnel may discuss the contents of the criminal history record with the applicant and/or employee; however, Human Resources will ensure that no copies of the criminal history information are to be made (applicant and employees may not have a copy of the criminal history report). If the criminal history information is used to disqualify an applicant, or terminate the employment of an employee, the Town shall provide the applicant/employee "Pre-Adverse Notice", a copy of the report, and a copy of the document *A Summary of Your Rights under the Fair Credit Reporting Act*, and any applicable state law notices, in order to provide the applicant the opportunity to complete, or challenge the accuracy of, the information contained in the report. The Town will provide the applicant or employee a reasonable amount of time to review the report and contact the third-party vendor to dispute any information the applicant believes to be inaccurate or incomplete. Finally, if the applicant does not file a dispute (or based on the results of a disputed investigation), and the Town takes adverse action, it will provide the applicant with a "Final Adverse Action Notice". Care will be taken to prevent an intercept of criminal history communication, whether verbal, written, or electronic. At no time shall criminal history information be emailed or faxed. Criminal history cannot be further disseminated to any other agency or individual unless required by law.

Misuse of criminal history information by authorized personnel will be subject to disciplinary action up to and including dismissal.

Although it is possible to be disqualified from hire, in accordance with federal laws and Equal Employment Opportunity Commission (EEOC) guidelines, a previous conviction does not automatically disqualify an applicant from employment with the Town. Depending on a range of factors including, but not limited to, the nature of the conviction, the time that has passed since conviction, and the type of job sought, the applicant might still be employable in certain positions.

If an applicant falsifies or withholds information regarding previous criminal history, the applicant may be disqualified from consideration for any position within the Town.

Current employees are required to report no later than the beginning of the first workday following a conviction, received deferred adjudication, or entering a guilty plea or nolo contendere for any felony or class 'A' misdemeanor to Human Resources. Failure to do so will lead to discipline up to and including dismissal.

C. Medical Examination

For those positions that require medical screening to obtain certification to perform the job, employment status will be contingent upon successful completion of a post-offer medical examination at the Town's sole cost and by a physician selected by the Town. These records will be kept in confidential personnel files and will include only health information that is necessary to establish employees' fitness to perform the jobs for which they have been selected without endangering the health and safety of themselves or to demonstrate specific certification-related health criteria.

D. Substance Abuse Screening

Employment status for a prospective new hire employee in a safety sensitive function of the Town shall be contingent upon submitting to and successfully passing tests to determine the presence of, alcohol,

controlled substances, or drugs in their system, as described in Administrative Procedure #1020. If the substance abuse screening results in a confirmed positive test, then the applicant may not be selected for the position. Applicants who refuse to consent to substance screening or who attempt to tamper with the screening sample shall not be eligible for Town employment. Substance screening shall be at the Town's sole cost and conducted in accordance with Administrative Procedure #1020.

E. Credit Checks

Employees who are in financially sensitive positions may be required to authorize the Town to perform a check of their credit history by the Town. The Human Resources Director, or designee, will review the results of the credit check and this information is kept confidential. All credit checks will comply with all applicable federal and state laws regarding the collection, storage, use and disposal of information including the Fair Credit Reporting Act and the Fair and Accurate Credit Transactions Act.

The Town will provide notice to the applicant that this information may be used for decisions about his/her employment. The notice will be separate from the application document and include a stand-alone written consent form. Applicants have the right to access their consumer report information and are notified of this right prior to the credit check.

F. Requirements for Motor Vehicle Use

A driver's license check shall be conducted on all applicants who will be in a position requiring the operation of a motor vehicle, and annually on all employees required to maintain a valid Arizona driver's license. A copy of an employee's current driver's license shall be given to Human Resources for record purposes. An applicant who does not possess a valid Arizona driver's license and is required to drive a Town vehicle or conduct Town business in a personal vehicle on Town time will need to obtain a valid Arizona driver's license by his/her first day of employment. A new employee possessing an out-of-state driver's license is required by state law to obtain an Arizona driver license immediately upon becoming employed in Arizona.

1. Suspension/Loss of License

A current employee will be excluded from driving a Town vehicle or conducting Town business in a personal car if the employee loses his/her Arizona driver's license for any reason. This includes, but is not limited to, revocation or suspension by the Arizona Department of Motor Vehicles.

Applicants who have applied for a position that requires them to drive on Town business will not be considered for that position if they have a felony conviction involving a motor vehicle within the last three (3) years.

An employee with a felony conviction involving a motor vehicle within the last three (3) years shall not be allowed to drive for the Town in any capacity, and may be subject to discipline up to and including dismissal.

Any employee who is required to drive for the Town on a regular, intermittent, or occasional basis to conduct Town business and who receives:

a. Notice that license to drive has been suspended or revoked.

b. Notice of citation for Driving While under the Influence, Extreme Driving While under the Influence, Driving under the Influence of Drugs, or other citation of similar severity, must report this to the Department Director or designee and Human Resources no later than the beginning of the first workday following receipt of the notice of suspension, revocation, restriction, or knowledge of expiration, or citation- failure to do so will result in disciplinary action, up to and including dismissal.

If, at the sole determination of the department, an alternate position is available, an employee who properly reports may be reassigned temporarily to a non-driving position. The employee may be given up to ninety (90) days to reacquire his/her license with or without restrictions. If, at the sole determination of the Department Director or designee, no alternate position is available, the employee may be dismissed.

2. OIG List of Excluded Individuals/Entities (LEIE) Screening

In order to accept reimbursement through Federal programs (Medicare, Medicaid, Tricare, etc.) the Town of Queen Creek must ensure that its employees, volunteers and contractors involved directly and indirectly in the EMS Transport Reimbursement Program care and/or practices are not listed on the OIG LEIE. When necessary for the position, the Town will:

- screen all prospective employees and volunteer members;
- screen all applicable existing employees and members on a monthly basis; and
- remove any excluded employees and volunteers from any role that requires them to provide care that is either directly or indirectly reimbursed through a federal health program.

G. Exception to this Procedure

The employee may be subject to disciplinary action up to and including dismissal for any single or multiple numbers of events relating to this procedure at the sole determination by the Department Director or the Town Manager, or designee, based upon the following:

- a. The type, level and sensitivity of the position held by the employee.
- b. The level of, and specifics of, the offense.
- c. The employee poses an undue risk or exposure to the Town

ADMINISTRATIVE PROCEDURE			
Subject: Resignation			
Revision Date:	1/5/2024	Procedure Number:	360
Authorized Approval:	Gardner/Coffman	Effective Date:	4/1/2017

Purpose

The purpose of this procedure is to define the process employees are expected to use when they decide to resign from Town employment.

Policy Communication

The procedure establishing the Town’s direction related to Resignation can be found in Policy #300.

Procedure

A. Resignation

Any employee may resign from Town service by presenting their resignation in writing to his/her Supervisor. To resign in good standing, the Town requests that an employee file with his or her Department Director, a written resignation at least two (2) weeks before leaving. In the case of extenuating circumstances, the Supervisor may agree to permit a shorter period of notice. Resignations shall be promptly forwarded to the Human Resources Department within one working day of receipt.

B. Resignation Procedures

1. An employee should present a resignation, in writing, to the immediate Supervisor, indicating his or her intention to resign, and indicating the effective date of the resignation. The Town reserves the right to accelerate the effective date of resignation if it so chooses.
2. The immediate Supervisor shall forward the original resignation to the Human Resources Department and a copy to the Department Director.
3. The Human Resources Department shall prepare the necessary Payroll Change Form to remove the employee from the Town payroll and the immediate Supervisor or designee shall instruct the resigning employee to schedule an exit interview with Human Resources.
4. The resigning employee shall make arrangements with Payroll regarding disbursement of the final paycheck .
5. Human Resources will schedule an exit interview with the resigning employee. The exit interview is to determine the reasons for separation, and solicit employee suggestions on improving Town operations, policies and procedures.

Additionally, during the exit interview, Human Resources will coordinate with the employee the return of all Town property, including, without limitation, keys to Town facilities, vehicles and office furniture; credit cards; Town identification access card; and, other Town equipment (computer equipment, modems, cellular telephone, two-way radio, tools, etc.) uniforms and any other materials identified as Town property. The resigning employee will be provided information about the continuation of medical benefits (acceptance or rejection of the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA)) and the status of other employee benefits. The employee will be requested to update his or her forwarding address. The resigning employee will also be provided information on what to do with their ASRS/PSPRS funds after resignation from the Town of Queen Creek.

C. Notice regarding Terms and Conditions of Employment

Employees are encouraged to communicate to the Town whenever they believe working conditions may become intolerable and may cause them to resign. An employee may be required to notify an appropriate representative of the Town in writing that a working condition exists that the employee believes is intolerable, that will compel the employee to resign or that constitutes a constructive discharge.

The Town requires fifteen (15) day notice of such claim. An employee may be entitled to paid or unpaid leave of absence of up to fifteen calendar days while waiting for the Town to respond to the employee's written communication about the employee's working condition.

D. The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA)

Pursuant to the COBRA, all terminating employees and their dependents, who have health insurance coverage prior to resignation, with the exception of those terminated for "gross misconduct" are eligible for continuation of their health insurance coverage for a period of up to 18 months following their termination.

All eligible employees terminating their employment with the Town will receive information regarding insurance options available to them, along with the amount of monthly premium required to be paid by the employee to continue their medical insurance.

It will be the terminating employee's responsibility to pay 100% of the full premium for this coverage, plus a 2% administration fee. A check in the correct amount must be received by the Town's COBRA Administrator prior to the beginning of the premium month for coverage to be continued.

If the cost of medical coverage changes during the period of time the terminated employee is covered under the COBRA regulations, the amount of monthly premium payable by that employee will be adjusted to comply with the 100% requirement stated above, plus any additional administration fees.

Employees who have questions about their present or future right and responsibilities under this law should contact the Human Resources Department.

ADMINISTRATIVE PROCEDURE

Subject: Layoffs-Reduction in Force

Revision Date: 1/5/2024

Procedure Number: 365

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The Town Manager, for reasons that may include a shortage of funds, the curtailment of work, or a material change in job duties, may institute a reduction in force/lay off procedure through the abolition of positions as set forth in this Procedure.

Policy Communication

The procedure establishing the Town’s direction related to Layoffs-Reduction in Force can be found in Policy #300.

Procedures

The conditions of a reduction in force (hereinafter “layoff”) are as follows:

A. Order of Separation

When determining the order of separation for a layoff, the Town Manager shall, in his or her discretion and judgment, consider the following factors:

1. Job Considerations. The importance of the position in relationship to the delivery of basic services provided by the Town will be reviewed in which the Town Manager, exercising his/her discretion, shall identify the specific areas and positions targeted for layoff.
2. Employment Status. Part-time and temporary employees will normally be laid off before merit status full-time employees within the targeted areas of layoff.
3. Seniority. Seniority is defined as total years of service (including years, months, and days) as a full-time Town of Queen Creek employee.
4. Work Performance. Evaluating the performance of the work by the employee may include the employee’s three (3) most current performance evaluation reports and other documented evidence of performance, including disciplinary actions and discussions with supervisors. Final determination as to determining superior performance under this section shall be within the discretion of the Town Manager.

After job considerations, employment status, seniority, and work performance have been determined for each employee in the targeted area for layoff, a list will be created by the Human Resources Director and given to the Town Manager for employee notification.

B. Layoff Eligibility List, Recall of Employees on Layoff Eligibility List

The layoff eligibility list shall be available to former merit status employees who are separated from the Town service by layoff or reassignment to a lower classification. These employees will remain on the layoff eligibility list for 12 months beginning on the effective date of the layoff unless the Town Manager or designee is notified that he or she is no longer interested in employment with the Town. Layoff or reassigned employees shall be considered for non-competitive reinstatement for the position which he/she held prior to layoff or for any lower-level classifications within the same job family within the department as determined by the Human Resources Department. Those employees that remain on the eligibility list will normally have the first opportunity to be hired when a vacancy occurs while the list remains active. Thereafter, the employee will be removed from the eligibility list and would be required to go through the regular application process when a vacancy occurs within the Town.

A merit status "Layoff" employee may be eligible for reassignment. When possible, reassignments or transfers shall be in writing and signed by the Town Manager or designee. An employee who accepts a reassignment or transfer to a position with less compensation will be placed on the layoff eligibility list.

ADMINISTRATIVE PROCEDURE

Subject: Strike

Revision Date:

Procedure Number:

367

Authorized Approval:

Kross/Coffman

Effective Date:

4/1/2017

Policy Communication

The Town’s policy establishing the Town’s direction related to Strikes can be found in policy #300.

Procedure

Strikes by employees are prohibited. Any employee who engages in a strike shall be dismissed. An employee dismissed due to his/her engagement in a strike has no right of appeal.

Definition

The term “strike” as used in this procedure means concerted action that disrupts or interferes with the carrying out of a Town function for the purpose of inducing, influencing, or coercing a change in the conditions, compensation, rights, privileges or obligations of employment. Concerted efforts by employees to call in sick (i.e. sick outs) will also be evaluated under this procedure.

ADMINISTRATIVE PROCEDURE

Subject: Reappointment to a Town Position

Revision Date:

Procedure Number:

370

Authorized Approval: Kross/Coffman

Effective Date:

4/1/2017

Purpose

The purpose of these procedures is to establish the process for rehiring employees who have separated employment with the Town.

Policy Communication

The procedure establishing the Town's direction related to Reappointment to a Town Position can be found in Procedure #300.

Procedure

Reappointment of a former employee may occur under two conditions:

A. Following Resignation

With the approval of the Town Manager, or designee, a merit status employee who resigned in accordance with all personnel rules and is eligible for re-hire, may be placed on the re-employment list for one year after resignation. The re-employment list may be used to fill vacancies in lieu of external open recruitment lists. Employees re-hired from the re-employment lists shall, for all purposes, be considered as though they are new hires except as may be provided in this procedure. Employees on the re-employment list may be required to apply for an external recruitment to be considered.

B. Following Layoff

Employees who were separated from Town service as a result of a layoff and who subsequently are recalled to employment shall be re-employed according to the procedures outlined in Administrative Procedure #365. Those employees re-hired through a lay-off list will have their former employment applied to their new seniority date and the restoration of their sick leave bank (if any).

ADMINISTRATIVE PROCEDURE

Subject: Employee Personnel Files

Revision Date: 1/5/2024

Procedure Number: 380

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to define the process for maintaining employee personnel files, describe the conditions under which new material is added to the files, and to identify the conditions under which files will be released.

Policy Communication

The policy establishing the Town’s direction related to Employee Personnel Files can be found in Policy #300.

Procedures

Human Resources shall prepare and maintain two files on each employee of the Town. One file will represent a record of an individual’s employment with the Town. The other file will contain materials with information required by law to be stored separately.

A. Entry of Material into Files

1. The Human Resources Department employees will routinely place all official documents relating to an individual’s employment history with the Town in the employee’s personnel file. Such materials include, but are not limited to: employment applications for position held, offer letters, contracts or agreements, disciplinary actions, performance evaluations, payroll forms, personnel-related correspondence, training documents, and other materials deemed relevant to an individual’s employment history.
2. Department Directors may submit materials to be included in an employee’s personnel file to the Human Resources Department. The Department Director is responsible for providing copies of those submittals to the employee when appropriate.
3. Employees may review their individual personnel files upon written request to Human Resources. An employee may submit a written rebuttal to any material entered into their personnel file, which the employee feels reflects poorly on their employment history with the Town. Such rebuttal shall be attached to the material the employee is objecting to and shall become a permanent part of the file so long as such material remains in the file. The Department Director shall be given a copy of any rebuttal submitted. The right to submit a rebuttal does not constitute an appeal of the referenced matter and the Town has no obligation to respond to any rebuttal or to change any prior determination, but may do so in its sole discretion.

4. Dates and certificates of training and development will be logged into the Human Resources training database once received from the employee.

B. Confidential and Medical Files

Each employee's employment file will be treated as confidential and the contents thereof disclosed only when authorized or required by law.

Records containing information of a personal nature including, but not limited to: (1) medical information; (2) background investigations; (3) credit checks; (4) motor vehicle reports; (5) controlled substance drug and alcohol test results; (6) special accommodation requests; (7) garnishments; (8) liens; (9) grievances; (10) professional reference checks; will be maintained in a file separate from the employee personnel file as may be required by law and will only be released on a need-to-know basis, unless authorization from the employee is received in writing.

C. Access to Files

Unless otherwise required by law, personnel files shall be protected from access by persons other than the Town Manager, Human Resources personnel, Town Attorney, the employee's Department Director or Supervisor, or others as the Town may designate as appropriate under the circumstances, and the employee. The Town will respond to legally issued subpoenas, judicial orders or public records request in regard to personnel files, or as otherwise required by law.

1. Employees may request in writing the opportunity to review their personnel files. Files can be reviewed in the Human Resources Department in the presence of a Human Resources Department representative. At the request of the employee, copies of materials included in their files shall be furnished to the employee within a reasonable time frame.
2. A Department Director and/or immediate supervisor will have access to the personnel file of the employees in their chain of command.
3. Human Resources personnel will have access to personnel files for the purpose of carrying out necessary personnel transactions.
4. All inquiries for information on current or former employees made by parties other than the employee, Department Director, immediate supervisor, or hiring supervisor will be handled in accordance with the State's public records laws. Release of any information to an outside party must be requested via a Public Records Request Form authorized by the Human Resources Director, Town Clerk or designee; a written authorization from a current or former employee; or, a legal summons (limited exceptions may apply). If necessary or required, the Town may disclose information to the appropriate party in a lawsuit, grievance, or other proceedings initiated on behalf of the employee including without limitation, proceedings relating to workers' compensation, unemployment compensation, marital dissolutions or other actions relating to benefits sought by the employee.

D. Removal of Materials

Once material has been entered into an employee's personnel file it shall remain with the contents

of the file in accordance with the State's record retention guidelines. No material will be removed from an active employee's personnel file at any time.

E. Verification of Employment

Only the following information will be provided to prospective employers and other agencies seeking employment verification:

- Dates of employment
- Job title
- Pay rate verification

In response to reference requests the Town will provide only dates of employment and positions held.

Employer requests for references and letters of permission should be addressed to the Human Resources Director. Only the Human Resources Director or designee has the authority to direct any response to a reference request on behalf of the Town. If approved to do so by the Human Resources Director, reference information included a reference letter must be based on accurate supporting material contained in the employee's personnel file. Reference letters written on Town letterhead stationery must be approved by the Human Resources Director.

F. Status of Files for Former Employees

Town personnel records will be maintained in accordance with the State of Arizona Records Retention and Disposition Schedule and applicable Federal laws. A former employee may request copies of the contents within their file. The cost of providing this material, as allowed by the A.R.S. Title 12, shall be borne by the former employee at the current actual cost to the Town.

Five (5) years after an employee terminates employment with the Town, the appropriate Human Resources Department employee may review the file and purge any materials that are no longer pertinent. For the purpose of future employment verification requests, a purged files database will be maintained by Human Resources listing the last position held and dates of employment. Records on hazardous exposures must be maintained for thirty (30) years from date of employee separation

ADMINISTRATIVE PROCEDURE

Subject: Nepotism and Personal Relationships

Revision Date: 1/5/2024

Procedure Number: 390

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to clarify the Town’s process for the hiring, retention and supervision of relatives of current employees and personal relationships between employees.

Policy Communication

The policy establishing the Town’s direction related to Employment can be found in Policy #300.

Procedures

A. State Statute

The following is the State Statute A.R.S. 38-481 governing nepotism which clarifies employment of relatives, violation, classification definitions.

1. It is unlawful, unless otherwise expressly provided by law, for an executive, legislative, ministerial, or judicial officer to appoint or vote for appointment of any person related to him by affinity or consanguinity within the third degree to any clerkship, office, position, employment or duty in any department of the state, district, county, city or municipal government of which such executive, legislative, ministerial or judicial officer is a member, when the salary, wages or compensation of such appointee is to be paid from public funds or fees of such office, or to appoint, vote for or agree to appoint, or to work for, suggest, arrange or be a party to the appointment of any person in consideration of the appointment of a person related to him within the degree provided by this section.
2. Any executive, legislative, ministerial or judicial officer who violates any provision of this section is guilty of a class 2 misdemeanor.
3. The designation executive, legislative, ministerial or judicial officer includes all officials of the state, or of any county or incorporated city within the state, holding office either by election or appointment, and the heads of the departments of state, county or incorporated cities, officers and boards or managers of the universities.

B. Town Policy Definition/Clarification

Appointed official is defined as the Town Manager, Town Clerk, Town Attorney, and other similar appointed positions in the future.

Elected official is defined as the Mayor and Council Members.

C. Immediate Family Members

Immediate family members (as defined in the Glossary of Terms in this Manual) will not supervise other immediate family members. Although immediate family members may reside in the same department, a separation between the family members must exist through the chain-of-command. At all times, immediate family members are not allowed to be involved in the discipline, recruitment, promotion, evaluation, and/or pay rate change of another immediate family member (Human Resources will designate a designee for these situations).

Immediate family members (as defined in the Glossary of Terms in this Manual) of elected and appointed officials will not be hired.

D. Marriage between Employees

In the event of marriage between two employees of the Town creating a relationship in violation of the procedure in C. above, then one of the affected employees must resign their Town position unless one of the affected employees is qualified to transfer to another open Town position. If one of the affected employees refuses to resign or is unable to transfer, then the affected employee with the least amount of seniority with the Town shall be dismissed.

E. Personal Relationships

Employee personal relationships, whether involving other employees, family members, or other individuals, on their personal time on and off Town property, are typically outside the Town's area of concern. However, romantic, dating, or sexual relationships between employees who are in the same chain of command has the potential to disrupt the work environment. Some of the possible adverse effects of such relationships may include the following: poor work performance or attitude; distraction from work duties; creation or suggestion of a sexually hostile or offensive work environment for the involved employees or others around them; and the possibility, appearance, and/or perception of favoritism or conflict of interest. For these reasons, and also in furtherance of its policy against sexual harassment in the workplace, the Town forbids its supervisors to have a romantic, dating, or sexual relationship with any other employee who is under them in the chain of command.

In regard to non-supervisory relationships, employees are cautioned to exercise care to ensure that such relationships do not create issues in the workplace. Employees are on notice that the Town will take appropriate action if problems resulting from such relationships manifest themselves on the job. At a minimum, a reassignment may result from those instances involving two or more employees. Depending on the circumstances, other actions, such as demotion, dismissal, or other type of disciplinary action may be necessary. In all cases of employment with the Town, the Town reserves the right to transfer or reassign any employee at any time with/without cause or notice.

ADMINISTRATIVE PROCEDURE

Subject: Americans with Disabilities Act and Pregnant Workers Fairness Act – Reasonable Accommodation

Revision Date: 1/5/2024

Procedure Number: 397

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to communicate the process for providing Americans with disabilities equal opportunities in hiring, compensation, training, advancement, and the terms, conditions, and privileges of employment. It is the Town of Queen Creek’s goal to make all of its employment opportunities available to, accessible for, and usable by, qualified individuals with disabilities as required by the Americans with Disabilities Act (ADA) and the Pregnant Workers Fairness Act (PWFA).

Under the ADA law, the Town of Queen Creek will provide reasonable accommodation to qualified employees or applicants with disabilities, unless to do so would cause undue hardship. Similarly, as required by the federal Pregnant Workers Fairness Act (PWFA), the Town will provide reasonable accommodations to employees and applicants with limitations related to pregnancy, childbirth or related medical conditions, unless the accommodation will cause undue hardship to the Town’s operations.

The Town of Queen Creek provides reasonable accommodations:

- When an applicant with a disability needs an accommodation to have an equal opportunity to compete for a job.
- When an employee with a disability needs an accommodation to perform the essential functions of the job or to gain access to the workplace.
- When an employee with a disability needs an accommodation to enjoy equal access to benefits and privileges of employment (i.e. details, trainings, office-sponsored events).

An employee or applicant may request an accommodation due to pregnancy, childbirth or a related medical condition by submitting the request in writing to human resources (HR). The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed and any alternative accommodation(s) that might be reasonable. Depending on the nature of the accommodation, the individual may be requested to submit a statement from a health care provider substantiating the need for the accommodation.

Upon receipt of a request for accommodation, HR will contact the employee or applicant to discuss the request and determine if an accommodation is reasonable and can be provided without significant difficulty or expense, i.e., undue hardship.

While the reasonableness of each accommodation request will be individually assessed, possible accommodations include allowing the individual to:

- Sit while working.
- Drink water during the workday.
- Receive closer-in parking.
- Have flexible hours.
- Receive appropriately sized uniforms and safety apparel.
- Receive additional break time to use the bathroom, eat and rest.
- Take time off to recover from childbirth.
- Be excused from strenuous activities and/or activities that involve exposure to compounds deemed unsafe during pregnancy.

An employee may request paid or unpaid leave as a reasonable accommodation under this policy; however, the Town will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.

This procedure is intended to summarize the requirements under the ADA and/or PWFA and not to create an independent policy in addition to the ADA and/or PWFA. Any conflict between this procedure and the terms of the ADA and/or PWFA is inadvertent and the terms of the ADA and/or PWFA shall govern.

Policy Communication

The policy establishing the Town's direction related to the American's with Disabilities Act and Pregnant Workers Fairness Act and Reasonable Accommodation can be found in policy #300.

Definitions

1. *Essential Functions of the Job*

A job function may be considered essential because:

- a. The position exists to perform that function.
- b. A limited number of employees are available and therefore, that job function cannot be distributed to another employee.
- c. The incumbent was hired for his or her expertise or ability to perform the highly specialized job function.

2. *Qualified Individual with a Disability*

Under the ADA, a *qualified individual with a disability* is a person who meets the qualification standards of a job and can satisfactorily perform its essential functions with or without reasonable accommodation, and who:

- Has a physical or mental impairment which substantially limits one or more major life activities of such individual;
- Has a known record of such impairment; or

- Is regarded as having such impairment.

3. *Reasonable Accommodation*

A change or adjustment to a job or work environment that permits a qualified employee with a disability to satisfactorily perform the essential functions of a job, or to enjoy the same employment benefits and privileges as those enjoyed by employees without disabilities. Consistent with business necessity, a reasonable accommodation does not impose an undue hardship on the Town, nor does it pose a direct or increased threat to the employee or to others with whom the employee regularly comes in contact. Examples of undue hardship may include:

- significant difficulty for implementation;
- service deterioration;
- expense;
- a fundamental alteration in the nature of the service, program, or activity.

Reasonable accommodations may include, but are not limited to:

1. Acquisition or modification of equipment or devices, such as:
 - a. Providing assistive technology, including information technology and communications equipment.
 - b. Providing specially designed furniture or altering existing furniture.
2. Job restructuring (the Town is not required to create an entirely new job), such as:
 - a. Altering how or when job duties are performed.
 - b. Removing and/or substituting a marginal function.
3. Modification of facilities or workstation, or moving to a different office setting.
4. Modification of work schedules or supervisory methods.
5. Reassignment to a vacant position as long as the employee meets the minimum qualifications of the position where a vacancy already exists (may include transfers and demotions).
6. Granting breaks or providing leave.
7. Providing accessible parking.
8. Providing materials in alternative formats (e.g., Braille, large print).

Procedures

A. Requesting Reasonable Accommodation

The Town of Queen Creek will process requests for reasonable accommodation, and will provide reasonable accommodations where appropriate, in a prompt and efficient manner.

Generally, an applicant or employee must let the Town of Queen Creek know that he/she needs an adjustment or change concerning some aspect of the application process, the job, or a benefit of employment for a reason related to a disability. An applicant or employee may request a reasonable accommodation at any time, **orally or in writing**.

An individual should request a reasonable accommodation from the Human Resources Department. For applicants, information about contacting the Human Resources Department will be in the vacancy announcement and the letter of appointment.

If an employee makes a reasonable accommodation request to someone other than the Human Resources Department, such as his/her supervisor, these supervisors/managers should forward the request to the Human Resources Department immediately, but no later than two (2) business days from the date of the initial request.

An individual's receipt or denial of an accommodation does not prevent the individual from making another request at a later time if circumstances change, and he/she believes that an accommodation is needed due to limitations from a disability (e.g., the disability worsens, or an employee is assigned new duties that require an additional, or different reasonable accommodation). Additionally, the Human Resources Department may not refuse to process a request for reasonable accommodation, and a reasonable accommodation may not be denied based on a belief that the accommodation should have been requested earlier (e.g., during the application process).

A request does not have to include any special words, such as "reasonable accommodation," "disability," or "Rehabilitation Act." A request is any communication in which an individual states that he/she needs the Town of Queen Creek to provide modification or adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. A supervisor, manager, or the Human Resources Department should ask an individual whether he/she is requesting a reasonable accommodation if the nature of the initial communication is unclear.

A family member, health professional, or other representative may request an accommodation on behalf of an employee or applicant. For example, a doctor's note outlining medical restrictions for an employee constitutes a request for reasonable accommodation.

When an individual (or third party) makes an oral request, the Human Resources Department must ensure that the appropriate Request for Accommodation form is filled out. The Human Resources Department must fill out the form if the requestor does not.

B. Processing the Request

After a request for accommodation has been made, the next step is for the parties to begin the interactive process to determine what, if any, accommodation should be provided. This means that the individual requesting the accommodation and the Human Resources Department must communicate with each other about the request, the precise nature of the need that is generating the request, and alternative accommodations that may be effective in meeting an individual's needs.

While the Human Resources Department has responsibility for processing requests for reasonable accommodation, the Human Resources representative handling the request may work closely with an employee's supervisor in responding to the request, particularly those involving performance of the job.

When a third party (e.g., an individual's doctor) requests accommodation on behalf of an applicant or employee, the Human Resources Department should, if possible, confirm with the applicant or employee that he/she wants a reasonable accommodation before proceeding. Where this is not possible, for

example, because the employee/applicant has been hospitalized in an acute condition, the Human Resources Department will process the third party's request if it seems appropriate (e.g., granting immediate leave) and will consult directly with the individual needing the accommodation as soon as practicable.

C. Requests for Medical Information

When the need for the requested accommodation is obvious, it is generally not necessary for the employee to provide medical documentation. The Human Resources Department may request medical information to document a claimed disability and the need for accommodation when:

- The functional limitations caused by the disability and the need for accommodation are not obvious or have not been previously disclosed;
- The information submitted by the employee or applicant is insufficient to document the disability or the need for the reasonable accommodation or the functional limitations the disability causes;
- The extent, duration, or effectiveness of a requested accommodation is not clear.

Where the disability or need for accommodation is not obvious or already known, it is the responsibility of the employee or applicant requesting reasonable accommodation to timely provide appropriate medical information related to the functional impairment and the requested accommodation. If the employee or applicant fails to provide documentation or information where it has been properly requested, the deciding official may deny a reasonable accommodation request.

Even if medical information is needed to process a request, the Human Resources Department does not necessarily have to request medical documentation from a health care provider. In many instances, the requestor may be able to provide sufficient information that can substantiate the existence of a disability and/or need for a reasonable accommodation.

If the initial information provided by the healthcare professional, or volunteered by the requestor, is insufficient to enable the Human Resources Department to determine whether the individual has a disability, and/or that an accommodation is needed, the Human Resources representative will explain what additional information is needed. If necessary, the individual should then ask his/her healthcare provider, or other appropriate professional, to provide the missing information.

The Town has the right to designate a Town appointed physician to consult with the employee's health care practitioner and to conduct an independent medical evaluation as necessary to guide this determination.

D. Confidentiality

Under the Rehabilitation Act, medical information obtained in connection with the reasonable accommodation process must be kept confidential. This means that all medical information that the Town of Queen Creek obtains in connection with a request for reasonable accommodation must be kept in files separate from the individual's personnel file. This includes the fact that an accommodation has been requested or approved and information about functional limitations. It also means that any employee who obtains or receives such information is strictly bound by these confidentiality requirements.

The Human Resources Department may share certain information with an employee's supervisor or other agency official(s) as necessary to make appropriate determinations on a reasonable accommodation request. Under these circumstances, the Human Resources Department will inform the recipients about these confidentiality requirements. The information disclosed will be no more than is necessary to process the request.

In addition to disclosures of information needed to process a request for accommodation, other disclosures of medical information are permitted as follows:

- Supervisors and managers are entitled to whatever information is necessary to implement restrictions on the work or duties of the employee or to provide a reasonable accommodation.
- First aid and safety personnel may be informed, when appropriate, *if* the disability might require emergency treatment or assistance in evacuation.
- Government officials may be given information necessary to investigate the agency's compliance with the Rehabilitation Act.

E. Timeline for Processing Reasonable Accommodations

The time frame for processing a request (including providing accommodation, if approved) is **as soon as possible, but no later than thirty (30) business days** from the date the request is made.

The Town will process requests and, where appropriate, provide accommodations in as short a period as reasonably possible. The time frame above indicates the maximum amount of time it should generally take to process a request and provide a reasonable accommodation. The Town will strive to process the request and provide an accommodation sooner, if possible.

The time frame begins when an oral or written request for reasonable accommodation is made and not necessarily when it is received by the Human Resources Department. Therefore, everyone involved in processing a request should respond as quickly as possible.

If the Human Resources Department must request medical information, or documentation from a requestor's doctor, the time frame will stop on the day that the Human Resources representative makes a request to obtain medical information, and the timeline will resume on the day that the information/documentation is received by the Town.

In certain circumstances, a request for reasonable accommodation requires an expedited review and decision. This includes where a reasonable accommodation is needed:

- **To enable an applicant to apply for a job.** Depending on the timetable for receiving applications, conducting interviews, taking tests, and making hiring decisions, there may be a need to expedite a request for reasonable accommodation to ensure that an applicant with a disability has an equal opportunity to apply for a job.
- **To enable an employee to attend a meeting scheduled to occur soon.** For example, an employee may need a sign language interpreter for a meeting scheduled to take place in five (5) days.

When extenuating circumstances are present, the time for processing a request for reasonable

accommodation and providing the accommodation will be extended as reasonably necessary.

Extensions will be limited to circumstances where they are absolutely necessary and only for as long as required to deal with the extenuating circumstance.

F. Reasonable Accommodation Determination

The Human Resources Director, with input from the Town Attorney at the Town's discretion, shall make a determination regarding the employee's status as a qualified individual with a disability, and what, if any, accommodation can reasonably be made.

The Human Resources representative shall communicate in writing to the employee what accommodation has been determined to be reasonable, or if a reasonable accommodation cannot be made. If the request is approved but the accommodation cannot be provided immediately, the Human Resources representative will inform the individual, in writing, of the projected time frame for providing the accommodation. If the Town denies a request for accommodation, the written explanation will discuss the reason(s) for the denial. The explanation for the denial will clearly state the specific reason(s) for the denial. This means that the Town cannot simply state that a requested accommodation is denied because of "undue hardship," or because it would be "ineffective." Rather, it will explain specifically why the accommodation would result in undue hardship, or why it would be ineffective. An individual dissatisfied with the determination of a reasonable accommodation request can request a reconsideration, in writing, to the Human Resources Director within ten (10) days of receipt of the initial determination.

Periodic documentation of the continued need for accommodation shall be a condition of continued accommodation and shall be provided by the employee upon request by the Human Resources Department. A supervisor, or director, who believes that an employee may no longer need a reasonable accommodation should contact the Human Resources Department. The Human Resources Department will decide if there is reason to contact the employee to discuss whether she/he has a continuing need for reasonable accommodation.

The Town prohibits any retaliation, harassment or adverse action due to an individual's request for an accommodation under this policy or for reporting or participating in an investigation of unlawful discrimination under this policy.

POLICY STATEMENT

Subject: Performance Evaluation System	
Revision Date: 1/5/2024	Policy Number: 400
Authorized Approval: Council/Gardner/Coffman	Effective Date: 4/1/2010

Purpose

The purpose of the Performance Evaluation System is to provide a mechanism for recording and storing written, objective feedback regarding workplace performance. The goal is to support on-going dialogue between supervisors and employees in promoting a work environment that maximizes employee and organizational performance.

Policy

The primary objectives of the Performance Evaluation, a tool available to managers and supervisors to evaluate the performance of employees in the accomplishment of their assigned duties and responsibilities, shall:

- provide a basis for regular performance review;
- provide written objective feedback on how well employees are performing the duties of their positions;
- identify training and job experience needed to improve job-related knowledge, skills and abilities;
- provide a tool to make merit pay considerations; and,
- establish goals for the evaluation period.

A. Performance Administration

The Human Resources Director shall administer the Performance Evaluation System, subject to direction by the Town Manager. Full-time employees will typically receive a performance review at the end of their six (6) month trial employment period, then annually from the date thereafter. Performance reviews for Fire-Sworn and Police-Sworn employees will be administered after the employee has worked one (1) year and annually from the date thereafter. Performance reviews for regular status part-time employees will be administered after the employee has worked one (1) year and annually thereafter.

Written performance evaluation reports shall normally be completed and discussed with the employee:

1. No later than two (2) weeks prior to the completion of the trial employment period.

2. No later than two (2) weeks prior to the employee's anniversary date.
3. Whenever the Department Director or Town Manager deem necessary or appropriate.
4. Completed performance evaluations should be signed by the employee, supervisor, and next-level supervisor (if applicable). Completed performance evaluations will be stored in the Town's performance management software as part of the employee's personnel record.

B. Performance Management

Each full-time employee, except for sworn employees and those on employee agreements, will have a written Performance Evaluation at their six (6) month trial employment period, then annually from the date thereafter. Performance Evaluations for Fire-Sworn and Police-Sworn employees will be administered after the employee has worked a one (1) year trial employment period and then annually from the date thereafter. Regular part-time employees will have a written Performance Evaluation at their one (1) year trial employment period, then annually from that date thereafter. The employee shall be reviewed based on performance over the review period.

Performance Evaluations should be work-specific and based on the employee's job description and performance objectives. Performance discussions and documentation should identify specific accomplishments, strengths, and areas for improvement as appropriate. The Performance Evaluation should include specific examples of performance results and be supported by documentation to the extent possible to justify the performance rating.

Each employee will develop and/or be given a set of performance objectives and goals for the upcoming review period. The evaluation shall be used for merit pay considerations as budget allows.

C. Employee Performance Improvement Process

The Town of Queen Creek has established a Performance Improvement Process which is designed to help an employee improve performance in conjunction with the performance evaluation process and/or disciplinary process. A Performance Improvement Plan (PIP) is a tool available to managers and supervisors to assist in improving employee performance. A Performance Improvement Plan is a written form of constructive counseling and may include some or all of the following items:

1. A description specifying how the employee's performance does not meet job standards.
2. A description of the changes and improvements necessary for the employee to improve their performance and/or behaviors in order to satisfy job standards and/or correct inappropriate behaviors.
3. Attendance expectations, required documentation, and procedures if absences and/or tardiness are an issue.
4. Suggestions for additional training, educational materials, resources materials, or other steps the employee can take to improve performance.

5. The frequency and dates of progress reviews.
6. A description of possible disciplinary actions if the employee does not improve.

ADMINISTRATIVE PROCEDURE

Subject: Performance Evaluation Rating System

Revision Date: 10/4/2024

Procedure Number: 410

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to describe how the performance evaluation process will be administered to effectively measure the performance of employees in the accomplishment of their assigned duties and responsibilities as a means of giving all employees regular feedback and improve performance.

Policy Communication

The policy establishing the Town’s direction related to Performance Evaluation System can be found in Policy #400.

Procedures

1. Performance expectations for the position must be communicated to employees.
2. The factors used in rating performance should be as objective as possible.
3. The supervisor will prepare a list of first six (6) month performance objectives (twelve (12) month objectives for regular part-time, Fire-Sworn and Police-Sworn) and goals for each new employee hired, promoted, transferred, demoted or laterally moved. Additionally, at the employee’s annual performance review, a set of objectives and goals will be developed.
4. Throughout the year, the supervisor will meet with the employee periodically to review the objectives, expectations, progress and needed areas of improvement.
5. Supervisors are encouraged to utilize appropriate feedback from the employee and other sources such as the employee’s peer group, intra-department employees, vendor relations, or team associations to support/validate ratings and to obtain a full range of the employee’s performance.
6. Employees are encouraged to track their own accomplishments and provide a copy to their supervisor through a pre-evaluation process.
7. In situations where the employee had more than one supervisor during the review period, the current supervisor shall be responsible for completing the evaluation. However, when feasible, the current supervisor should request feedback from the prior supervisor.

A. Frequency of Evaluations

1. When an employee is hired, promoted, transferred, or demoted, they are subject to a trial service period. If an employee is laterally moved, the employee may be subject to a trial service period if the trial period is recommended by the Department Director. The employee's progress should be monitored, documented as necessary, and discussed with the employee throughout this period. For an employee that is full-time, the supervisor shall complete a written Performance Evaluation after six (6) months during the trial period. For Fire-Sworn and Police-Sworn employees, a written Performance Evaluation will be administered after the employee has worked a one-year trial period. For an employee that is regular part-time, the supervisor shall complete a written Performance Evaluation following a one (1) year trial period.
2. Upon completion of the trial period, full-time and regular part-time employees will receive a written Performance Evaluation from their supervisor annually.
3. Unscheduled evaluations may be initiated when deemed appropriate, but they do not affect the anniversary date, except in the case of a trial period employee who is removed from trial status.

B. Performance Criteria

Employees will be evaluated on performance criteria and job standards based on employee type (ie. Individual Contributor, Supervisor, Senior Management, etc). Performance criteria is vetted and established by Town Management and is subject to change as necessary. Some of these job standards may include but are not limited to: Communication; Interpersonal Skills; Collaboration; Creativity & Innovation; Customer Focus; Job Knowledge; Quality of Work; Organization Planning; Decision Making & Leadership; Supervisory Skills. In addition, in support of the Town's mission statement, the Town's values are interwoven within the performance evaluation framework.

C. Performance Ratings

The supervisor and next-level supervisor , except in cases where the direct supervisor is the Department Director, will sign the Performance Evaluation. The evaluated employee must also sign the evaluation. The employee's signature does not indicate agreement or acceptance of contents, but rather, that they acknowledge having received the evaluation. An employee is encouraged to include written comments within the evaluation if the employee disagrees with the contents of the evaluation or wants to provide positive feedback to their supervisor. The evaluation will also be signed and dated by the Human Resources Director or designee indicating Human Resources' receipt of the evaluation.

D. Relationship to Regular Appointment and Annual Salary Review

The Performance Evaluation form shall be used as the basis for determining whether or not a trial employee will be placed on merited status. It shall also serve as the basis upon which annual salary adjustments are considered. Salary merit increases shall be based on the performance level as indicated in the Performance Evaluation and Council approval of an annual merit budget. Salary increases will be given as a percentage increase as defined by the fiscal year merit increase matrix and within the range of the employee's classification salary structure. A supervisor may recommend that an employee receive no salary increase or withhold a salary increase until a future performance

review. In no case shall a supervisor inform an employee of their recommendation for a salary increase until the evaluation has been fully approved by the Chain of Command.

E. Special Reviews (Performance Improvement Plan)

Supervisors and Department Directors may perform weekly, bi-weekly or monthly informal reviews or institute more frequent special reviews than outlined in the performance rating policy if they deem it necessary due to performance, behavioral or disciplinary concerns regarding an employee. If such reviews will be used, the Supervisor or Department Director must notify the employee and document the reviews in writing.

The length of time of a special review may not exceed six (6) months. The Town Manager has authority to approve a special review beyond six (6) months. Once completed, any documentation related to the special review, including any performance improvement plans (see Procedure #420), shall be attached to the original performance evaluation and become part of the employee's personnel file. If the special review is due to discipline, then any documentation outlining the special review, shall be attached to the original disciplinary documentation within the employee's personnel file.

F. 360-Degree Evaluation Considerations

In the process of completing an employee's performance evaluation, a supervisor has the right to consider and incorporate into performance reviews information from others within and outside the Town with whom the employee has worked closely during the review period. This includes, but is not limited to: coworkers within the same department, staff members in other departments with whom the employee must work regularly as part of their assigned job duties, coworkers with whom the employee has worked on an assigned committee or project, and consultants, contractors or temporary workers with whom the employee has been assigned to work during the review period.

G. Individual Development Plan (IDP)

An Individual Development Plan (IDP) is a tool to assist employees in career and/or professional development. It could also be used to assist the Town in succession planning efforts. Its primary purpose is to help employees reach short and long-term career/professional goals. Working on an IDP involves a commitment from both the employee and supervisor. It involves preparation and continuous feedback. It is not a performance evaluation tool, a performance improvement plan for performance deficiencies, or a one-time activity. Completing an IDP should be looked at as a voluntary partnership between the employee and the supervisor to help the employee in his/her career development and/or professional development.

Possible Development Opportunities include, but are not limited to:

- Workshops, seminars, course, degree programs
- Books, articles, video/audio tapes
- Coaching, mentoring, job shadowing
- Assignments

ADMINISTRATIVE PROCEDURE

Subject: Employee Performance Improvement Process - PIP

Revision Date: 1/5/2024

Procedure Number: 420

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The Town of Queen Creek has established a Performance Improvement Process which is designed as a tool, to be used in the Town’s discretion, to help an employee improve performance in conjunction with the performance evaluation process and/or a disciplinary process.

Policy

Communication

The policy establishing the Town’s direction related to Employee Performance Improvement can be found in Policy #400.

Procedures

1. An informal discussion is the first step in problem solving. Every effort should be made to correct a problem or issue with an employee’s performance through a timely discussion between the employee and his/her supervisor.
2. If informal discussions do not resolve the performance related issues to the supervisor’s satisfaction, it is recommended that the supervisor utilizes a more formalized approach. The supervisor may outline a Performance Improvement Plan (PIP) to assist the employee and supervisor to identify the performance related issues. A PIP is a tool available to managers and supervisors to assist in improving employee performance. A PIP is a written form of constructive counseling and may include some or all of the following items:
 - a. A description specifying how the employee’s performance does not meet job standards.
 - b. A description of the changes and improvements necessary for the employee to improve their performance and/or behaviors in order to satisfy job standards and/or correct inappropriate behaviors.
 - c. Attendance expectations, required documentation, and procedures if absences and/or tardiness are an issue.
 - d. Suggestions for additional training, educational resources, or other steps the employee shall take to improve performance.
 - e. The frequency and dates of progress reviews; and,
 - f. A description of possible disciplinary actions or consequences if the employee does not improve.

The supervisor shall review the employee’s progress throughout the monitoring period and provide any additional coaching and/or mentoring he/she deems necessary to assist the employee in successfully

accomplishing the requirements of the PIP. The review may be in the form of regularly scheduled follow-up meetings or any other type of consistent communication with the employee throughout the monitoring period. However, it is the responsibility of the employee to make every effort to successfully complete the PIP within the specified timeframe(s).

Any successful completion of a PIP shall be documented by the supervisor. If the employee does not meet the expectations of the PIP, the supervisor may proceed to the next step of progressive discipline.

A PIP should only be used once for the same performance issue(s). If the performance issues reoccur, then the supervisor should continue to utilize the Town's progressive discipline process to correct the performance issues.

ADMINISTRATIVE PROCEDURE

Subject: Employee Spotlight Program

Revision Date: 1/5/2024

Procedure Number: 430

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of the Employee Spotlight recognition program is to encourage and provide a mechanism for Town of Queen Creek employees to recognize each other for exceptional conduct.

Procedure

Employees should use the following guidelines for recognition:

- Going above and beyond to assist an external customer or Town citizen
- Going above and beyond to assist another employee
- Taking initiative to pitch in and provide assistance
- Solving a complex problem
- Successfully completing a special project or event
- Improving a process and/or reducing costs
- Identifying and resolving a safety related issue

Any employee may complete an “Employee Spotlight” certificate for another employee. Blank certificates are available on the Human Resources page of the employee intranet. A completed certificate shall be given to the recipient and a copy provide to the Human Resources department to place in the employee’s personnel file. Additionally, at the beginning of the month, recognized employees during the previous month will be entered into a drawing of two names. The two (2) winners can select either two (2) hours off with pay, a \$20 gift card or two movie passes.

POLICY STATEMENT

Subject: Orientation, Training, Development, Education and Tuition Reimbursement

Revision Date: 10/4/2024

Policy Number: 500

Authorized Approval: Council/Gardner/Coffman

Effective Date: 4/1/2010

Purpose

The purpose of this policy is to provide direction to the Town’s employee development and training efforts.

Policy

The Town Manager encourages employee training and development. It is the policy of the Town of Queen Creek to encourage professional development through a variety of measures. These measures include, but are not limited to, new employee orientation, staff meetings, on-the-job training, mentoring program, job-related conferences and seminars, and continuing education through colleges and universities.

Responsibility for developing training programs for employees shall be assumed jointly by the Human Resources Director and the Department Directors. Training efforts will be periodically reviewed and evaluated by the Town Manager.

1. Training Costs

Training costs may include registration fees for workshops or conferences, materials, and the fees charged for contracting consultants and/or instructors providing the training. These costs may be supported by the Town, provided funds have been budgeted and the training has been properly approved. Lodging, meals and travel costs may be supported by the Town if proper prior approval has been given. The Town Manager or designee will determine how funds will be budgeted for these purposes.

2. Eligibility for Training

All full-time Town employees are eligible to participate in Town’s sponsored training, development, and educational opportunities, upon approval of their Supervisor. Certain part-time employees may be eligible for sponsored training and/or development with the approval of the Department Director, and college-level educational opportunities with the approval of the Town Manager, or designee.

3. Training and Educational Priorities

Since all training opportunities are subject to budgetary limitations, the Town has established priorities for training and staff development. These priorities include:

1. Orientation
2. Job-related training
3. Professional development training
4. College-level courses and tuition reimbursement

4. Training and Education Attainment Approval and Prohibitions

The following shall be considered prior to training and/or educational programs are approved by the Department Director:

1. **Training and Education Opportunities:** All training and education programs sponsored by the Town shall align with the organization's mission, vision, values, and legal requirements.
 - The Town, through the Human Resources Department, will develop internal training programs that promote general principles of effective and respectful workplace behavior including topics such as: employee orientation, civil treatment, communication, conflict resolution, cultural awareness (individual and corporate) and generational awareness in order to enhance teamwork, information technology and software training courses, customer service principles, stress management, workplace violence prevention and response, ethics, first aid, safety and hazardous communications, employment law, and office/field safety courses, etc.
 - Educational content that focuses on compliance with the Town's equal opportunity and merit-based employment policies, State and Federal employment and anti-discrimination and sexual harassment laws, policies, and procedures will be required.
 - Fourteenth amendment training (often called implicit bias training) by public safety employees that meets State and Federal statutes and requirements are permitted.
2. **Prohibited Content:** Training programs, workshops, and educational materials that are specific to and explicitly promote the following concepts are prohibited:
 - Any form of racial or gender superiority or inferiority.
 - Assigning guilt, blame, or responsibility to individuals based on their race or gender, such as unconscious bias, cultural appropriation, microaggressions, or any related concepts.
 - Any content that promotes division or animosity among employees based on race, color, gender, ethnicity, religious beliefs, sexual orientation, identity, or any other characteristic.

The Town acknowledges that there will be external training and education classes that may address prohibited content topics as part of an overall conference, workshop or college level course, but the Town will refrain from conducting internal classes or workshops that are exclusively focused on those specific topics.

3. Transparency and Accountability:

Training materials and content outlines must be made available for review upon request as part of any approval process.

4. Responsibilities

- **Human Resources Department:** Responsible for ensuring compliance with this policy, overseeing the approval process, and addressing any reported concerns.
- **Department Heads and Managers:** Ensure that all training programs within their departments comply with this policy and that employees are informed of these guidelines.
- **Employees:** Adhere to the policy and report any concerns or violations through the Chain of Command to the Department Head and Human Resources.

ADMINISTRATIVE PROCEDURE

Subject: Training and Development

Revision Date: 1/5/2024

Procedure Number: 510

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure statement is to communicate the process for requesting job-related training, as well as the procedure for compensation while attending training.

**Policy
Communication**

The policy establishing the Town’s support of ongoing employee training and development can be found in Policy #500.

Procedures

Each employee is responsible for his/her professional development and expertise in his/her field. The Town provides assistance to employees who wish to improve their skills in order to enhance their contribution to the Town. The Town encourages the use of online seminars and/or training when practical. The Town offers several options for training and professional development. These options include:

- Individual topic classes, such as software training or other specialized training
- Professional training seminars and conference
- Town-sponsored training

A. Job-related Seminars, Conferences, or Workshops

Employees may attend job-related seminars, conferences, or workshops that are deemed appropriate by the employee’s supervisor. Requests to attend such programs should be made to the employee’s immediate supervisor. Approval of training requests will depend on budgeted funds. Employees must submit their requests through their immediate supervisor for permission to attend so that the supervisor can ensure that the request is appropriate, that funds are available, and that adequate work coverage will be available in the employee’s absence.

Requests for training should follow department procedures and should include items like:

- Topic or subject matter of the session
- Date, time and location of the session
- Cost of the session
- Information to be gained by attending the session
- Description of how the training fits into the Town’s objectives and into the employee’s development plans

Approved requests may be prepaid by the Town to the seminar, conference, or workshop vendor on behalf of the employee. All employee travel and related business expense activity shall be governed by Administrative Procedure #910 which establishes equitable standards and maintains effective controls to promote the prudent use of public funds. Travel arrangements should be arranged as far in advance as possible to minimize the cost to the Town. The Town will only pay for expenses directly connected to the conference. Department Directors should ensure all expenses are justified, Town-related, and reasonable. Personal expenses or expenses for guests will not be paid for by the Town.

B. Travel to and from Local Training

Whenever possible, a Town employee will use a Town vehicle when attending approved local training courses. Usage of the Town vehicle shall be limited to travel directly to and from the training, unless otherwise approved. No personal use of a Town vehicle is allowed.

C. Travel Costs

Travel costs incurred while traveling to training out of the Phoenix-metro area will be paid by the Town, according to the Travel and Expense Policy Procedure #910.

D. Compensation for Attending Job-Related Training

Employees will be fairly compensated, including the payment of overtime, for attending job-related, approved training sessions as follows:

1. Required Training is defined as training sessions for which the Town mandates the employee's attendance. Such required courses may include, but are not limited to:
 - Safety-related training
 - State-mandated certification programs which are required to maintain current job status
 - Department-required training, as indicated on the annual performance plan or via departmental communication
 - Town-mandated training programs required of all Town employees
 - Supervisor-mandated training programs which are designed to improve current job skills
 - Career-related programs sponsored by the Arizona Governmental Training Service or other public seminar companies
 - Employee-selected leadership training
 - Job-related conferences or seminars sponsored by a professional association
2. Voluntary training is defined as additional optional training that is attended by the employee's choice and is not a condition of continued employment with the Town of Queen Creek or required by the Town.

Compensation for Training and Education for Non-Exempt Employees

	Regularly Scheduled Work Day	Regularly Scheduled Off Day
Required Training	Yes Compensation	Yes Compensation
Voluntary Training	Yes* Compensation	No Compensation

**With supervisory approval*

E. Budgeting for Job-Related Training

Funding for job-related seminars, conferences, and workshops will be budgeted in individual departmental budgets. Individual departmental budgets should also allow for job-related certifications and training which are required for certain job classifications. For mandatory training and development courses which require testing and/or certification, the cost of class and testing/certification may be prepaid by the Department. The associated costs for testing will be paid a maximum of twice.

ADMINISTRATIVE PROCEDURE			
Subject: Tuition Reimbursement			
Revision Date: 10/4/2024	Procedure Number: 520		
Authorized Approval: Gardner/Coffman	Effective Date: 4/1/2017		

Purpose

The purpose of this procedure is to communicate the process for requesting tuition reimbursement for job related college credit classes.

Policy Communication

The policy establishing the Town’s support of ongoing employee training and development can be found in Policy #500.

Procedures

Department Directors and Human Resources have joint responsibility to administer the tuition reimbursement program. Approval for training, class or program, must be submitted and approved **prior** to the start of the class by the employee’s immediate Supervisor, Department Director and Human Resources Director.

A. Eligibility

All full-time, non-public safety employees who have fulfilled the initial trial period requirements for their job are eligible for tuition reimbursement. Full-time Police-Sworn and Fire-Sworn employees will be eligible for tuition reimbursement six months after completion of academy. Employees must be beyond the trial employment period at the beginning of the semester to qualify for tuition reimbursement. Employees hired after the beginning of the semester will not be reimbursed even if already enrolled in college courses.

Full-time employees who are on employment agreements are eligible at the commencement of their employment agreement.

Part-time, merited status employees may be eligible for tuition reimbursement with the approval of a Department Director and Human Resources at the following levels: 19 or 20 hours/week employees may be eligible for 50% of the approved annual amount and 29 hours/week employees may be eligible for 75% of the approved annual amount.

Courses eligible for tuition reimbursement should be job related and part of an approved degree program. Doctorate level courses are not eligible for reimbursement. Multiple degrees of the same level are not permitted for reimbursement. Programs must be submitted and approved by the

employee's immediate supervisor and Department Director prior to the start of the class. Any requests for exceptions to this procedure require Human Resources Director approval.

Eligible full-time employees shall be reimbursed for the following types of training or education:

1. Course work that is directly job related.
2. Course work that will develop the employee's skills within his/her career field or another position within the Town.
3. Course work that is required for a college or university degree program that is job or career related.

Merited status, part-time employees may be eligible for tuition reimbursement, with the approval of the employee's Department Director and Human Resources.

B. Terms of Tuition Reimbursement

To receive reimbursement, the following requirements must be met:

1. Employee must have successfully completed his or her initial trial employment period.
2. Employee must have received approval for the class or degree program **prior to the start of the class**. A Tuition Reimbursement Request Form must be completed, along with all required signatures and turned into Human Resources, along with proof of payment and a class description. An application by an employee to participate in the program shall not be construed to create any type of contractual obligation on the Town's behalf.
3. Employee must qualify for the reimbursement of a college course by receiving a "PASS" or a grade of "C" or better for courses taken. Audited classes do not qualify for reimbursement. Official Grade reports must be submitted within 60 calendar days after the date of completion of the course in order to receive reimbursement.
4. Reimbursement is limited to the approved annual budgeted amount.
5. **If the employee leaves the service of the Town for any reason, the employee will be required to repay all (100%) of tuition reimbursement paid to the employee by the Town within the preceding 12 months of the date of separation.** The deduction will be made from the final check, unless the deduction places an employee's hourly rate for that paycheck below minimum wage. Any remainder of the outstanding payment must be made to the Town within 30 days from the time the employee leaves the service of the Town. Failure to do so will be filed with law enforcement authorities. No tuition reimbursement is required after the 12-month period following course completion.

C. Costs

Unless specified within a cohort program with prior approval by the Town Manager, costs for the tuition reimbursement program are on a reimbursement basis only. No pre-payment on Town

procurement cards will be authorized.

Employees will be reimbursed up to a total approved by the Town Council each fiscal year. Tuition reimbursement includes only the cost of tuition. Related fees including financial aid fees, administration fees, course materials, lab fees, and textbooks, parking fees, and graduation fees are the responsibility of the employee and are not reimbursable by the Town. All tuition requests and reimbursements will be monitored at the department level and Human Resources.

D. Financial Implications

Employees who receive financial assistance for their education from grants, scholarships, or other sources must disclose the source on the request for tuition reimbursement. If employees are receiving funding other than student loans for their education from another source, the Town will not provide reimbursement for that portion of the cost. The amount of reimbursement shall be reduced by any financial assistance the employee receives from any outside source.

E. Tuition Reimbursement Budget

The Town Manager will recommend a budget amount to be allocated to support approved requests for tuition reimbursement. The amount will be adjusted each year to reflect the level of employee participation in the program.

F. Compensability

Time spent at courses that are eligible for academic tuition reimbursement is non-compensable. Employees attend college courses on their own time and are not eligible for compensation for time spent on these studies.

Employees and supervisors are encouraged to identify class projects that are directly applicable to their job where the Town will benefit. In these cases, with supervisory approval, employees may conduct class-related research at work. Homework shall not be completed during the employee's regular work schedule.

G. Education Incentive

The Town of Queen Creek recognizes the value of advanced education. Based on budgetary approval each fiscal year, a full-time employee who has completed his or her initial trial period may be eligible for additional compensation based on the following schedule:

- 2% for Associate's Degree
- 4% for Bachelor's Degree
- 2% for Master's Degree

The additional compensation is a one-time salary adjustment that is a percentage, as listed above, of an employee's salary at the time the degree was obtained. Multiple degrees at the same level will not be eligible. If the employee already possesses a higher level degree, lower level degrees will not be eligible for the incentive. For example, upon hire, an employee possessed a Bachelor's degree in

business. This employee decided to go back to the local community college to receive an Associate's degree in public administration. The Associate's degree would not be eligible for the incentive because the employee already possessed a Bachelor's.

To receive the education incentive, an employee must submit a written request to the Department Director who will forward the written request to Human Resources for document verification before sending the compensation request to the Finance Department with proof of graduation for reimbursement. Documents that will be accepted as proof of graduation and completion of degree coursework within appropriate time frame include official transcripts or a diploma.

POLICY STATEMENT

Subject: Attendance and Leave

Revision Date: 10/4/2024

Policy Number: 600

Authorized Approval: Council/Gardner/Coffman

Effective Date: 4/1/10

Purpose

The purpose of this policy is to establish standard hours of work, holidays, vacation leave, and sick leave. In addition, this policy will establish the conditions under which Town employees may be granted time off from work.

Policy

A. Work Hours

All non-exempt employees shall have a fixed time for reporting to work and leaving from work. These times shall be determined by the Department Director, or designee and communicated to the employee. The supervisor and Department Director must approve adjustments in an employee’s regular work hours.

The hours of employment shall be 40 hours in five or fewer consecutive days for full-time employees. For payroll purposes, the workweek shall begin midnight Saturday and end 11:59 PM. the following Friday. Departments shall schedule working hours for employees to ensure that each department is adequately staffed to provide for the most beneficial service to both internal and external customers. Occasions may arise when service to citizens can be improved or regional air pollution advisories can be accommodated through adjustments to an employee’s regular work hours. For example, the Town Council can determine to close Town offices on Friday and expand hours of operation Monday through Thursday.

Business Hours

Regular business hours shall be in ten (10) hours per day. Monday through Thursday from 7:00 AM until 6:00 PM. Some departments require alternative work schedule to meet the needs of business operations.

Work Schedule

Scheduled hours shall include the regular time period during which an employee is scheduled to work. Schedules shall be subject to change the by Department Director, or designee to meet service demands, and/or effectively manage personnel costs.

Regular Work Day

The regular work day shall consist of ten (10) hours worked in a twenty-four (24) hour period, unless otherwise required to meet service demands.

Regular Work Week

The regular work week shall begin on Saturday at 12:00 AM, end the following Friday at 11:59 PM, and consist of forty (40) work hours paid at the regular rate.

Fire-Sworn employees working the assigned A, B, or C shifts, the work period to determine work hours will be 14 days beginning at 7:15 AM Saturday and end 7:14 AM the second Saturday the following week.

Non-Sworn EMS employees work week shall begin at 7:15 AM Saturday and end 7:14 AM the following Saturday.

B. Requesting Leaves of Absence

It is the responsibility of the supervisor and Department Director to exercise prudent judgment in scheduling time off, granting leave without pay, and scrutinizing the usage of leave to ensure optimum service delivery to the Citizens of Queen Creek.

Requests for all anticipated leave of absence must be made to the supervisor. All requests for anticipated leave shall be submitted in advance of the beginning date of the leave in order to ensure that adequate coverage can be provided.

Requests for unanticipated leaves of absence shall be communicated to the supervisor and designated others, if any, by the time set for the beginning of the employee's regular scheduled work shift, unless the employee is unable to do so due to circumstances beyond the employee's control. Departmental procedures may require earlier notification of the supervisor. Such communications shall include a return phone number where the employee may be reached, if necessary, during the absence.

Failure to provide timely notification may result in disciplinary action. The supervisor may waive the notice requirement in situations where serious accident or illness prevents the employee from providing timely notice.

C. Holidays

The following days shall be considered holidays for full-time employees. Employees shall have these days off, unless they are required to work by their Department Director.

- New Year's Day (January)
- Civil Rights Day (3rd Monday in January)
- President's Day (February)
- Memorial Day (May)
- Independence Day (July)
- Labor Day (September)
- Veteran's Day (November)
- Thanksgiving Day (November)
- Christmas Day (December)
- One (1) Floating Holiday

1. *If the Town offices are open Monday through Friday, when a holiday falls on a Saturday, the preceding Friday shall be observed. When a holiday falls on a Sunday, the following Monday shall be observed. The holiday will be paid out at 8 hours (11.2 hours for Fire-Sworn and Non-Sworn EMS employees that are working 24-hour shifts) regardless of the schedule worked by the employee.*

2. *If the Town offices are open Monday through Thursday*, holidays will only be observed on the date the holiday actually occurs, with the exception of the following:

- If the holiday occurs on Friday or Saturday, then the employee shall receive ten (10) hours of additional floating holiday leave to use at his/her discretion within the calendar year. Prior to each calendar year, Human Resources will work with Payroll personnel to determine the number of holidays that fall on Friday or Saturday. With Town Manager approval, Payroll will load any additional hours of floating holiday leave (starting January 1st of each year) into each employee's floating holiday leave bank to use at their discretion with supervisory approval. The holiday will be paid out at 10 hours (11.2 hours for Fire-sworn and Non-Sworn EMS employees that are working 24-hour shifts, 10 hours for Police-Sworn employees) regardless of the schedule worked by the employee.

3. If a designated holiday falls outside of an employee's regular schedule, the employee has the following options:

Option 1: The employee can work a normal work week and receive an additional ten (10) hours of pay for the holiday. The additional pay would be paid as straight time and shall not count as hours work for overtime purposes.

Option 2: The employee can take a different day off that week and receive ten (10) hours of holiday pay for that day.

Option 3: The employee can work a normal work week and receive ten (10) hours for a floating holiday that will need to be used by the end of the calendar year.

4. In the event one or more recognized holidays fall within an employee's scheduled vacation leave, such holidays shall not be charged as vacation leave.
5. One (1) floating holiday of 10 hours is available to all full-time employees each calendar year (24 hours for Fire-sworn employees that are working 24-hour shifts). Full-time employees hired in the month of December will not receive a floating holiday. There is no waiting period before an employee can request the use of the floating holiday. Floating holiday leave must be scheduled with and approved by the employee's supervisor in advance of the requested date. Unused floating holiday leave may not be carried forward to be used in the following calendar year or cashed out. If an employee has not used the floating holiday leave for the current calendar year at the time he/she leaves Town service, the floating holiday leave is forfeited and the employee will not be paid for the floating holiday leave.

Floating holiday hours may be split and used incrementally, subject to approval from the employee's supervisor for each of the increments to be taken. The employee must submit a leave request to his/her supervisor before taking each increment. The employee must enter all time taken on their timesheet. to accurately record in his/her time records.

6. Non-exempt employees (except for Fire-Sworn and Non-Sworn EMS) that are required to work on a Town observed holiday will be paid time and one-half their regular rate of pay. Employees that voluntarily work on Town observed holidays will follow normal overtime practices of the

Town.

7. If Town offices are open Monday through Friday, the Day after Thanksgiving holiday will be observed as a paid holiday.

D. Vacation Leave

Vacation is provided to employees to ensure the mental and physical health and well-being of both the employee and the organization. For employees entitled to vacation leave, accruals begin with the first full week of employment. No employee shall take vacation leave in excess of the amount accrued.

All full-time employees in the Town service with an average regular workweek of 40 hours or more shall receive annual vacation with pay at the following rates. Special provisions to employee vacation leave accrual rates may be considered with Town Manager approval.

Job Classification	Years of Service	Accrual per Pay Period	Fire-Sworn & Non-Sworn EMS Working 24-Hour shifts
Full-time Employees (including trial employees)	Less than 5 years	3.70 hours	5.17 hours
Full-time Employees	5 years to less than 10 years	5.54 hours	7.76 hours
Full-time Employees	10 years to less than 15 years	6.47 hours	9.06 hours
Full-time Employees	15 or more years	7.39 hours	10.35 hours

1. Vacation Accrual for Initial Trial Employment Period

Upon completion of the initial trial employment period, vacation leave may be taken subject to the accrual schedule as established in this policy. New employees hired by the Town will earn pro-rated vacation leave for the pay period of hire. An employee must have worked 40 hours in the first week to earn vacation leave for that week. For example, if the employee’s first day of work is on the first day of a new pay period; and the employee works two 40-hour weeks, the employee will earn full accrual for that pay period.

Employees that have completed their initial trial employment period, but are on a new trial employment period (i.e. due to promotion, demotion, transfer, etc.) may use accrued vacation leave.

If the employee’s first day of work is on the first day of the second week of the pay period and the employee works a full forty (40) hours during this week, the employee will receive a prorated vacation accrual of 1.85 hours for this pay period.

While employees begin accruing vacation leave at hire date, they are prohibited from using accrued vacation leave until after passing their initial trial employment period. If the new hire's six months initial trial employment period is extended, the employee will be allowed to use his/her accrued vacation leave as needed. Similarly, Fire-Sworn will be allowed to use accrued vacation leave after completion of their one-year initial trial employment period. If the new hire's employment with the Town terminates for any reason during the initial trial employment period, the accrued vacation leave will not be paid out.

2. Vacation Accrual for Part-Time, Temporary & Seasonal Employees

Regular part-time employees, seasonal and temporary employees shall not accrue vacation leave. A part-time employee that is hired or promoted to a full-time status will begin accumulating vacation leave when full-time employment status becomes effective, but may not use accrued vacation time until the new initial trial period is completed. As a full-time employee (regularly scheduled to work 40 hours per week), the accumulation rate begins at the level "less than 5 years" as noted above. Part-time status will not be taken into consideration when determining length of employment for vacation accruals.

3. Holidays and Vacation Leave

In the event one or more recognized holidays fall within an employee's scheduled vacation leave, such holidays shall not be charged as vacation leave.

4. Vacation Leave During Notice of Retirement

Vacation leave may be used following an employee's notice of retirement with both the Human Resources Director and Department Director's approval.

5. Vacation Payout at Termination

Employees who have satisfactorily completed the initial trial employment period and who terminate employment shall be paid in a lump sum for all accrued vacation leave earned prior to the effective date of termination.

Employees who terminate employment or are involuntarily terminated prior to the end of the initial trial employment period or who do not successfully complete trial employment period shall forfeit any accrued paid vacation leave.

6. Maximum Accrual

The maximum accumulation of vacation leave is 320 hours (448 hours for Fire-Sworn and Non-Sworn EMS employees working 24-hour shifts). Employees who are in excess as of December 31st and have taken a minimum of 80 hours vacation leave (112 for Fire-Sworn on 24-hour shifts) in that calendar year will be paid for excess leave. Employees must have taken 80 hours of vacation leave (112 for Fire-sworn on 24-hour shifts) by December 31st, in order to be paid for excess leave. Any vacation leave in excess of 320 hours (448 hours for Fire-Sworn and Non-Sworn EMS employees working 24-hour shifts) will be forfeited beginning January 1st if the minimum of 80

hours vacation has not been taken in the prior calendar year. Donated vacation time shall count towards the minimum amount of vacation time that needs to be used.

7. Change in Employee Status

When an employee is promoted, demoted or transferred, they shall not lose accrued vacation leave. If a full-time employee changes to a part-time position, the vacation accruals will stop and any excess vacation will be paid out.

Employees who terminate employment (or are involuntarily terminated) prior to the end of the initial trial employment period or who do not successfully complete the trial employment period shall forfeit any vacation leave payout.

Employees who terminate employment or are involuntarily terminated after successful completion of the initial trial employment period will receive a vacation leave payout.

The times during a calendar year at which an employee may take vacation leave shall be determined by the supervisor and Department Director with due regard for the wishes of the employee and particular regard for the needs of the Town. Except under unusual circumstances, request for vacation leave shall be made at least 30 calendar days in advance by the employee to allow the supervisor to plan for the absence.

8. Disciplinary Action

Forfeiture of accrued vacation leave as a disciplinary action is not permitted.

9. Donation of Vacation Leave

When an employee has used all forms of accrued leave (vacation, sick, and/or float) and is unable to return to work because of personal emergency, they may request vacation leave donations from other employees.

10. Re-Hires

When an employee is rehired, vacation will accrue at the rate that considers the employee's previous, full-time years of service with the Town.

E. Sick Leave

1. Sick leave with pay will be granted to all full-time, part-time, and initial trial employment employees in the Town service.

2. Sick Leave Usage

Employees may use earned paid sick time for absences due to:

1. the employee's mental or physical illness, injury or health condition; the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; the employee's need for preventive medical care;
2. care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness,

injury or health condition; care of a family member who needs preventive medical care;

3. closure of the employee's place of business by order of a public official due to a public health emergency or the employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency, or care for oneself or a family member when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or family member's presence in the community may jeopardize the health of others because of their exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease; or

4. a covered purpose relating to domestic violence, sexual violence, abuse or stalking to allow the employee to obtain (for himself or herself or for a family member) medical attention, services from a victims' organization, counseling, relocation and/or legal services.

For purposes of this policy, family member includes (regardless of age): a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child to whom the employee stands in-loco-parentis or an individual to whom the employee stood in loco parentis when the individual was a minor; a biological, foster, stepparent or adoptive parent or legal guardian of the employee or the employee's spouse or domestic partner or a person who stood in loco parentis when the employee or employee's spouse or domestic partner was a minor child; spouse or domestic partner; a grandparent, grandchild or sibling (whether of a biological, foster, adoptive or step relationship) of the employee or the employee's spouse or domestic partner; or any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

The employee's use of earned paid sick time will not be conditioned upon searching for or finding a replacement worker.

1. Requesting Sick Leave

Earned paid sick time shall be provided upon the request of an employee. Such request may be made orally, in writing, or by electronic means to the employee's supervisor. When possible, the request shall include the expected duration of the absence. When the use of earned paid sick time is foreseeable, the employee shall make a good faith effort to provide notice of the need for such time to their supervisor in advance of the use of the earned paid sick time and shall make a reasonable effort to schedule the use of earned paid sick time in a manner that does not unduly disrupt the operations of the Town. When the use of sick leave is unforeseeable, the employee must notify their immediate supervisor a minimum of one (1) hour prior to the beginning of the scheduled shift, unless the employee is unable to do so due to circumstances beyond the employee's control. Failure to report the need for sick leave within the specified time period may result in disciplinary action.

2. Absences of Three (3) or more Consecutive Workdays

Once an employee has been out on sick leave for three or more consecutive workdays, a supervisor, in conjunction with Human Resources, may require submission of evidence from a licensed health care practitioner substantiating the need for sick leave. The supervisor, in conjunction with Human Resources, may also require the employee to obtain written approval from the licensed health care practitioner as to the employee's fitness for duty and if the employee has any work restrictions prior

to the employee's returning to work. A supervisor receiving a request from an employee requesting and/or using sick leave that spans three or more consecutive workdays must notify Human Resources. This information may be necessary to allow the Town to comply with the federal Family and Medical Leave Act (FMLA).

The Town will monitor sick leave use, and when deemed appropriate, an employee may be counseled or referred to a physician or to a wellness treatment program.

3. Sick Leave Accruals

Sick time accruals begin on the employee's first day of employment. Eligibility to use accrued sick leave hours shall begin on the date after the end of the pay period in which it is accrued. There is no limit established as to the number of hours of sick leave that may be accrued by employees.

Full-time employees accrue sick leave on the following basis per bi-weekly pay period:

	Accrual per Pay Period	Fire-Sworn & Non-Sworn EMS Working
Full-time Employees	3.70 hours	5.17 hours

Part-time employees will accrue one (1) hour of earned sick time for every 30 hours worked. Accrued sick leave may be carried over to the following year but the Town will not pay unused sick time leave at the end of the year or at separation of employment.

4. Unused Sick Leave for Retirement Health Savings Account (RHS)

Employees who have a sick leave balances over 480 hours (672 hours Fire-Sworn and Non-Sworn EMS) will be deposited into a Retirement Health Savings account for employees on an annual basis at the employee's current rate of pay.

5. Sick Leave Payout at Separation

Unused sick leave is not paid to an employee upon separation.

If an employee retires or resigns from employment with the Town and meets the eligibility requirements, the employee's sick leave balances up to 480 hours (672 hours Fire-Sworn and Non-Sworn EMS) may be deposited into the employee's Retirement Health Savings account at separation at the employee's current rate of pay.

6. Promotions/Demotions/Transfers

When an employee is promoted, demoted or transferred into another position within the Town, the employee will not lose accrued sick leave.

A part-time employee hired or promoted to full-time status will begin accumulating sick time in accordance with the Town's sick leave policy for full-time employees. As a full-time employee, the accumulation rate begins at the level as noted above.

If a full-time employee moves into a part-time position, the employee's sick leave begins accruing at the part-time rate as stated above.

7. Sick Leave Incentive Policy

- a. In order to be eligible for the sick leave incentive policy, an employee must be employed at full-time status for one complete calendar year. An employee who has a sick leave balance below 480 hours (672 for Fire-sworn and Non-Sworn EMS) at the end of the calendar year and has accrued 96 hours (134 hours for Fire-sworn and Non-Sworn EMS working 24-hour shifts) of sick leave in a calendar year and has not used any sick leave during the prior calendar year may convert up to 56 hours of sick leave (78 hours for Fire-sworn and Non-Sworn EMS working 24-hour shifts) to vacation leave for the following calendar year. Sick leave may be converted to vacation leave at a rate of 2 hours of sick leave for 1 hour of vacation leave. Thus, an employee wishing to convert sick leave to vacation leave will receive a maximum of 28 hours (39 for Fire-sworn and Non-Sworn EMS working 24-hour shifts) of vacation leave in a calendar year (56 maximum sick leave hours available for conversion in a year divided by 2, because conversion is at a rate of 2 sick hours:1 vacation hour).

Only sick leave accrued in the immediate past calendar year is eligible for conversion. For example, if an employee did not use any of his/her sick leave that was accrued from January 1 through December 31 of the same year, he/she may convert 56 hours of sick leave to 28 hours vacation leave effective January 1 of the following year. However, if the employee used 16 hours of sick leave from January 1 through December 31, of the same year, he/she may convert 40 hours of sick leave to 20 hours of vacation leave.

An employee who has a sick leave balance over 480 hours (672 for Fire-Sworn and Non-Sworn EMS) will be deposited at the end of each calendar year into the Town's Retirement Health Savings account at a conversion rate of 2 hours of sick leave: 1 hour of sick at the employee's current rate of pay.

Permission to use vacation leave may be granted at the discretion of the employee's Supervisor and Department Director.

8. Sick Leave in Relation to Workers' Compensation

Employees are insured by the Town under the Arizona Workers' Compensation statutes, against injuries and illnesses occurring in the course of Town employment. The law provides for payment of medical expenses for qualifying conditions, and, under certain circumstances, compensation for loss of income. It is mandatory that every job-related injury or illness, regardless of severity, be reported immediately to the supervisor and a written report prepared and submitted to Risk Management.

Medical expenses will be paid for the duration of the injury if the claim is accepted by the Town's workers compensation insurance. If not accepted by workers compensation, the employee will be responsible for his/her own medical expenses.

During those periods when workers' compensation is not provided, pay, if any, must be charged to the employee's accrued sick leave or vacation leave if all sick leave has been exhausted.

An employee receiving temporary disability payments under the Workers' Compensation laws may use accumulated sick leave in order to maintain his or her regular income. However, all employees receiving full salary in lieu of temporary disability payments shall remit any funds received under Workers' Compensation to the Town. Employees receiving Workers' Compensation and not supplementing their income with sick leave shall not accrue sick or vacation leave or receive pay for holidays for any pay period they do not actually perform their duties. The employee's accumulated sick leave shall be used until it is exhausted. Vacation leave may then be used until it is exhausted.

A certification from a licensed physician or practitioner allowing an individual to return to work is required for any absence, due to illness or injury, when it is determined by the Department Director or Human Resources that one is necessary to establish that an employee is safe to perform his or her essential job duties. The Town will work with disabled employees as necessary, consistent with the Americans with Disabilities Act, to find reasonable accommodations that are needed to allow the employee to perform essential job functions.

F. Family and Medical Leave

Under the Family Medical Leave Act (FMLA), the Town allows eligible employees to take up to twelve (12) work weeks of leave per year for certain family and medical reasons. The leave may be taken intermittently if medically necessary. The FMLA does not require the leave to be paid, but the Town requires employees to use earned and accrued paid leave, such as sick leave and vacation leave, prior to receiving unpaid leave, as part of the twelve (12) workweeks of leave.

During FMLA leave, employees may remain on payroll status as long as they have accumulated sick leave and/or vacation to use. The Town will also maintain employees' group health insurance during leave, but employees must continue to pay their applicable premium contribution to maintain coverage. In some cases, the Town may recover premiums paid for maintaining an employee's health coverage if an employee fails to return to work.

Upon returning from leave, unless a job abolishment has occurred (such as due to a layoff) which would have terminated an employee's job or placed him or her into a different job, an employee will be restored to his or her original position or to an equivalent one in terms of pay, benefits, and other terms and conditions of employment.

The Town uses the rolling twelve-month method to measure the yearly period for leave entitlement. This means that, in determining how much FMLA leave an otherwise eligible employee may take at any given time, the Town will look to the previous twelve months to determine whether that employee has already used some of his or her twelve workweeks of FMLA leave.

G. Paid Leave Categories

The Town shall provide a mechanism for the following types of additional leave to be available to employees.

1. Military Leave

The Town will comply with all federal and state requirements regarding military leave. If an

employee anticipates needing leave related to any type of military service, the employee should alert the Human Resources Department as soon as possible for more information regarding current requirements related to such leave.

2. State or National Emergency Duty

In the event of a state or national declared emergency in accordance with state and federal law, any employee may be granted leave with pay from assigned duties with the Town.

3. Bereavement Leave

Upon confirmation of the death of a family member of first-degree and second-degree affinity and consanguinity, full-time employees shall be granted up to three (3) working days (two (2) 24-hour shifts for Fire-sworn and Non-Sworn EMS working 24-hour shifts) of Town-paid bereavement leave, not to be charged to any accrued sick or vacation leave, per occurrence to plan for or attend the funeral or memorial service of an immediate family member (see Glossary of Terms). Two additional days of bereavement leave (12 additional hours for Fire-Sworn and Non-Sworn EMS working 24-hour shifts) with pay may be granted if the employee must travel out of state for a family member of first-degree consanguinity or first-degree affinity. Upon approval from the Department Director, vacation leave may be used to extend funeral leave. Leave for a family member's death can be taken by employees in the initial 6 months trial period. Bereavement Leave does not have to be used consecutively.

4. Jury Duty Leave

Every employee of the Town who is required to serve as a juror shall be entitled to absent him or herself from his/her duties with the Town during the period of such service or while necessarily being present in court as a result of such call. If an employee is required to appear in court due to a subpoena not related to his/her own case, then the employee may also utilize jury duty leave. Under such circumstances, the employee shall be paid full salary, except travel pay and per diem, for such duty. If the appearance in court is due to his/her own case, then vacation leave must be utilized or unpaid leave if no accrued vacation exists.

5. Voting Leave

Employees are encouraged to vote. Every employee of the Town will be given time to exercise their right to vote in accordance with State law.

6. Paid Parental Leave

Eligible employees may receive paid parental leave to assist regular full-time employees with the after the birth or initial placement of a new child in connection with adoption or foster. This program runs concurrently with the Family Medical Leave Act (FMLA) policy.

7. Workers' Compensation Leave (Injury Leave)

Employees with an accepted workers compensation claim will be given injury leave according to the State Workers' Compensation Act.

8. Administrative Leave

Employees may be placed on administrative leave with pay if circumstances warrant, if, in the sole discretion of the Town, it is determined that the employee should be temporarily relieved from their duties pending an investigation or administrative process.

9. Employee Volunteer Services for the Town

In the spirit of 'volunteerism', the Town of Queen Creek recognizes that in addition to performing the normal duties associated with their employment with the Town, many employees are interested in performing additional civic, charitable, and/or humanitarian services for the Town and/or its various departments.

Importantly, while the Town recognizes and appreciates the generosity and benefits of the services such volunteers provide, the decision to engage in these types of volunteer services is one left solely to the discretion of the individual Town employee. Consistent with this, no Town employee should feel pressured or compelled to engage in volunteer services.

For those employees wishing to participate in volunteer services for the Town of Queen's Creek or any of its departments, the following guidelines apply:

- Volunteers must understand that their volunteer services to the Town and/or its departments are freely and voluntarily offered.
- Volunteers should maintain no expectation of compensation or reimbursement for any volunteer services provided to the Town and/or any of its departments.
- Volunteers ***may not*** perform volunteer services for the Town and/or its departments if they are otherwise *employed* by the Town or any of its departments to perform similar or identical duties as those for which they propose to volunteer.
- Volunteers ***may not*** perform volunteer activities during the individuals' regular working hours.

Any questions including inquiries relating to what volunteer services are permissible under this policy should be directed to the Town of Queen Creek's Human Resources Department.

H. Volunteer Leave

Full-time employees of the Town are eligible to take two (2) hours per month of volunteer leave to volunteer at a school of their choice and/or a non-profit organization within the Town of Queen Creek.

I. Personal Leave

The Town provides an opportunity for personal leave with or without pay with Town Manager, or designee, approval for employees to deal with personal situations occurring for more than 10 days,

but not exceeding 90 days. However, depending on the circumstance, vacation leave accruals, and, in cases of illness, sick leave accruals must be exhausted prior to leave without pay.

J. Victim Rights Leave

Employees are entitled to unpaid leave in accordance with ARS § 8-381 et seq. and § 13-4401 et seq. to attend certain criminal proceedings if they were the victim of a crime or the immediate family member of a person who was killed or incapacitated by a crime.

As specified by the statutes, if such leave creates an undue hardship on the Town, it may be limited. Employees shall request victim rights leave through Human Resources. Employees may elect to use vacation, compensatory time, and/or their personal leave day or may request unpaid leave.

K. Alternative Work Schedules

The Town recognizes that the use of alternative work schedules not only encourages employees to support trip reduction programs, but can also provide work-life balance opportunities for those employees. When Town offices are open Monday through Friday, Department Directors may allow employees to utilize any of the following types of alternative work schedules:

- **4/10s:** Employees perform their work during four 10-hour days every week. Employee is off one specific day each week.
- **5/8s:** Employees perform their work during five 8-hour days every week.
- **4/9s + one 4-hour day:** Employees perform their work during four 9-hour days and 1-four-hour day every week. Employee is off 4 hours one specific day each week.
- **9/80:** Employees perform the required 80 hours of work within a two-week period but in 9 days instead of 10. Employees work eight 9-hour days, one 8-hour day, and have one specific day off every other week. **Due to overtime implications, this is currently offered to exempt employees only.**

Any alternative work schedule should only be approved after ensuring that the quantity of work and quality of customer service to the public required for their department is maintained or increased.

L. Teleworking

Teleworking arrangement may be approved by an employee's manager/supervisor with approval from the Department Director in which the employee works from a remote location, such as the employee's home or another approved alternative location, other than the Town Office. Teleworking is granted under appropriate circumstances to personnel whose job responsibilities are suited to such an arrangement.

ADMINISTRATIVE PROCEDURE

Subject: Hours of Work and Attendance

Revision Date: 1/5/2024

Procedure Number: 610

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this Procedure is to define how work hours and attendance procedures will be established and managed.

The Town of Queen Creek defines working hours to:

- Ensure continuity in access by and service to the public.
- Facilitate teamwork.
- Facilitate supervisory assistance.

Policy Communication

The policy establishing the Town’s direction related to the Hours of Work and Attendance can be found in Policy# 600.

Procedure

Each employee shall have a fixed time for reporting to work and leaving from work. These times shall be determined by Department Directors or their designees and communicated to the employee in writing. A copy of record shall be maintained in their respective department.

The hours of employment shall be forty (40) hours in five (5) or fewer consecutive days for full-time employees. For payroll purposes, the workweek shall begin midnight Saturday and end 11:59 p.m. the following Friday. Departments shall schedule working hours for employees to ensure that each department is adequately staffed to provide for the most beneficial service to both internal and external customers. Occasions may arise when service to citizens can be improved or regional air pollution advisories can be accommodated through adjustments to an employee’s regular work hours. For example, the Town Council can determine to close Town offices on Friday and expand hours of operation Monday through Thursday. The supervisor and Department Director must approve adjustments in an employee’s regular work hours.

Individual requests for adjustments of working hours or schedules must be considered in light of the anticipated impact of the criteria listed above.

Employees are expected to be at their work site during their scheduled work hours, and will be disciplined if they do not meet departmental standards.

It is the employee's responsibility to notify their immediate supervisor, if possible, or their department at least one-half (1/2) hour prior to the scheduled work starting time indicating the type of leave to be used and the anticipated length of absence. If an employee is unable to notify the immediate supervisor due to extraordinary circumstances, it is acceptable for a family member to notify the immediate supervisor of an employee's absence within thirty (30 minutes) of the scheduled starting time. Individual work circumstances may require more restrictive employee reporting requirements as dictated by departmental policy.

Employee lunch hours and breaks shall be determined in accordance with individual departmental policies or procedure. Employees are encouraged to have lunch or break at a place other than the designated workstation.

A. Recording Work Hours

Employees are expected and required to be honest in recording their time worked. Town of Queen Creek non-exempt employees must use an established timekeeping system to record their hours worked to ensure their time is accurately recorded.

All work hours must be recorded using the established timekeeping system and procedures so that all hours worked each week by non-exempt employees, whether regular or overtime hours, are recorded on a single time record. The Town does not allow the keeping of separate records to track non-exempt employees' overtime hours.

Exempt employees must accurately record leave taken on an established timekeeping system and submit it for the pay period in which the leave was taken. Leave taken or time off without pay must be entered accurately and completely in the employee's time records in a timely manner to ensure that accurate payment is made in the proper pay period. Exempt employees are expected to obtain approval from their supervisor and Department Director for their regular work schedule and for any changes to their regular work schedule.

Example 1: A non-exempt employee worked every day in a given week except Wednesday, when the employee was ill. The employee called in and notified his/her supervisor as required on Wednesday morning that he/she would not be at work due to the employee's illness. On Thursday when the employee returned to work, the employee recorded his/her absence as sick time on an established timekeeping system to ensure that his/her work time was accurately recorded for the week. On payday, the employee's paycheck includes 40 hours of pay for the week, including 32 hours of regular time and 8 hours of sick leave time.

Example 2: A non-exempt employee worked every day in a given week except Wednesday, when the employee was ill. The employee called in and notified his/her supervisor as required on Wednesday morning that he/she would not be at work due to the employee's illness. On Thursday when the employee returned to work, the employee forgot to record his/her absence as sick time on an established timekeeping system. When the employee's supervisor reviewed the employee's time record for the pay period, the supervisor forgot that the employee had been ill on Wednesday. The

supervisor mistakenly approved the time record. When the payroll was processed, the Payroll staff did not notice that employee's time record only included 32 hours. On payday, employee's paycheck includes 32 hours of pay for the week and does not reflect any sick leave. When the employee discovers the error, the employee provides the sick time information to his/her supervisor and Payroll. The error will be corrected by Payroll in the appropriate week of his time records, and the employee will receive eight (8) hours of sick leave pay on his/her next paycheck.

Example 3: An exempt employee worked every day in a given week except Wednesday, when the employee was ill. The employee called in and notified his/her supervisor as required on Wednesday morning that he/she would not be at work due to the employee's illness. However, when the employee returned to work, the employee forgot to record his/her absence as sick time on an established timekeeping system. When the employee's supervisor reviewed the employee's time record for the pay period, the supervisor forgot that the employee had been ill on Wednesday. The supervisor mistakenly approved the time record as is. On payday, employee's paycheck includes 40 hours of regular pay for the week and does not reflect any sick leave. When the employee discovers the error, the employee provides the sick time information to his/her supervisor and Payroll. The error will be corrected by Payroll in the appropriate week of his/her time records.

B. Timekeeping

An established timekeeping system is used to record time worked, the use of vacation leave, sick leave, floating holidays, etc. The timekeeping system is web-based and can be accessed from any computer or electronic device with internet access. New employees will be issued a time sheet form to record their time until they are set-up in the established timekeeping system. For more about policies regarding breaks and meals, please see the Breaks section below.

Example 1: An employee's regular schedule is 8:00 a.m. to 6:00 p.m. An employee often arrives at the office at 7:45 a.m. The employee likes to get started right away with his/her day's work. His/her supervisor has given approval for the employee to start work early if he/she arrives early at work. According to Town policy, the employee may begin working at 7:45 a.m. and receive supervisor approval to use one of these options to avoid accumulating overtime for the week:

1. Leave work 15 minutes earlier in the evening;
2. Take an extra 15 minutes for his/her lunch meal break; or
3. Arrive and clock in 15 minutes later on another day within the same week.

Supervisors, or designee, will be responsible for approving the time records of all employees, both exempt and non-exempt, reporting to them. Approvals must be completed according to the schedule established by Payroll to ensure that employees are paid on time and accurately. Failure by supervisors to approve time records in a timely manner is cause for disciplinary action.

C. Adjustments and Corrections

It is the intent of the Town of Queen Creek to work with employees to make the keeping of time records as easy and understandable as possible. It is acknowledged that there may be situations in which it is impossible for non-exempt employees to record their time, yet they still wish to be paid for

a day of work. If this situation occurs, the non-exempt employee must communicate with their supervisor in a timely manner to ensure accurate information is recorded in an established timekeeping system.

Although exempt employees are paid the same amount every pay period, there also will be situations when their time records must be adjusted to reflect paid or unpaid leave, for example:

1. The employee calls in sick from home and needs to ensure that his/her sick leave is reflected in the time records.
2. The employee wishes to use his/her accumulated vacation leave to take an approved vacation and needs to ensure that his/her vacation leave is reflected in the time records.
3. The employee has exhausted his/her sick and vacation leave balances and requests an unpaid leave of absence and the employee needs to ensure that the time records reflect the time off without pay.

For these common occurrences, employees must access an established timekeeping system and record their time accurately.

Both exempt and non-exempt employees who take any type of leave (for exempt “leave” means at least a full day out of the workplace) must have prior approval by their supervisor via the timekeeping system. Time off without pay must be approved by the Town Manager or designee.

Paychecks will reflect the time record maintained by Payroll. Leave taken or time off without pay must be entered accurately and completely in the employee’s time records in a timely manner to ensure that accurate payment is made in the proper pay period. The employee must record and submit their time record by the designated deadline per the payroll processing schedule. Supervisors must approve exempt and non-exempt employees’ time records each week in the Town’s established timekeeping system per the payroll processing schedule.

D. Breaks

Neither federal nor Arizona law require employers to give rest or meal periods or regulate their length. It is the Town’s policy that decisions related to breaks are the discretion of the supervisor and Department Director. It is common to provide non-exempt employees with one paid 15-minute rest break per four-hour period worked. If provided, such work breaks may not be accumulated or taken immediately prior to or after a meal break or the beginning or end of a shift.

An unpaid meal break of no less than 30 minutes is available to non-exempt employees for each eight hours worked. The employee has the right to decline the break with the approval of the supervisor, but the opportunity must be available if the employee desires to use it. If the employee declines the break and works straight through his/her shift, then careful attention must be paid to the employee’s work hours to ensure that overtime is not accumulated without supervisor approval. Department Directors, in cooperation with supervisors, may set or adjust the length of meal breaks to ensure the effective operations of the department.

During the unpaid meal break, employees must be completely relieved from duty and must not be required to perform any duties, either active or inactive, or discuss work topics or issues. For this reason, non-exempt employees must use designated break rooms rather than their desks or work areas for taking meal breaks.

E. Absence Due to Emergency Conditions

When the Town Manager, or designee, sends employees home or asks that employees not report to work due to adverse weather conditions or other emergency situations, an Emergency Day exists. Employees required to be on duty due to the nature of their work should report to work, if possible, or contact their immediate supervisor for instructions.

When an emergency day is declared, employees shall be compensated in the following manner:

- If a non-exempt employee reports to work within one (1) hour of the normal starting time, then they will be compensated for a full day's work, based on the employee's normal shift. Non-exempt employees that report later than one (1) hour will be compensated for actual hours worked, unless otherwise approved by the Town Manager or designee. Exempt employees will be compensated based on a full day's pay if they report to work on an emergency day.
- Both exempt and non-exempt employees unable to report to work will either work a different day that week if feasible, have the time charged to their vacation leave or compensatory time account, or will have the option to take unpaid leave for the day. If an employee has no accrued vacation or compensatory time accounts, then the time will be considered as unpaid leave.

F. Absence Without Authorized Leave

An employee absent from duty for any period of time without authorization shall be subject to disciplinary action up to and including dismissal.

G. Flextime

Supervisors are authorized to temporarily adjust the daily work schedule of an employee to accommodate special needs.

H. Exempt Employees

Under certain circumstances, exempt employees who have worked significant amount of hours above their normal work schedule (such as major projects) may be granted, in the Town's discretion, time off and will not be required to use vacation or other categories of leave. This leave must be approved in advance by the Department Director.

ADMINISTRATIVE PROCEDURE

Subject: Holidays

Revision Date: 1/5/2024

Procedure Number: 620

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to establish how the Town will administer the scheduling and pay for employees who work on established Town holidays.

Policy Communication

The policy establishing the Town’s direction related to Holidays can be found in Policy# 600.

Procedures

The Town Council establishes official holidays on which Town offices are closed. However, to ensure the safety and security of the community, some Town functions will continue to operate on designated holidays. These functions include but are not limited to public safety functions, water, and other public works functions.

A. Holidays Falling on days Town Offices are closed

If the Town offices are open Monday through Thursday, holidays will only be observed on the date the holiday actually occurs, except for instances approved by the Town Manager. If the Town is operating on a Monday through Thursday work week, and the holiday occurs on Friday, Saturday, or Sunday, then the employee shall receive 10 hours of additional floating holiday leave to use at his/her discretion, with supervisor approval, during the calendar year in which the float time is given.

If the Town offices are open Monday through Friday, when a holiday falls on a Saturday, the preceding Friday shall be observed. When a holiday falls on a Sunday, the following Monday shall be observed. The holiday will be paid out at 8 hours.

Fire-Sworn and Non-Sworn EMS employees that are working 24-hour shifts, regardless of the schedule worked by the employee, are paid 11.2 hours of holiday leave.

Prior to each calendar year, Human Resources will work with Payroll staff to determine the number of holidays that fall on days Town Offices are closed. Upon Town Manager approval, Payroll will load any additional hours of floating holiday leave (starting January 1st of each year) into the employee’s floating leave bank to use at their discretion with supervisor approval.

B. Holiday Compensation

Full-time employees are paid their normal wage or salary for all designated holidays regardless of whether the holiday is on the weekday or weekend. Full-time, non-exempt (except for Fire-sworn and Non-Sworn EMS) employees that are required to work on a Town observed holiday will be paid time and one-half their regular rate of pay for hours worked on that day.

Part-time status employees are not automatically entitled to holiday pay. The Town is not required by law to pay holiday pay. Part-time staff will be paid at a rate of time and one-half if they work on a designated Town holiday, no matter which day of the week the holiday falls. Although Easter is not a designated Town holiday, part-time staff will be paid time and one-half if they are required to work.

C. Floating Holidays

Employees shall receive one (1) Floating Holiday per calendar year commencing on the first full pay period of each calendar year. If by the end of the calendar year, the Floating Holiday is not used, the holiday is forfeited for the calendar year. If Town offices are open only Monday through Thursday, prior to each calendar year, Human Resources will work with Payroll staff to determine the number of holidays that fall on Friday, Saturday, and Sunday, and place the additional number of hours of floating holiday leave (starting January 1st of each year) into the employee's floating leave bank to use at their discretion upon supervisor approval.

ADMINISTRATIVE PROCEDURE

Subject: Vacation Leave

Revision Date: 10/4/2024

Procedure Number: 630

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to establish how the Town will administer the accrual and payout of vacation leave.

Policy Communication

The policy establishing the Town’s direction related to vacation leave can be found in Policy# 600.

Procedures

A. Scheduling of Vacation Time

Employees are encouraged to annually take the vacation time they accrue.

Employee requests for vacation leave shall be reviewed and approved in advance by the immediate supervisor to ensure continuity of Town services. Vacation requests shall be submitted as follows:

1. The times during a calendar year at which an employee may take vacation shall be determined by the supervisor and Department Director with due regard for the wishes of the employee and particular regard for the needs of the Town.

Except for unusual circumstances, requests for vacation leave shall be made at least two (2) weeks in advance by the employee to allow the supervisor to plan for the absence. At their discretion, the supervisor may approve vacation leave on less notice.

Vacation leave may be scheduled following an employee’s notice of retirement if the employee obtains approval from both the Human Resources Director and the Department Director.

B. Vacation Pay on Termination

Employees that have completed their initial trial period shall, at termination of employment, be entitled to full compensation for accrued vacation leave. In case of an employee’s death, compensation for accrued vacation leave shall be made in the same manner as regular compensation.

ADMINISTRATIVE PROCEDURE

Subject: Donation of Vacation Leave

Revision Date: 1/5/2024

Policy Number: 635

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The Town of Queen Creek recognizes that employees may encounter unexpected personal emergencies during their employment with the Town. To accommodate these situations, paid and unpaid leaves of absence are provided to employees in accordance with the Town’s policies and procedures.

The Town recognizes that in such circumstances, emergencies may cause employees to deplete accrued leave balances. In recognition of such a situation, the Town permits as set forth in Town policy, co-workers to voluntarily transfer a portion of their accrued vacation to an employee who has suffered a loss of leave balances because of a personal emergency.

Policy Communication

The policy establishing the Town’s direction related to Voluntary Leave Transfer (Vacation Leave) can be found in Policy #600.

Definitions

Donor

A current employee who voluntarily requests to transfer earned vacation hours directly to the vacation account of a designated and approved Recipient.

Recipient

A current employee with a personal emergency for whom Human Resources has reviewed eligibility to receive transfers of vacation hours from one or more donors after expending the recipient’s entire accrued vacation.

Personal Emergency

A medical or family emergency that necessitates an employee’s absence from duty for a minimum of three workdays and results in a loss of income to the employee because of the unavailability of vacation, Workers’ Compensation or military duty pay.

A. Application for Recipient

1. An employee who has been affected by a personal emergency must submit a written request to the Human Resources Department to become a Recipient. If an employee is not capable of completing a written request, another employee may make the request on the applicant's behalf.

Each written request shall contain the following information:

- a. The name and position title of the recipient;
- b. A brief description of the nature, severity, and anticipated duration of the personal emergency;
- c. Additional information that is directly related to and supports the request, including medical documentation, where appropriate
- d. A consent to release of protected health information as defined under HIPAA and the Town of Queen Creek policies if the emergency is related to a medical condition.

B. Review of Request

1. The Donor and Recipient must be employed by the Town of Queen Creek and must be eligible for vacation leave.
2. Human Resources will expeditiously review the request to determine if the Recipient's request meets the personal emergency criteria.
3. In determining whether a personal emergency exists, Human Resources must determine that the emergency is related to a medical condition, or family emergency, requiring the applicant's unexpected absence from scheduled work. Human Resources will also consider whether the applicant is without available paid leave, Workers' Compensation or military duty pay and will be unpaid for one three full calendar days. If Human Resources determines that the Recipient is eligible and all conditions specified by this procedure are met, voluntary leave transfer may begin as early as the day the request was received.
4. The requesting employee will be notified if the request has been approved or denied. Determinations are not subject to appeal.
5. The Town of Queen Creek is merely acting as a transfer agent from the Donor to the Recipient and not responsible for any tax liability of the Recipient. The Recipient will be taxed on the donated vacation at the Recipient's applicable tax rate. Donating employees will not be taxed on the vacation hours transferred to the Recipient.
6. The Town of Queen Creek may require the Recipient to provide additional evidence of the continuation of a personal emergency after the approved request is received by the

Recipient. Failure of the Recipient to provide requested information will result in the denial of any future request for donation of vacation and cessation of any leave transfer that has not already been paid to the Recipient under this procedure.

C. Employee Donation Process

1. Any employee may submit the completed Voluntary Leave Transfer form to Payroll with a specified number of accrued vacation hours from his/ her vacation account and contribute those hours to a specified employee that has requested a donation of vacation under this procedure. No information about the Recipient's personal emergency will be given to any potential Donor or other employee under this procedure.
2. The minimum donation amount is four (4) hours of vacation for each donation.
3. The maximum donation amount for each vacation plan year is fifty percent (50%) of the Donor's vacation balance; however, the Donor must maintain a minimum vacation leave balance of 40 hours for the Donor's own usage.
4. The names of the Donor employees will remain confidential unless the Donor authorizes the Town to release his/her name to the Recipient. Donor names may be kept confidential at the request of the donor. Human Resources may provide the names of the Donors to the Town Manager or other Town of Queen Creek administration employees for proper purposes.
5. To calculate leave donations, the number of hours given by the donor will be multiplied by the donor's wage or salary figured at an hourly rate to obtain a dollar amount. The dollar amount will be divided by the rate of pay of the leave recipient to determine the number of hours of leave donated in terms of the recipient's pay.
6. All donated hours will be deducted from donors' leave balance upon receipt of the approved leave transfer by payroll. The recipient will receive all donated hours at this time. The donated vacation leave will be counted against the 80 hours utilization requirement for cashing out vacation hours at the end of the year.

D. Termination of Personal Emergency

1. The personal emergency affecting a Recipient will be deemed to have terminated on the earliest of the following events:
 - a. Termination of employment of the Recipient;
 - b. On the day the Recipient is no longer affected by the personal emergency; or
 - c. Death of the Recipient.
2. When the personal emergency affecting a Recipient terminates, no further requests for donations to the Recipient will be approved.

3. Donated vacation hours transferred to the recipient will be transferred back to the donor when the emergency ends. Transferred hours will be returned in the opposite order received with the last donations being returned first.

E. Monitoring

1. Human Resources will be responsible and maintain records on the administration of this procedure. Records will not be placed in the Donor or Recipient employees' personnel file, but medical file.
2. Supervisors are responsible for:
 - a. Ensuring that employees under their supervision are aware of information published in connection with this policy;
 - b. Monitoring, in conjunction with Human Resources, the status of a Recipient under their supervision to ensure that a Personal Emergency continues to exist, within the Town of Queen Creek's employment policies; and
 - c. Promptly notifying Human Resources of the termination of a Recipient's Personal Emergency.

F. Prohibition of Coercion

1. No employee, including supervisors, may directly or indirectly attempt to intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce, any other employee for the purpose of interfering with any right such employee may have regarding making donations or receiving donations.
2. Management will not take any actions to solicit, encourage or discourage employees under their supervision to donate vacation hours and make donations under this policy. Managers may, however, inform supervised employees when notified by Human Resources as to an applicant's eligibility for donation under the policy.

ADMINISTRATIVE PROCEDURE

Subject: Sick Leave

Revision Date: 10/4/2024

Procedure Number: 640

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to establish how the Town will administer the accrual, use and payout of sick leave.

Policy

Communication

The policy establishing the Town’s direction related to Sick Leave can be found in Policy #600.

Procedures

Sick leave is provided for regular, at-will, part-time, temporary and seasonal employees, who become ill and are unable to report to work, or whose immediate family members become ill and the employee is needed to care for them.

A. Use of Sick Leave

Employees may use earned paid sick time for absences due to:

1. the employee's mental or physical illness, injury or health condition; the employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; the employee's need for preventive medical care;
2. care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; care of a family member who needs preventive medical care;
3. closure of the employee's place of business by order of a public official due to a public health emergency or the employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency, or care for oneself or a family member when it has been determined by the health authorities having jurisdiction or by a health care provider that the employee's or family member's presence in the community may jeopardize the health of others because of their exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease; or

4. a covered purpose relating to domestic violence, sexual violence, abuse or stalking to allow the employee to obtain (for himself or herself or for a family member) medical attention, services from a victims' organization, counseling, relocation and/or legal services.

For purposes of this policy, family member includes (regardless of age): a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child to whom the employee stands in loco-parentis or an individual to whom the employee stood in loco parentis when the individual was a minor; a biological, foster, stepparent or adoptive parent or legal guardian of the employee or the employee's spouse or domestic partner or a person who stood in loco parentis when the employee or employee's spouse or domestic partner was a minor child; spouse or domestic partner; a grandparent, grandchild or sibling (whether of a biological, foster, adoptive or step relationship) of the employee or the employee's spouse or domestic partner; or any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

The employee's use of earned paid sick time will not be conditioned upon searching for or finding a replacement worker.

B. Change of Employee Status

When an employee is promoted, demoted, or transferred, they shall not lose accrued sick leave. If a full-time employee moves into a part-time position, then the employee's sick leave accrual rate will be adjusted. If an employee is rehired within nine (9) months of his/her separation date, sick leave hours will be evaluated in consideration of reinstatement in accordance with state and federal law.

C. Certification of Illness or Injury

An employee on sick leave, either paid and/or unpaid, may be required to provide a certificate from a physician verifying the illness or injury after three (3) consecutive workdays of illness or injury. If an employee is on sick leave, the Department Director may require that a physician's statement be submitted certifying that an employee is able to return to work and capable of performing their normal duties prior to allowing the employee return to the work location.

D. Family Sick Leave

Normal sick leave may be taken by an employee in cases where the employee's presence is required elsewhere because of sickness or disability of an immediate family member. When absence is for more than three consecutive (3) workdays, the employee may be required to submit a physician's certificate stating the cause of the absence. Depending upon the circumstances, the employee may be required to use FMLA pursuant to Procedure #650. Usage of family sick leave shall be charged against the employee's sick leave bank or, if exhausted, towards the employee's vacation leave prior to any unpaid leave.

E. Sick Leave Incentive

In order to be eligible for the sick leave incentive policy, an employee must be employed at a full-time status for one complete calendar year. An employee who has a sick leave balance below 480 hours

(672 for Fire-sworn and Non-Sworn EMS) at the end of the calendar year and has accrued 96 hours (134 hours for Fire-Sworn and Non-Sworn EMS working 24-hour shifts) of sick leave in a calendar year and has not used any sick leave during the prior calendar year may *convert* up to 56 hours of sick leave (78 hours for Fire-Sworn and Non-Sworn EMS working 24-hour shifts) to vacation leave for the following calendar year. Sick leave may be converted to vacation leave at a rate of 2 hours of sick leave for 1 hour of vacation leave. Thus, an employee wishing to convert sick leave to vacation leave will receive a maximum of 28 hours (39 for Fire-Sworn and Non-Sworn EMS working 24-hour shifts) of vacation leave in a calendar year (56 maximum sick leave hours available for conversion in a year divided by 2, because conversion is at a rate of 2 sick hours:1 vacation hour).

Only sick leave accrued in the immediate past calendar year is eligible for conversion. For example, if an employee did not use any of his/her sick leave that was accrued from January 1 through December 31 of the same year, he/she may convert 56 hours of sick leave to 28 hours vacation leave effective January 1 of the next year. However, if the employee used 16 hours of sick leave from January 1 through December 31 of the same year, he/she may convert 40 hours of sick leave to 20 hours of vacation leave.

F. Unused Sick Leave for Retirement Health Savings Account (RHS)

Unused sick leave will be deposited into a Retirement Health Savings account for employees with sick leave balances over 480 hours (672 hours Fire-Sworn and Non-Sworn EMS) and for employees who separate employment with the Town and meet the eligibility requirements of either retirement or resignation.

The annual funding will take place in January of each year for employees with sick leave balances over 480 hours (672 hours Fire-Sworn and Non-Sworn EMS) which will be deposited into employees RHS accounts at 50% (2:1) at the employee's current rate of pay at time of deposit. The employees will maintain a sick leave balance of up to 480 hours (672 hours Fire-Sworn and Non-Sworn EMS) and will continue to accrue at the normal accrual rate throughout the year.

Employees who are retiring from the Town through Arizona State Retirement System or the Arizona Public Safety Personnel Retirement System and provided a 60-day notice to the Town of their retirement will receive all their accrued sick leave up to 480 hours (672 Fire-Sworn and Non-Sworn EMS) in their RHS account at 100% (1:1) at the employee's rate of pay at retirement. Accrued sick leave balances over 480 hours will be deposited at 50% (2:1) at the employee's current rate of pay at time of retirement. Use of the RHS funds for employees who retire will be available for immediate use after retirement, no matter the age of the employee.

Employees who are resigning from employment and have 10 years of service with the Town and provided the Town with a 30-day notice of resignation will receive 50% (2:1) of their sick leave accruals up to 480 hours (672 hours Fire-Sworn and Non-Sworn EMS) at the employee's current rate of pay at time of resignation. Accrued sick leave balances over 480 hours will be deposited at 50% (2:1) at the employee's current rate of pay at time of resignation. Use of the RHS funds for employees who resign will be available for use after age 50.

G. Outside Employment

Employees are not allowed to work outside employment while on sick leave, FMLA, or workers' compensation/injury leave. Any exception to this rule will require prior written approval of the employee's Department Director and the Town Manager. Furthermore, the outside employment must not constitute a conflict of interest as defined in Policy #700.

H. Abuse of Sick Leave

Disciplinary action, up to and including dismissal, may be taken if an employee is using sick leave for purposes other than those defined in this Administrative Procedure.

I. Sick Leave Payout at Separation

Unused sick leave is not paid to an employee upon separation.

If an employee retires or resigns from employment with the Town and meets the eligibility requirements, the employee's sick leave balances up to 480 hours (672 hours Fire-sworn and Non-Sworn EMS) may be deposited into the employee's Retirement Health Savings account at separation at the employee's current rate of pay.

ADMINISTRATIVE PROCEDURE

Subject: Family and Medical Leave (FMLA)

Revision Date: 1/5/2024

Procedure Number: 650

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to communicate the process for the Town of Queen Creek to comply with the Family and Medical Leave Act (FMLA).

The Family and Medical Leave (FMLA) Act of 1993 was intended to balance the demands of the workplace with the needs of families; to promote the stability and economic security of families; and to promote national interests in preserving family integrity. To accomplish these purposes, this procedure establishes the rights and obligations of the Town, its employees, and their families. Please note that this policy and procedure is intended to summarize the material terms of the FMLA and not to create an independent policy in addition to the FMLA. Any conflict between this policy and procedure and the terms of the FMLA is inadvertent, and the terms of the FMLA shall govern.

Policy Communication

The policy establishing the Town's direction related to FMLA can be found in Policy #600.

Definitions

In order to determine eligibility under the FMLA, it is important to understand the key definitions of qualifying relationships and circumstances.

Spouse: a husband or wife as defined under state law.

Child: a biological, adopted, or foster child, stepchild, or legal ward of the person having day-to-day care for the child. It may also include a son or daughter who is 18 or more years old if he/she is incapable of self-care because of a physical or mental disability.

Parent: a biological, adoptive, step, or foster parent, or any individual who stood in loco parentis to the employee when the employee was a child. Parents-in-law are not included in this term, unless they are considered to be the legal guardian of the individual who meets FMLA criteria.

Serious health condition: an illness, injury, impairment, or physical or mental condition that involves inpatient care or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Continued treatment by a health care provider:

Subject to certain conditions, the continuing treatment requirement may be met by:

- The employee or eligible family member has a period of incapacity of more than three (3) consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment.
- The employee or eligible family member has an incapacity due to a pregnancy.
- The employee or eligible family member is incapacitated due to a serious long-term or chronic condition or disability which cannot be cured, but may not require active treatment.

Treatment for allergies, stress and substance abuse are covered by this clause if all the conditions of the regulation are met; however, the inclusion of substance abuse does not prevent the Town from taking action against an employee who is impaired in the workplace, who fails a drug test or who is unable to perform the functions of his/her job due to substance abuse. (For more information, please refer to Policy #1020, Controlled Substances, Drug and Alcohol, and Testing Procedure.)

A. Eligibility

An FMLA eligible employee is one who has been employed by the Town for at least twelve (12) months (not necessarily continuously) and has been employed for at least 1,250 hours of service during the twelve (12)-month period immediately preceding the commencement of the leave. Exempt employees are presumed to have met the 1,250 hours of service required for eligibility if they have worked full time for the Town at least twelve (12) months.

The twelve (12) weeks may be taken continuously or intermittently during a rolling 12-month period. A “rolling” 12-month period is measured backward from the date an employee uses any FMLA eligible leave. Thus, each time an employee uses any FMLA eligible leave, the employee’s remaining leave entitlement would be the balance of the twelve (12) weeks which has not been used during the immediately preceding twelve (12) months.

B. FMLA Qualifying Events

The FMLA provides eligible employees up to twelve (12) workweeks of unpaid leave within a twelve-month period. Each of these circumstances or events has certain “qualifying” definitions, conditions, and guidelines that must be considered in order to determine eligibility under the FMLA.

Basic Leave Entitlement

1. For the birth of a child or placement of a child with the employee for adoption or foster care.
2. To care for the employee’s spouse, child or parent with a serious health condition.
3. For serious health condition that makes the employee unable to perform the functions of the employee’s job. In the case of industrial injuries, FMLA leave runs concurrent with the industrial leave.

Military Family Leave Entitlements

1. Covered Active Duty Leave: Eligible employees with a spouse, son, daughter, or parent on covered

active duty or call to covered active duty status in a regular component of the armed forces, the National Guard, or Reserves in support of a contingency operation and/or deployed to a foreign country may use the leave entitlement to address certain qualifying exigencies to manage their affairs, which is referred to herein as “qualifying exigencies.” Qualifying exigencies include (1) short-notice deployment; (2) military events and related activities; (3) childcare and school activities; (4) financial and legal arrangements; (5) counseling; (6) rest and recuperation; (7) post-deployment activities; and (8) additional activities where the employee and the Town agree to the leave. The length of the leave due to any of the qualifying exigencies will be determined by the applicable regulations and on a case-by-case basis. Please note: The amount of time an eligible employee may take for rest and recuperation as referenced above is a maximum of fifteen (15) calendar days.

2. Caregiver Leave: FMLA also includes a special leave entitlement that permits eligible employees who are the spouse, son, daughter, parent or next of kin to take up to 26 weeks of leave to care for a covered service member during a single 12-month period for up to five years after the service member leaves service. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on covered active duty that may render the service member medically unfit to perform his or her duties for which the service member is:
 - undergoing medical treatment
 - recuperation
 - therapy
 - is in outpatient status
 - is on the temporary disability retired list
3. Military members’ parent: Eligible employees may take leave to care for a military member’s parent who is incapable of self-care when the care is necessitated by the member’s covered active duty. Such care may include arranging for alternative care, providing care on an immediate need basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility.
4. Covered Veteran: The definition of covered service member is expanded to include covered veterans who are undergoing medical treatment, recuperation, or therapy for a serious injury or illness. An individual who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.
5. Serious Injury or Illness for a Covered Veteran: A serious injury or illness for a covered veteran means an injury or illness that was incurred or aggravated by the member in the line of duty on active duty in the Armed Forces and manifested itself before or after the member became a veteran, and is:
 - A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member’s office, grade, rank, or rating.
 - A physical or mental condition for which the covered veteran has received a VA Service

Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave.

- A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would do so absent treatment.
- An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

C. Advance Notice Requirement

The employee is required to provide a Human Resources representative with at least thirty (30) days advanced written or verbal notice if the leave is foreseeable or such notice as is practical under the circumstances. If the leave is not foreseeable, the employee should notify Human Resources the same day or the next business day after learning of the need for leave. Notice of the need for leave must include the reason for the leave as well as the anticipated duration of the leave. Human Resources will send a Notice of Eligibility and Rights and Responsibilities within five (5) business days of the employee's written request for FMLA leave.

If an employee is requested to submit a certification by a physician or practitioner, the form should be completed and returned to Human Resources within two (2) weeks. The detailed medical certification requirements for qualification under the FMLA are discussed in the medical certification/eligibility section of this procedure.

If the leave is eligible for FMLA, Human Resources will designate the leave as Family and Medical Leave. Human Resources will notify the employee whether the designated leave is eligible or not within five (5) business days.

Employees are required to notify Human Resources as soon as practical if dates of scheduled FMLA leave changes or are extended from the original request. All FMLA records will remain confidential and will be maintained in the Town confidential personnel file, which are stored in the Human Resources Department. Access to confidential files is limited to those with a need to know.

D. Calculation of 12 Month Period

Under the Family and Medical Leave Act, the Town has opted to use a rolling calendar year. Eligible employees will therefore be entitled to twelve (12) weeks of Family and Medical leave within a twelve-month period, beginning with the first day that leave is taken, under the qualifying circumstances defined by the Act.

E. Paid Leave Substitution

Under the guidelines of the Family and Medical Leave Act, the Town is required to grant leave to eligible employees provided the qualifying circumstances are present and documented. Paid leave will be used concurrent with Family and Medical leave time due to a *basic leave entitlement*. Specifically, employees are required to exhaust their leave balances in the following order:

1. compensatory time,
2. sick leave,

3. floating holiday, then
4. vacation leave, prior to unpaid leave.

The paid and unpaid leave taken will be deducted from the balance of the Family and Medical Leave entitlement.

Employees are not eligible to accrue vacation and sick leave on unpaid leave status under the Town's FMLA guidelines. If the leave prior to and after the Town designated holiday is unpaid, the employee also does not receive holiday pay or a floating holiday substitute under the Town's FMLA guidelines.

F. Medical Certification/Eligibility Requirements

Depending upon the type of FMLA request, the Town may require the employee to complete a Certification of Health Care Provider for the employee's or family member's serious health condition within fifteen (15) calendar days of request. If required, the health care provider should complete the FMLA Health Care Provider Form (See Appendix A). In lieu of the form, the provider may provide a written statement, which will be considered when determining the FMLA, leave eligibility. The health care provider's statement, if required, should include the date the condition commenced, the probable duration of the condition, a brief statement outlining the course of care that will be followed (number of visits, frequency/duration of treatment), whether hospitalization will be required, and a statement as to whether the employee is unable to work or unable to perform the essential functions of the job or how/why the employee is needed to provide care to the family member. The Town has the option to provide a statement of the essential functions of the job for the provider to review in the certification process. Employees must inform the Town if the requested leave is for a reason for which FMLA leave was previously taken or certified. The Town may require periodic recertification in accordance with Family and Medical Leave Act procedures.

In the event the Town has reason to doubt the validity of a medical certification, the Town may require the employee to obtain a second opinion at the Town's expense. The Town may designate the provider furnishing the second opinion or re-certification, but it may not be a provider regularly utilized by the Town.

If Human Resources deems an employee's certification to be incomplete or unclear, the employee may be asked in writing to provide additional information or clarification within seven (7) calendar days. If the ambiguity is not clarified, the Town, acting through a management representative or Human Resources professional (but not the employee's supervisor), may contact the health care provider in regards to the incomplete or unclear information in the certification. Where the health care provider sharing the health information of an employee is covered by the Health Insurance Portability and Accountability Act (HIPAA), the Town will obtain authorization from the employee in compliance with HIPAA. If the employee refuses to provide the employer with authorization and does not otherwise clarify the certification, the Town may deny the requested FMLA.

For any military family leave entitlement, the employee is required to provide sufficient information supporting the need of the leave.

G. Intermittent/Reduced Schedule Leave

Family and Medical Leave may be taken "intermittently" or on a reduced leave schedule under certain

circumstances when medically necessary to care for a family member or for the employee's own serious health condition. Employees may use FMLA leave for birth, placement, and bonding intermittently or to work a reduced schedule but only if they submit a schedule of the leave and the Town agrees.

Intermittent leave may include periods of time from an hour or more, to several weeks, such as might be necessary for medical treatment. Reduced schedule leave is leave that would reduce the employee's usual number of working days per week or hours per workday. Intermittent or reduced schedule leave is subtracted from the total of twelve (12) weeks to which the employee is entitled under the FMLA by the actual amount of leave the employee has taken.

The employee is expected to arrange intermittent leave for scheduled medical treatment in advance with as much consideration for the business needs of the Town as possible. In addition, if an employee requests intermittent leave or reduced schedule leave, the Town may require the employee to transfer temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than the employee's regular position. The alternative position must have equivalent pay and benefits but may not necessarily require equivalent duties and, as such, the Town may transfer the employee to a lower position at the employee's same rate of pay.

H. Joint Employment

A husband and wife who are both employed by the Town are permitted to take only a combined total of 12 weeks of leave during the twelve (12) calendar month period if they are taking leave for the birth or adoption of a child. However, each spouse is eligible for twelve (12) weeks of leave if it is to care for a serious health condition of a child.

I. Continued Benefits Coverage

During leave under the FMLA, the Town must maintain the employee's coverage under any group health plan (medical, dental, vision, EAP, life insurance, AD&D, and short-term disability) on the same conditions as the coverage would have been provided if the employee had been continuously employed during the entire leave period with the employee continuing to pay his/her share of health benefit premiums. Employees should make payments for dependent coverage and/or optional benefits to the Town during time off, just as they would if they were working.

Employees may choose not to retain health coverage during FMLA leave, but they are entitled to be reinstated on the same terms as prior to taking the leave without any qualifying period or re-qualification conditions.

J. Return to Work

Employees that return from FMLA due to their own serious health condition are required to provide a fitness for duty certification from their health care provider attesting that they are able to perform the essential functions of his or her job.

An employee who returns to work for at least thirty (30) calendar days is considered to have "returned" to work. Should the employee fail to return to work after FMLA leave, the Town is entitled to recovery of health benefit premiums paid by the Town during the leave period.

All but "key" employees will be reinstated to their job, or a substantially equivalent position, at the expiration of leave and upon the presentation of a fitness for duty certificate (unless they would have lost their job in any event for any other reason, such as layoff). "Key" employees, who may be reinstated to their job, are salaried employees who are among the highest paid 10 percent of all the employees employed by the Town.

The use of leave will not result in the loss of any employment benefits that accrued prior to the start of leave.

K. Outside Employment

Employees are not allowed to work outside employment while on FMLA. Any employee that conducts outside employment activities while on FMLA will be subject to disciplinary action, up to and including termination.

L. Unlawful Discrimination

It is unlawful for any individual to discriminate against, interfere with, or deny the exercise of or the attempt to exercise any right under the FMLA.

M. Time-keeping Responsibilities

In conjunction with Payroll, Human Resources will be responsible in counting the FMLA days used during each pay period. Both Payroll and Human Resources will work with the employee's supervisor to ensure the appropriate number of FMLA days and/or hours are designated within the payroll systems.

The FMLA employee will be notified of any deductions that need to be satisfied by Payroll. In the event that the employee's paycheck does not cover the deductions, the employee will have two options: 1) employee can make a payment to the Town, or 2) request Payroll to deduct the remaining balance from the next Payroll. The employee must sign a permission slip allowing the Town to make the extra deductions.

ADMINISTRATIVE PROCEDURE

Subject: Paid Parental Leave

Revision Date: 10/4/2024

Procedure Number: 665

Authorized Approval: Gardner/Coffman

Effective Date: 1/5/2024

Purpose

The purpose of this policy is to establish guidelines for the administration of the Paid Parental Leave program. This program provides paid leave to assist regular full-time employees with the care of their child after the birth or initial placement of a new child in connection with adoption or foster. This program runs concurrently with the Family Medical Leave Act (FMLA) policy.

Policy Communication

The policy establishing the Town’s direction related to Paid Parental Leave can be found in Policy #600.

Procedures

A. Eligibility

- a. To be eligible to receive Paid Parental Leave, an employee must:
 - i. Be employed as full-time regular status;
 - ii. Be employed by the Town of Queen Creek for at least 12-months;
 - iii. Be the birthing and non-birthing parent who is listed on the birth certificate or adoption/foster paperwork;
 - iv. Apply for FMLA as outlined in the FMLA policy.
- b. Employees are not eligible to receive Paid Parental Leave if:
 - i. Receiving any short term, long term or permanent disability insurance;
 - ii. Receiving any workers’ compensation insurance;
 - iii. Has received Paid Parental Leave within the past 12 months.
- c. Requests, which include the dates that the employee wishes to use Paid Parental Leave, must be received by the Human Resources Department at least 30 days prior to the expected leave start date (or as soon as possible if the event was not foreseeable).

B. Duration

- a. Eligible employees may receive up to four (4) weeks based on assigned schedule at the start of the leave (160 hours for regular full-time employees, or 224 hours for Fire-Sworn and Non-Sworn EMS) paid leave for each child born or placed with the employee for adoption or foster care. For multiple births (e.g. twins, triplets) at the same time, a total paid leave will be limited to a maximum of four (4) weeks.
- b. Employees must take the leave in within the first four (4) weeks following the birth or new

placement of a child.

- c. Parental leave must be continuous and will not be applied on an intermittent basis.
- d. Paid holidays that occur while an employee is on Paid Parental Leave do not extend the duration of the Paid Parental Leave.

C. Pay During Leave

- a. Paid Parental Leave is paid at 100% of the employee's compensation after the birth or initial placement of a new child in connection with adoption or foster.
- b. An employee will continue to accrue vacation and sick leave and receive holiday pay where eligible.
- c. An employee may be required to use accrued leave for any additional time away beyond the continuous four (4) weeks of Paid Parental Leave.

D. Insurance Coverage and Benefits

- a. Insurance coverage is maintained during the leave as if the employee continued to work and continues to participate in the insurance plans that he/she enrolled in prior to the leave.
- b. Arizona State Retirement (ASRS) and Public Safety Personnel Retirement System (PSPRS) contributions will continue while the employee is out on Paid Parental Leave.

E. Return to Work

An employee must provide the Town advanced written notice of their return to work date from Paid Parental Leave.

ADMINISTRATIVE PROCEDURE

Subject: Other Paid Leave Categories

Revision Date: 10/4/2024

Procedure Number: 660

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to communicate the process for recognizing and defining those instances when employees of the Town of Queen Creek may need to take leave from their job and when that leave time is still considered compensable. The procedures described in this document are considered above and beyond the procedures established for vacation and sick leave as stated in Policy #600.

Policy Communication

The policy establishing the Town’s direction related to Other Paid Leave Categories can be found in Policy #600.

Procedures

Employees are expected to be accountable for their attendance and leave usage. Employees are responsible for notifying their immediate supervisor prior to taking any type of leave.

A. Military Leave

Definitions:

Military Leave With Pay: A period of approved absence for military duty during which full Town pay and benefits continue. Includes paid time granted by statute and time during which an employee has elected to apply his or her accrued leave as permitted by policy.

Military Leave Without Pay: A period of approved absence during which employees’ regular pay is discontinued by the Town while they are engaged in active military duty or state or federally funded military training duty.

Military Training: Federally-funded training duty for members of any reserve component of the armed forces of the United States, and state-funded training duty for members of the military reserve.

USERRA: The Uniformed Services Employment and Re-employment Rights Act of 1994. Under USERRA, employees who leave work to serve in the armed forces hold certain reemployment rights as long as they comply with notification and other requirements.

Purpose

Permits military leave for duty in the armed services of the United States in accordance with state and federal law.

Leave Benefits

The Town shall permit members of the Military Reserve or National Guard to take leaves of absence from employment for the purpose of complying with competent orders of the state or United States for active duty, or to attend camps, maneuvers, formations or armory drills.

Military Training Duty

Pursuant to Arizona Revised Statute (A.R.S.) 38-610, any employee who is a member of the National Guard or Reserve Corps of the United States Armed Services will be granted leave from assigned duties with the Town for a maximum of 30 workdays in a rolling two (2) consecutive year period. For the purpose of this section, "year" means the fiscal year of the United States government (October 1st through September 30th).

Pursuant to A.R.S. 26-168, 26-171, and 38-610, military training will result in no loss of time, pay, vacation, benefits, or other employment rights during the military training. The amount received from the armed service for this period of duty will be retained by the employee.

Military Active Duty

Any employee who is called to active military duty will be covered under the following provisions:

Salary Continuation

Supplemental Pay: After the standard 30 day military leave entitlement is exhausted, supplemental pay will be extended to eligible employees called to active military duty for a period of up to 24 months. (The employee is required to provide military pay statements to substantiate military compensation). The supplemental pay will consist of the difference between the employee's standard compensation from the Town and the compensation that the employee receives from the military, (assuming Town pay is greater). The employee's standard compensation from the Town of Queen Creek will include the employee's base compensation.

Pay Increases: During a leave of absence for active military duty, employees will be eligible to receive pay increases, (i.e. cost of living,) that are given to all employees.

Benefits

Medical, Dental and Vision Insurance: Employees on paid *military leave training* and their dependents are covered for medical, dental and vision insurance, at current employee contributions, if currently enrolled in the Town's plan.

Employees on *military active duty* for 31 days or more are excluded from medical, dental and vision insurance coverage. Upon return from active military duty, the employee's coverage will be reinstated in the Town's medical, dental and vision plans without any waiting periods or exclusions except for service-connected illnesses or injuries.

Basic Life Insurance: Basic life insurance coverage will continue for the employee on military active duty. Any exclusion, including act of war, will remain in place.

Voluntary Life Insurance: Employees have the option to continue coverage in voluntary life insurance at the employee's contribution rate for the entire time on active duty. War exclusions only apply under accidental death or dismemberment coverage.

Probationary Employees: Probationary performance review dates will be adjusted to reflect the military leave of absence (i.e., probationary period will be extended).

Leave Accruals: Employees will continue to accrue vacation and sick leave while on paid status from the Town. Vacation and sick leave accruals stop in the case of an unpaid military leave.

Example: An employee's leave extends beyond the thirty (30) workdays paid leave to forty-five (45) days. In this case, the employee is not paid for fifteen (15) days; however employee may use vacation accrual.

Example: An employee's leave extends beyond twenty-four (24) months. In this case, the employee is paid only for twenty-four (24) months (differential pay) and vacation and sick leave accrue. Vacation and sick do not accrue beyond the twenty-four (24) months period of unpaid leave.

Upon the employee's return to regular employment, the time absent as a result of unpaid military leave shall be counted as service for the purposes of determining the vacation and sick leave accrual as provided by USERRA.

Retirement Contributions: The Arizona State Constitution provides that the Town of Queen Creek will pay the employer portion and employee portion for retirement for employees on military active duty up to sixty (60) months (5 years).

Reemployment: As provided by USERRA, upon completion of military service, the employee shall be restored to the position held at the time of induction or reporting for service, or to a position having similar or other duties which he/she is qualified to perform, and of like status and pay, if such employee complies with all the following:

- Has either served in the armed forces during time of war or was called to serve because of the employee's status as an active or inactive member of the reserve.
- Possesses a certificate of satisfactory training and service or honorable discharge issued by the proper military authority.
- Is still qualified to perform the duties of the position.

If a layoff process (reduction-in-force) occurred while the employee was on military leave and his/her position was identified for abolishment, the Town is not obligated to reemploy the employee.

Prohibition Against Employment Discrimination: A member of the Military Reserve or National Guard shall not, because of membership therein or absence from employment under competent military orders, be deprived of employment or prevented or obstructed in obtaining employment in the employee's trade, occupation, or profession, nor shall any person be dissuaded from enlisting in the

military forces of the state or the United States by threat of or actual infliction of physical punishment or economic damage.

Eligibility for Military Leave: An employee is eligible for Military Leave when, during Town employment, the employee:

- Is called to required military training.
- Is called into state or federal active military service.
- Is called upon by the President.
- Voluntarily enters active service in any branch of the United States military

Employee Responsibilities: Pursuant to requesting absence for military leave, an employee shall:

- Provide as much advance written and oral notice of the absence as possible to the Human Resources Department (A.R.S. 26-168, 26,171, or 38-610).
- Provide a copy of order for duty or other official documentation to the Human Resources Department.
- During active duty, an employee is required to provide military pay statements to substantiate his/her military compensation. If the employee is unavailable to provide such statements, the employee may authorize direct release of such statements to the Town of Queen Creek.
- Submit an Application for Leave form.
- Select pay and benefit options desired during absence.
- Retain copies of all submitted documents.
- Apply for reemployment in a timely manner.

Department Responsibility: Each department, in partnership with the Human Resources Department and the Payroll Division, is responsible for monitoring, controlling, and accounting for military leave to ensure that no employee is granted more than thirty (30) paid workdays in a rolling two consecutive year period, counted backwards from the date of the requested leave.

B. Bereavement Leave

Upon confirmation of the death of a family member of first-degree and second-degree affinity and consanguinity, full-time employees shall be granted up to three (3) working days (two (2) 24-hour shifts for Fire-Sworn and Non-Sworn EMS working 24-hour shifts) of Town-paid bereavement leave, not to be charged to any accrued sick or vacation leave, per occurrence to attend the funeral of an immediate family member (see Glossary of Terms). Two additional days of bereavement leave (12 additional hours for Fire-Sworn and Non-Sworn EMS working 24-hour shifts) with pay may be granted if the employee must travel out of state for a family member of first-degree consanguinity or first-degree affinity. Upon approval from the Department Director, vacation leave may be used to extend funeral leave. Bereavement Leave does not have to be used consecutively, but must be used within two weeks.

The Department Director reserves the right to request documentation verifying the death of immediate family member in order to validate the leave request. Funeral or Bereavement Leave for

an immediate family death can be taken with pay by employees who are in their initial six (6) month trial period.

C. Jury Duty Leave

Every employee of the Town who is required to serve as a juror shall be entitled to absent him or herself from his or her duties with the Town during the period of such service or while necessarily being present in court as a result of such call. Employees subpoenaed to testify (other than for their own case) as witnesses in criminal or civil cases, shall be entitled to be absent in the same manner as for jury duty leave. Under such circumstances, the employee shall be paid full salary and any payment received from the court shall be remitted to the Town, except travel pay and per diem, for such duty.

An employee on jury duty is expected to return to work if the jury duty ends before their regularly scheduled workday ends. Additionally, employees should obtain a receipt of jury attendance from an authorized agent of the court for each day of jury duty. Slips of proof need to be turned into the employee's immediate supervisor and attached to the employee's timesheet.

D. Voting Leave

Employees are encouraged to vote. Employees shall have adequate time to vote as required under State law. Pursuant to Arizona Revised Statutes, if there is less than three (3) consecutive hours between the opening of the polls and the beginning of the employee's regular work shift or less than three (3) consecutive hours between the ending of his or her work shift and the closing of the polls, the Town will allow the employee to receive paid leave from work. Employees will be allowed up to a maximum of two hours paid-time off to vote in elections. If so requested, the supervisor may request that the employee show proof of being a registered voter. Employees must receive approval from their supervisor to utilize the election leave in order to ensure coverage of their respective areas; however, no employee is to be denied the right to vote during work hours.

E. Injury Leave

Employees with an accepted workers compensation claim will be placed on injury leave for the first ninety (90) consecutive working days (as defined in Procedure #1100) following the initial injury or the initial onset of a work-related illness in accordance with Procedure #1050 (Workman's Compensation). No injury leave will be granted for aggravation of, or re-injury of a previously approved claim. Employees may not perform secondary employment while receiving injury leave. Any requests for exceptions to this procedure require Town Manager approval.

F. Administrative Leave

The Department Director, with the Human Resources Director approval, may place employees on administrative leave with pay. Administrative leave is to be used when the circumstances warrant the

employee to be temporarily relieved from their duties pending an investigation or administrative process. While on administrative leave with pay, employees are expected to follow departmental direction concerning requirements for leave time. During administrative leave, an employee is prohibited from entering onto Town property and accessing the Town's computer system without proper permission. When placed on administrative leave, an employee shall leave all keys, ID badge/entry card, and other means of access to Town property with appropriate personnel. During the period of administrative leave with pay, the employee is considered to be on full duty and available to participate and aid in any review or investigation. Employees shall be accessible to Town management via home telephone and/or cell phone and be available to meet with Town personnel during the employee's regularly scheduled business hours. If an employee will not be available for any reason, the employee must advise his/her supervisor and provide an alternate means whereby he/she may be reached. Failure to comply with any of these restrictions during administrative leave and/or failure to cooperate with an investigative or administrative review is subject to discipline up to and including dismissal.

G. Volunteer Leave

Full-time employees of the Town are eligible to take two (2) hours per month of volunteer leave to volunteer at 1) a school of their choice, or 2) a non-profit organization within the Town of Queen Creek. School activities might include reading to an elementary school class, assisting teachers with classroom tasks, participating in teacher recognition events, assisting with an after-school club or activity, serving as a chaperone on field trips, or assisting with school celebrations, dances, ceremonies or assemblies. Other non-profit volunteer assistance within the Town of Queen Creek may include volunteering at a homeless or domestic violence shelter, volunteering at animal shelters, volunteering with emergency relief organizations (such as the American Red Cross), volunteering with local Boys or Girls Scouts of America, the local Boys and Girls Club, and/or assisting in federal, state or municipal elections.

ADMINISTRATIVE PROCEDURE

Subject: Personal Leave

Revision Date: 1/5/2024

Procedure Number: 670

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to establish when the Town may grant a personal leave of absence to an employee with or without pay for reasons such as medical leave, personal leave, or other such needs that are not covered by FMLA or Military Leave. A personal leave may be any additional time-off required after exhaustion of FMLA.

Policy Communication

The policy establishing the Town’s direction related to Personal Leave can be found Policy #600.

Procedures

The leave with or without pay designation applies to those persons who are unable to perform their job duties due to personal reasons for more than 10 calendar days.

The following rules apply to personal leave with or without pay.

1. Only the Town Manager, or designee, may grant the leave.
2. An employee must submit a written leave request to Human Resources. The request must set forth the reason for the leave and the length of time requested.
3. Documentation of leave will be placed in the employee’s Town personnel file.
4. Employees will be required to use earned and accrued paid leave such as sick leave (if eligible) and vacation leave prior to unpaid leave under this circumstance, and paid leave taken will be deducted from the balance of the leave entitlement.
5. Employees may request donations of vacation leave as long as they meet the requirements in Procedure #635.
6. An employee on Personal Leave of Absence without pay shall receive no compensation and shall accumulate no vacation or sick leave, or holiday or float leave, while on such leave until full return, unless otherwise required by law.
7. Insurance benefits will be retained as long as the employee makes payments directly to the

Town for the entire amount of the full premium (Town plus employee portion).

8. Employees on leave must abide by the departmental procedures for furnishing periodic reports on expected return date.
9. Failure on the part of an employee on Personal Leave without Pay to report promptly upon expiration of the leave, or to seek extension of the leave within 10 calendar days after notice to return to duty has been sent (by certified mail), may be cause for dismissal.
10. The term of a Personal Leave with or without Pay may be extended under unusual circumstances by the Town Manager, or designee.

ADMINISTRATIVE PROCEDURE

Subject: Alternative Work Schedule

Revision Date: 1/5/2024

Procedure Number: 680

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to establish consistent administrative procedures for alternative work schedules. Alternative work schedules are administered under the direction and approval of the Department Director and may be denied and/or revoked by the Town at any time.

Policy Communication

The policy establishing the Town’s direction related to work schedules and leave can be found in Policy #600.

Procedures

A. Types of Alternative Work Schedules Available

The Town of Queen Creek conforms to the all terms of the Fair Labor Standards Act. The Town of Queen Creek declares its workweek to start on Saturday at 12:00 a.m. and end on Friday at 11:59 p.m. This established workweek is currently fixed for all employees. Department Directors may consider approving an alternative work schedule for employees, but only within this established workweek. Use of alternative work schedules not only encourages employees to support trip reduction programs, but can also provide work-life balance opportunities for those employees.

For guidelines purposes, the Town of Queen Creek recommends Department Directors offer the following basic alternative work schedules:

- **4/10s:** Employees perform their work during four 10-hour days every week. Employee is off one specific day each week.
- **5/8s:** Employees perform their work during five 8-hour days every week.
- **4/9s + one 4 hour day:** Employees perform their work during four 9-hour days and 1-four hour day every week. Employee is off 4 hours one specific day each week.
- **9/80:** Employees perform the required 80 hours of work within a two-week period but in 9 days instead of 10. Employees work eight 9-hour days, one 8-hour day, and have one specific day off every other week. **Due to overtime implications, this is currently offered to exempt employees only.**

B. Eligibility

With the approval of the supervisor, during the 40-hour workweek full-time employees have flexibility in establishing daily start and end times as long as it does not impede customer service needs. Days of the workweek may have varying start and end times but the schedule established by the employee and approved by the Department Director remains the same over each workweek. Any employee requesting an alternative work schedule shall request it in writing for Department Director approval.

The Town of Queen Creek considers customer service as the number one priority. The Department Director shall not approve Alternative Work Schedules which result in increased overtime, reduction of customer service levels, or reduced productivity.

Certain positions may not be eligible for an alternative work schedule due to department needs. The alternative work schedule can be revoked from an employee at any time at the Department Director's discretion. Employees must recognize that alternative work schedules are considered exceptional arrangements or accommodations. Revocation of an alternative work schedule is not subject to the grievance procedure.

C. Responsibilities

Consistent with ensuring service to the public, every department will ensure that the quantity of work and quality of customer service required for their department is maintained or increased.

- This requires that all schedules for the department are coordinated with the needs of internal and external customers.
- Email and voicemail must be updated to reflect time away from the office.
- Schedules should coordinate effectively with other Town departments impacted.
- Deadlines should be met without increased overtime.
- On an on-going basis, department directors should monitor alternative work schedules to ensure that quantity of work and seamless customer service is maintained.

D. Scheduling Flex Day Off

Employees must use their specific flex day during the same workweek as per the agreed upon schedule. Rescheduling flex days is subject to Department Director approval, but is discouraged. Employees may not accumulate (bank) their flex days.

E. Working on Flex Day Off

If there is a business need, both exempt and non-exempt employees must make themselves available on their flex day off. The choice of a substitute flex day during the same workweek will be left up to the employee and the Department Director.

F. Lunches and Breaks

As per current policy, scheduled lunch breaks are not required; however, the Town encourages all full-time employees to take a minimum 30 minute unpaid lunch. A minimum of a 30 minute unpaid lunch is available to employees, if requested. In addition, a paid 15 minute break may be provided to employees, per each four-hour period. At no time may an employee combine his/her breaks to take a paid lunch, nor combine them with an unpaid lunch in order to extend the meal period. As per policy, "such work breaks may not be accumulated or taken immediately prior to or after a meal break or the beginning or end of the shift".

G. Holiday, Vacation, and Sick Pay

If the employee's flex day off falls on a holiday, the employee has the option of taking another day off in the same week that is approved by the Department Director, or he/she must forfeit the flex day. In cases where the Department Director requires a flex day to be forfeited due to coverage issues, the employee can request to revert to an eight hour schedule for that particular week.

Depending on the Town's operation schedule, the holiday is considered a paid 10 hour day if Town offices are open Monday through Thursday. The holiday would be 8 hours if on a Monday through Friday schedule. If the holiday does not fall during the same workweek as the employees regularly scheduled 10 hour day (if applicable), the additional hours must be made up during the holiday week. This can be accomplished in one of several ways:

- Work the extra hour(s) on one or more other days
- Take the extra hours through vacation leave

Vacation and sick leave shall reflect the hours scheduled by the employee for that particular workday.

H. Definitions Flex Day

"Flex Day" means the day of the week or pay period in which the employee does not work (in cases of a 4/10 or 9/80 schedule) or the day the employee reduces the number of hours worked (in case of a 4/9s + one 4 hour day schedule).

ADMINISTRATIVE PROCEDURE

Subject: Teleworking

Revision Date:

Procedure Number: 690

Authorized Approval: Gardner/Coffman

Effective Date: 1/5/2024

Purpose

Employees should be aware that the Town is committed to maintaining a workforce that works physically and in person at the Town and not remotely. The purpose of this procedure is to establish guidance for teleworking and to define the responsibilities necessary to ensure appropriate, safe, and responsible use of the Town of Queen Creek’s Information Technology systems and Town resources when working from home, off-site, and teleworking. Additionally, this policy will assist employees and Supervisors in understanding the requirements and conditions for teleworking; ensure the confidentiality, integrity, and availability of computer resources; and ensure technology resources are used for Town purposes only.

Policy Communication

The policy establishing the Town’s direction related to Teleworking can be found in Policy #600.

Procedures

Teleworking may be granted by a Department Director, or designee, for up to one regularly scheduled workday/shift per work week for full-time employees in positions that are conducive to teleworking and who have successfully completed their initial trial period and/or currently meeting minimum standards. Any requests by employees to work for greater than one regularly scheduled workday/shift per work week or requests to work outside of the state of Arizona must be approved in advance by both the Department Director and Human Resources Director.

A. Participation

Telework arrangements may be used when an employee has:

- a temporary personal need to be at home, such as meeting a service technician, that cannot be accomplished outside of regular business hours;
- a temporary work disruption;
- a job that is conducive to a telework assignment; or
- other circumstances approved by the Department Director, or designee.

B. Some employees may be better prepared than others to manage the unique requirements of teleworking. When evaluating a telework request, supervisors should consider whether the employee has a record of satisfactory performance in the workplace, the impact on other staff, and has demonstrated the ability to:

- Prioritize work to meet deadlines;
- Accomplish job duties with minimal supervision;
- Communicate effectively with customers, citizens, and team members; and
- Manage time effectively.

- C. It is explicitly recognized that some jobs are not suitable for teleworking. The Town has the right to refuse to make teleworking available to any employee and to terminate a teleworking arrangement at any time. The final decision regarding the ability to telework rests with the Department Director.
- D. Department Directors may establish specific parameters of the telework arrangement to ensure the department's objectives are being met and the telework employees remain engaged.

Definitions

Remote Location- an approved remote alternate location within Arizona.

Teleworking- an arrangement approved by an employee's manager/supervisor with approval from the Department Director, or designee, in which the employee works from a remote location, such as the employee's home or another approved alternative location, other than the Town Office. Teleworking is granted under appropriate circumstances to personnel whose job responsibilities are suited to such an arrangement. The arrangement may also be referred to as "telework", "telecommute" or "remote work."

Town Office- the employee's designated office building or worksite.

Employment Status

Compensation, job responsibilities, benefits, and Town-sponsored insurance coverage do not change as a result of teleworking.

Work Schedules/Timekeeping

- A. Teleworkers will have regularly scheduled work hours agreed upon with their supervisors and remain obligated to comply with all Town Administrative Policies and Procedures. Changes to this schedule will be reviewed and approved in advance by the employee's supervisor.
- B. Teleworkers must be accessible by telephone and/or email during all designated work time periods regardless of work location. Video calls with the camera turned on may be required. Employees should follow the department dress code and wear appropriate attire.
- C. The frequency and methods for communication will be established by the teleworker and his/her supervisor and revised as necessary but should be no less than one time per week and shall include a review of work assignments, accomplishments, etc.
- D. Teleworkers may not be the sole, primary care giver to a small child or dependent adult while they are working. Teleworkers should consider themselves "at work" during their workday and make necessary care arrangements accordingly
- E. Teleworkers will not engage in any secondary employment or non-work-related activities during their regular telecommuting schedule.
- F. Teleworkers must provide their supervisor with their remote work location. The supervisor must approve any change to the employee's alternate work location in advance.
- G. Teleworkers must keep their shared calendars current. This allows for supervisors and coworkers to know a telecommuting employee's availability.
- H. All Town policies regarding attendance and reporting time worked apply to teleworking employees. Employees shall maintain the agreed upon work schedule while teleworking.
- I. FLSA non-exempt employees must be compensated for all time worked regardless of the work arrangement. Non-exempt employees who telework are prohibited from working overtime without prior supervisor approval. This includes but is not limited to reading/responding to email, text,

checking voicemail, and returning telephone calls. Notwithstanding supervisor approval, non-exempt employees are required to timely and accurately record and/or report to their direct supervisor all pre-approved overtime worked, including but not limited to time spent emailing, texting, listening to voicemail, and returning phone calls, in the timekeeping system. An employee's failure to timely and accurately record and/or report to the employee's direct supervisor all overtime worked may result in employee discipline and/or the termination of the telework approval.

- J. Teleworkers may be directed by their supervisor to return to their designated work location on their telework day/shift.

Work Location

- A. The employee's remote workspace will be considered an extension of the Town's workspace. Workers' compensation will apply to work-related accidents or injuries that occur while teleworking during the employee's agreed upon work hours. Workers' compensation will not apply to non-exempt employees, and the Town will not be liable for, injuries occurring in the employee's remote workspace outside the agreed upon work hours. Exempt employees will only be covered by workers' compensation so long as their injuries arise out of/related to their employment. In the case of an injury sustained while teleworking, the employee will immediately report the injury to his/her supervisor in accordance with applicable Town policies. Injuries to the employee that occur during teleworking will be covered if they arise out of and are in the course of the employee's job duties.
- B. If the employee knows in advance of any situation that would preclude working at the teleworking worksite, the employee must notify his or her supervisor immediately.
- C. The Town is not liable for, and workers' compensation does not apply to, injuries to third parties and/or members of the employee's family on the employee's premises.
- D. To ensure that safe working conditions exist, the Town of Queen Creek retains the right to make on-site inspections of the remote work location.

Data Protection/Privacy and Security

- A. Teleworkers are responsible for securing and protecting Town information in their possession, or accessible through the use of equipment in their possession, regardless of the work location. The teleworker may not take restricted access information, such as payroll records, to an alternative work location without approval by the Department Director. If consent is given to have information at a remote location, the data must be kept in an encrypted state using an approved method.
- B. A teleworking employee and his or her supervisor shall identify any confidential, private, or personal information and records with which the employee works.
- C. The employee and supervisor shall ensure that appropriate safeguards are used to protect the security and confidentiality of such information and records, either by restricting certain information or confining records to the regular worksite.
- D. Information is a valuable Town asset and must be protected from unauthorized, incorrect, or accidental access, use, modification, destruction, or disclosure. Employees will be accountable for securing information by taking reasonable and prudent measures to safeguard information on a routine basis.
- E. Information must be protected by the employee in a manner consistent with its value, in all forms (e.g., written, oral, video, and computer), throughout its life cycle.
- F. The employee may not disclose any confidential, private, or personal files, records, materials, or information, and may not allow access to Town networks or databases to anyone who is not authorized to have access.
- G. The work performed by employees while teleworking remains subject to the Arizona Public Records Law.

Equipment

- A. Town-provided equipment is not an entitlement of teleworking. Employees who are teleworking will be responsible for absorbing any costs related to initial set-up of the workspace. The Town will not provide office furniture. Employees may be provided, at the Department Director's discretion, with office equipment (e.g., second monitor, laptop, software, modem, and printer). Such equipment will remain the property of the Town and may not be used for non-business purposes.
- B. Repair and maintenance of Town equipment will be the responsibility of the Town. It is the employee's responsibility to assure that Town owned computer equipment is not abused beyond the normal wear and tear of such equipment. The employee is responsible for calling the Information Technology Service Desk to arrange to bring in the equipment for service and should notify the immediate supervisor when repairs are needed and have been made.
- C. The Town of Queen Creek assumes no responsibility for personal devices used to telework.
- D. Equipment and software provided by the Town may only be used by the telework employee.
- E. Employees may not use Town technology for any non-Town purpose, including for personal use.
- F. Employees may not allow family members or friends to use any Town equipment.
- G. The employee must return immediately all Town equipment and software at the conclusion of the teleworking arrangement or at the Department's request.
- H. A teleworking employee is responsible for securing and protecting any Town technology used in teleworking from possible theft, loss, and damage. If theft, loss, or damage occurs the employee must notify their supervisor immediately.
- I. Employees may not add hardware or software to any Town equipment without written approval.

Remote Access to Town Network

Access to the Town's network infrastructure must use the Information Technology Department's approved method of remote access and authentication. At no time shall a computer that is connected remotely to the Town network be left unattended without locking the screen. Virtualized Desktop Infrastructure (VDI) access should be utilized only when employee requires access to the network and should be disconnected when not in use to minimize use and vulnerability.

Employees must comply with Remote Access and Use Administrative Procedure #750.

Costs

- A. The Town will not be liable for the employee's costs. Specifically, the Town will not reimburse a teleworking employee for utility costs, costs for local telephone service or internet connectivity, costs associated with rent, mortgage, home maintenance, insurance, property taxes, utilities, etc. The Town will not be liable for any investment in furniture or equipment for the designated workspace.
- B. Office supplies will be provided by the Town and should be approved by their supervisor during the teleworker's in-office work period. Out-of-pocket expenses for supplies normally available in the office will not be reimbursed. Unless otherwise agreed to in writing prior to any loss, damage, or wear, the Town does not assume liability for loss, damage, or wear of employee-owned equipment.
- C. Any teleworking expenses not specifically covered in this policy will be addressed on a case-by-case basis by the employee and supervisor with final approval by the Department Director.

Compliance

An employee's failure to comply with the provisions of this procedure may result in loss of eligibility to telework and may result in disciplinary action up to and including dismissal.

POLICY STATEMENT

Subject: Professional and Personal Conduct

Revision Date: 1/5/2024

Policy Number: 700

Authorized Approval: Council/Gardner/Coffman

Effective Date: 4/1/2010

Purpose

The purpose of this policy is to provide specific standards of behavior for the Town of Queen Creek employees to adhere to regarding professional conduct. The integrity and image of an organization is based on the integrity of the employees who comprise it, not just administration, but all employees. Therefore, it is important to have recognized and accepted standards of conduct, both on the job and off the job, when one's behavior reflects upon the Town of Queen Creek's image and reputation in the community.

Policy

It is the policy of the Town to expect, uphold, promote, and demand the highest standards of conduct from all of its employees and officials, whether elected, appointed, or hired. Accordingly, all Town employees and officials should maintain the utmost standards of personal integrity, truthfulness, honesty, ethics, and fairness in carrying out their public duties. Employees should avoid any improprieties, real or perceived, in their personal or professional lives, and never use their Town position or powers for personal gain. In our culture we value:

- The individual
- The team
- Our citizens

We express this by setting ethical standards and the display of integrity in the performance of our duties in all public dealings on or off the job.

Code of Ethics

Employees of the Town of Queen Creek have the trust of the citizens. People in the Town depend on us for service. This level of trust creates a special responsibility. All employees are expected to maintain a high level of ethical standards, to act with integrity in all public relationships, and to always conduct themselves in a manner that maintains public confidence. Do this by following the Town of Queen Creek Code of Ethics.

Employees of the Town of Queen Creek shall uphold the Constitution, laws of the United States, State of Arizona, and the Town of Queen Creek, and shall also be:

1. Honest and trustworthy in what you say, do, and write in all professional relationships.
2. Dedicated to providing quality services by being cooperative and constructive, and by making the best and most efficient use of available resources.

3. Fair and considerate in the treatment of citizens and fellow employees, providing service with equality, and granting no special favors.
4. Committed to accomplishing all tasks in an efficient and cost effective way, and never performing in a way that will harm the image of the Town.
5. Recognizing that public and political policy decisions are the responsibility of the Town Council, the people elected to represent the citizens and to set goals.
6. Dedicated to improving the lives of the citizens of the Town of Queen Creek.

Abiding by this Code of Ethics always requires hard work and the courage to make difficult choices. But we are all best served by doing what is right instead of what is easy.

We expect:

- Each task to have a purpose;
- The individual to step up and lead; and
- Leadership to set positive examples to follow.

Employee Rules *(Adapted from rules advocated by Pete Morrell and Lou Schmidt, 1/96)*

1. Employee expectations are fulfilled by consistency between our words and our actions.
2. **PEOPLE** are the most important resource. Treat everyone, including each other, with respect and dignity.
3. **NEVER** miss a chance to assist a citizen. Constituent service comes first. Help people out whenever you can. Talk to them. Walk with them, don't just point the way to the office they want to find. Park your car away from the door, so customers get the best parking places.
4. Take **CARE** of employees and of each other. Tell people when they did well.
5. The work we do is hard. Help each other out. Give praise.
6. Take care of **YOURSELF**. You're no good to anyone if you don't.
7. **NEVER** surprise the Council. You do that by never surprising your supervisor. Keep your supervisor and the Town Manager informed of what's going on. All of our jobs are interconnected, so everything the Town does is part of your job, too.
8. **PEOPLE** are more important than tasks. Remember that when you're under pressure, trying to get a lot of things done at once.
9. Do what is **RIGHT**. If it would not look good on the front page of the newspaper, don't do it. Do things in a way that will make you and others proud. Be impeccably honest.
10. Be **SMARTER** today than you were yesterday. Learn something. Explore. Try a new way once in a

while. Look for improvement.

11. Fix the **PROBLEM**, not the blame. It is not important who is to blame, what's important is to make things right, and to learn from mistakes so they do not happen again.
12. **NOW** is the most important time. Do things now. Don't wait.
13. **PRACTICE** before you preach. Before any presentation, practice so you get it right.
14. You can only be as good as you **THINK** you are. Aim high.
15. Search for, and find, another alternative. Think **WIN-WIN** so that you make the best of any situation where people disagree.
16. Remember, we are in this for the long haul. Keep issues in **PERSPECTIVE**.

A. Relevant Issues

Proper conduct is defined in a number of ways. The following describes some of the most common conduct-related issues and clarifies the Town's policy on that issue.

1. Conflict of Interest

Employees are subject to the provisions of A.R.S. Section 38-501 through 38-532 regarding conflict of interest. These provisions set forth the Arizona Legislature's laws covering the subject of conflict of interest. These laws apply to all officials, officers and employees of the Town. Arizona law requires public officers and employees to avoid conflicts of interest that might influence or affect their official conduct. The law requires an official, officer or employee (or relative of an official, officer or employee) who has a conflict of interest to disclose the interest and refrain from participating in the matter. The Town Attorney will assist any employee or official who has any questions regarding conflict of interest. At any time, an employee is responsible for notifying their supervisor of any potential of conflict of interest. It is the duty of the employee and/or supervisor, if there is any concern regarding the possible conflict of interest, to contact the Town Attorney and request a written opinion.

While not exclusive, specific examples of conflict of interest are enumerated below for the guidance of employees.

a. Interest in Appointments

Employees should not canvass the Mayor or members of the Town Council, directly or indirectly, in order to obtain preferential consideration in connection with any appointment to a Town job. This does not apply to positions filled directly by the Council. Conversely, the Mayor, members of the Town Council, Board or Commission members, directly or indirectly, should not canvass the Town Manager or Human Resources Director to obtain preferential treatment for any appointment to a Town job on behalf of relatives.

b. Preferential Treatment to Individuals

Granting any special consideration, treatment, or advantage to any citizen beyond that which is available to every other citizen is prohibited.

i. Disclosure of Confidential Information

The Town maintains confidential materials of various kinds (i.e., financial records, personnel data, administrative/legal opinions, software programs, and nonpublic records) designated as confidential by the Town Manager or his/her designee.

All employees are expected to assume responsibility for safeguarding Town records, equipment, property, and other materials. Access to certain material is based upon job classification and a need-to-know basis. Appropriate confidentiality will always be maintained.

ii. Representing Private Interest before Town Agencies or Courts

No person whose salary is paid in whole or in part by the Town shall appear on behalf of private interests before any agency related to Town activities. They shall not represent private, business, and/or financial interests in any action or proceeding against the interest of the Town in any litigation to which the Town is a party.

iii. Interest in Contract with the Town

No employee of the Town shall have any interest in any contract made by them in their official capacity or by any committee, board, or commission of which he is a member, agent, or employee.

iv. Disclosure of Interest

An employee who has a financial or other private interest shall disclose conflict of interest in writing on the records of the Town or other appropriate authority, the nature and extent of such interest.

Any employee who has, or whose relative has, a substantial interest in any contract, sale, purchase, or service to such public agency shall make known that interest in the official records of such public agency and shall refrain from voting upon or otherwise participating in any manner as an officer or employee in such contract, sale, purchase, or service.

Any employee who has, or whose relative has, a substantial interest in any decision of a public agency shall make known such interest in the official records of such public agency by submitting that knowledge in writing to their supervisor and shall refrain from participating in any manner as an employee in such decision.

2. Professional Conduct at Work

A relaxed and friendly atmosphere at work is encouraged as conducive to productivity, teamwork, and morale. However, human dignity and personal safety cannot be compromised.

a. Employee Behavior

All employees shall treat each other, their supervisors, and the citizens with the utmost dignity and respect. The following acts will not be tolerated:

- Physically harming others.
- Verbally abusing others.
- Insubordination, inappropriate, threatening or offensive language.
- Using intimidation tactics and making threats.
- Sabotaging another's work.
- Stalking others.
- Making malicious, false and harmful statements about others.
- Publicly disclosing another's private information.

Harassment can take many forms and includes any behavior that has the purpose or effect of bullying or of creating an intimidating, hostile or offensive work environment or interferes with an individual's work performance. Harassing conduct includes, but is not limited to: using derogatory nicknames or slurs; negative stereotyping; behaving in a threatening or intimidating way; and verbal or physical conduct that degrades or shows hostility or hatred toward an individual.

b. Appearance of Work Areas

Work areas are to be kept neat and presentable in the interest of safety and efficiency, presenting a professional appearance at all times for co-workers and visitors alike.

c. Use of Town Vehicles and Equipment

Town vehicles should be used only for Town business and should not be used for personal errands. Employees operating Town vehicles and equipment are required to comply with all state and local traffic laws. Safety belts must be worn while riding in or driving a Town vehicle. If safety belts are inoperable or are not provided, employees should immediately contact their supervisor and report any safety deficiencies. Use of cell phones, texting, or reading incoming messages while operating a Town vehicle is prohibited, unless using hand-free devices. Employees are prohibited from smoking, including using electronic cigarettes and chewing tobacco, in vehicles owned or leased by the Town.

d. Care of Personal Belongings/Town Supplied Items

The Town does not assume responsibility for the loss of personal money or belongings, nor is it covered by insurance for such loss. Therefore, each employee needs to protect their personal belongings while at work. The Town may provide certain clothing, clothing allowances,

equipment, and other items for designated positions to aid an employee to perform assigned duties. It is the responsibility of the employee to wear, use, and maintain Town-provided materials.

e. Improper Employee Conduct

Disciplinary action may be initiated for improper employee conduct. Causes for initiating a disciplinary action may include, but are not limited to the following:

- The use of intoxicants, including alcohol or controlled substances, while on the job or being intoxicated or impaired on the job.
- Insubordination is defined as a direct or indirect refusal by an employee to obey or perform a legal, ethical, and reasonable directive from a manager, supervisor, or other administrative authority when the directive has been clearly understood or acknowledged. Such behavior undermines a supervisor's ability to manage. Employees can also show insubordination by overtly disrespecting authority figures in the office. Examples of insubordination include:
 - Disobeying an employer's order or instruction
 - Disputing or ridiculing authority
 - Exceeding authority
 - Using vulgar or profane language towards the supervisor
- Use of offensive or abusive language or threatening conduct toward the public, other employees, or administrative personnel.
- Unauthorized use or possession of Town-owned or leased property of any type, or damage to such property through a willful act or negligence.
- Abuse of sick leave, including use under false pretenses.
- Conviction of a crime that in the Town's judgment renders the employee unfit to perform the duties of his/her position.
- Absence from duty without leave or without supervisor approval, failure to report after absence with leave has expired or after disapproval, revocation, or cancellation of such leave.
- Unauthorized outside employment, including, but not limited to while on medical leave, workers compensation leave, FMLA, or long-term disability (LTD).
- Acceptance of any remuneration, whether in the form of a gift, loan, or service, in addition to regular compensation, from any person reasonably known to the employee to be interested in any manner, directly or indirectly, in any decision or act of the Town.
- Solicitation of any member of the public for money, goods, or services for personal gain while acting in an official Town capacity.
- Gambling while at work and using company assets for gambling including during breaks. (For purposes of this standard, "gambling" is defined as playing a game for money or property or betting on an uncertain outcome.)
- Inefficiency, incompetence, or negligence in the performance of duties.
- Failure to obtain and maintain a current license or certificate as a condition of employment, or if required by law or Town policy.
- Violation of, or failure to comply with, Federal, State, or local laws or regulations; the violation of which would bring discredit upon the Town and/or affect the ability of the employee to properly carry out the duties and responsibilities of his/her employment.

- Failure to report an accident or injury occurring on the job.
- Repeated tardiness in reporting to work or excessive absenteeism.
- Falsification of records, reports, employment applications, or documents prepared in connection with or arising out of employment.
- Disregard of personal appearance, uniforms, dress, or personal hygiene; non-compliance with specific Town dress code policies.
- Releasing of confidential information.
- Engaging in any sexual activity while on duty.
- Knowingly providing false or misleading information.
- Discrimination, harassment, or retaliation because of race, color, religion, gender, national origin, age, or disability or any other area protected by law.
- Insensitivities in communication in regards to race, color, religion, gender, national origin, age, or disability, including inappropriate jokes, ethnic slurs, and/or comments.
- Possession of a deadly weapon on the person, either concealed or unconcealed, while on Town property, during scheduled work hours. Deadly weapons include, but are not limited to, explosives, firearms and prohibited weapons as those terms are defined by Arizona Revised Statutes.
- Lying or misrepresenting facts or circumstances during an external or internal investigation or fact-finding.
- Dishonesty in the course of performing his/ her job.
- Deliberately and knowingly misuse of the Town-provided information infrastructure including telecommunications, cable and computer networks, electronic mail (email) with its ancillary applications, or the Internet, when using Town-provided resources, by accessing or transmitting any adult material(s) including pornography, websites, or anything which could be construed as sexually oriented, scandalous, defamatory, libelous, illegal or immoral, or by propagating a computer worm or virus, or any other program or material which may have a debilitating or disabling effect on the Town's computer systems.
- Making deliberate and knowing false accusations against another employee, elected official, or board and commission member in order to discredit another employee, elected official, or board and commission member.
- The loss of a Commercial Driver's License (CDL) or regular driver's license due to a criminal offense by an employee whose position requires him/her to drive.
- Refusal to sign receipt of any policy, guideline, regulation, disciplinary notice, performance evaluation, or other Town correspondence with a signature line.
- Failure to submit to a required physical or psychological examination, or to participate in appropriate counseling, testing, and rehabilitative treatment as may be required by the Town.
- Engaging in pranks or horseplay.
- Smoking where prohibited by local ordinance or Town rules.
- Sleeping on the job without authorization.
- Violation of County and/or State PM-10 measures for air quality control.
- Violation of any Town or department policy, procedure, rule, or regulation.
- Retaliation against a person who has made a complaint or given information regarding possible violations of this policy.

3. **Conduct Away from the Workplace:** The Town is not interested in intruding into the private lives of its employees away from the workplace. However, the Town does expect that employees will

meet basic standards of acceptable conduct in the community while away from the workplace. Conduct away from the workplace that is deemed by the Town to be so socially unacceptable or shocking that the goodwill of the Town as well as its reputation is impugned by the employee's acts, may result in disciplinary action by the Town. Disciplinary action, including termination may be taken against any employee found guilty or who pleads guilty to serious crimes such as assault (sexual or otherwise) murder, robbery, or burglary. The Town also reserves the right to take action as it deems appropriate in the event of sexual or other unlawful harassment of another employee that occurs away from the workplace.

B. Harassment, Discrimination, Workplace Violence and Unlawful Activity

The Town will have zero tolerance for any form of employee discrimination, workplace violence, unlawful activity or harassment, including sexual harassment, harassment based on race, gender, national origin, religion, age, or disability. Harassment is unlawful and is prohibited by Title VII of the Civil Rights Act of 1964.

If an employee believes that he or she has been discriminated against in violation of this policy, the employee should immediately report the complaint pursuant to the Complaint Procedure outlined in Procedure #710.

While all forms of harassment are prohibited, it is the Town's policy to emphasize that sexual harassment is specifically prohibited. Sexual harassment includes sexual advances, requests for sexual favors, and/or any unwelcome verbal or physical conduct of a sexual nature.

This policy prohibits any demand for sexual favors. It also prohibits subtle pressure for sexual favors, including implying or threatening that an applicant's or employee's cooperation of a sexual nature (or refusal thereof), will have any effect on the person's employment, job assignment, wages, promotion, or on any other conditions of employment or future job opportunities.

The following is a list of example situations that can constitute harassment:

1. Unwanted sexual advances, flirtations, invitations, comments and/or propositions.
2. Verbal abuse of a sexual nature, sexually related comments and jokes, graphic suggestive or degrading comments about employees, their body, their dress, or their appearance.
3. Any physical contact or unwanted touching, such as, but not limited to: assault, patting, pinching, brushing against another's body, impeding or blocking movement, or any physical interference with normal work or movement when directed at any individual.
4. Verbal harassment regarding the individual's membership in a protected class, (i.e., race, sex, color, national origin, religion, or age) such as, but not limited to, epithets, derogatory comments, jokes and/or slurs, profanity, gestures, racial jokes, or forms of address.
5. Visual forms of harassment such as derogatory and/or sexually oriented cartoons, posters, pictures, drawings or the display of sexually suggestive objects or pictures (including photographs) in the workplace.

6. Undesirable work assignments due to membership in a protected class (i.e., race, color, sex, national origin, age, religion, etc.).
7. Any employee who uses sexual behavior to implicitly or explicitly threaten, coerce, influence or affect the employment, job status, salary or performance of another employee.

The Town encourages all employees to report immediately any unlawful activity, discrimination, workplace violence, and incidents of harassment so that complaints can be investigated quickly and fairly resolved. All reported activities shall be made to the Department Director, Human Resources Director, or the Town Manager.

C. Chain of Command

To ensure departmental communication is clear, accurate, and everyone is well informed, unless otherwise provided (as with the harassment policy above) the Town requests all employees follow the chain of command established within their department.

D. Secondary Employment

Outside employment is allowed when, in the opinion of the employee's immediate supervisor or Department Director, such employment does not impair the employee's Town job performance; the Town is the principal vocation of regular, full-time employees; and the following conditions are complied with:

1. A Town employee must not engage in outside employment during regularly scheduled working hours, while at the Town's facilities or when using the Town's supplies, equipment, materials or personnel.
2. Outside employment must not cause a conflict of interest or cause deterioration in satisfactory performance of duties while in the Town's employment.
3. Outside employment does not interfere with efficient job performance.
4. Outside employment does not in any way conflict with the interests of, or information held by, the Town,
5. Outside employment is not a type of employment that would reasonably give rise to criticism or suspicion of conflicting interests or duties.

E. Political Activity

Employees are encouraged to vote and will be given reasonable time off for voting. However, employment shall not be offered as an inducement for supporting a candidate for public office. Refer to Procedure #730 on political activity for prohibitions.

F. Acceptance of Gifts

The Town as a whole is judged by the integrity of its employees. To uphold the highest standard of ethical behavior, under most circumstances, the Town does not condone the acceptance or solicitation of gifts in excess of \$25. Employees, offices, and departments may accept such items as the following:

- Gifts, discounts, fees, entertainment or other valuable items under \$25.
- Candy, cake, cookies, or other items of nominal value which are intended to be complimentary or appreciative in nature.

Regardless of the amount, any acceptance of any remuneration, whether in the form of a gift, loan, or service, in addition to regular compensation, from any person reasonably known to the employee to be interested in any manner, directly or indirectly, in any decision or act of the Town, is prohibited.

G. Employee Residency

Employees are encouraged to reside within the limits of planned boundaries of the Town; or, within a 30-mile radius of the Town limits. The Town Manager may require residency and/or grant exceptions based on consideration of relocations, financial, or personal hardship, or the types of responsibilities provided by the employee's position. Any change in the Town employee's residency status shall be reported to Human Resources within three working days.

H. Professional Attire at Work

Dress and personal appearance are representative of both personal and organization professionalism. The image of the Town in the larger community is determined, in part, by the professional conduct and attire of its employees. It is therefore imperative that personnel present a positive, professional and appropriate image consistent with the duties and assignments of each employee. Ultimately, it is up to the employee to demonstrate common sense and maturity when deciding what image to project within our community, and in dealings with persons from other government agencies and other professions. If the employee is in violation of this policy, the supervisor has the right to send the employee home to change clothes (employee will not be paid during this time).

I. Employee Uniforms

To ensure that Town employees are identifiable to the public, the appropriate employees shall wear specific attire while on duty. Departments will identify these employees whose job duties qualify them for uniforms. Town logo is to be maintained through uniform selection. Employees shall wear identification badges at all times on Town property. Town employees should not wear their uniform when off duty.

J. Use of Town Computer Hardware and Software

The use of computers is a critical part of the work environment. Town employees will be required to sign Internet and e-mail use policies, which require them to use the Town's technological resources in the most prudent manner. In addition, the Town reserves the right to inspect employee e-mail, voice mail, computer files, internet usage, and desk files at any time, with or without notice. The Town

observes a zero tolerance policy on improper use of Town computer hardware, software and accessories. Please reference the Town's Employee Security Policy (addendum).

K. Delegation of Authority

When a Director, Manager, or Supervisor plans to be away from the work site, they have the authority to delegate supervisory responsibility and signing authority to the person next in command.

L. Confidentiality

The Town maintains confidential materials of various kinds (i.e., financial records, personnel records, administrative/legal opinions, software programs, and non-public records) designated confidential by the Town Manager or designee. All employees are expected to assume responsibility for safeguarding Town records, equipment, property, and other materials. Access to certain material is needed upon job classification and a need-to-know basis. Breach of confidentiality is considered a serious matter and disciplinary action will be taken up to and including dismissal.

ADMINISTRATIVE PROCEDURE

Subject: Discrimination, Harassment and Offensive Behavior

Revision Date: 10/4/2024

Procedure Number: 710

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2010

Purpose

The purpose of this procedure is to communicate the process for employees who feel as if they have been discriminated against or harassed. The Town of Queen Creek strives to provide its employees with an environment that encourages efficient, productive, and creative work, which is free of discrimination, including all forms of harassment and offensive behavior.

Policy Communication

The policy establishing the Town’s direction related to Discrimination, Harassment, and Offensive Behavior can be found in Policy #700.

Procedures

Equal Employment Opportunity

The Town, under federal regulations, provides equal employment opportunities to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability, or any other legally protected status in accordance with applicable federal, state, and local laws. This policy applies to all terms and conditions of employment, including but not limited to: hiring, placement, promotion, dismissal, demotion, layoff, recall, transfer, leaves of absence, compensation, and training.

Anti-Harassment Policy

The Town strictly prohibits under the Civil Rights Act, Section 703 of Title VII, any form of unlawful employee harassment based on race, color, religion, sex, national origin, age, sex, national origin or disability, or status in any group protected by federal, state, or local law.

The Town will not tolerate behavior that is considered discriminatory or harassing including: sexual harassment, or harassment based on race, color, religion, age, sex, national origin, or disability of any employee by another employee, supervisor, manager, customer, vendor, contractor, or non-employee.

Sexual Harassment

The Town will not tolerate discrimination, verbal or physical conduct by an employee that harasses, disrupts or interferes with another person’s work performance or which creates an intimidating, offensive, or hostile environment. Sexual harassment is a form of misconduct that undermines the integrity of the employment relationship. Employees should not be subjected to unsolicited and unwelcome comments or conduct with

sexual overtones.

Legal Definition of Sexual Harassment

Sexual harassment is defined as any unwelcome sexual advances, requests or demands for sexual favors, or other verbal or physical conduct of a sexual nature when:

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

"Quid pro quo" definition: Harassment occurs when tangible job benefits depend upon an employee's submission to sexual conduct and that adverse job consequences result from the employee's refusal to submit to the conduct. An example of quid pro quo is when a supervisor tells a subordinate that he/she must sleep with him/her in order to get a raise, or that he/she will be fired if he/she refuses to submit to his/her sexual advances.

Hostile Work Environment definition: Harassment occurs when unwelcome sexual conduct unreasonably interferes with an employee's job performance or creates an intimidating, hostile or offensive work environment, even if employment decisions are not affected. The unwelcome conduct must be severe and/or pervasive enough to alter the employment conditions and create an abusive working environment.

No supervisor or management shall threaten or suggest, either explicitly or implicitly, that an employee's submission to or rejection of sexual advances or requests for sexual favors will either enhance or adversely affect the employee's employment, evaluation, wages, advancement, assigned duties, or any other terms or conditions of employment.

Other forms of harassment:

Unwelcome comments or conduct having specific or reasonably implied references to race, color, national origin, religion, age, disability, or any other legally protected characteristic. Such harassment may include, without limitation, insulting comments, "kidding," "teasing," and "practical jokes," slurs, taunting, verbal abuse or epithets, degrading comments or jokes, jokes about certain traits, and insulting pictures, drawings, objects, cartoons, posters, pictures, or printed or other visual material.

Internet Sexual Harassment

Internet harassment includes unwanted sexual communication on the Internet direct or indirect via social media, email, or other forms of electronic messaging to harass another employee. Additionally, use of personal communication to convey sexual message directly relating to sex and/or sexuality, which are unwanted or unwelcome by another employee. This includes soliciting of sexual cooperation from an employee on the Internet or in person.

Bullying- Harassment

Any belligerent, aggressive, antagonistic, or violent behavior toward another employee will be considered bullying. All unwanted behavior among employees that involves an actual or perceived power will not be tolerated. Any behavior of creating threats, dissemination of rumors, attacking another employee physically or verbally, and excluding someone from a group on purpose is also considered bullying.

Examples:

- **Verbal bullying:** Slandering, ridiculing or maligning a person or his or her family; persistent name calling that is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks.
- **Physical bullying:** Pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.
- **Gesture bullying:** Nonverbal threatening gestures; glances that can convey threatening messages.
- **Exclusion:** Socially or physically excluding or disregarding a person in work-related activities.

In addition, the following examples may constitute or contribute to evidence of bullying in the workplace:

- Persistent singling out of one person.
- Shouting or raising voice at an individual in public or in private.
- Using verbal or obscene gestures.
- Not allowing the person to speak or express himself or herself (i.e., ignoring or interrupting).
- Personal insults and use of offensive nicknames.
- Public humiliation in any form.
- Constant criticism on matters unrelated or minimally related to the person's job performance or description.
- Ignoring or interrupting an individual at meetings.
- Public reprimands.
- Repeatedly accusing someone of errors that cannot be documented.
- Deliberately interfering with mail and other communications.
- Spreading rumors and gossip regarding individuals.
- Encouraging others to disregard a supervisor's instructions.
- Manipulating the ability of someone to do his or her work (e.g., overloading, under-loading, withholding information, assigning meaningless tasks, setting deadlines that cannot be met, giving deliberately ambiguous instructions).
- Inflicting menial tasks not in keeping with the normal responsibilities of the job.
- Taking credit for another person's ideas.
- Refusing reasonable requests for leave in the absence of work-related reasons not to grant leave.
- Deliberately excluding an individual or isolating him or her from work-related activities, such as meetings.
- Unwanted physical contact, physical abuse, or threats of abuse to an individual or an individual's property (defacing or marking up property).

Unlawful harassment:

Such harassment is unlawful when:

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

If an employee believes that he or she has been discriminated against in violation of this procedure, the

employee should immediately report the complaint pursuant to the Procedure outlined below.

A. Reporting Discrimination, Harassment and/or Offensive Behavior

Discrimination and harassment are unlawful activities and are prohibited by Title VII of the Civil Rights Act of 1964.

1. First and foremost, employees who feel they have been subjected to discrimination, harassment and/or offensive behavior are encouraged to politely, but firmly, confront the harasser and tell the person to stop.
2. If the discrimination, harassment and/or offensive behavior continues, or if the employee believes some employment consequence may result from the confrontation, or if they are not comfortable confronting the harasser, they should promptly report or complain to a supervisor, Department Director, Human Resources Director, Human Resources Analyst, or the Town Manager.
3. All other employees, including supervisors or Department Directors, who become aware of possible discrimination, harassment, or offensive behavior of an employee, either as a result of having received a complaint directly from the employee or from any reliable source of information, or from his/her personal observations, has a responsibility to promptly report the situation to the Human Resources Director, Human Resources Analyst, or Town Manager.
4. Employees may file a discrimination, harassment and/or offensive behavior complaint with their Department Director, the Human Resources Director, Human Resources Analyst, or the Town Manager. Employees are encouraged to complete the Offensive Behavior/Harassment Complaint Form (Form #710). The complaint should be expressed in writing. However, verbal complaints will be treated with equal seriousness.

B. Harassment/Sexual Harassment Complaint Procedure

The following steps must be followed by employees who wish to report any type of harassment, including sexual.

Step 1: An employee, who believes he/she has been harassed, as defined in this policy, shall have the option of filing an official complaint with any of the following uninvolved individuals: his or her Department Director, the Human Resources Director, a Human Resources Analyst, or the Town Manager. Employees are encouraged to complete the Offensive Behavior/Harassment Complaint Form (Form #710).

Step 2: The Department Director or Town Manager receiving a complaint of discrimination, harassment, and/or offensive behavior shall immediately report to the Human Resources Director or designee, provided that the Human Resources Director or designee is an uninvolved party to the complaint. The complaint will be kept as confidential as practically or legally possible.

Step 3: The Human Resources Director or designee shall arrange a meeting with the reporting employee as soon as possible.

Step 4: At this meeting, the Human Resources Director or designee will listen to the complaint in order to determine the details surrounding the perceived harassment, discrimination, and/or offensive behavior and will gather information in order to proceed with the investigation.

Step 5: Except in the case where the Human Resources Director has investigative conflict of interest,

following the meeting, the Human Resources Director or designee will have responsibility for investigating the complaint. The Human Resources Director, or designee, will obtain and evaluate all relevant evidence, obtain legal counsel as necessary, and issue a finding in as prompt a manner as possible.

Step 6: The reporting employee will be notified in writing as to the action taken in response to the complaint of harassment, discrimination, or offensive behavior at the completion of the investigation.

C. Investigation

The Human Resources Director or designee shall be responsible for overseeing the investigation of any complaint of discrimination, harassment, and/or offensive behavior. The goal will be to investigate any such complaint promptly and thoroughly. In a situation involving conflict of interest, or in a situation where the Human Resources Director may be a party to the complaint, the Town Manager will designate an appropriate investigator. Following the investigation, the Human Resources Director or designee shall recommend appropriate corrective action on all violations of this policy.

D. Education

The Human Resources Director shall be responsible for formally notifying all employees, Department Directors, elected or appointed officials, volunteers and contractors/vendors of the existence of the discrimination, harassment, and sexual harassment policy. The Human Resources Director shall periodically conduct training on the topic of offensive behavior/sexual harassment, and bullying, and attendance will be mandatory for all employees and will be offered to elected or appointed officials and others. The session shall be documented, signed by each individual, and placed in employee's personal folders in acknowledgment of training.

E. Implementation

The Town Manager, Department Directors, and supervisors are responsible for:

- Creating a productive work environment in which discrimination, offensive conduct, or harassment is not tolerated.
- Taking immediate and appropriate corrective action in response to any confirmed violation of this policy.
- Assuring that no reprisals are taken against those who complain or speak out/testify against corroborating witnesses.

F. Enforcement

The Town of Queen Creek is committed to thoroughly investigate each complaint and take immediate and appropriate corrective action on all confirmed violations of this policy. The Human Resources Director is responsible for auditing the operation of this policy, providing counsel, and resolving any unsettled question that may arise from this policy. The Human Resources Director, or designee, is responsible for thoroughly investigating and resolving any complaints.

Employees should be aware that there may be situations in which complaints are made that do not rise

to the level of requiring the step-by-step level of investigation and resolution as provided for above. In such situations, the Human Resources Director or designee has the discretion in addressing the situation to address the matter in a way deemed appropriate under the circumstances.

G. Confidentiality

All complaints of harassment, as defined in these policies, shall be kept confidential, except as necessary to satisfy the provisions of federal and state law and of the complaint and investigation procedure. To the fullest extent possible, the Town will keep complaints, the investigation of complaints, and the terms of their resolution confidential.

H. Reprisals

No reprisals or retaliation of any kind by any employee or supervisor shall be taken against an employee because that employee has asserted a complaint, or against any witness because that individual has reported or has assisted in any way the investigation of a harassment complaint. Any employee who retaliates against someone for filing a complaint, or for assisting someone who has filed a complaint will be subject to appropriate disciplinary action, up to and including dismissal.

I. Penalties

Any violations of this policy will result in appropriate discipline being taken. The appropriate action will depend on consideration of all the circumstances in a particular situation. Any employee who is found, after appropriate investigation, to have engaged in discrimination, harassment, or offensive behavior of another individual will be subject to appropriate action up to and including dismissal.

J. Misuses

If, after investigating any complaint of harassment, the Town determines that false or malicious information has been provided regarding the complaint, disciplinary action, up to and including dismissal, will be taken against the individual(s) who gave the false or malicious information.

K. Intolerable Working Conditions

If an employee believes that his/her working conditions have become intolerable and may cause him/her to resign, then he/she is required to notify the Human Resources Director. Under Arizona Revised Statute Section 23-1502, Constructive Discharge, an employee may be required to notify the Town, in writing, that a working condition exists that the employee believes is intolerable and will compel the employee to resign, or that constitutes a constructive discharge. An employee is required to allow the Town fifteen (15) calendar days from the date of written notification to respond in writing to the matters presented in the employee's written communication.

ADMINISTRATIVE PROCEDURE

Subject: Workplace Violence Prevention and Response

Revision Date: 1/5/2024

Policy Number: 715

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The Town strives to provide a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence procedure.

Policy Communication

The policy establishing the Town’s direction related to Workplace Violence Prevention and Response can be found in Policy #700.

Procedures

The Town of Queen Creek, consistent with the commitment to provide a workplace that is safe for employees, expressly forbids any threats, intimidation and/or violence made by an employee against another person’s life, health, wellbeing, family or property. Such acts or threats of violence whether made directly or indirectly, explicitly or implicitly, by words, gestures or symbols, infringe upon the Town’s right or obligation to provide a safe workplace for its employees.

A. Prohibited Conduct

The list of behaviors, while not inclusive, provides examples of conduct that is prohibited.

1. Causing physical injury to another person; or hostile contact or touching by any means such as hitting, fighting, pushing, shoving, or throwing objects;
2. Making threatening or harassing remarks, by phone, or text messages or implied, which communicates fear of physical or emotional damage regardless of whether the threat is immediate, or the communicating party has the ability to carry out the threat.
3. Aggressive, intimidating, bullying or hostile behavior, the use of profanity or other personally insulting remarks, that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
4. Intentionally damage, destroy, or sabotage employer property or property of another employee;
5. Possession of a weapon while on Town property or while on Town business (unless authorized to do so to carry out the duties of your position or unless covered under Arizona Revised

Statutes);

6. Committing acts motivated by, or related to, sexual harassment or domestic violence.

B. Reporting Procedures

Any potentially dangerous situations must be reported immediately to a supervisor, Department Director or the Human Resources Department. All reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. The Town will actively intervene at any indication of a possibly hostile or violent situation.

C. Risk Reduction Measures

1. Hiring: Human Resources will take reasonable measures to conduct background reference checks prior to hire.
2. Safety: Individual departments, including Facilities Maintenance employees and police services will strive to conduct annual inspections of the premises to evaluate and determine any vulnerability to workplace violence or hazards. Any necessary corrective action will be taken to reduce all risks.
3. Individual Situations: While we do not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform their immediate supervisor, chain-of-command, Department Director, or the Human Resources Department if any employee exhibits behavior which could be a sign of a potentially dangerous situation. Such behavior includes, but is not limited to:
 - Bringing weapons into the workplace (which is strictly forbidden).
 - The Town of Queen Creek additionally prohibits all employees and volunteers from bringing weapons or ammunition onto Town property. Employees are allowed by Arizona Revised Statutes, to store firearms and ammunition within their vehicle as long it is 1.) In the person's locked and privately owned motor vehicle or in a locked compartment on the person's privately owned motorcycle and, 2.) Not visible from the outside of the motor vehicle or motorcycle. Only those Town employees whose position description requires the use of a weapon while on duty are permitted to carry a weapon onto Town property.
 - This policy holds for any threats or acts of violence made on Town of Queen Creek property, at Town of Queen Creek sponsored events or under other circumstances that may negatively impact the Town's ability to conduct its business;
 - Displaying overt signs of extreme stress, resentment, hostility, or anger;
 - Making threatening remarks;
 - Sudden or significant deterioration of performance;
 - Displaying irrational or inappropriate behavior.

D. Dangerous/Emergency Situations

Employees who encounter an armed or dangerous person should not attempt to challenge or disarm the individual. Employees should remain calm, make constant eye contact and talk to the individual. If a supervisor or the Police can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, cooperate and follow the instructions given.

An employee who believes they have been the target of threats or acts of violence, or has witnessed or otherwise learned of threats or violent conduct by another employee or by a third party, should contact the immediate supervisor, Department Director, Human Resources Director, or Town Manager immediately. If an employee feels threatened with immediate harm, they should call 9-1-1 or alert someone else to do so.

E. Enforcement

Any threats or acts of violence made by an employee against another person's life, health, well-being, family or property will not be tolerated and are cause for discipline up to and including termination. Non-employees engaged in violent acts on the Town's premises will be reported to the proper authorities and fully prosecuted.

F. Responsibilities

It is up to each employee to help make the Town a safe workplace for all of us. The expectation is that each employee will treat all other employees, as well as citizens and potential customers of Town's programs, with dignity and respect. You can and should expect management to care about your safety and to provide as safe a working environment as possible by having preventive measures in place and, if necessary, by dealing immediately with threatening or potentially violent situations which occur.

The following section provides a more detailed description of the responsibilities of various persons or offices.

1. Employees

- Be familiar with Town/Department policy regarding workplace violence.
- Be responsible for securing their workplace.
- Be responsible for questioning and/or reporting strangers to supervisors.
- Be aware of any threats, physical or verbal, and/or any disruptive behavior of any individual and report such to supervisors.
- Be familiar with Town/Department procedures for dealing with workplace threats and emergencies.
- Do not confront individuals who are a threat.
- Be familiar with the resources of the Employee Assistance Program.
- Take all threats seriously.

2. **Managers & Supervisors**

- Inform employees of Town/Department workplace violence policies and procedures.
- Ensure that employees know specific procedures for dealing with workplace threats and emergencies, and how to contact Police, Fire, and other safety and security officials.
- Ensure that employees with special needs are aware of emergency evacuation procedures and have assistance (as necessary) regarding emergency evacuation situations.
- Respond to potential threats and escalating situations by utilizing proper resources from the following: local law enforcement and medical services, human resources staff, and the Employee Assistance Program.
- Take all threats seriously.
- Coordinate with other co-located agencies to develop joint workplace violence prevention plans.

3. **Town Manager**

- Develop a policy statement that indicates the agency has a no tolerance policy in regard to violent or disruptive behavior and that all reports of incidents will be taken very seriously and dealt with appropriately.
- Ensure that appropriate safety and law enforcement personnel have completed an on-site review of safety and security of buildings and offices.
- Provide adequate resources for employee training and awareness.
- Provide funding for appropriate safety and security of employees.
- Ensure that performance standards of appropriate staff reflect the importance of workplace safety and security.
- Provide for briefings on workplace violence at staff meetings.

4. **Human Resources Staff**

- Provide for supervisory training which includes basic leadership skills, such as setting clear standards of conduct and performance, addressing employee problems promptly, and using the probationary period, performance counseling, discipline, alternative dispute resolution, and other management tools conscientiously.
- Ensure that the Town Policies and Procedures on Workplace Violence Prevention and Response as well as appropriate Town materials are available to all employees and that all employees are aware of the procedures and instructions in them.
- Include workplace violence training in all employee orientation and supervisory training sessions.
- Provide technical expertise and consultation to help supervisors determine what course of administrative action is most appropriate in specific situations.
- Determine whether sufficient evidence exists to justify taking disciplinary action once the investigation of any misconduct is complete.
- Ensure the review and check of prospective and new employee backgrounds.
- Help supervisors determine proper reasonable accommodation.

5. **Employee Assistance Program Counselors**

- Provide short-term counseling and referral services to employees at no cost.
- Help in the prevention of workplace violence through:
 - Early involvement in organizational change.
 - Training employees in dealing with angry co-workers and customers, conflict resolution, and communication skills.
 - Training supervisors to deal with problems as soon as they surface without diagnosing the employee's problem.
 - Consultation with supervisors to identify specific problem areas, develop action plans to resolve problems in the early stages, and encourage employees to contact the EAP for individual counseling.
 - Consultation with incident response teams when a potential for violence exists or an actual incident is reported.
 - Participation on critical incident stress debriefings teams in the event of a violent situation.

6. **Security/Facilities Staff**

- Serve as the liaison with law enforcement as well as the local expert on security matters.
- Conduct regular threat assessment surveys of the facility to determine the level of security preparedness and any gaps in the security posture.
- Serve as the facility security expert, keeping management advised of the risk of violence, the security gaps identified by threat assessments, and the means to close these gaps, including the latest technologies.
- Work with facility personnel to improve the security level of the buildings, grounds, parking lots, etc.
- Train facility personnel in security measures and violence prevention techniques. Facilities personnel should work closely with security staff to ensure buildings, areas, and grounds are safe for employees and visitors. This includes not only keeping buildings and grounds well maintained but participating with security personnel in threat assessment surveys, keeping management informed of the status of the physical plant, and providing budget requests with justification for security upgrades.

7. **Threat Assessment Team**

Determining the seriousness of a potentially violent or stressful situation and how to best intervene is the basis of a threat assessment team. Since it is impossible to know with any certainty whether a threat is going to be carried out, the agency should always treat threats in a serious manner and act as though the person may carry out the threat. The purpose of the threat assessment team is to provide guidance on managing the situation in a way that protects the employees.

Members of a threat assessment team will vary depending on the situation, but may include representatives from:

- Management
- Human Resources
- Facilities
- Legal Services
- Law Enforcement
- EAP Counseling Services

Threat assessment teams evaluate the risks persons under suspicion may pose to particular targets. The approach and the timing for these evaluations will be specific to the circumstances of the potentially violent situation. Threats from sources outside the Town may require different actions.

Once a threat assessment is completed, management will decide what additional measures are needed to close any security gaps. Where appropriate and not a security breach, management will explain to employees and citizen/customers alike what new steps are being taken and why, to alleviate misunderstandings and confusion.

G. Employee Assistance Program

The Town has a confidential Employee Assistance Program (EAP) with trained counselors who can address workplace stress and violence issues. You can use these counselors as a way to assess whether a situation needs to be brought to the attention of management. You can also use them to strategize ways to deal with uncomfortable or threatening situations.

Seemingly insignificant conflicts between co-workers or managers can sometimes erupt into dangerous situations – especially if the problem goes unchecked. In many cases of worker-on-worker violence, minor non-violent conflicts that went unresolved built up until they were no longer manageable. By intervening early in a conflict between two people, whether it's two workers or a worker and supervisor, you may be able to resolve the problem before it gets out of control.

Professional counselors are available to discuss problems that can adversely affect job performance and conduct. EAP is required to help employees deal with alcoholism or drug abuse problems, and most EAP counselors also help employees with other problems. EAP counselors often refer employees to other professional services and resources within the community for further information, assistance, or long-term counseling.

Confidentiality is an important issue for EAP. Employees who seek EAP services are afforded considerable privacy by laws, policies, and professional ethics of EAP providers. It is common practice for the EAP to inform employees in writing about the limits of confidentiality at the first meeting.

In certain situations, the Town reserves the right to require a mandatory referral of an employee to the EAP. Additionally, supervisors and managers can contact an EAP counselor to assist in employee relations issues, including workplace violence prevention situations.

H. Response

1. Plans and Procedures for Recovering From a Workplace Violence Emergency

This is a very crucial step in the Town's program. Although the hope is that violence will not occur,

if it does, the Town must be prepared to deal with the situation, to help in the healing process, and to get the workforce back to productivity.

Following a violent incident, employees experience three stages of “crisis reactions” to varying degrees:

Stage One. In this stage, the employee experiences emotional reactions characterized by shock, disbelief, denial, or numbness. Physically, the employee experiences shock or a fight-or-flight survival reaction in which the heart rate increases, perceptual senses become heightened or distorted, and adrenaline levels increase to meet a real or perceived threat.

Stage Two. This is the “impact” stage where the employee may feel a variety of intense emotion, including anger, rage, fear, terror, grief, sorrow, confusion, helplessness, guilt, depression, or withdrawal. This stage may last a few days, a few weeks, or a few months.

Stage Three. This is the “reconciliation stage” in which the employee tries to make sense out of the event, understand its impact, and through trial and error, reach closure of the event so it does not interfere with his or her ability to function and grow. This stage may be a long-term process.

While it is difficult to predict how an incident will affect a given individual, several factors influence the intensity of trauma. These factors include the duration of the event, the amount of terror or horror the victim experienced, the sense of personal control (or lack thereof) the employee had during the incident, and the amount of injury or loss the victim experienced (i.e., loss of property, self-esteem, physical well-being, etc.). Other variables include the person’s previous victimization experiences, recent losses such as the death of a family member, and other intense stresses.

The Town of Queen Creek shall provide the resources to assist employees involved directly or indirectly with a workplace violence incident. Some of these resources may include referral to the EAP, additional paid time-off such as administrative leave, on-site counseling services, a temporary or permanent transfer to another location, facilitating a training program to deal with stress and other related issues, etc.

2. **Evaluation**

The Town will evaluate what took place to determine if everything was done that could have been done to have prevented the incident and what can be done to prevent it from happening again. The threat assessment and emergency response teams should be part of this process.

3. **Employee Assistance Program**

EAP counselors should not be the first to intervene in situations which are hostile or dangerous. In those situations, law enforcement personnel should be the first to intervene. In the event of a violent incident, the EAP can advise management of the best ways to help employees cope with the emotional impact of the incident.

I. Disclosure of Information

1. **Employee Assistance Program**

EAP counselors are prohibited by the confidentiality regulations (42 CFR Part 2) from disclosing information obtained from employees without their written consent. An exception to this prohibition however, is if an employee specifically threatens another person. In that case, the counselor generally will advise the employee that the information will be reported to appropriate authorities, regardless of whether a written consent is provided.

2. **Critical Incident Stress Debriefing (CISD)**

Normally, this type of debriefing is conducted by EAP counselors or other mental health professionals. Information shared in the debriefing should remain confidential among the group present. This allows the employees a chance to recover from severe stress, talk about what they have gone through, and compare their reactions with those of others.

3. **Dealing With the Media**

Questions from the news media relating to incidents of workplace violence should be forwarded to the Town Manager, or designee, for the Town.

4. **Employees**

The Town maintains confidential materials of various kinds i.e., financial records, personnel data, administrative/legal opinions, software programs, and nonpublic records designated as confidential by the Town Manager or his designee.

All employees are expected to assume responsibility for safeguarding Town records equipment, property, information and other materials. Access to certain material is based upon job classification and a need-to-know basis. Appropriate confidentiality will always be maintained. Breach of confidentiality is considered a serious matter and disciplinary action will be taken up to and including termination.

J. Definitions

1. **Violence**

"Violence" means the attempted, threatened or actual conduct of a person that causes or is likely to cause injury, and includes any threatening statement or behavior that gives a worker reasonable cause to believe that the worker is at risk of injury.

- Incidents of violence include attempted or actual assaults or any threatening statement or behavior towards a worker made by any person, which gives the worker reasonable cause to believe that he or she is at risk of injury.
- The regulation covers the conduct of everyone at the place of employment, including the public, customers, employers, supervisors, managers and co-workers.
- Incidents of violence may occur at the place of employment, at a worksite or in other work-related areas

ADMINISTRATIVE PROCEDURE

Subject: Chain of Command

Revision Date: 1/5/2024

Procedure Number: 716

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

To provide an avenue for open and honest communication amongst all employees and early resolution of employee problems and concerns.

Policy Communication

The policy establishing the Town’s direction related to Chain of Command can be found in Policy #700.

Procedures

Most issues can be resolved through an open line of communication. To ensure communications are clear, accurate and everyone is well informed, the Town requests employees to follow the chain of command within the department. If an employee has a question, complaint or concern, the employee should address it with the supervisor up through and including the Department Director. If a conflict is brought to the attention of a supervisor, it is their responsibility to conduct an immediate assessment of circumstances, which shall include notifying Human Resource Department. After discussing the issue with the Department Director, if a complaint or concern is not resolved to the employee’s satisfaction, the employee may discuss the issue with the Human Resources Director or designee. Human Resources may require the employee to put the complaint or concern in writing.

The Human Resources Department is available at any time as a resource to assist an employee with how to present a complaint or concern to their supervisor.

Employees are reminded that the Town operates under a Town Manager/Town Council form of government. It is the responsibility of the Town Manager to deal with personnel concerns, therefore employees are asked not to voice their concerns to Council members, but instead to communicate with the Town Manager through the Department Director.

If the employee’s concerns deals with a type of harassment complaint, discrimination, any illegal activity, or any problem of similar gravity, the employee will report those concerns directly to the Department Director, the Human Resources Director, or the Town Manager.

All employee suggestions and complaints are given full consideration. There will be no discrimination or retaliation against any employee because he or she presents a good faith complaint, suggestion or problem.

ADMINISTRATIVE PROCEDURE

Subject: Secondary Employment

Revision Date: 1/5/2024

Procedure Number: 720

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

Outside employment by Town employees is not prohibited, but it is regulated by a few important rules. The Town is expected to be the primary employer for full-time Town employees. However, it is recognized that some employees choose to have additional employment to meet their financial and/or personal needs. The purpose of this procedure is to define the process for declaring and obtaining authorization for secondary employment to the Town.

Policy Communication

The policy establishing the Town’s direction related to Professional and Personal Conduct can be found in Policy #700.

Procedures

A. Conditions for Secondary Employment

An employee may engage in secondary employment provided the following conditions are complied with:

1. Employees are prohibited from performing any services for customers of the Town that are normally performed by the Town. This prohibition also extends to the unauthorized use of any company tools or equipment and the unauthorized use or application of any Town confidential information. Employees may not solicit or conduct any outside business during work time with The Town.
2. The Town prohibits outside employment when it interferes with the employee's Town duties, involves a potential conflict of interest, confidential information or the appearance of a conflict of interest, or in any way compromises the integrity or credibility of the Town in the community.
3. Employees should avoid outside employment which cannot be accomplished outside of the employee's normal working hours. The employee's position may not be placed in conflict between the employee's role with the Town and the employee's role in the outside employment or which creates an appearance of impropriety.
4. The employee may not work secondary employment while off on injury leave, FMLA leave, workers compensation, medical or sick leave.

B. Request for Approval of Secondary Employment

Before beginning work at a second job, the employee must first submit a Secondary Employment request form to their immediate supervisor and Department Director requesting approval (see Form #720). The Department Director may establish additional standards for an employee's secondary employment to ensure that the conditions of the Town's Policy #700, Professional and Personal Conduct are adhered to.

The Department Director will either approve or deny the request for secondary employment in writing and forward the form to the Human Resources Director for final approval. The Human Resources Director may request more information prior to a final decision. The employee will be notified of the final decision, be given a copy, and the form will be filed in the employee's personnel file.

C. Use of Town Equipment or Materials

Facilities, equipment, and staff of the Town may not be used in connection with any secondary employment, unless authorized by the Town Manager, or designee.

ADMINISTRATIVE PROCEDURE

Subject: Political Activity

Revision Date: 1/5/2024

Procedure Number: 730

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to communication the process for participation in political activities. As citizens, Town of Queen Creek employees can and should exercise their rights to register and vote in all elections, including Town elected offices. Although employees are encouraged to participate in elections as private citizens, there are certain restrictions on political activity.

Policy

The policy establishing the Town’s direction related to Political Activity can be found in Policy #700.

Procedures

Permissible and Prohibited Political Activity for Town Employees

1. Related to the Town of Queen Creek

- a. No Town employee will take part in any election held for the purpose of electing members of the Town Council or other elective municipal office of the Town of Queen Creek except for casting his or her individual ballot. This includes soliciting or attempting to solicit support for a candidate or political party involved in a Queen Creek municipal election and/or taking part in the campaign of a candidate participating in a Queen Creek municipal election.
- b. No Town employee will be a candidate for the office of Town Council. Any employee desiring to hold such office will resign from his/her position upon filing for the office. Employment will terminate upon filing for the office of Town Council by any employee.
- c. Employees may exercise their right as citizens to sign petitions during non-work hours and not in Town uniform.
- d. No employee or volunteer shall use his/her position to sell, solicit, or distribute any campaign material while on duty, in uniform, or at public expense. No employee or volunteer shall use his or her position to introduce, guide, or recommend any candidate for public office on Town property.
- e. Town employees shall not engage in any activities permitted by this section while on duty, while in uniform, or at public expense.
- f. A Town employee shall not:
 - Use any political endorsement in connection with any appointment to a position in the state personnel system.

- Use, or promise to use, any official authority or influence for the purpose of influencing the vote or political action of any person or for any consideration.
- g. An employee who violates any of these provisions as provided for by A.R.S. § 41-752 is subject to suspension of not less than 30 days or dismissal.

B. All Other Political Activity

- a. An employee, shall not be a member of any national, state or local committee of a political party, an officer or chairperson of a committee of a partisan political club or a candidate for nomination or election to any paid public office.
- b. A Town employee shall not hold any paid, elective public office, or take any part in the management or affairs of any political party or in the management of any partisan or nonpartisan campaign or recall effort, except that an employee may do the following during non-work hours and not in Town uniform:
- Express an opinion.
 - Attend meetings for the purpose of becoming informed concerning the candidates for public office and the political issues.
 - Cast a vote and sign nomination or recall petitions.
 - Make contributions to candidates, political parties or campaign committees contributing to candidates or advocating the election or defeat of candidates.
 - Circulate candidate nomination petitions or recall petitions.
 - Engage in activities to advocate the election or defeat of any candidate.
 - Solicit or encourage contributions to be made directly to candidates or campaign committees contributing to candidates or advocating the election or defeat of candidates.
- c. A Town employee shall not:
- Use any political endorsement in connection with any appointment to a position in the state personnel system.
 - Use, or promise to use, any official authority or influence for the purpose of influencing the vote or political action of any person or for any consideration.
- d. This section does not apply to school board elections or community college district governing board elections, and an employee may serve as a member of the governing board of a common or high school district, as a member of a community college district governing board or in the office of precinct committeeman.
- e. An employee who violates any of these provisions as provided for by A.R.S. § 41-752 is subject to suspension of not less than 30 days or dismissal.

ADMINISTRATIVE PROCEDURE

Subject: Professional Attire at Work

Revision Date: 1/5/2024

Procedure Number: 736

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to provide employees and management a procedure for the level of expected professional attire to be worn at the workplace. All Town personnel will present a positive, professional and appropriate image consistent with the duties and assignments of each employee. This procedure delineates both the general standards applied to all departments, and standards specific to each department. Ultimately, it is up to the employee to demonstrate common sense and maturity when deciding what image to project within the community, and in dealings with persons from other government agencies and other professions

Policy Communication

The policy establishing the Town’s direction related to Professional Attire at Work can be found in Policy #700.

Procedures

General Information

All clothing worn on duty shall be neat, clean and well-maintained, and shall not be provocative, or extreme in taste and/or style. All employees shall maintain personal grooming habits which do not detract from their ability to perform their job or adversely affect the working conditions of fellow employees or customers by presenting a distraction within the work environment. Personal grooming includes, but is not limited to, cleanliness and appearance of body odor, hair, skin and excessively long nails.

A. Standard for Office Staff

1. In general, employees shall wear “business casual” attire, such as, but not limited to:
 - a. dress slacks, colored cotton slacks, chino pants (brown, beige, dark blue, etc.) or colored jeans; denim jeans may be worn on occasion as determined by the Department Director;
 - b. dresses or skirts of an appropriate business length, generally three inches above the knee or longer;
 - c. blouses, dress shirts, or conservative polo shirt, tank-top style blouses shall have a strap width of no less than 2 inches;
 - d. any Town of Queen Creek logo attire.

2. "Business formal" dress should be worn whenever the employee has contact with individuals similarly dressed. For the purpose of this section, "business formal" shall include, but is not limited to:
 - a. suits,
 - b. neckties,
 - c. dresses, dress slacks or skirts,
 - d. blouses or dress shirts, and
 - e. appropriate, compatible footwear.
3. Footwear shall be maintained in a neat, clean and polished manner. All employees are expected to wear footwear which will sufficiently protect their feet and not present a workplace injury hazard.
4. Attire deemed inappropriate for office staff includes:
 - a. excessive piercing with the exception for those normal in some cultures,
 - b. any visible tattoo consisting of material that is vulgar, obscene, or racist,
 - c. gym wear of any kind, including form-fitting aerobic gear, muscle shirts,
 - d. sweat suits/loungewear of any material, sweatpants or yoga pants,
 - e. T-shirts,
 - f. shorts of any kind,
 - g. tank tops, excluding blouses with shoulder straps of appropriate width,
 - h. short dresses or skirts, ("Short" is defined as more than 3 inches above the knee),
 - i. sundresses,
 - j. pants, skirts, or tops that reveal the bellybutton, midriff, or lower back,
 - k. see-through clothing,
 - l. low-cut tops or shirts,
 - m. ripped, cut, torn-up, excessively worn, or non-hemmed clothing of any sort,
 - n. unkempt clothing,

- o. “spaghetti straps”, or any shoulder straps less than 2” in width,
- p. “tube tops” or strapless tops,
- q. collarless shirts (excluding blouses and sweaters),
- r. pool or beach attire, including:
 - plastic or rubber thongs or flip flops (backless shoes with a “thong” between the first and second toes),
 - plastic or runner “slides” (backless shoes with a wide strap across the front of the foot),
 - plastic or runner water shoes or “Teva”-style sandals, backless or otherwise.
- s. polo-style shirts and blouses may have a small embroidered logo on the front, so long as the logo is not offensive by general standards, or does not advertise any product or company of an adult-oriented nature; ie. alcohol products, tobacco products, profanity, or adult-oriented media.

Employees must remain aware of whether or not they expect contact with individuals in business formal or business casual address, and if such contact is possible, employees shall dress accordingly so as to maintain our level of professionalism.

B. Department Specific

1. Subsection One

Field Employees in all Departments

Recognizing that the demands of these jobs may require that employees falling under this Subsection spend substantial time outside and doing heavy manual labor, the standard for Subsection One is the following:

All employees shall be issued Queen Creek logo work shirts with both short and long sleeves each year, as well as a Queen Creek logo jacket upon request, and in accordance with the Town uniform allowance procedures. Employees may wear jeans of any color, so long as said jeans are well-kept and reasonably neat; i.e. no gaping holes, no excessive wear and no shredded hems. Employees may also wear clean, well-kept hats of a size not to interfere with work duties if necessitated by their work environment. The standard for this Subsection shall apply to all regular workdays. The list of prohibited items under “Standard for Office Staff” will also apply under this Subsection, with the exception of the clothing items already discussed here.

2. Subsection Two

Information and Technology Department (IT)
Parks and Recreation Employees

Recognizing that the demands of these jobs may require substantial time spent outside, but also recognizing that persons falling under this Subsection will have contact with Town residents as well as other various government and private-sector representatives, the minimum standard for

Subsection Two is the following:

- a. For Monday through Thursday during business hours, employees shall wear clothes that may be commonly classified as “golf casual”, or the standard of dress commonly observed at most golf courses. This shall include polo shirts, collared dress shirts, khaki pants, or Dockers. Clean, well-kept hats of a size not to interfere with work duties are acceptable if the employee will be spending a substantial amount of time outside on that workday.
- b. For special Town events outside of regular business hours, employees are encouraged to maintain the “golf casual” standard.
- c. The list of prohibited items under “Standard for Office Staff” will also apply under this Subsection, with the exception of the clothing items already discussed here.

C. Enforcement

A Department Director or designee may periodically approve more casual attire related to special events or assignments when interaction with customers or others is negligible.

Articles of apparel that have cultural or religious significance that may fall under the inappropriate section of this procedure shall be brought to the attention of the Human Resources Director by the employee in writing. All employees are responsible for complying with this policy. If a supervisor or Department Director feels that an employee’s apparel or grooming is not appropriate or is presenting a distraction to the employee’s coworkers or customers, the matter will be discussed with the employee. If the employee is in violation of this procedure, the supervisor has the right to send the employee home to change clothes (employee will not be paid during this time). If a pattern of non-compliance develops, disciplinary action will be administered up to and including dismissal.

ADMINISTRATIVE PROCEDURE

Subject: **Employee Uniforms**

Revision Date: 1/5/2024

Procedure Number: 738

Authorized Approval: Council/Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to provide eligible employees and management established standards of specialized work attire to be worn while on duty.

Policy Communication

The policy establishing the Town’s direction related to Employee Uniforms can be found in Policy #700.

Procedures

Uniforms (shirts with the Town logo) are specialized clothes and are considered to be items that cannot be worn by the employee for general street-wear, but rather, clothing to be worn while on duty by the eligible employees. The purpose of the Town of Queen Creek’s uniform policy is to:

- Ensure that Town employees are identifiable as such when working or in contact with the public outside of Town offices.
- Ensure that employees present a professional, consistent appearance.
- Ensure the health and safety of employees while on the job.
- Assist employees whose job duties may lead to damage or excessive soiling of their personal clothing.
- Ensure that the process to purchase and distribute uniform clothing is practical to administer and allows for accurate tracking of orders, spending and distributions.

A. Eligible Employees

Department Directors will identify the employees whose job duties qualify them for uniform clothing under the Town’s policy.

Merited part-time employees are entitled to the same uniform clothing as others in their job title. Temporary or seasonal employees may be entitled to receive uniform clothing.

The uniform clothing issued to an individual employee will depend upon his/her job duties. The Town requires that logo standards be maintained. (See Logo Standards)

The Town reserves the right to select uniform styles, colors, design and fabric based upon employee needs and safety concerns, quality, wear performance, vendor service, and price, and the right change uniform clothing or vendors.

All uniform clothing will have the Town logo embroidered on the upper left chest. Town-issued identification/keycard badges are considered part of the uniform, must be worn at all times, and are sufficient for identification purposes.

If employees wish to purchase uniform clothing in addition to that provided by the Town, they may make arrangements for additional purchases in accordance with the Town's Purchasing Policy. The Human Resources Department, the Town's purchasing agent, employees and all Town supervisors/department directors shall communicate and cooperate to ensure that all employees obtain the necessary uniform clothing and to ensure safety, comfort and a professional Town image.

If an employee purchases an item that costs more than authorized by their department, the employee must pay the difference.

B. Footwear

Depending on department requirements, job duties, and supervisor discretion, employees will wear steel-toed boots, leather boots, or other appropriate footwear deemed appropriate by the Department Director, or designee, at all times while on duty.

C. Jackets

Uniform jackets will be provided to employees who work outdoors on a regular basis as part of their assigned job duties:

The jacket will typically be a heavy wind- and water-resistant style with a flannel or other lining for warmth. Jackets will be ordered for new employees and on a replacement basis as needed for existing employees. For example, a jacket that is damaged or soiled beyond repair will be replaced.

D. Pants/Trousers

Long pants, jeans or trousers will be worn every day while at work. At the discretion of Department Directors, wearing shorts may be allowed, depending on the health and safety standards of the employee's job.

E. Care of Uniform Clothing

If uniform clothing is damaged or destroyed, it must be reported immediately to the supervisor for a determination on whether the clothing will be replaced at Town expense. If the item is damaged within one (1) year of issue, and if it is determined that an employee is responsible for replacing the item, the employee will be charged 50% of the Town's cost. The Town is not responsible for damages to personal, non-uniform clothing.

Employees are responsible for laundering (and pressing, if necessary) their uniform clothing and maintaining a clean, neat, professional appearance in the workplace in accordance to the Town's dress code policy. Uniform clothing should be replaced if it contains holes or shows significant, noticeable wear or staining.

F. Financial

The budget for purchasing all uniform clothing for all departments will be incorporated as a line item under each department’s budget.

Each individual department will be expected to determine what items shall be purchased on behalf of each individual employee.

Each department is expected to ensure that accurate records are kept regarding budget requirements, clothing purchases and expenditure tracking. Each department has discretion to choose which of the following purchasing methods it will allow its employees to utilize.

There are four approved methods for a department to provide uniforms for employees:

- **Employee Reimbursement through Accounts Payable:** This option is limited to non-taxable items only. Employees can purchase a non-taxable uniform item through.
- **Taxable Payroll Stipend:** Through the budgeting process each department determines the dollar amount to provide and which employees are eligible to receive the stipend. In August of each fiscal year, active employees during the payroll period the stipends are being entered will receive a stipend. Employees that start after the stipend has been paid will receive a prorated stipend based on the following percentages 100% for August, September; 75% for October, November, December; 50% for January, February, March and 25% for April, May, June. These stipend amounts are included in employees’ income and are subject to income tax.
- **Purchasing Items Directly from Vendor:** Using the Town’s Purchase Order purchasing process and following all procurement guidelines a department can select a vendor to provide uniforms to employees. Each department must monitor the use of vendor to ensure that employees are receiving the correct number and type of uniform items. The use of purchase cards to purchase uniforms is at the discretion of the department. Purchasing items directly from a vendor or using a purchase card is not an option for purchasing uniform items that are considered taxable.
- **Purchasing Uniform Services Directly from Vendor:** Using the Town’s Purchase Order purchasing process and following all procurement guidelines a department can select a vendor to provide uniform services for employees. In this case, the uniforms are rented from a provider who also provides laundering services. Typically, with these services the uniforms are not taken home by employees and would need to be turned in upon separation of service with the Town.

Items	Target Cost	Taxable Status	Allowable Purchasing Methods			
			Employee Reimbursement	Taxable Payroll Stipend *	Purchase Items Direct from Vendor	Purchase Uniform Services **
T-Shirts with Logo	Around \$30	Not Taxable	X	X	X	X
T-Shirts without Logo	Around \$30	Taxable		X		X
Knit Polo Shirts with Logo	Around \$40	Not Taxable	X	X	X	X
Knit Polo Shirts without Logo	Around \$40	Taxable		X		X
Twill Button-Down Shirt with Logo	Around \$50	Not Taxable	X	X	X	X
Twill Button-Down Shirt without Logo	Around \$50	Taxable		X		X
Jackets with Logo	Around \$100	Not Taxable	X	X	X	X
Jackets without Logo	Around \$100	Taxable		X		X
Pants/Trousers	Around \$50	Taxable		X		X
Steel/Plastic Toed Boots	Around \$200	Not Taxable	X	X	X	X
Work Boots/Other Footwear	Around \$100	Taxable		X		X
Fire Uniforms	N/A	Not Taxable	X	X	X	X
Police Uniforms	N/A	Not Taxable	X	X	X	X
Items not Listed	N/A	Contact Finance Dept.	N/A	N/A	N/A	N/A

* All amounts paid through a Payroll Stipend are included as part of Taxable income regardless of what the item it is intended for

** Uniform Services are Not Taxable

ADMINISTRATIVE PROCEDURE

Subject: Electronic Messaging Usage

Revision Date: 1/5/2024

Procedure Number: 740

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The primary purpose of the Town’s electronic messaging is to allow for efficient communications with Town staff, vendors, citizens, peers, Mayor and Council, and other individuals with whom the Town does business. This procedure guides and directs employees regarding the proper use and public nature of this electronic tool.

Policy Communication

The policy establishing the Town’s direction related to Electronic Messaging Usage can be found in Policy #700.

Procedures

The primary purpose of electronic messaging is to allow for efficient communication with Town staff, vendors, citizens, peers, Mayor and Council, and other individuals with whom the Town does business. This procedure educates employees regarding the proper use and public nature of this electronic tool.

Any and all documents that are created and functions that are performed while utilizing Town equipment and resources is considered public in nature and can in no way be considered personal or private. Staff is accountable for any actions which results in violation of this policy. Any violation of this procedure may result in disciplinary action up to and including dismissal. Please reference the Town’s Information Security Policy for additional guidance on these issues (addendum).

A. Acceptable Uses

1. Any use of the electronic messaging systems to conduct Town business that is consistent with the organization’s mission, vision, and goals.
2. Limited personal use of electronic messaging, as authorized by the immediate supervisor, providing that it does not violate any other Town procedure. All electronic messages created on the Town’s equipment, including personal electronic messaging, is the property of the Town.

B. Prohibited Uses

1. Personal or commercial uses are prohibited except where specifically allowed by the Internet Use Procedure, any other approved procedure, or written consent of the immediate supervisor or department director. Using a personal e-mail account to conduct Town business (unless the

Town of Queen Creek Administrative Policies and Procedures Manual

department director, Town Manager or designee deems it a technical emergency). Examples of technical emergencies include, but are not limited to, the Town's loss of internal e-mail services, testing of e-mail delivery by the Information Technology Department, etc.

2. Solicitations, including charitable campaigns, except as specifically authorized in writing by the Town Manager, Public Information Officer, Community Services Director or as part of an official, Town-sanctioned event.
3. Unsolicited (i.e., mass mailing to groups of employees), advertising of available services or personal items "for sale" or "for fee."
4. Unsolicited (i.e. mass mailing to groups of employees) announcements of parties, group outings, private events, or other activities that are not sanctioned or sponsored by the Town.
5. Sending or forwarding chain mail or other mass mailings or messages that are not of a business nature. If there are questions as to the necessity of mass mailing or messaging, please communicate with the Information Technology Department.
6. Using Town e-mail or other mass mailings that are not of a business nature.
7. Using Town e-mail or messaging services to transmit messages or attachments related to personal/commercial business or secondary employment activities.
8. Sending e-mail or messages that are sexually oriented or using email or electronic messages to receive, or express any of the following, whether welcome or unwelcome, to or from any other person or individual, whether employed by the Town or not, sexual advances; requests for sexual favors; explicit or implicit sexual propositions; sexual innuendo; suggestive comments; sexually-oriented "kidding" or "teasing;" jokes about gender-specific traits; or foul or obscene language or pictures.
9. Sending harassing, disparaging or offensive to others as defined by the applicable Town Policies and Procedures.
10. Sending e-mails or messages that include profanity.
11. Use by non-employees is prohibited. Only employees may use the Town's electronic messaging systems.
12. Attempting to breach security or falsely take the identity of another. Using another employee's e-mail or electronic device without consent will be considered a breach of security and falsely taking another's identity.
13. Knowingly transmitting viruses, "Spam" mail, or any other unsolicited mail or messages.
14. Infringing on copyrights or violating any other local, state, or federal laws.
15. Sending e-mail without clearly identifying your name, organization and job title.

16. Sending confidential information without authorization.

C. Privacy

1. By its nature, electronic messaging is not private and has the potential to be purposely or accidentally read by others and may in fact be subject to a public records request.
2. The Information Technology Department backs up its systems on a regular basis, including the e-mail servers. The e-mail within these databases can be retrieved and viewed even though they have been deleted from active user inboxes.
3. Others can inspect Town employees' electronic mail or messaging when allowed by law.
4. The use of encryption software, such as PGP, is not allowed without the knowledge and written consent of the Information Technology Department.

D. Etiquette/Ethics

1. Overall, try to minimize the amount of e-mail you send on a daily basis. Remember e-mail through the Town, in most cases is considered "public information" and can be requested as a result. Ask yourself if you would be concerned if an email you are contemplating sending was published on the front page of the newspaper. If the answer is yes, do not send.
2. If you are sending emails or messages that deal with issues that may be attorney-client privileged communications, please use the following list of tags in the subject lines of your e-mails or messages. Using these tags will allow for an automatic sort of e-mails, and a more timely response to public records requests. Public agencies are required to respond in a reasonable and timely manner to public records requests. The tags should be in ALL CAPS at the beginning of the subject line, and need to be spelled precisely for the sort function to work. E-mails or messages without tags will be released to public records requests. The tags are:
 - LEGAL
 - PERSONNEL
 - ECONDEV
 - DRAFT
 - INFO TECH
3. The Town Manager and Town Attorney have and will continue to provide guidance on the proper use of these tags. Questions concerning us of the tags should be directed to the Town Attorney.
4. Write a meaningful subject line. Don't expect your e-mail to be read and replied to promptly if the recipient does not understand the subject of the e-mail without first reading all or parts of the e-mail. This is important in that spam filters often rely on content found within the subject line of an email. If it is incoherent or left blank, there is a higher likelihood of it being labeled as "spam" and dealt with accordingly.
5. Be thoughtful in your use of e-mail or message attachments. Focus on the facts and the business

goal of your communication. Avoid sensational or exaggerated language.

6. Only use attachments if it's necessary to convey your message. If only a small part of the attachment is relevant to your message, consider copying and pasting the relevant text instead of sending the entire attachment.
7. Keep your e-mail as concise and succinct as possible. A good rule of thumb is that your e-mail is probably too long if it exceeds one display screen (i.e. you have to use the scroll button in order to display the end of the message). Consider using the phone, talking in person, or sending a memo instead of sending a "long" e-mail.
8. Always use the spell check function before sending your e-mail or message. Be aware of auto correct with text messages and re-read messages before hitting send.
9. Type your e-mail message as if you were creating a formal memorandum including indentations, using upper and lower-case text characters, paragraph breaks, and other punctuations. The use of all upper-case letters may suggest "yelling" at your recipient. The use of all lower-case letters conveys unnecessary informality and could translate that you don't respect the recipient enough to press the "shift" key on your keyboard. The use of incomplete sentences, missing punctuation, and jumbled paragraphs reflects poorly on you and could also show disrespect for the receiver of your message. Avoid use of acronyms, such as lol (laugh out loud), jk (just kidding), etc. as this conveys to the recipient an unwillingness to take the time to type out complete thoughts or an inappropriate sense of casualness. You can be less formal when communicating with close colleagues, however when in doubt, err on the side of formality.
10. Check your inbox frequently and reply promptly. If you are out of the office for more than a day, utilize the "Out of Office" feature to notify people of your absence.
11. Do not send electronic messages that you would not wish to be read by other than the recipient. Privacy cannot be assumed nor assured.
12. Be polite and professional in your electronic message communications. Refrain from personal attacks, abusive or threatening language, and never hit the "send" button when you are angry or upset. If you are angry or upset, create the e-mail as a draft do not hit "send" and revisit it later to make sure that you really do want to send the message. Remember, once you press the send button, the message is gone and you can never take it back. Do not use electronic messaging to spread rumors or comment on the speculation of others.
13. Before sending electronic message that might be misconstrued by the recipient consider whether a personal discussion or phone call might be more productive and less likely to create an adverse reaction.
14. Be careful with hearsay. Clearly identify the source of the information in your document (for example: "Joe told me..." or "Susan observed..."). If the information is second or third-hand, attempt to go to the original source to determine the accuracy of the information. Explain who the source of the information is and what efforts you made to determine the accuracy of the information.
15. Be cautious with your use of humor and sarcasm as it can easily be misunderstood in - communications.

16. Use the “Reply to All” function only if there is a good reason why all of the recipients to the original message need to see your reply.
17. Target your electronic message to the people who need to read it. Only send e-mail to the “Everyone” group if there is a good reason why every employee needs to read your message.
18. Use the “Return Receipt” feature with caution. Some recipients view the use of this feature as a sign of distrust.
19. Use good judgment when subscribing to mailing lists. Learn how to “unsubscribe” to these lists and do not subscribe anyone else to a list. Remember that you represent the Town.
20. The Town requests for all employees to utilize a standard signature line that is provide by the Human Resources Department which includes:

Employee Name | Title, Department | Town of Queen Creek | (t): 480-358-XXXX |(e): jane.doe@queencreekaz.gov| 22358 S. Ellsworth Road, Queen Creek, AZ 85142 | Office hours: Monday- Thursday 7 a.m. – 6 p.m., closed on Fridays

E-mails generated by council members, members of Town commissions and committees or by staff and that pertain to Town business are public records. Therefore, the e-mails must be preserved according to the Town’s records retention schedule and generally be made available for public inspection. E-mail correspondence is regularly reviewed by members of the public and other interested parties, including media outlets and reporters. To ensure compliance with the Open Meeting Law, members of the Town Council, and of Town commissions and committees should not forward e-mail correspondence to other members of the Council, board or commission. Members of the Council and other public bodies may reply to this message, but should not copy other members of the public body. Any questions should be directed to the Town of Queen Creek’s Town Attorney: (602) 285-5000.

E. Retention of Electronic Communications

Town staff, Mayor, and Council should all be aware that the contents of electronic messages may be considered “public records” and subject to the retention rules set forth by the State of Arizona.

The following are some examples of the types of communications that are generally considered to be “public records”. In some cases, the contents of a message are prohibited from becoming part of the public record such as specifics of an Executive Session. When in doubt as to whether a particular communication is or should be part of the “public record” contact the Town Clerk or Town Attorney for guidance.

1. **Public Record Definition.** A “public record” is defined by Arizona Revised Statute (A.R.S.) 41 1350 as follows: In this chapter, unless the context otherwise requires, “records” means all books, papers, maps, photographs or other documentary materials, regardless of physical form or characteristics, including prints or copies of such items produced or reproduced on film or electronic media pursuant to section 41-1348, made or received by any governmental agency in

pursuance of law or in connection with the transaction of public business and preserved or appropriate for preservation by the agency or its legitimate successor as evidence of the organization, functions, policies, decisions, procedures, operations or other activities of the government, or because of the informational and historical value of data contained therein. Library or museum material made or acquired solely for reference or exhibition purposes, extra copies of documents preserved only for convenience of reference and stocks of publications or documents intended for sale or distribution to interested persons are not included within the definition of records as used in this chapter.

2. Examples of What May Constitute Public Record Communications:

- Any document that initiates, authorizes, or completes a business transaction involving the Town.
- Preliminary negotiations that, if made public, would prejudice the Town's position within the negotiations are privileged, but otherwise, they're public.
- Correspondence or final memoranda related to official business.
- Draft ordinances, reports or recommendations circulated for public comment.
- Expense reports related to Town business.
- Factual memoranda relied on in making a final decision and retained by Town employees.
- Final reports or recommendations made by a Town department.
- Forms of any type (employment application forms, permit and license application forms, parks and recreation participation forms, etc.).
- Memoranda containing valuable factual information relied on by the Town in making a decision, which is not confidential in nature.
- Newsletters and brochures of the Town.
- Ordinances.
- After filing, final pleadings in lawsuits in which the Town is a party.
- Town policies and directives.
- Schedules and agenda for Town Council or staff meetings.
- Work schedules for public contracts.

3. Staff Responsibilities:

Employees who transmit electronic messages shall determine whether to preserve or delete the communication as follows:

- If the content of the e-mail or attachment meets the definition of a public record as defined within A.R.S. 41-1350, the e-mail and associated attachments shall be printed or preserved in the appropriate file, in permanent paper format, CD/DVD or preserved, unedited, in the e-mail system without printing.
- If the content of the e-mail or attachment meets the definition of a public record as defined with A.R.S. 41-1350 and the employee has chosen to retain the records within the e-mail system WITHOUT printing a copy, the backup procedures conducted by the Information Technology Department must be considered. Specifically, e-mail backed up to disk will be retained on backup media for no more than 28 days after deletion. It is the responsibility of the staff member to ensure that these records are retained in hardcopy format for more than 28 days if required by the Town's records retention schedule.
- If the content of the e-mail or attachment does NOT meet the definition of a public record as

defined with A.R.S. 41-1350, staff may delete the e-mail and attachment from the e-mail system whether or not it has been saved on another storage medium.

- If in doubt as to what is or is not considered a public record, confer with the Town Attorney or Town Clerk.

F. Mayor and Council Communications

In addition to sections A. through E. of this procedure, the Mayor and Council, and members of Town boards, commissions and committees, must take special care when communicating via electronic messaging. (Procedures addressed to the Council are equally applicable to individuals appointed by the Council to serve on a Town board, commission or committee.) Therefore, these additional procedures were established to aid the Mayor and Council in their electronic communications.

1. Each Council member will use the Town's e-mail system account in conducting business related to their elected office. The "mixed" use of both Town and personal e-mail systems to conduct Town related communication is not allowed. The e-mail addresses listed on the Town's web page will reflect the Council member's Town-provided e-mail address they will use to conduct Town business.
2. E-mail and electronic communications between Council members concerning Town business or Town related issues are normally considered public records.
3. E-mail and electronic messages cannot be used as a means of discussion of Town business between or among all or a quorum of members of the Town Council.
4. E-mail and electronic messages cannot be used as a means of taking straw polls on Town issues.
5. A Town Council member may use electronic messages to distribute informational material or input from Town staff, the public, or other sources to all other Town Council members. However, such communication should be provided without personal comment and indicate that the recipients should not respond.

ADMINISTRATIVE PROCEDURE

Subject: Remote Access and Use

Revision Date: 1/5/2024

Policy Number: 750

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The Town of Queen Creek desires to give employees remote access to the Town network either temporarily through the use of a notebook computer, or other electronic devices, or as part of the Teleworking and Alternative Work Schedule procedures.

Policy Communication

The policy establishing the Town’s direction related to Remote Access and Use can be found in Policy #700.

Procedures

Any and all functions an employee performs while utilizing Town equipment and resources is considered as public in nature and can in no way be considered personal or private. Employees are accountable for any actions that violate this policy. Any violations of this policy may result in disciplinary action up to and including dismissal.

Please be advised that many work tasks can be performed stand-alone without connecting to the network via a modem. Some exceptions include electronic messaging and access to network files. Please reference the Town’s Information Security Policy for additional guidance on these issues (addendum).

1. Access to the Town network from remote locations will only be allowed through the use of a Town-owned devices (issued or loaned by the Information Technology Department) or through the procedures documented in the Telecommunicating and Alternative Work Schedules Procedures. Employees may not use their own home Personal Computers or other electronic devices to access the Town network unless approved in writing by the Town Manager or Information Technology Department Director.
2. Employees authorized to use a Town-owned Personal Computer or other electronic device from home or other remote location may use the computer under the following conditions:
 - For any support issues, the employee must notify the Information Technology Department of the problem and deliver the unit to them upon request. Service at a remote location will only be provided at the discretion of the Information Technology Department. The Information Technology Department will do their best to service the unit(s) within a reasonable period of time, but support issues with local Town computers will take precedence.
 - The employee agrees that they will transfer the unit(s) to the Information Technology Department

upon request, for preventative maintenance of Town-owned software.

- The employee, upon resignation and/or termination of employment, must return the Personal Computer or other electronic devices to the Information Technology Department or the Human Resources Department as appropriate.
- The employee must adhere to the other applicable technology procedures, specifically the Hardware, Software and Service Procedure, Internet Use Procedure E-Mail Usage Procedure, and Appropriate Use of Computer/Network Resources Procedure.

ADMINISTRATIVE PROCEDURE	
Subject:	Appropriate Use of Computer/Network Resources
Revision Date:	1/5/2024 Procedure Number: 760
Authorized Approval:	Gardner/Coffman Effective Date: 4/1/2017

Purpose

Access to computer systems and networks owned or operated by the Town is a tool which comes with certain responsibilities and obligations that are granted subject to Town policies as well as any applicable local, state, or federal laws.

As the Town becomes more dependent on computers and the Town’s existing network, policies and practices must be implemented to ensure availability, reliability, security, and quick response to customer needs. The “Appropriate Use” procedure applies to any use of Town computer and network. This procedure will establish the parameters of computer/network usage for employees.

Policy Communication

The procedure establishing the Town’s direction related to Appropriate Use of Computer and Network Resources can be found in Policy #700.

Procedure

Any and all functions an employee performs while utilizing Town equipment and resources is considered as public in nature and can in no way be considered personal or private. Employees are accountable for any actions, which cause them to violate this Procedure. Any violations of this Procedure may result in disciplinary action up to and including dismissal.

The Town reserves the right to utilize “Remote Control” software or other such applications or tools at any time, to view, modify, monitor, and control the screens, programs, and processor of any computer device attached either locally or remotely to the Town network. Please reference the Town’s Information Security Policy for additional guidance on these issues (addendum).

A. Appropriate Use

1. Use of the supplied software and hardware to perform functions in your normal course of business, which clearly support the mission, vision, and goals of the organization.
2. Employees may utilize the supplied software and hardware for non-business purposes, providing that they have the written consent of their immediate supervisor. The written consent should specifically list the additional uses in which the employee is authorized. The supplied software includes software loaded by the Information Technology Department on a personal computer, file server, or other networked computer system in which the employee is authorized

to use.

3. Employees may not install any software or hardware devices on Town owned systems without the express approval of their supervisor and the Information Technology Director or designee. The Town does not warranty or support hardware or software personally owned by employees and discourages the use of said materials at work.
4. Customizing the Windows desktop with personal preferences for resolution, color, wallpaper, screen saver, and using the options and software provided with the operating system is permissible.

B. Inappropriate Use

Any activity involving the Town network, which contradicts the mission, vision, and goals of the organization, is strictly forbidden. Activities that violate local, state, or federal laws and actions that violate the public trust or hamper the ability of Information Technology staff to provide network support are also prohibited.

Some examples of inappropriate use include, but are not limited to, the following:

1. Loading any software on a Town-issued Personal Computer or electronic device without the knowledge and consent of the Information Technology Department. This includes wallpaper, screensavers, sound effects, and other software components. Examples include Webshot, IM-based applications, etc. These applications may carry a malicious payload (spyware/malware) and/or have a negative impact on the network infrastructure in Town.
2. Altering system hardware settings of a Town computer or electronic device through any system setup or Windows utility.
3. Addition of peripheral devices (modems, printers) to a Town computer without the knowledge and consent of the Information Technology Director or designee.
4. Revealing any system passwords to another employee or using the password of another. This includes the posting of passwords on Post-It notes, etc. where it is in plain sight. Mechanisms are in place that would allow personnel access to a co-worker's files or e-mail should that co-worker be unexpectedly unavailable. Requests for such access should be made in writing to the Information Technology Department with the approval of the immediate supervisor, if possible.
5. Using the identity of another employee while accessing any Town-owned computer system. This includes supervisors accessing files or computers using the identity of an employee under their supervision. In cases of emergencies where one cannot wait for permission by the employee, Information Technology will act as the intermediary and access files if deemed necessary or appropriate. Example: Finding a Town computer in which somebody else has signed on and sending e-mail using the other person's identity.
6. Changing the software or hardware settings on another user's Town computer or electronic device.

7. Attempting to gain access to information, computer accounts, or other computing resources which the employee is not authorized to access.
8. Damaging, altering, or tampering with other employees' data contained within the Town network, without the owner's approval and/or consent of your supervisor
9. The use of profane, abusive, or threatening language, as defined in the Town Policies and Procedures in any electronic files or correspondence.
10. Accessing sexually oriented Internet sites or locations, or to download or copy sexually oriented material or information.
11. Using a Town computer, electronic device, or applications to conduct activities related to personal/commercial business or secondary employment without recent consent given pursuant to Section A.2 of this Procedure.
12. Any action in which an employee knowingly affects the efficient operations of the network. Examples include downloading or running large streaming video/audio clips without the prior approval of the Information Technology Department.
13. Violating any copyright protection or license agreements for computer software.
14. Violation of any other Town or Information Technology policy, such as the Internet Use Procedure.

C. Computers and Energy Conservation

The following are procedures for energy management when utilizing computer equipment at within any Town facility.

1. Each employee should sign off and shut down their PC system when leaving for the day.
2. Employees should lock their computer screens whenever they get up and walk away from their computers.

ADMINISTRATIVE PROCEDURE

Subject: Request for Reviewing Security Camera Footage and Badge Reader Report

Revision Date:

Procedure Number: 765

Authorized Approval: Gardner/Coffman

Effective Date: 10/4/2024

Purpose

The purpose of this procedure is to maintain the security and privacy of our premises and employees. Access to security camera recording is restricted to authorized personnel for legitimate business purposes. This procedure outlines the process for supervisors to request access to view security camera recordings and/or request badge reader reports.

Policy Communication

The procedure establishing the Town’s direction related to Appropriate Use of Computer and Network Resources can be found in Policy #700.

Procedures

This procedure applies to all employees and supervisors who may need access to security camera recordings and/badge reader reports for official purposes.

A. Request Submission

Supervisors seeking access to security camera recordings and/or badge reader reports must submit the Security Camera Review/Release Form to the Human Resources Director. The request must include the following information:

- Date and time range
- Specific location (i.e. camera identifier, badge reader identifier)
- Reason for requesting the information (provide a brief explanation of the incident or purpose)

B. Approval Process

The Human Resources Director will review the request. Approval will be granted based on the necessity of access for security and operational reasons. If the request is denied, the supervisor will be notified with the reason for the denial.

Upon approval, the Human Resources Director will work with the Information Technology Director, or designee, to grant access for the specified date and time range only. Access to the videos recordings will be provided to the authorized individual via a designated link for the approved date/time and should only be used for approved purpose. Retention of video recordings is 30 days, unless there is a litigation hold to retain and preserve the recordings. Access to badge reader reports will be provided via email to the authorized individual for the approved date/time and should only be used for the approved purpose.

C. Exceptions

Exceptions to this policy may be granted in cases of emergency or as required by law enforcement. Such cases will be handled on a case-by-case basis.

ADMINISTRATIVE PROCEDURE

Subject: Hardware, Software and Services

Revision Date: 1/5/2024

Procedure Number: 770

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purchase of computers, accessories, hardware add-ons, computer software, and related Information Technology consulting services needs to be centralized in order to ensure their compatibility and proper integration with current and future hardware and software systems. It is the duty of the Information Technology Department to achieve full integration and compatibility of all software and hardware throughout the organization. This procedure will establish the parameters of the purchase of computer equipment, software, and related IT consulting services for and by employees.

Technology that is intended to meet the specialized needs of a specific department or division and/or will not be physically connected to the “Town” network may be exempt from this procedure. It is the requesting department’s responsibility to contact the Information Technology Department to determine the applicability of this procedure to those “specialized” systems.

Policy Communication

The procedure establishing the Town’s direction related to Hardware, Software and Services can be found in Policy #700.

Procedure

A. Procurement Rules

Any and all functions employees perform while utilizing Town equipment and resources is considered as public in nature and can in no way be considered personal or private. Employees are accountable for any actions which cause them to violate this procedure. Any violations of this procedure may result in disciplinary action up to and including dismissal.

1. Computer devices, software, and related consulting services cannot be purchased without the prior knowledge and written consent of the Information Technology Department.
2. Computer devices and software that are considered as “standard” can be purchased administratively through the Information Technology Department. This list of “standard” items is maintained and periodically updated by the Information Technology Department. The Town Manager or designee reserves the right to review the purchase requests for “standard” items if the intended uses of such items appear to be inconsistent or incompatible with the organization’s technology strategy.

3. The purchase of computer devices and software that are not on the list of “standard” items requires the review and recommendation of the Information Technology Department. Requestors of such items should complete the appropriate form and submit it to the Information Technology Department for review. The Information Technology Department reserves the right to NOT review or NOT provide a recommendation if the technology is deemed to be highly specialized and/or outside the scope and expertise of the reviewer.
4. Consulting services related to Information Technology must not be acquired or conducted without the prior knowledge and written consent of the Information Technology Department. The Information Technology Department and the requesting departments will jointly evaluate the need for outside consulting services as deemed necessary. The Information and Technology Department reserves the right to review these requests for consulting services if the intended use of such items appears to be inconsistent or incompatible with the organization’s technology strategy or if these services have other significant impacts on the organization.
5. Depending on the scope of consulting services requested, Information Technology may require the requesting department/division to enter into a service level agreement (SLA). This document clearly identifies responsible parties and responsibilities on the part of IT as well as the requesting department/division. For more information regarding SLAs, please contact IT.

ADMINISTRATIVE PROCEDURE

Subject: Internet Use

Revision Date: 1/5/2024

Policy Number: 780

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The objective for providing Internet access to the Town of Queen Creek employees is to enable staff to better serve their internal and external customers. This can be achieved by enabling staff to communicate via electronic mail with customers (citizens), vendors, Council Members, and peers. Besides e-mail capabilities, employees will be allowed to browse and retrieve the wealth of research information that is available on the World Wide Web. The use of the internet is provided to employees by the Town for business use only. This procedure will establish the parameters of internet usage for employees.

Policy Communication

The procedure establishing the Town’s direction related to Professional and Personal Conduct can be found in Policy #700.

Procedure

Any and all functions performed by an employee while utilizing Town electronic equipment and resources is considered as public in nature and can in no way be considered personal or private. Thus, employees should understand that there is no expectation of privacy when using such resources. Employees are accountable for any actions which cause them to violate this policy. Any violations of this policy may result in progressive discipline. Please reference the Town’s Information Security Policy for additional guidance on these issues (addendum).

A. Internet Access

The following procedures will be observed when using the Internet Access provided by the Town of Queen Creek.

1. Generally, the Internet is an unsecured network. In addition, e-mail and other internet records may be subject to disclosure under the Arizona Public Records law. All information sent over the Internet should be considered public information and should be treated as such.
2. Use of the Internet service should be driven by the desire to achieve the Town’s mission.
3. Employees may only use the Internet by using the ID(s) and password(s) granted to them by the Information Technology Department. Employees should not give their security information to other employees and should not use the ID(s) or password(s) that have been granted to another

employee. Employees may authorize another employee to read and handle e-mail on their behalf.

B. Regulations to Follow When Accessing the Internet

The Town of Queen Creek recognizes the need for employees to continually develop their knowledge and skills. For this reason, personal use of the Internet is allowed where specifically stated below:

1. Internet use is limited to the functions of web browsing, e-mail, and any other activities specifically stated and allowed per these procedures. Examples of unacceptable use include participation in chat rooms, ordering personal goods or services of a pornographic and/or sexually oriented nature, and accessing web sites that contain pornographic or sexually oriented content.
2. Only the employee may use the Internet by use of your assigned ID(s) and passwords. Employees may not sign on and let other employees, family members, consultants, or anybody else use their Internet capabilities.
3. Personal use of Web browsing functions will be limited to lunch breaks and other scheduled breaks unless otherwise authorized by the immediate supervisor.
4. Personal use of a Town computer for Internet access should in no way interfere with another employee's ability to use the same PC for business purposes, providing that the other employee has received authorization to access the PC.
5. Personal use of the Internet is only allowed from those PCs located within the Town of Queen Creek owned or leased facilities in which the employee has received authorization to use.
6. Personal use of the internet is not allowed to conduct activities related to personal/commercial business or secondary employment.
7. Download and installation of any software (including application programs drivers, patches, image files etc.) from the Internet is not permitted without the knowledge and written consent of the IT Division.
8. All users of the Internet shall practice the proper etiquette when communicating electronically with others. Employees are representing the Town of Queen Creek, much like they would be when attending meetings, seminars, or speaking on the phone when conducting Town business.
9. Use of a Town credit card to purchase goods over the Internet is subject to all previously established procurement rules and procedures. Employees may only use their credit card to purchase goods by use of a Secure Socket Layer (SSL) transaction. SSL transactions are indicated in a window displayed on the screen and a picture of a key or padlock at the bottom or side of the browser window and is indicated by https. Questions about whether a transaction is secure or not, should be directed to the Information Technology Department.
10. Use of the Town's connection to the Internet shall not be used to conduct any illegal or immoral activities.

C. Information Technology Responsibilities

It is the responsibility of the Information Technology Department to:

1. Establish the connection to the Internet
2. Develop the standards of operation (i.e., Internet Use Policy)
3. Coordinate training, both internally and by training vendors
4. Create and maintain Internet e-mail accounts
5. Provide end-user support and troubleshooting of the Internet connection software.
6. Provide end-user assistance in the usage of Town purchased web browser and e-mail software.
7. Monitor and evaluate the performance level of the Internet connection and propose upgrades to service based on this evaluation.
8. Provide usage logs and reports to Department Directors when approved by the Human Resources Director
9. Investigate reported abuses or misuse of the Internet or associated electronic services when approved by the Human Resources Director

The Information Technology Department will NOT be held responsible for assisting users in resolving problems not under its control. Failure to connect to a remote server or other related issues are not considered problems, but rather a characteristic of the Internet environment.

D. Supervisor and Manager Responsibilities

It is the responsibility of each supervisor and manager to:

1. Implement the appropriate disciplinary action for those employees who violate the Internet Use Procedure.

ADMINISTRATIVE PROCEDURE

Subject: Social Media Use

Revision Date: 10/4/2024

Policy Number: 785

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

To give direction to Town of Queen Creek employees, volunteers and other affiliated organizations who use Town electronic and computer resources to access social media sites and engage in social networking.

Policy Communication

The procedure establishing the Town’s direction related to Social Media Use can be found in Policy #700.

Procedures

Definitions

Social Media includes various forms of discussion and information sharing including social networks, blogs, video sharing, podcasts, wikis, message boards, and online forums. Technologies include photo-sharing, wall-postings, e-mail, instant messaging, and music sharing for example. Examples of social media applications include, but are not limited to, Google and Yahoo groups (reference, social networking), Wikipedia (reference), Facebook (social networking), YouTube (social networking and video sharing), X (social networking and microblogging), LinkedIn (business networking), Instagram (social networking and image sharing), Snapchat (social networking) and news media comment sharing/bloggging.

Social Networking is the practice of expanding the number of business and/or social contacts by making connections through web-based applications.

Guidelines

Any conduct on social media sites that violates this Policy may be cause for disciplinary action and/or the restriction of the use of Town Social Media by the offending party.

Employees are accountable for any actions which cause them to violate this policy. Any violations of this policy may result in progressive discipline pursuant to Town policies and administrative guidelines.

NOTE: If actions performed by Town staff have an immediate and adverse impact on the health and performance of the Town’s computer network or broadband connectivity, the Information Technology Department (IT) may turn off network access at the port level, disabling data and voices services as a result. In response to such activities, IT, in conjunction with the appropriate division/department supervisor, reserves the right to pursue the progressive discipline process.

A. Responsibilities

1. It is the responsibility of the Communications & Marketing Division to act as the Town's official spokesperson and social media administrator and maintain the Town's presence on social media sites. Consistent with this Policy, employees may participate on the Town's sites as individual users but may not make announcements regarding Town events and actions. Employees may answer questions or share information about the Town from their personal social media accounts only if they are authorized.
2. It is the responsibility of the Information Technology Department to administer security and monitor users on Town equipment.
3. It is the responsibility of all Communication Resource Team members who would like public information to be displayed on social media sites to coordinate with the Communication & Marketing Division.
4. The responsibility for assuring complete compliance with the provisions of this Policy rests with the department director, supervisors and individual employee involved. It is the responsibility of social media users to remain informed about Town policies related to this type of activity.
5. It is the responsibility of each supervisor and manager to implement the appropriate disciplinary action for those employees who violate the Social Media Use Policy.
6. Employees should be conservative in personal use of social media sites that pertain to the Town and understand that public records laws may bring their use under scrutiny by the media and public.
7. Employees may not conduct official Town business on social media sites or represent themselves as doing so, unless they are specifically authorized to do so. Employees assume all responsibility with social networking sites.

B. Inappropriate Use – Town Social Media

1. Any activity involving the Town network which knowingly contradicts the mission, vision and goals of the Town is inappropriate. Activities that violate local, state, or federal laws or use policies of social networking sites are also prohibited. Actions that violate the public trust or hamper the ability of Community Services staff to provide administrative or network support are not allowed.
2. Employees are prohibited from disclosing Town confidential information or information that could breach the security of the Town's computer network. Employees may not use Town logos or trademarks in their personal use of social media.
3. Violation of any other Town or Community Services Department policy, such as the Internet Use, Electronic Messaging Usage, and Appropriate Use of Computer Network Resources guidelines, will result in disciplinary action. See Policy 760.
4. Employees should not post messages of political support for Town candidates and use caution before liking a Town candidates social media platforms to the extent it could be construed as soliciting or

Town of Queen Creek Administrative Policies and Procedures Manual

attempting to solicit support for a candidate. Employees are allowed to be “friends” with Town candidates on social media and be in a group candidates are in.

5. Never post content on Social Media that attacks, abuses, or harasses, violates the privacy of, is hurtful, offensive or damaging toward, or defames any current or former employee or independent contractor of the Town.

C. Additional Inappropriate Use of Personal Social Media

The Town reserves the right, in its sole discretion, to require any particular employee, group of employees, or all employees to remove the identification of the Town as their employer from their personal, individual profiles and/or content.

Without limiting the generality of the foregoing, do not post content that disparages the Town or damages its reputation.

If necessary to avoid the appearance that you are speaking on behalf of the Town. To the extent that you reference the Town, you should include a clear and unambiguous disclaimer that the viewpoints you are expressing are yours as an individual, and do not necessarily reflect the position of the Town.

D. Archives and Retention

1. Communications received through Town social media or from or to employees while conducting Town social media communications are considered public record and should be considered as correspondence.
2. Any correspondence or posts on Town social media pages should be archived for the purposes of Arizona retention laws.
3. Content submitted on Town of Queen Creek social media pages that is deemed inappropriate should be retained. A description of why the content was removed should also be retained.

E. Comments

1. Comments from the public are welcome on social media sites. Town staff will monitor comments daily. The Town has the right to remove the following types of comments in its sole discretion:
 - a. Vulgar language
 - b. Personal attacks of any kind
 - c. Comments or content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, genetics, status with regard to public assistance, national origin, physical or mental disability, sexual orientation or sexual identity.
 - d. Spam or unrelated links to other sites
 - e. Comments that advocate illegal activity

- f. Comments that infringe on copyrights or trademark
 - g. Comments that provide personally identifiable medical or financial information
 - h. Information that may compromise the safety, security or proceedings of public systems, any criminal or civil investigations, or any member of staff.
 - i. Repeat violators maybe banned from participation on Town social media platforms.
2. All comments on Town’s page should be retained and archived.

Please reference the Town’s Information Security Policy for additional guidance on these issues (addendum).

ADMINISTRATIVE PROCEDURE

Subject: Cellular Phones and Radios

Revision Date: 1/5/2024

Procedure Number: 790

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

This administrative procedure is intended to outline policies governing cellular phone issuance and the prudent usage and administration of Town-owned cellular phones. The purpose of a cellular phone is to:

- Improve employee efficiency and effectiveness, and enable employees to respond more quickly in emergency situations.
- Provide safety for Queen Creek citizens and employees when more conventional and cost-effective means of communication are not available.

Policy Communication

The policy establishing the Town’s direction related to Cellular Phones and Radios can be found in Policy #700.

Procedures

A. Usage, generally

Cellular telephones and/or radios are provided to assist the Town of Queen Creek officers, administrators, and employees in conducting official Town business.

Department management is required to determine the appropriateness of the assignment of cellular and digital telephones to individuals. Such assignment should be based upon the efficiencies to be gained (i.e., reduced response times, increased productivity, etc.). Use of cell phones, radios, and other Town equipment is not a right, but should be considered a benefit and a necessary tool in service delivery. Department management shall assign and reassign cellular telephones as deemed necessary.

B. Town’s Cellular Telephone Plan

The Town of Queen Creek, through a competitive process, reserves the right to select a communications provider to serve as the Town Cellular telephone and/or radio communications provider.

The Town’s plan does not include individual rate plans. All services are grouped together into one program. The program consists of a pool of minutes. It is important for employees to understand

that minutes are shared across all cellular phone users; therefore, employees should limit the number of calls made. The length of calls made on cell phone and/or radios should not be excessive. Cellular telephones and/or radios should be used for business calls.

C. Responsibilities

Managers and supervisors must justify the need for a cellular telephone and/or radio for each new employee. The request and justification must be completed in the new hire recruitment packets. For existing employees, a written request by the employee's direct supervisor must be submitted to the Human Resources Department or to the appropriate designee for public safety positions.

1. Cellular phones and/or radios may not be transferred from one employee to another. For employees who are transferring departments, Human Resources will collect all phone equipment during their transfer process.
2. When employees leave Town service, all cellular phones and/or radios must be returned to Human Resources prior to leaving employment.
3. The Purchasing Division or public safety department will be responsible for assigning all cellular telephones and/or radios, regardless if it is new, replacement or transferred equipment.

Managers and supervisors will be responsible for educating employees about appropriate procedures for cellular telephones and/or radios, as well as for the monitoring of their usage. Managers and supervisors will be responsible for ensuring their employees are following the policy and for related discipline as necessary. Excessive personal use of the cell phone during working hours is considered inappropriate use of the employee's time.

An employee who is issued a cell phone and/or radio is responsible for ensuring its proper use in accordance with Town policy. An employee who is issued a cell phone and/or radio may be required to respond to phone calls weeknights and on weekends depending upon the requirements of the position.

D. Monitoring Cellular Telephone Services

Each employee assigned a phone is responsible to monitor their respective phone usage. Department Directors, or designees, are to ensure the appropriate monitoring of cell phone usage and billing for their respective department.

Each Department Director, or designee, shall be responsible for the following:

1. Monitoring all cellular telephone and/or radio bills;
2. Submitting proper documentation with payment to appropriate office staff.

E. Safety

Employees should be aware of the hazard related to use of any communication device while driving

or operating machinery/equipment. Employees are responsible for the control of their vehicles/equipment at all times, and using a communication device may contribute to an accident or injury when the employee's primary focus should be on operating the vehicle/equipment. It is illegal in Arizona to talk or text on a cellphone while driving unless the device is in a hands-free mode. Therefore, employees shall not use any communication device when operating a Town-owned vehicle/equipment or while operating their own vehicle while conducting Town business. In such instances, employees should use cell phones and/or radios only if their vehicle is safely off the road, safely parked, or hands-free. There are exceptions to the law, including emergency responders, people in an emergency situation or alerting first responders to an emergency or crime. Failure to comply with this requirement will result in the employee being disciplined. If an employee operating a Town vehicle/equipment or driving their own vehicle while conducting Town business is involved in an accident, and use of a communication device contributed to the accident, the employee will be subject to discipline. The term "communication device" can include but is not limited to cell phones, radios, tablets, and computers.

F. Damage, Loss or Theft

Handsets or other equipment that is damaged in the course of business should be brought to Purchasing staff or to the appropriate designee for public safety positions, who will contact the vendor for replacement or repair. Lost or stolen cellular and/or radio equipment should be immediately reported to the employee's supervisor and to Purchasing or the appropriate public safety designee, so that the service can be cancelled.

At the discretion of the department director, costs incurred for replacement or repair will be the responsibility of the employee or the department. Employees may be responsible for the replacement cost in the event that their phone is lost, stolen or broken while in their care. Employees are responsible for submitting an incident report to their department director and to Purchasing. Together they will make a determination as to the replacement, responsibility and cost.

G. Cell Phone Allowance Plan

With the Human Resources Department's approval, a cell phone allowance can be authorized in lieu of a Town-issue cell phone in which case the personal cell phone may be used by the employee for both personal and Town use subject to the terms of this policy. The employee is responsible for purchasing their own cell phone.

For Smart phones (Droid/iPhone) consistent to high volume usage (daily usage and/or consistent usage outside of an employee's normal working hours): \$65/month

For regular cell phones, low to moderate usage (weekly usage or daily usage during an employee's normal work hours): \$40/month

Usage will be determined by the Human Resources Department and based on the anticipated need of the employee's current job description. Stipend amounts may vary for employees with employment agreements.

Procedures are as follows:

- The cell phone monthly allowance shall be paid to the employee in the first two first pay periods of each month as increments as part of the normal payroll process.
- Each Department Director will be responsible in ensuring the allowances for their respective employees are budgeted via the annual budget process.
- Employees entitled to a cell phone allowance must sign an acknowledgement form indicating that he/she has read the cell phone procedure (#790) and understands that emails, phone calls and data transmitted for business purposes are public records and are subject to relevant provisions of Arizona Revised Statutes. At the Town's request, the employee shall provide a record of all business related phone calls, texts and emails. Failure to do so will require forfeiture of the cell phone allowance and could result in discipline.
- Information Technology will be responsible of maintaining the cell phone enterprise server; however, technological problems with the personal cell phone will be the responsibility of the employee.
- At any time, an employee receiving an allowance may request a Town issued cell phone with Department Director's approval; however, the employee must wait until the next month to receive it. Once the Town issued cell phone is received, the allowance will be forfeited.

H. Discipline

Violation of this procedure may result in disciplinary action up to and including dismissal.

ADMINISTRATIVE PROCEDURE

Subject: Preservation and Retention of Records

Revision Date: 1/5/2024

Procedure Number: 795

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

It is the Town’s intent that once an actual or potential complaint and/or lawsuit has been delivered or identified, the Town will take reasonable and good faith steps to preserve relevant documents to the complaint and/or lawsuit, including electronic files and data. Documents and electronically stored information of related litigation will be preserved and retained to avoid “spoliation” (which may include the negligent or intentional destruction of evidence), and to ensure compliance with the Arizona Rules of Civil Procedure.

Policy Communication

The policy establishing the Town’s direction related to Preservation and Retention of Records can be found in Policy #700.

Procedures

Once an actual or potential complaint and/or lawsuit has been delivered or identified:

1. Human Resources and/or the Town Clerk will instruct any employee that is involved to gather and segregate hard and electronic copies of all potentially relevant and/or discoverable accessible files (whether officially “active” or “archived”). This includes any stored information on computer hard drives, networks, laptops, personal digital devices, etc.
2. Human Resources and/or the Town Clerk will instruct all involved staff to cease or suspend any activity or practice that could result in the destruction or modification of relevant and/or discoverable electronic and/or hard copy documents, such as the shredding of documents and/or deletion of email or archives.
3. Human Resources and/or the Town Clerk will direct the Information Technology Director to segregate and secure the appropriate backup and archival data back to the original dates involved, if still available.
4. The Information Technology Director will instruct the responsible information technology staff to cease or suspend the overwriting of back-up tapes, and other document retention practices that could result in the destruction or modification of relevant and/or discoverable electronic documents in the ordinary course of business.

5. Human Resources and/or the Town Clerk will be responsible in gathering together all electronic and hard copy information related to litigation into a centralized location.

Each Department shall review their respective document retention policies to ensure consistency with local, State, and Federal guidelines. Any changes to any document retention policy must be approved by the Town Clerk.

ADMINISTRATIVE PROCEDURE

Subject: Town Staff Support of Committees, Commissions, and Boards

Revision Date: 1/5/2024

Procedure Number: 797

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

To provide instructions to Town staff that support Town committees, commissions, and boards in regards to agendas, staff reports, and presentations pertaining to publishing these materials for the general public.

Policy Communication

The policy establishing the Town’s direction related to Town Staff Support of Committees, Commissions, and Boards can be found in Policy #700. Where conflicts exist now or in the future between this policy and State Statute, the more restrictive shall apply.

Definitions

Applicable Committees, Commissions, and Boards to this procedure:

- Board of Adjustment
- Building Codes Board of Appeals
- Council Budget Committee
- Economic Development Commission
- Parks and Recreation Advisory Committee
- Planning and Zoning Commission
- Public Safety Personnel Retirement System Local Board
- Transportation Advisory Committee
- Any other Board, Commission or Committee so designated applicable under this policy as determined by the Town Manager

Staff Manager: A Town employee that is assigned by the Town Manager, or designee, as the main liaison (or contact) to an applicable Town committee, commission, and/or board.

Procedures

In order to provide timely, effective and efficient information to committee and board members, commissioners, and the general public, staff managers will ensure that agendas, staff reports and presentations are posted on the Town website under appropriate folders in advance of meetings. For the purposes of this procedure, the timelines in posting information are as follows:

- Agendas shall be posted seven (7) days in advance of the meeting. For example, if the meeting is on Wednesday, the agenda shall be posted to the website by the end of the day, Thursday, the prior week.
- *Staff reports, attachments, and any and all related reference materials* related to agenda items shall be posted three (3) days in advance of the meeting. For example, if the meeting is on Wednesday, staff reports, attachments and any and all related materials, shall be posted to the website by the end of the day, Monday, of the same week. On occasion, staff reports or attachments, may need to be revised due to an emergency or the receipt of new information by staff. For those situations, the staff manager shall ensure that the updated staff report lists “**Revised**” and is posted immediately. However, if a staff report needs revision within 24-hours of the scheduled meeting, due to circumstances beyond the staff manager’s control, then the revised staff report (or section(s)) shall be provided to the Board, Commission or Committees at the meeting and the revised staff report posted to the website within 24-hours after the meeting. It is strongly advised that staff reports, to the greatest extent practical, not be revised within 24-hours of the scheduled meeting.
- Presentations for the meeting shall be posted to the website by 3 pm the day of the meeting.
- Once the Board, Commission and/or Committee meeting has concluded, a draft of the minutes of the meeting shall be posted in accordance with Arizona Revised Statutes.

Any exceptions to these procedures require Town Manager approval, or designee (such as Department Director). Continued violation of these procedures by a staff manager may result in disciplinary action.

POLICY STATEMENT

Subject: Mediation, Discipline, Appeal Process, Administration Leave and Hearing Officer

Revision Date: 10/4/2024

Policy Number: 800

Authorized Approval: Council/Gardner/Coffman

Effective Date: 4/1/2010

Purpose

The purpose of this policy is to address conflicts that are disruptive to the workplace, establish procedures to be followed when employee conduct is inappropriate or in violation of Town policies or administrative procedures, and to establish an appeal process in order to provide a just, effective and equitable method for resolution of problems in the workplace.

A. Mediation Policy

It is the goal of the Town to resolve conflicts at the lowest level possible. In certain situations, the best way to resolve a conflict may be through the use of a neutral third-party mediator. Mediation is a non-disciplinary, voluntary, informal process that allows two (2) or more people who are having differences to sit down with a neutral third party to consider possible solutions. The Human Resources Department will be responsible for managing this process and, in most cases, will serve as the mediator to assist in the resolution of the conflict. Mediation is not binding, unless both parties agree for it to be binding.

B. Discipline Policy

Discipline, in its literal sense, is action that corrects or improves. Its purpose in the workplace is to correct or improve job-related performance or behavior. Ideally, most workplace performance problems are handled by informal discussion and counseling between the supervisor and the employee. Disciplinary procedures are applied when more formal action is required.

1. In addition to normally being progressive in nature, it is important that the degree of discipline be directly related to the seriousness of the offense and the employee's record; therefore, it is possible for steps to be skipped or repeated.
2. It is the policy of the Town to normally use a system of progressive discipline to address unacceptable work performance or behavior. The goal is to change unacceptable work performance and/or behavior. Discipline is not required to be applied in a progressive nature if the severity of the offense warrants more severe consequences including immediate dismissal.

Steps of corrective action may include:

- Verbal warning
- Written warning
- Final written warning which may include a suspension without pay, pay rate reduction, demotion, or a combination.
- Dismissal

It is generally recommended that all steps be taken in order; however, some problems may be so serious that early steps may be eliminated. As a result, the employee may be subject to any (or combination thereof) of the above disciplinary actions, depending on the severity of the offense and prior discipline history.

Any employee, who has completed the probation to Town, may be discharged for cause, at any time by the Department Director and upon the approval of the Town Manager. As set forth above, prior to such discharge, the employee shall be provided a notice of proposed disciplinary action and provide the employee the opportunity to respond to such notice in writing within five business days thereafter. If the decision is made to proceed with the discharge, the employee shall be entitled to a hearing as provided for in the Employee Appeal Process, if he/she requests one within the applicable time period.

C. Appeal Process

The purpose of the appeal process is to provide a just, effective, and equitable method for the prompt resolution of problems and/or concerns in a fair manner, without discrimination, coercion, restraint, or reprisal against any employee who may submit or be involved in a grievance. It is the policy of the Town to provide for an orderly and informed process for employees to resolve their problems.

Eligible employees must initiate the appeal process within five (5) business days of the appeal event. Administrative Procedures #830 establishes the procedure, with timelines, for the management of employee appeals.

D. Administrative Leave

Administrative leave is the removal of the employee from the workplace with pay. Reasons for placing an employee on administrative leave include, but are not limited to:

1. An internal review or investigation when the employee's presence on the job or at the work site would hinder the review or investigation;
2. A situation that is perceived to be of an urgent or serious nature in which the supervisor believes the employee should be immediately removed from his or her job, such as when the employee's presence would be detrimental to the public interest or the continued efficient operation of the Town, or may create a safety issue for the employee, other employees, or the public; or,
3. Other extraordinary circumstances.

There may be situations in which the Town, in its discretion, determine that the Administrative leave, based upon suspected employee bad conduct, should be without pay. In such event, if it is later determined that the suspected conduct was not supported, the employee shall be entitled to back pay of all withheld compensation.

E. Hearing Officer Hearing

Under the direction of the Town Manager, Human Resources shall coordinate and schedule the Hearing Officer Hearing. The purpose of the Hearing Officer is to hear appeals submitted by employees with merited status employment (see Policy 100) in relation to suspensions without pay greater than 40 hours (greater than 56 hours for Fire-sworn and Non-sworn EMS working 24 hour-shifts); disciplinary pay rate reductions; disciplinary demotions; and disciplinary dismissals. The role of the Hearing Officer shall be to recommend upholding, modifying or overturning the disciplinary action to the Town Manager, or designee. The Town shall pay the cost of the Hearing Officer.

ADMINISTRATIVE PROCEDURE

Subject: Mediation

Revision Date: 1/5/2024

Policy Number: 810

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of these procedures is to communicate an alternative process for resolving a workplace conflict complaint. Mediation is a non-disciplinary, voluntary, and informal process that allows two (2) or more people who are having differences to sit down with a neutral third party to consider possible solutions. Mediators do not take sides or decide how an issue will be resolved, nor do mediators investigate any charges. The mediator may suggest possible resolutions, but the parties control the outcome.

All mediations shall be kept confidential to the extent permitted by law, except as is necessary to be disclosed to others on a need-to-know basis, which may include:

- Due to physical or sexual abuse;
- Where a danger exists to self or others; or,
- To implement any resolution reached by the parties.

All employees who are involved with or are aware of mediations are expected to maintain the same level of confidentiality.

Policy Communication

The procedure establishing the Town’s Mediation procedure can be found in Policy #800.

Procedures

The Human Resources Department will coordinate the mediation process when requested by the employee. When a request is received, the Human Resources Director, or designee, will conduct the mediation.

A. Process

Typically, mediation will be conducted in the following manner:

1. Employee shall submit a request for mediation in writing to the Human Resources Director, or designee.
2. Each party will meet with the mediator in an opening session. No other parties other than the two affected employees are allowed to provide testimony during the process. The mediator will

explain the process and what is expected of both parties. Ground rules will be set and a confidentiality agreement may be signed, if appropriate.

3. Each party will present their facts and the mediator will ask questions to be sure everyone understands the varying perspectives.
4. The mediator may determine to meet with each party separately in an attempt to discover what is spurring the dispute, what the underlying issues are, and where there are areas for movement from established positions. The mediator may ask more penetrating questions than in the joint session.
5. The mediator will attempt to offer different proposals to each side to see if a resolution can be reached.
6. If the mediator is able to bring the parties to agreement, the agreement will be described in writing and signed by both parties. Mediation can be binding if both parties agree.
7. If the mediator is unable to bring the parties to agreement, the mediator will complete a non-binding decision and place in a file. All files related to mediations will be kept separate from an employee's personnel file.

ADMINISTRATIVE PROCEDURE

Subject: Employee Disciplinary Measures

Revision Date: 10/4/2024

Procedure Number: 820

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to communicate the process for employee discipline when an employee’s work performance or behavior needs improvement or is unacceptable. It is the policy of the Town of Queen Creek to set forth discipline fairly, responsibly, and impartially. Employees and the Town are best served when discipline is administered to correct actions and is intended to maintain the efficiency and integrity of Town services.

Policy Communication

The policy establishing the Town’s direction related to Disciplinary Measures can be found in Policy #800.

Procedures

The employment of Town employees shall be based on standards of job performance and personal and professional conduct. Failure or refusal to meet these standards shall constitute just cause for disciplinary action including:

1. Verbal Warning
2. Written Warning
3. Final written warning, which may include one or a combination of the following: a suspension without pay, pay rate reduction, and/or demotion.
4. Dismissal /Termination of Employment

In any disciplinary action, the nature and severity of the offense and the employee’s prior disciplinary record shall be considered. The disciplinary action shall specify the following:

- The basis/cause for discipline
- The specific reason supporting the cause
- The discipline to be imposed
- The effective date
- The right of the employee to comment or respond, including any rights of appeal

The degree of discipline administered will depend on the severity of the infraction and shall be in accordance with all applicable federal, state, or local labor laws and regulations. Discipline is determined

on a case-by-case basis. Nothing about this section should be construed in any way to limit the Town's right to impose whatever form of discipline it deems appropriate in any given situation, regardless of the general goal of the progressive discipline policy stated below.

Supervisors are responsible and held accountable to follow proper and appropriate disciplinary procedures. On the other hand, employees that violate the Town's rules should understand that the failure of a supervisor to properly document discipline, when there is independent verification of employee misconduct, is not a basis for the employee avoiding responsibility for such conduct.

It is the responsibility of each supervisor and Department Director to evaluate thoroughly the circumstances and facts as objectively as possible, in a timely manner, and then apply the most suitable form of discipline. When appropriate, such as in the case of employee performance problems, the employee's job description should be utilized to outline and reinforce the expected behavior.

Each disciplinary action (other than verbal warning) will remain in the employee's personnel file within Human Resources.

Employee discipline should normally be applied in a progressive nature whenever feasible depending on the severity of the incident. The progressive nature of the discipline may include any of the following steps:

A. Verbal Warning

This type of discipline generally should be applied to infractions of a relatively minor degree or in situations where the employee's performance needs to be discussed. The verbal warning shall consist of a documented verbal notification to the employee of performance or behavior concerns and should be given in private. Supervisors should inform the employee that the supervisor is issuing a verbal warning, that the employee is being given an opportunity to correct the condition, and if the condition is not corrected, the employee will be subject to a more severe form of disciplinary action.

A record that a verbal warning written was given should be placed in the employee's departmental file.

B. Written Warning

Generally, this notice will be issued in the event the employee continues to disregard a verbal warning, or if the infraction is severe enough to warrant a written reprimand in the employee's personnel file. Written warnings should normally be initiated within ten (10) business days after the supervisor is aware of the alleged violation. For Police-Sworn, written warnings should be initiated following the conclusion of the fact finding.

1. First step – Allegation Memorandum

The supervisor shall prepare a memorandum to the employee, which generally should include the following:

- a. Statement of the problem(s) and the nature of the alleged infraction(s) in detail (supervisor should include any alleged violations of policies/procedures, standards, practices and/or indicates the nature of unsatisfactory performance).

- b. Any prior discussions or warnings on the alleged violations, including verbal warnings, other written warnings, etc., and the appropriate dates within the past year of employment history.
- c. Statement of Town policies and procedures in which the employee is alleged to have violated.
- d. A Notice of intent to discipline as a written warning.
- e. A listed date and time in which the employee, in writing, should respond to the supervisor. The date should be at least three (3) business days from the date the written warning is presented to the employee.
- f. A signature line for the supervisor and employee, which indicates the employee received the memorandum.

The supervisor shall meet with the employee and review the allegation memorandum. The employee shall sign the allegation memorandum in order to acknowledge he/she received it; however, signing it does not mean the employee necessarily agrees with it. A copy shall then be given to the employee.

2. Second step – Employee Response

The employee is presented with the opportunity to respond to the allegation memorandum in writing within three (3) business days after receipt.

3. Third step – Written Action Memorandum

The supervisor shall review the employee response and make a determination within 10 business days from the receipt of the employee's response. However, should additional investigation be necessary, the supervisor will make all reasonable efforts to complete the allegation(s) and conclude the investigation in a timely manner. If the supervisor determines to move forward with the written warning, the supervisor shall include the following within the written action memorandum:

- a. Within the subject line, the supervisor shall indicate the action as a written warning.
- b. A summary of corrective action to be taken by the employee including dates for improvement and any plans for follow-up.
- c. A summary of the consequences for failure to improve performance or correct behavior.
- d. A signature line for the supervisor and employee, which indicates the employee received the written action memorandum.

The supervisor and a Human Resources representative shall meet with the employee and review the written action memorandum. The employee shall sign the written action memorandum in order to establish he/she received it. If the employee refuses to sign the acknowledgement, then the supervisor shall note said action and the Human Resources representative shall witness with a signature on the final action memorandum that the employee received a copy and refused to sign it. A copy shall then be given to the employee. The allegations memorandum, employee response, and written action memorandum

are then collated and given to Human Resources to place within the employee's personnel file as a written warning.

If the supervisor determines not to proceed with formal discipline, then he/she must note it within the written action memorandum and place it within the employee's departmental file.

C. Final Written Warning

Generally, this form of discipline is administered as a result of a severe infraction of policies or for repeated violations. The corrective actions for the final written warning may include one (1) or a combination of any of the following:

- Disciplinary Suspension without Pay
- Disciplinary Demotion
- Disciplinary Pay Rate Reduction

The first two steps of the final written warning shall be consistent with the first two steps of the written warning process in the previous section. Once the employee is allowed an opportunity to respond to the allegation memorandum, the supervisor shall review the employee's response and make a determination.

If the supervisor determines not to proceed with the final written warning but chooses a lesser action (such as verbal warning or written warning) or no discipline at all, then he/she must note it this within the final action memorandum and follow the appropriate filing steps according to what action is administered.

If the supervisor determines to move forward with the final written warning, the supervisor shall include the following within the third step of the final notice memorandum:

- Within the subject line will state the problem, and the supervisor shall indicate the final action as a ***final written warning***.
- A summary of recommended corrective actions to be taken by the employee including dates for improvement and any plans for follow-up. As part of a final written warning, the recommended corrective action shall include one (1) or a combination of any of the following:
 - Disciplinary Suspension without Pay
 - Disciplinary Demotion
 - Disciplinary Pay Rate Reduction
- A summary of the consequences of failure to improve performance or correct behavior.
- A signature line for the supervisor and employee, which indicates the employee received the final action memorandum.
- A signature line for the Department Director.

The documentation shall then be given to the Department Director for final approval of the corrective actions. The Director should hold a discussion with the employee to allow and encourage the employee to present supporting facts to the case. The Department Director should consider the employee's case before finalizing and signing the final written warning.

If the Department Director determines not to proceed with the final written warning, but chooses a lesser action (such as verbal warning or written warning) or no discipline at all, then he/she must note it this within the final action memorandum and follow the appropriate filing steps according to what final action is administered.

Following the Department Director's decision and if the Director decides to proceed with the final written warning, the Director, supervisor and a Human Resources representative shall meet with the employee and review the final action memorandum as a final written warning. The employee shall sign the final action memorandum in order to acknowledge he/she received it. If the employee refuses to sign the acknowledgement, then the supervisor shall note said action and the Human Resources representative shall witness with a signature on the final action memorandum that the employee received a copy and refused to sign it. A copy shall then be given to the employee.

The allegations memorandum, employee response, and final action memorandum are then collated and given to Human Resources to place within the employee's personnel file as a final written warning.

The following actions may be taken as a result of a final written warning:

1. Disciplinary Suspension without Pay

An employee may be suspended without pay when the offense is sufficient for discharge, but circumstances related to an employee's overall performance would not warrant immediate discharge. Within the final notice memorandum, the supervisor shall require a notice of suspension without pay. Documentation that supports this action must be summarized and/or attached to the final written warning document. Consequences of continued poor performance and goals for improvement should be included. For minor infractions, a disciplinary suspension without pay is given only after the employee has received both a verbal warning and a written warning.

Department Directors may only suspend employees without pay in full day increments.

Department Directors may only suspend employees without pay up to a maximum of two (2) weeks.

Merit status employees may appeal suspensions without pay of more than 40 hours (more than 56-hours for Fire-Sworn and Non-Sworn EMS personnel working 24-hour shifts) to the Town Manager or to a Hearing Officer.

2. Disciplinary Demotion

Disciplinary demotion may be used when an employee has filled a position where he or she is unwilling or unable to perform the responsibilities of the position. Disciplinary demotion is not to be used as a substitute for dismissal when dismissal is warranted.

In some circumstances, an employee may be demoted, or moved from the position currently held to another classification resulting in a lower salary range. The Final Action Memorandum should be used to document the reason for the demotion.

Merit status employees may appeal disciplinary demotions to the Town Manager or to a Hearing Officer.

3. Disciplinary Pay Rate Reduction

Disciplinary pay rate reductions may be used when an employee is demoted to another classification resulting in a lower salary range. If another classification with a lower salary range is not available, or is not feasible, a pay rate reduction may be warranted within the current position. When a disciplinary pay rate reduction is administered, the employee shall be reduced a minimum of 5% in hourly rate (for non-exempt employees) or annual rate (for exempt employees), to the extent that the wages meet state and federal minimum wage requirements; however, at no time shall the employee that is demoted be paid above the maximum of the new range or below the minimum of the new range.

Merit status employees may appeal disciplinary pay rate reductions to the Town Manager or to a Hearing Officer.

4. Dismissal (Discussed in more detail below)

D. Dismissal / Termination of Employment

Dismissal is the permanent removal of an employee from Town service. This action is taken when management is thoroughly satisfied that the employee has been given sufficient opportunity to meet performance or behavior standards and has clearly failed to do so (as outlined above in the final written warning provisions). Dismissals may also be imposed if the gravity of the misconduct is very serious without any previous progressive discipline. Immediate removal of an employee from the job site pending review for dismissal may be warranted in instances involving serious misconduct including but not limited to insubordination, theft, illegal or destructive acts while on the job, or other substantial reasons deemed appropriate as outlined in this Manual or as deemed appropriate by the Town Manager. An employee may be dismissed after repeated offenses of a less serious nature if the offenses have been documented by the supervisor and have not resulted in appropriate behavioral changes. At-will, including trial employment employees may be dismissed at any time with or without cause.

Dismissal is at the Department Director's discretion. Prior to the dismissal of a merit status employee, the employee shall be placed on administrative leave with pay.

The following procedures will be followed:

1. When an employee's conduct or job performance is deemed by the immediate supervisor to justify dismissal, the immediate supervisor or manager shall prepare a pre-dismissal notice in letter format, to the employee and mail it via certified mail or hand-deliver it.

The letter will state in detail the following:

- a. The performance or behavior that justifies discipline.
- b. The Town policies and procedures the employee has allegedly violated.
- c. That dismissal is under consideration.
- d. That the employee has a right to a pre-dismissal meeting with the Department Director, in order

to rebut the contents of the letter or to provide other relevant information.

- e. The date, time and location of the meeting with the employee and Department Director.
2. At the pre-dismissal meeting, the employee will be allowed to present his/her response, both verbally and in writing, to the pre-dismissal notice and any relevant documentation.
3. The decision to dismiss an employee must be summarized in a Notice of Decision, prepared in letter format from the Department Director to the employee.
4. Merit status employees may only be dismissed by the Department Director or Town Manager, whichever is appropriate.
5. Under certain circumstances, as approved by the Department Director, Town Manager, and/or Human Resources Director, an employee who has been recommended for dismissal may be offered the opportunity to involuntarily resign in lieu of being dismissed. If the employee is offered this option and accepts, the employee waives all rights to further appeal, including a hearing with a Hearing Officer.
6. An employee who has been dismissed from the Town service or has involuntarily resigned in lieu of being dismissed, for a reason other than an inability to satisfactorily perform the essential functions of his/her job, is not eligible to be rehired in any capacity by the Town.

E. Disciplinary Probation

Disciplinary probation is a specified period of time, as determined appropriate by the supervisor and Department Director, an employee with job related performance problems is given to bring their performance up to a satisfactory level and should only be used when there is a reasonable possibility that performance will be corrected. Disciplinary probation should be used in conjunction with a performance improvement plan and be consistent with the "Special Review" section of this Manual (see Procedure #410).

An employee on disciplinary probation who does not show satisfactory improvement during a disciplinary probation is subject to further disciplinary action at any time during the probationary time frame, up to and including dismissal. If the employee satisfactorily completes the disciplinary probation, the new performance review date will be the date the disciplinary probation was completed. Any employee on disciplinary probation shall not receive a merit increase until after disciplinary probation is completed.

The disciplinary status of an employee on disciplinary probation will be lifted when the supervisor deems that the employee has satisfactorily completed his/her work performance improvement plan. The supervisor will complete a report stating the conclusion of the disciplinary probation. The report will be filed in the employee's personnel file in Human Resources.

F. Causes for Initiating Disciplinary Action

Causes for initiating a disciplinary action may include, but are not limited to the following:

Town of Queen Creek Administrative Policies and Procedures Manual

- The use of intoxicants, including alcohol, drugs or controlled substances, while on the job or being intoxicated or impaired on the job. (Please refer to Policy 1020 for further information)
- Insubordination, including the failure to obey or refusal to follow lawful directives of a supervisor or another administrative authority.
- Use of offensive or abusive language or threatening conduct toward the public, other employees, or administrative personnel.
- Unauthorized use or possession of Town-owned or leased property of any type, or damage to such property through a willful act or negligence.
- Abuse of sick leave, including use under false pretenses.
- Conviction of a crime, which in the Town's judgment renders the employee unfit to perform the duties of his/her position.
- Absence from duty without leave or without supervisor approval; failure to report after absence with leave has expired or after disapproval, revocation, or cancellation of such leave.
 - Absence from duty without leave or without supervisor approval for three (3) consecutive, scheduled workdays will be considered job abandonment.
- The employee has worked at unauthorized outside employment, or while on medical leave, workers compensation leave, FMLA, or long-term disability (LTD).
- Acceptance of any remuneration, whether in the form of a gift, loan, or service, in addition to regular compensation, from any person reasonably known to the employee to be interested in any manner, directly or indirectly, in any decision or act of the Town.
- Solicitation of any member of the public for money, goods, or services for personal gain while acting in an official capacity.
- Inefficiency, incompetence, or negligence in the performance of duties.
- Failure to obtain and maintain a current license or certificate as a condition of employment, or if required by law or Town policy.
- Violation of, or failure to comply with, Federal, State, or local laws and/or regulations; the violation of which could bring discredit upon the Town and/or affect the ability of the employee to properly carry out the duties and responsibilities of his/her employment.
- Failure to report an accident or injury occurring on the job in a timely manner.
- Repeated tardiness in reporting to work or returning from meal breaks.
- Falsification of records, reports, employment applications, or documents prepared in connection with or arising out of employment.
- Disregard of personal appearance, uniforms, dress or personal hygiene.
- Releasing of confidential information.
- Engaging in any sexual activity while on duty.
- Knowingly providing false or misleading information.
- Committing an act of discrimination, harassment or retaliation because of race, color, religion, gender, national origin, age, disability, or any other protected group.
- Demonstrating insensitivities in communication in regards to race, color, religion, gender, national origin, age, disability, or any other protected group including inappropriate jokes and/or comments.
- Possessing a deadly weapon on the person, either concealed or unconcealed, while on Town property, at any time without authorization. Deadly weapons include, but are not limited to, explosives, firearms and prohibited weapons as Arizona Revised Statutes.
- Lying about or misrepresented facts or circumstances during an external or internal investigation or fact-finding.
- Being dishonest in the course of performing his or her job.
- Deliberately and knowingly misusing the Town-provided information infrastructure including telecommunications, cable and computer networks, electronic messaging with its ancillary

applications, or the Internet, when using Town-provided resources, by accessing or transmitting any adult materials, including pornography, websites, or anything which could be construed as sexually explicit, scandalous, defamatory, libelous, illegal or immoral, or by propagating a computer worm or virus, or any other program or material which may have a debilitating or disabling effect on the Town's computer systems.

- Deliberately and knowingly making false accusations against another employee, elected official, or board and commission member in order to discredit another employee, elected official, or board and commission member.
- Being convicted of an offense which results in the loss of driving privileges in accordance with state and federal law, when the employee holds a Commercial Driver's License (CDL) or regular driver's license, and the employee's position requires him/her to drive.
- Refusing to sign receipt of any policy, guideline, regulation, disciplinary notice, performance evaluation, or other Town correspondence with a signature line.
- Failing to submit to a required physical or psychological examination, or to participate in appropriate counseling, testing, and rehabilitative treatment as may be required by the Town.
- Engaging in pranks or horseplay.
- Smoking where prohibited by local ordinance or Town rules during the workday or while on official town business.
- Sleeping on the job without authorization.
- Violation of County and/or State PM-10 measures for air quality control.
- Violation of any Town or department policy, procedure, rule, or regulation.

Conduct Away from the Workplace - The Town is not interested in intruding into the private lives of its employees away from the workplace. However, the Town does expect that employees will meet basic standards of acceptable conduct in the community while away from the workplace. Conduct away from the workplace that is deemed by the Town to be so socially unacceptable or shocking the goodwill of the Town as well as its reputation is impugned by the employee's acts, may result in disciplinary action by the Town. Disciplinary action, including termination of employment, may be taken against any employee found guilty or who pleads guilty to serious crimes such as assault (sexual or otherwise) murder, robbery, or burglary. The Town also reserves the right to take action, as it deems appropriate in the event of sexual or other unlawful harassment of another employee that occurs away from the workplace.

G. Disciplinary Grievance, Disciplinary Action and Appeal Process

For the purpose of this procedure, a "grievance" means any claim by an employee that such claimant's rights, benefits, privileges or interests, provided for in this procedure, has been violated, misapplied or misinterpreted in any particular case.

Any employee in the Town service, except those serving an initial trial employment period or in an at-will status, shall have the right to grieve and/or appeal an action regarding any disciplinary dismissal, disciplinary demotion, written warning, pay rate reduction, or suspension without pay, except in those instances where the right of appeal is specifically prohibited by this procedure. Only disciplinary dismissal, disciplinary demotion, pay rate reduction, and/or suspension without pay of more than 40 hours (56-hours for a Fire –Sworn and Non-Sworn EMS employees working 24-hour shifts) may be appealed to the Town Manager or to a Hearing Officer.

The appeal process is designed to resolve employee concerns in a fair and expedient manner without fear

of reprisal.

The appeal process **does not** cover the following issues:

1. Pay (except for disciplinary pay rate reductions), benefits, or classification decisions.
2. Policies and/or procedures approved by the Town Council, Town Manager, and/or Human Resources.
3. Performance evaluation that receives an overall rating of 1.79 or above. Employees wishing to use the Disciplinary Appeal Process should follow the Appeal Process laid out in Administrative Procedure #830.

H. Administrative Leave

Administrative leave is the non-disciplinary suspension of an employee with pay. Reasons for placing an employee on administrative leave include, but are not limited to:

1. An internal review or investigation when the employee's presence on the job or at the work site would hinder the review or investigation.
2. A situation that is perceived to be of an urgent or serious nature in which the supervisor believes the employee should be immediately removed from his or her job, such as when the employee's presence would be detrimental to the public interest or the continued efficient operation of the Town, or may create a safety issue for the employee, other employees, or the public.
3. Other extraordinary circumstances. An employee placed on administrative leave does not have a right to appeal when administrative leave is administered.

ADMINISTRATIVE PROCEDURE			
Subject:	Employee Appeal Process		
Revision Date:	10/4/2024	Procedure Number:	830
Authorized Approval:	Gardner/Coffman	Effective Date:	4/1/2017

Purpose

The purpose of these procedures is to communicate the process for employees to formally file an appeal with the Town . The appeal process is designed to resolve employee concerns in a fair and expedient manner without fear of reprisal.

Policy Communication

The policy establishing the process for Appeals can be found in Policy #800.

Procedure

Any employee in the Town service, except those serving an initial trial employment period or in an at- will status, shall have the right to appeal in situations in which:

1. The employee believes he/she was unjustly denied any rights, privileges, or interests as directed by the Manual (except in those instances where the right of appeal is specifically prohibited by this procedure); or,
2. Any act or omission of management related directly to the appeal as cited by the Manual; or,
3. A disciplinary dismissal, disciplinary demotion, written warning, disciplinary pay rate reduction, or disciplinary suspension without pay.

Employees that are placed on administrative leave with pay do not have a right to appeal the administrative leave.

A. Issues Not Subject to Appeal

The Town Manager will decide whether specific cases are subject to appeal under this definition. The Town Manager’s decision is considered final and cannot be overturned.

Appeals are limited to the specified situations listed above (disciplinary dismissal, disciplinary demotion, written warning, final written warning, disciplinary pay rate reduction, or disciplinary suspension without pay) and specifically do not include such things as:

1. Verbal warning or counseling;

2. Pay (except for disciplinary pay rate reductions), benefits, or classification decisions;
3. Policies and/or procedures approved by the Town Council, Town Manager, and/or Human Resources;
4. Performance evaluations that result in an overall performance rating of 1.79 or above; and
5. Disciplinary actions that resulted from an investigation unless the employee can provide new information that was not brought up, provided to the investigator, or uncovered during the investigative process.

B. Components of an Appeal

An appeal must concern a matter within the authority and control of the Town. An appeal must also be in writing, which includes the following:

1. The act or omission which the employee believes unjustly denied the employee’s rights, privileges, or interests as directed by the Manual; or, any act or omission of management related directly to the appeal as cited by the Manual.
2. State the relief sought which must be within the authority of the Town to grant in whole or in part.

C. Appeal Handling Steps

To resolve a problem, the following steps should be followed until a resolution is reached. Using a Grievance Reporting Form (Appendix) or in a memorandum format consistent with the information on the Grievance Reporting Form, the employee must submit the problem within the time limits specified below for the appeal to be considered in the appeal resolution process.

1. Appeal Resolution Process – Following the Chain of Command

STEP ONE: Appeal to the Immediate Supervisor		
WHO	ACTION	TIME LIMIT
Employee	Present the problem in writing (Grievance Reporting Form) with any additional supporting documentation to Human Resources. Human Resources will facilitate the appeal with the immediate supervisor.	Within five (5) business days from problem.
Immediate Supervisor	Meet with and respond to the employee in writing.	Within five (5) business days from receipt of Grievance Reporting Form. If more time is needed, the immediate supervisor must notify the employee and Human Resources.

STEP TWO: Appeal to the Chain of Command		
WHO	ACTION	TIME LIMIT
Employee	<p>Notify the next level in your chain of command (manager, director) in writing (memorandum) with any additional information that:</p> <ol style="list-style-type: none"> 1. a problem exists, 2. it has not been resolved with your immediate supervisor, 3. additional justification/reasoning regarding why the previous decision by the immediate supervisor was not satisfactory, 4. request a meeting to resolve your problem. Attach written copies of the problem, the supervisor's response and any additional supporting documentation in your submittal (i.e. Grievance Reporting Form) and provide to Human Resources. 	<p>Within five (5) business days of non-resolution with immediate supervisor.</p>
Next Level in Chain of Command (manager, director)	<p>Meet with immediate supervisor and the employee, reach a decision, and notify in writing both the employee and the supervisor of the decision.</p>	<p>Within five (5) business days of receipt of the Grievance Reporting Form from the employee, the next level in the chain of command must hold the meeting. The next level in the chain of command then has an additional five (5) business days to gather information and deliver the response to both the employee and supervisor. If more time is needed, the next level in the chain of command must notify the employee and Human Resources.</p>

If needed, step two is continued through the chain of command until the Department Director renders a decision.

STEP THREE: For Final Written Warnings ONLY that includes the following: suspensions without pay greater than 40 hours (more than 56 hours for Fire-Sworn and Non-Sworn EMS employees working 24 hour shifts, disciplinary pay rate reductions, disciplinary demotions, disciplinary dismissal, or any combination, may appeal to the Town Manager, or designee. For appeals to a Hearing Officer, refer to Hearing Officer Hearing (Procedure 840).

WHO	ACTION	TIME LIMIT
Employee	<p>Appeal to the Town Manager, or designee, in writing:</p> <ol style="list-style-type: none"> 1. detailing the problem 2. additional justification/reasoning regarding why the previous decisions by the immediate supervisor and other levels within the chain-of-command was not satisfactory. <p>Attach written copies of the problem, the supervisor's response, the chain-of-commands response(s), and any additional supporting documentation in your submittal (i.e. Grievance Reporting Form) and provide to Human Resources.</p>	<p>Within five (5) business days from receipt of notice of action to be taken.</p>
Town Manager, or designee	<p>Review the case, make a binding decision, and notify the employee, Department Director, and Human Resources Director in writing of the decision.</p> <p>This decision shall include statement of all relevant information. The finding of the Town Manager, or designee, is final.</p>	<p>Within five (5) business days from receipt of notice of action to be taken. If more time is needed, the Town Manager or designee must notify the employee and Human Resources.</p>

2. Hearing Officer Hearing

As outlined in Administrative Procedure #840, a Hearing Officer hearing may be requested by an employee with merited status employment. The Hearing Officer hears appeals submitted by employees with merited status employment in relation to a final written warning that includes:

- a. Suspensions without pay greater than 40 hours (more than 56 hours for Fire-Sworn and Non-Sworn EMS employees working 24-hour shifts)
- b. Disciplinary pay rate reductions
- c. Disciplinary demotions
- d. Disciplinary dismissal
- e. Or, any combination of the above.

Employees have a choice to appeal any of the disciplinary actions listed above to a Hearing Officer as outlined in Administrative Procedure #840 or appeal to the Town Manager, or designee, as outlined in Step Three of this procedure. If an employee chooses to appeal any of the disciplinary action listed above directly to the Town Manager prior to the Hearing Officer, then the employee forfeits his/her right of appeal to the Hearing Officer hearing. Employees must exercise and exhaust all internal appeal procedures of the chain of command through to the Department Director before requesting a hearing before the Hearing Officer or Town Manager, or designee.

ADMINISTRATIVE PROCEDURE

Subject: Hearing Officer Hearing

Revision Date: 10/4/2024

Procedure Number: 840

Authorized Approval: Gardner/Coffman

Effective Date: 1/5/2024

Purpose

The purpose of these procedures is to outline the responsibilities of the Hearing Officer Hearing. The purpose of the Hearing Officer is to serve as an advisory capacity to the Town Manager in hearing appeals submitted by employees with merited status employment (see Policy 100) in relation to disciplinary suspensions without pay for more than 40 hours (more than 56 hours for Fire-Sworn and Non-Sworn EMS working 24-hour shifts); disciplinary pay rate reductions; disciplinary demotions; and disciplinary dismissals.

Policy Communication

The policy establishing the Town’s Hearing Officer can be found in Policy #800.

Procedures

Under the direction of the Town Manager, the Human Resources Director shall coordinate the selection of a Hearing Officer and schedule the Hearing Officer hearing. The role of the Hearing Officer shall be to recommend upholding, modifying or overturning the disciplinary action to the Town Manager, or designee. The Town shall pay the cost of the Hearing Officer.

A. Hearing Officer Hearings

The Hearing Officer hears appeals submitted by employees with merited status employment (see Policy 100) in relation to a final written warning that includes:

- a. Suspensions without pay greater than 40 hours (greater than 56 hours for Fire-Sworn and Non-Sworn EMS working 24-hour shifts)
- b. Disciplinary pay rate reductions
- c. Disciplinary Demotions
- d. Disciplinary dismissal
- e. Or, any combination of the above.

A. Employees must exercise and exhaust all internal appeal procedures (except appeals to the Town Manager) before requesting a hearing before the Hearing Officer Hearing.

B. Employees have five (5) business days to appeal to the Hearing Officer after exhausting all internal

appeal procedures following receipt of a final warning of suspension without pay greater than 40 hours (greater than 56 hours for Fire-Sworn working 24-hour shifts), disciplinary pay rate reduction, disciplinary demotion, disciplinary dismissal, or any combination. Once the internal appeal procedures are exhausted, Human Resources will notify the employee his/her right to appeal to the Hearing Officer. An employee's written request of appeal to the Hearing Officer shall be addressed to the Human Resources Director. The written request shall include the reason(s) for the employee's appeal and may request for a public hearing, if so desired. If the employee fails to submit the written request within five (5) business days following receipt of Human Resources notification of his/her right to appeal to the Hearing Officer, the employee will forfeit his/her right to appeal to the Hearing Officer and the disciplinary action will be automatically upheld.

- C. After receiving notice from the employee, with merited status employment, that the Hearing Officer Appeal is desired, the Human Resources Director shall coordinate and schedule the Hearing Officer Hearing.
- D. The Human Resources Director shall set the date and time of the Appeal Hearing within ten (10) days of the Hearing Officer selection at a time when the employee, department management staff, Hearing Officer, and Town Attorney are available. If the employee is unresponsive regarding availability, Human Resources shall set the date in any event. The hearing date may be changed by agreement of the parties.
- E. Prior to the Hearing Officer Appeal, the Human Resources Director shall send notice to the Department Director to provide all records used by departmental management to make the disciplinary decision. Appeal process records shall include all reports, documents, communications and findings relied upon to justify the disciplinary decision. At least ten (10) business days prior to the hearing, the Human Resources Director shall provide copies of these records to the Hearing Officer, Town Attorney, and the employee.
- F. The Appeal Hearing shall be informal and technical rules of evidence shall not apply. Additionally, the Appeal Hearing shall not be considered an open, public meeting. The only authorized persons in the hearing room shall be the appealing employee, Hearing Officer, Town Attorney, Human Resources Director and/or designee, department management and investigators. Other witnesses are required to remain outside the hearing room until called to give testimony.

B. Legal Counsel

The employee may engage legal counsel to represent the employee at the employee's expense. If the employee intends on engaging legal counsel he/she must notify the Town in writing within five (5) business days of filing the appeal. If the employee engages legal counsel, the Town may employ legal counsel as well. The Town, at its discretion, may engage legal counsel to provide advice to the Hearing Officer in regard to the appeal.

C. Witnesses

If the employee wishes to submit exhibits and/or call or question witnesses, the exhibits and witness list shall be submitted to the Human Resources Director no later than five (5) business days prior to the established hearing date. Any changes to the exhibits and/or witness lists submitted to the Human

Resources Director less than five (5) business days prior to the hearing will be included only if such

inclusion is acceptable to both the Town and the employee. The Town of Queen Creek employees called as witnesses to the Hearing Officer hearings are allowed adequate time from work to testify. No employee shall be subject to any form of retaliation or discipline for testifying truthfully in a Hearing Officer hearing. No employee shall be required to testify as a witness on behalf of the appealing employee or the Town.

D. Recording of the Appeal Hearing

The Town shall record the appeal hearing.

E. Appellant Failure to Appear

Unexcused failure of the employee to appear for a scheduled Appeal Hearing of any type shall be considered an automatic waiver of the employee's right to an Appeal Hearing.

F. Technical Rules and Procedures of Evidence

The Hearing Officer is not bound by technical rules and procedures of evidence. The employer has the burden of proof at the Hearing and makes the first presentation.

G. Hearings

The Hearing Officer conducts a hearing expeditiously and makes its recommendation to the Town Manager.

H. Town Manager Determination

The Town Manager, or designee, shall act on said recommendations from the Hearing Officer. The Town Manager, in evaluating the recommendation of the Hearing Officer, shall take a fresh look at the matter (assuming that the Town Manager had prior knowledge of the discipline or conduct in issue); may permit the parties to submit written briefs (but shall not consider evidence not presented at the Hearing) and/or present oral argument, and may review any transcripts if such transcripts are available. The determination of the Town Manager shall be in writing and shall be furnished to the parties involved. Said decision may sustain, modify or reverse the recommendation from the Hearing Officer and shall be final, without further appeal.

POLICY STATEMENT

Subject: Travel and Expenses

Revision Date: 1/5/2024

Policy Number: 900

Authorized Approval: Council/Gardner/Coffman

Effective Date: 4/1/2010

Purpose

The Town recognizes that there are certain reimbursable expenses directly related to the employee’s work. Employee requests for reimbursement of expenses must include justification on the job-relatedness and importance to the Town. Town-paid training programs and travel should directly benefit Town operations or programs. The purpose of this policy is to describe the scope of reimbursable expenses; to establish equitable standards and maintain effective controls over travel expenses incurred during business-related trips; to promote the prudent use of public funds; and, to provide consistent and fair treatment to all employees who incur such expense. This policy shall govern out-of-town travel and related business expenses.

Policy

The Town of Queen Creek recognizes that all reasonable expenses incurred by employees on behalf of the Town are reimbursable. This policy establishes guidelines for ground and air travel, lodging, meals and miscellaneous expenses that may be incurred while on Town business. This policy also establishes guidelines for the approval of business travel and the use of per diem and purchasing cards for travel. Any exceptions must have prior written approval of the Town Manager, unless there is an emergency. In such an emergency, an after-the-fact written explanation will be required from the traveler. Reimbursement will be contingent upon Town Manager approval of the explanation.

The Town will pay certain expenses for its employees when conducting Town business away from the Town and when such expenses are above and beyond the normal expenses incurred by working. Payment of expenses, whether prepaid or reimbursed, must be approved by the Department Director, or designee. Such expenses include per diem, transportation, travel expenses including rental cars, lodging, and meals, local mileage, and relocation expenses.

The Town will not provide primary vehicle insurance for employees using their personal vehicle while conducting Town business. It is the employee’s responsibility to maintain insurance at the state minimum level.

When utilizing rental vehicles for Town business, employees should not purchase liability and physical damage insurance offered through the rental company. This coverage is provided through the Town’s insurance carrier, the Arizona Municipal Risk Retention Pool.

In cases where liability damage occurs over personal or rental vehicle maximums, the Town’s insurance company will cover excess liability damages only. Employees must be performing duties in the scope of their job when the damage occurs in order for excess insurance to be valid. No other claims or

reimbursements will be supported.

While operating Town vehicles, or a personal vehicle while conducting Town business, employees are required to comply with all state and local traffic laws - failure to do so will result in disciplinary action up to and including termination. The Town will not pay for citations or fines.

The Town Manager will establish guidelines for the approval and processing of expenses incurred by Town employees.

ADMINISTRATIVE PROCEDURE

Subject: Business Related Travel and Expenses

Revision Date: 10/4/2024

Procedure Number: 910

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The Town recognizes that employees may have business expenses and the need to travel away from the Town to perform their job duties. While traveling, employees incur expenses that may not be incurred during work performed in the office. The purpose of this procedure is to define authorized and unauthorized travel expenses.

Policy Communication

The policy establishing the Town’s support for the reimbursement of job-related expenses can be found in Policy #900.

Applicability

The Town travel policy is applicable to all elected officials, appointed officials, employees and volunteers unless otherwise provided.

A. Responsibilities

Elected Officials and Department Directors: These officials are primarily responsible for ensuring that any costs incurred for travel are directly work related, obtained at the most economical price and are necessary for official Town business. Prudent judgment is to be exercised in approving these costs.

Travelers: Any elected officials, appointed officials, employees and volunteers traveling on official business are expected to adhere to the same professional standards of conduct as is expected and practiced when working in the office. Excess costs, circuitous routes, delays, or luxury accommodations/services unnecessary or unjustified in the performance of official business travel are not considered acceptable as exercising prudence.

Travelers are personally responsible for paying excess costs and any additional expenses incurred for personal preference or convenience, such as movie rentals, alcohol and spa services and for any international travel requirements such as passports, etc.. International travel in order to conduct Town business, will require Town Manager approval. Payment for international calls or international calling plans on Town issued devices will not be authorized for travelers while on personal vacations.

If the purpose for travel is cancelled, the traveler must ensure that all travel arrangements are cancelled (i.e. lodging, conference costs, airfare, etc.); otherwise, the traveler will be responsible for

reimbursing the Town for these costs.

Daytrips

Actual expenditures for daytrips will be reimbursed through an electronic employee expense claim submitted to Accounts Payable. Copies of all receipts and proper documentation must be attached to the claim request record.

1. Meals

Meals incurred **will not** be reimbursed while traveling on Town business which **does not** involve a required overnight stay.

2. Mileage/Parking

a. Rate

- Mileage for business use of a personal auto will be reimbursed using the current IRS mileage rate. Generally the rates are revised by the IRS at the beginning of each calendar year (see Accounts Payable for current rate).

b. Distance

- The Town intends to reimburse travelers for only that mileage incurred for training. For example; if you travel to a day-long training and decide to run errands during your lunch break, the miles incurred during lunch will not be reimbursed.
- Mileage for necessary travel on Town business will be paid based on actual mileage from odometer readings. Travelers are responsible for documenting and verifying mileage paid from odometer readings. Mileage must be properly documented in a mileage receipt log with the date and event information.
- Requests for mileage reimbursement must be done within the fiscal year that the expense is incurred. Supervisor approval is required on all mileage reimbursement requests.

- c. If a traveler is on Town business, parking fees will be reimbursed by petty cash up to \$25, or the traveler may submit receipts along with mileage reimbursement request. Receipts are required for all reimbursements.

B. Time Worked for Non-Exempt Employees for Day and Overnight Travel

1. For non-exempt employees, normal travel from home to work or work to home is not considered time worked. Travel to a meeting, training, or conference out of Town shall be considered time worked.

For travel for a training or conference that results in an overnight stay, any time traveling as a passenger that falls within the employee's normal work hours is compensable, regardless of what day of the week the travel takes place. Time spent traveling to an airport terminal or train station is considered commute time and is not treated as hours worked, but the time spent waiting at the terminal until arrival at the destination is compensable when it falls during normal work hours.

Driving at the direction of the Town. When employees are required to drive themselves or others,

all driving time is compensable. However, when an employee is traveling to an overnight stay and has the option to use public transportation (i.e., airplane, train, bus, etc.) but chooses to drive his or her own vehicle instead, the employee will be paid only for the travel time that occurs during normal work hours, regardless of what day of the week the employee travels (CFR 785.40). If an employee volunteers to drive others in his/her own vehicle to the overnight stay, the employee will be paid for those travel hours outside the normal work hours.

Worked performed while traveling. An employee must be paid for any time he/she is performing work. This includes time spent working during travel as a passenger that would otherwise be non-compensable.

Example: an employee normally works Monday through Friday, 8:30 a.m. to 5 p.m. The employee arrives at the airport on Sunday at 3 p.m. and at the employee's destination at 8 p.m. Generally, the Town is required to pay the employee only from 3 p.m. to 5 p.m.; however, if the employee works on a presentation during his or her flight until 6:30 p.m., the Town would need to pay the employee from 3 p.m. to 6:30 p.m.

Time that the employee spends eating for a business-related function, training or a conference, is not considered compensable time unless the function, training and/or conference continues through the meal period.

- a. Example: an employee has training in downtown Phoenix. The employee's normally scheduled work time is 8 a.m. – 4:30 p.m. with a 30 minute lunch period. The employee leaves home at 7 a.m. and arrives at the training at 8 a.m. The training ends at 4 p.m. the same day, and the employee arrives home at 5:30 p.m. The training has a one hour non-working lunch break. The employee would record his/her time from 7 a.m. – 5:30 p.m., less the one hour lunch period (9.5 hours).
 - b. For travel to and from training or conferences, any time used for personal trips are not counted toward employee's time. Any time used to run errands must be deducted from the employee's regular hours.
 - c. If an employee comes to work before leaving for a training or conference, the time begins when the employee leaves the place of work and includes the time the employee spent at the workplace.
 - d. If an employee is traveling to, or from, an out-of-state destination, the time at which the employee reaches their hotel, or their home, is the end of their travel day.
2. A time adjustment/correction form must be submitted to payroll for all time spent during training or meetings.

C. Overnight Trips

Overnight trips require that all travel requests including per diem be submitted to Accounts Payable **at least two (2) weeks** prior to departure date and no later than two (2) weeks following the last date of travel.

Town of Queen Creek Administrative Policies and Procedures Manual

1. If a traveler is combining Town business and vacation, no per diem or lodging for the vacation time will be allowed.
2. If an employee uses a personal vehicle for transportation, the Town will reimburse the lower of the lowest airfare or the prescribed mileage reimbursement.
3. The Town will not require a traveler to travel or stay over on weekends to reach a lower net cost of travel. However, the Town does encourage travelers to travel at times when it will result in significantly lower net cost of travel.
4. Per Diem is a specific amount of money the Town allows an individual to spend per day for personal meal expenses. Per Diem must be requested with as much advanced notice as possible and no later than two (2) weeks following travel. Receipts are not required for reimbursement if Per Diem money is used for meal expenses incurred during travel.
 - a. Per Diem may be used by travelers traveling overnight on official Town business. For all departments, Per Diem information can be obtained from Accounts Payable.
 - b. Per Diem shall be adjusted for meals that are included in the cost of a conference registration. For example, a two-day conference provides lunch for attendees on both days and the cost of that lunch is included in the conference registration fee. The daily value of lunch on the Per Diem rate schedule will be deducted from the employee's Per Diem amount for both of those days.
 - c. If Per Diem is not requested the employee will be reimbursed for the cost of meals up to the Per Diem rate per day. Purchasing cards (P-cards) are not to be used to pay for meals where per diem is received; however, in the instance that a Department Director, or designee, determines a meal to be a necessary business expense (for example, discussions with a potential business partner or conduction of Town business) then use of a P-card to pay for the meal will not affect the Per Diem paid. The use of the P-card would be subject to review through the Town's current P-Card approval process.
5. All written requests must be properly authorized with supporting documentation attached, including:
 - a. Registration forms
 - b. Brochures/Flyers
6. Completed Per Diem worksheet from the GSA website (www.gsa.gov, choose "Travel" then "Per Diem Rates")
 - a. Rate
 - Mileage for business use of a personal automobile will be reimbursed using the current IRS mileage rate. Generally, the rates are revised by the IRS at the beginning of each calendar year (see Accounts Payable for rates).
 - Under no circumstances will an employee receive mileage reimbursement if they are a passenger in a Town or personal vehicle and traveling for Town business; only the driver

of the vehicle is eligible for reimbursement.

b. Distance

- The Town intends to reimburse travelers for only that mileage incurred for the purpose of reaching the location of training or for returning home. Mileage incurred does not include an employee's normal to and from work commute. Non-work-related mileage must be excluded from consideration for reimbursement.
- Mileage for necessary travel on Town business will be paid based on actual mileage. Travelers are responsible for providing written documentation for proof of miles traveled.

D. Transportation

The traveler is responsible to use the most practical and economical mode of transportation available given the circumstances. Examples of factors which should be considered are costs of transportation, cost of travelers' time, and scheduling requirements.

1. Airfare: Prior to airfare being booked, travel should be approved by a supervisor and related registration forms and fees processed. When possible, travel shall be booked 6-8 weeks in advance.
 - a. Cost:
 - The least expensive ticket must be purchased unless there is a possibility of cancellation or changing times/day. Purchased airfare tickets must be transferable and/or changeable.
 - If an employee chooses a least expensive ticket that is non-refundable and non-transferable and receives a non-transferable credit or voucher for a flight cancellation, the employee will be responsible for reimbursing the Town for the initial flight expense upon termination of employment if the flight credit is not used prior to the employee's last day of work. Under no circumstances will the employee use the flight cancellation credit or voucher for vacation or non-work-related use while employed with the Town.
 - The Town will not pay for first class fare or any other travel upgrades other than the purchase of a transferable or changeable ticket mentioned above. If an employee decides to upgrade, he/she must pay for the upgrade at his/her own expense.
 - Common baggage, seat selection, and "EarlyBird Check-In" fees are not considered upgrades.
 - If an upgrade is required by the employee for a reasonable accommodation or possible other means, the employee must obtain approval from a Department Director prior to purchasing the upgrade.
 - b. Airport parking reimbursement
 - Employees are encouraged to get rides to and from local airports.
 - If a traveler must park at the airport, travelers are encouraged to use the least expensive airport parking. The Town will reimburse for parking costs incurred upon submission of receipts. Travelers eligible for mileage reimbursement may claim their travel to and from the airport when using personal vehicles.

- The traveler is expected to utilize the least expensive means of transportation from the airport to the hotel, meeting, and/or conference location.

2. Shuttles/Taxis

Receipts must be provided for all transportation expenses including a taxi in order to be reimbursed by the Town. The traveler is responsible to use the most practical and economical mode of transportation available given the circumstances.

3. Rental Cars

Use of rental cars may be approved if:

- a. It is required by the nature of the task or travel requirements;
- b. It will provide less cost to the Town, compared to other types of transportation;
- c. The smallest rental car (least expensive) commensurate with the task or number of passengers must be utilized.
- d. As a general practice, rental cars will not be approved if the employee is staying at or in near proximity of the conference hotel or meeting location.

E. Lodging

Lodging includes the room rate and applicable taxes. It does not include room service, room upgrades and other miscellaneous charges such as movie rentals.

1. Maximum Rates

While no maximum dollar limits are set, the cost of lodging must be reasonable. The determination of reasonableness is the responsibility of the traveler and their Department Director. Reasonableness will be based on the circumstances of each trip, such as personal security, convenient access to the meetings or conference site, and room availability.

In some instances, a Department Director may approve lodging in order to attend training or a conference that is local.

Guidelines

- a. Receipts: Actual lodging receipts must be returned to Accounts Payable. If payment was made with a Town purchasing card, the receipts must be included with the p-card reconciliation, per the Purchasing Card policy.
- b. Sharing Rooms and/or Connecting Rooms: Room sharing and/or connecting rooms with other employees is prohibited.
- c. Phone calls: Travelers are allowed 15 minutes of personal telephone charges per night of stay and may use a Town-issued cell phone, if available. Any telephone charges over the 15 minutes are expected to be reimbursed to the Town by the traveler. Town calls for business will be paid.

- d. Internet: Internet charges used for business such as email will be paid for by the Town up to \$25 a day. Should the cost exceed \$25, the proper justification must be submitted for reimbursement. Travelers are responsible for inquiring about internet rates before use.
- e. Faxes and copies for business use will be paid for by the Town. Travelers are encouraged to take advantage of lowest rates possible for business services (Internet, faxes, and copies) at on-site business offices. It may be necessary to obtain less costly services from off-site businesses.

F. Registration

Registration includes the tuition of attending a conference or training course. Registration information, such as brochures, must accompany all expense requests.

G. Purchasing Card

The Town has purchasing cards (P-Cards) which can be used for travel expenses, except food purchases. See Procedure 950.

1. Availability: P-Cards are issued through Accounts Payable. Issuance of a P-Card to specific employees is determined by the Department Director.
2. Personal Charges: Charges for personal expenses are NOT allowed on the Town P-Card. Any personal charges such as costs of an accompanying spouse/family member should be paid by the traveler, separately. Personal charges on the Town P-Card could lead to disciplinary action.
3. All receipts must be saved and submitted with the P-Card statement when reconciling the monthly bill.

H. Unallowable Expenses

Town of Queen Creek will not pay for or reimburse any Town officer or employee for:

1. Alcoholic beverages or drinks;
2. Expenses for accompanying spouses, guests or family members;
3. Parking fines or criminal fines incurred in using a vehicle;
4. Recreation excursions including golf and other activities provided by a conference, class or meeting;
5. Entertainment.
6. Any other expenses not expressly related to Town business or indicated in the Travel Policy.

Town of Queen Creek Administrative Policies and Procedures Manual

If in doubt of any expense incurred during travel, it is better to pay for the expense personally and ask for a reimbursement later. Any questions or concerns can be addressed by the Finance Department.

I. Personal Benefits from Town Travel Not Allowed

When traveling on Town business, an elected official or employee shall not use his or her government identification for his or her personal benefit or use.

ADMINISTRATIVE PROCEDURE

Subject: Business Meeting Expenses - Food or Beverage

Revision Date: 1/5/2024

Procedure Number: 920

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The Town recognizes that a need may arise to pay for Town employees meeting with a guest or guests of the Town on official business for meal expenditures. The purpose of this procedure is to set forth the steps for approval and processing of business meeting expenses and ensure that Town funds are being expended in a prudent and reasonable manner.

Policy Communication

The policy establishing the Town’s support for the payment of business meeting expenses and also recognizing there are certain expenses directly related to the employee’s work the Town should fund can be found in Policy #900.

The procedure establishing the Employee Purchasing Card usage can be found in Policy #950.

Procedure

A. Business Meetings (Food and Beverage)

1. It may be appropriate for the Town to pay for a breakfast, lunch or dinner meeting when Town employees meet with non-Town employees to discuss a Town-related issue. Any payment for food expenses for employees must be approved by the Department Director.
2. Town funds for food, beverage and supplies at business meeting should be limited to:
 - a. When the Town sponsors an event, or acts as a host for an inter-jurisdictional meeting, citizen boards, commission, committee, legislature, or business client.
 - b. When Town business cannot otherwise be conducted during regularly scheduled work shifts, e.g., 7:30 a.m. to 4:30 p.m., 8 a.m. to 5 p.m., etc., and it is necessary for Town staff to work after scheduled work hours, and if the expenditure is approved in writing by the Department Director, or designee, in advance.
 - c. When Town employees incur meal expenses as a result of their attendance at special local meetings, or professional association meetings, if a benefit to the Town occurs, funds are available, and the Department Director, or designee, approves in writing in advance.

3. Town funds for food at employee meetings or special events should be limited to:
 - a. When employees serve on Town interview panels along with outside panelists, if the expenditure is approved by the Human Resources Director, or designee.
 - b. When the Town conducts annual or special events in recognition of employees with prior written approval from the Town Manager.
4. The Town will not pay for any alcoholic beverages.
5. Expenditures for food and beverage should be limited. At all times and under each circumstance where it is necessary to provide food and beverage at business meetings the expenditures should not be extravagant. In determining the amount of the expenditure, the employee shall also consider any tax, delivery and tip costs as well as the cost of the meal. Tips are not required; however, the typical range for a tip is 15-20%. Tips should not exceed 20%.
6. When the purchase of meals becomes a business necessity, it is the responsibility of the hosting staff to follow all procedures and to thoroughly justify the business reason for the expenditure.

B. Responsibilities

The ultimate responsibility for business meeting expenditures is the Department Director, or designee, approving the expenditure.

C. Program/Process Controls

Internal management controls and oversight include:

1. Limits on permissible use & per person maximum;
2. Management approval;
3. Periodic review of account budgeted to actual expenditure;
4. Required documentation in compliance with IRS Accountable Plan:
 - a. Original receipts with itemized detail;
 - b. Business reason/justification of Town business;
 - c. Date and location of meeting;
 - d. List of attendees;
 - e. Signature of person requesting payment;

D. Procedures

Payment for business meeting related expenses requires the following approval and documentation to be obtained and included with the payment receipt, regardless of the method of payment, i.e. purchasing card, petty cash, or check request:

1. Obtain prior verbal approval of the expenses from the Department Director, or designee.
2. After incurring the expense, submit the original receipts to the Finance Department with the required back up documentation (purchasing card statement, or petty cash request). Receipts are not the “charge slip” issued but the receipt that shows the itemized detail of what was paid for (i.e. each meal and beverage). Employees are not required to submit itemized receipts for buffets.
3. Full justification of who was present (list each name), why the expenditure was necessary to carry out Town business, and when and where the meeting was conducted is required.
4. Signature of the person requesting the payment of the purchasing card or reimbursement. Expenditure approval (signature by Department Director, Town Manager or designee).

ADMINISTRATIVE PROCEDURE

Subject: Use of Town Vehicle

Revision Date: 10/4/2024

Procedure Number: 930

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2010

Purpose

Access to vehicles owned by the Town is a privilege which imposes certain responsibilities and obligations that are subject to Town procedures as well as applicable local, state, or federal laws. It is the intent of this procedure to define vehicles to conduct Town business. It is the intent of the procedure to define parameters that will assist the employee to use the Town vehicle in an appropriate manner.

Policy Communication

The procedure establishing the Town’s direction related to Town Vehicles can be found in Policy #900.

Procedure

All personnel driving Town vehicles shall have a valid State of Arizona driver’s license with the appropriate license classification for the type of vehicle they are operating and obtain all necessary approvals from their Department Director. If a Town employee should lose his or her driver’s license for any reason, that employee shall notify their supervisor at the beginning of the next working shift. The responsibility for assuring complete compliance with the provisions of this regulation rests with the Department Director, supervisors at all levels, and the individual employees involved. All personnel driving Town vehicles must be at least 18 years of age. Temporary and/or seasonal workers shall not operate Town vehicles unless specifically authorized by the Department Director.

A. General Use

Use of Town vehicles shall be restricted to official business, subject to the following procedures:

1. The procurement of all Town vehicles must be made through the Fleet Management and Purchasing divisions using established procedures.
2. Under special circumstances, the vehicle may be used occasionally for transportation to and from personal residences in connection with departure and return from official Town business. The appropriate Department Director will determine that such use is more efficient than available alternatives.
3. Employees assigned a Town vehicle for use during their normal work day are to exercise discretion in its use. Employees assigned a Town vehicle during their normal workday schedule may use the vehicle during normal work hours to go on break or to a restaurant for lunch within Town limits.
4. The appropriate Department Director may authorize the use of a vehicle for transportation between home and office when justified by a special or frequent work requirement. All vehicles

are equipped with GPS technology and Town vehicle usage may be monitored accordingly without employee's consent.

5. With prior approval by the Town Manager, a mileage allowance may be negotiated as part of an employee's benefit or compensation package.
6. Employees are responsible for carrying current and appropriate insurance liability coverage before operating a Town vehicle.

B. Employee Responsibilities of Town Vehicles

1. Under no circumstance shall a vehicle be taken out of the United States.
2. Smoking, vaping, chewing or any other form of tobacco is not permitted to be used in any Town vehicle. (See Procedure 1010)
3. Alcoholic beverages shall not be consumed or transported in Town vehicles, nor shall any Town employee who has consumed any alcohol or any other controlled substance operate a Town vehicle. Employees are prohibited from using prescription or over the counter medication which may impair their ability to safely operate a motor vehicle. Employees shall not operate a Town vehicle while under a medical doctor's driving restriction. (See Procedure 1020)
4. Employees are required to be aware of, understand, and comply with federal, state, and local laws and the Town policies applying to the operation of vehicles on Town business. Employees shall obey all applicable traffic and parking regulations, ordinances, and laws.
5. Employees who are issued traffic citations while operating a Town vehicle must notify his or her supervisor immediately when practicable, but in no case later than 24 hours. Employees will pay all traffic fines (including photo radar) and appear for court dates (on their own time). In addition, employees who drive their personal vehicle while on Town business shall maintain financial responsibility. Under no circumstances are these citations to be paid for with Town funds.
6. Employees are required to keep their assigned Town vehicle reasonably clean and litter free. Employees are encouraged to have the vehicle exterior washed at least once a month.
7. Employees are required to wear safety belts (driver and any passengers) while riding in or driving a Town vehicle. The vehicle shall not be operated until all vehicle occupants have buckled their seat belt.
8. Employees shall report any accidents to Risk Management and Fleet Maintenance at the earliest opportunity. An incident Report may be obtained from Risk Management as outlined in Procedure 1010.
9. In the case of an emergency, (vehicle breakdown) employees should call the Fleet Shop phone number listed in every vehicle for assistance. For after hours of normal Town operations, the towing company phone number listed in the vehicle should be called.

Uses of Town Vehicles with Special Approval

1. Town vehicles will only be driven out-of-state with specific authorization of the Department Director and the Town Manager, or designee.
2. Except for law enforcement personnel, firearms are not permitted within Town vehicles.
3. Employees shall not operate laptop computers, navigational devices, or any other devices that may cause driver distraction while operating a vehicle in the course of conducting Town business. Employees may only initiate or respond to phone calls when they are hands-free. Employees must not read or respond to text messages or emails while driving a passenger or commercial vehicle. Employees who need to make an emergency call while on the road must first ensure that the vehicle is in a safe location and that the phone call can be made hands-free. Failure to follow this policy may result in a verbal warning leading up to dismissal.
4. Transportation of acids, explosives, weapons, ammunition or highly flammable material is allowed in an emergency situation or by authorization of the Department Director, Town Manager, or designee. All transport manifests shall be in place prior to transporting potentially hazardous materials.

C. Authorized Passengers

Unless approved by the Department Director, the transporting of passengers in Town vehicles shall be limited to:

1. Town employees;
2. Persons in advisory capacity to the Town;
3. Persons involved in stressful or emergency situations;
4. Persons participating in or as part of approved Town business or programs (volunteers, partners, clients, participants, job applicants, agency representatives, etc.)

Hitchhikers are not permitted in Town vehicles.

D. Department Responsibilities

1. Advise the Fleet Management Division of any changes in the activity or location assignment of equipment. This will allow for the more effective scheduling of vehicles for periodic maintenance.
2. Maintenance, repair and modification of Town vehicles will be coordinated through the Fleet Management Division, or by approved outside vendors or personnel only when authorized by the Fleet Management Division. Maintenance of leased vehicles will be performed in accordance with the leasing agreements.
3. Town employees assigned a Town vehicle are responsible for the maintenance of their assigned vehicle(s). Maintenance responsibilities include vehicle fueling, and a routine visual inspection prior to the use of a Town vehicle (tires, wiper, exterior, etc.). Responsibilities also include the

scheduling of preventative maintenance appointments with the Fleet Management Division as stated on the window maintenance decal of the vehicle or equipment.

E. Use of a Personal Vehicle on Town Business

1. In all instances, except as noted in #2 below, when a Town vehicle is available for business use, it may be used in lieu of a personal vehicle and the employee will not be entitled to the reimbursement of mileage expenses. Town business shall include attendance at conferences, training, seminars or meetings approved in advance. Employees are expected to travel in the most cost-effective manner, the travel time and costs being the key components.
2. Use of a personal vehicle on Town business may be authorized with the consent of the Department Director or designee. When a personal vehicle is used, it must be insured by the employee in the amounts established by state minimum standards. Upon request, proof of insurance may be required of the employee. The Town will not provide primary vehicle insurance for employees using their personal vehicle while conducting Town business. Only in the case of a liability claim will the employee's insurance be primary, and the Town's insurance secondary. No other type of claim will be supported by the Town's insurance.
3. The reimbursement rate for personal vehicle use is the standard IRS reimbursable rate; however, the Town will only reimburse mileage based on budget constraints. Total reimbursable cost for transportation shall be based on the cheaper mode of travel. The employee is responsible for submitting documentation to support travel reimbursement requests as outlined in Procedure 910. Consult the mileage table below for standard distances to frequently traveled cities.

Mileage Table

Destination	Standard Mileage
Flagstaff	174
Las Vegas	300
Laughlin	240
Payson	86
Prescott	132
Sedona	150
Tucson	128

F. Town Vehicle Identification – Vehicle Marking Standards

1. Approved Markings for Non-Public Safety Town Vehicles
 - a. Non-Public Safety Town vehicles shall bear the following approved markings in accordance with A.R.S. § 38-538 *et seq.*
 - The name of the Town.
 - The name of the Department or agency.

- The designation “For Official Use Only.”
 - The Town logo.
 - The fleet identification number.
 - b. The marking shall be placed in a visible manner, and at no time shall approved markings on any Town vehicle be removed or tampered with.
 - c. Fleet shall designate a specific design or pattern of markings for each of the respective departments except public safety.
- 2. Approved Markings for Public Safety Vehicles
 - a. Public safety vehicles, including those used by the police, fire department, and other emergency services, shall bear the following approved markings in accordance with A.R.S. § 38-538 *et seq.*
 - The name of the Town.
 - The name of the department or agency.
 - The designation “For Official Use Only.”
 - The agency or department logo.
 - The fleet identification number.
 - b. The marking shall be placed in a visible manner, and at no time shall approved markings on any Town vehicle be removed or tampered with.
 - c. Specific design or pattern of markings shall be outlined by policy or procedure within each of the respective public safety departments.
- 3. Exception:
 - a. In accordance with A.R.S. § 38-538.03, certain Town vehicles may be exempt from bearing the approved markings for up to one year at a time (per request).
 - b. To apply for this exemption, the head of the department must submit a memorandum to the Town Manager detailing the nature of the service and providing the year, make, model, and identification number of the vehicle. The Town Manager may grant the exemption for no more than one year at a time.
- 4. Because public access to the Town Manager’s exemption designation and the supporting documents and information (Exemption Records) would jeopardize the safety of the Town staff using unmarked vehicles and would be contrary to the best interest of the Town in conducting Public Safety operations, Exemption Records have been declared by the Town Council as and shall be treated as confidential in nature.
- 5. All Exemption Records shall be maintained by the respective public safety applicant/agency.
- 6. Notwithstanding their confidential nature, Exemption Records shall be available for audit by the Town’s designated auditor and inspection by the Mayor and Council, utilizing such safeguards as are necessary to protect and maintain the materials’ confidentiality.
- 7. The appropriate public safety director shall be notified of any requested audit or inspection related to these confidential Exemption Records.
- 8. Exemption Records shall not lose their confidential status by reason of such audit or

inspection.

G. Overnight Use of a Town Vehicle

1. Occasionally a need arises in which Town business must be facilitated by the overnight use of a Town-owned vehicle by an employee who normally does not keep a Town-owned vehicle overnight or is on “Stand-by” status. In those situations, the Department Director, Town Manager, or designee may authorize the employee to keep a Town-owned vehicle overnight.
2. Other uses authorized by the Department Director, Town Manager, or designee are:
 - a. Frequent use of a vehicle on Town business at night or on the weekend;
 - b. Substantial emergency response responsibilities;
 - c. Infrequent occurrences where the requirements of the job can be facilitated by allowing the car to be taken home by the employee.

H. Vehicle Fueling and Emergency Repairs/Maintenance

1. Retail fuel should be purchased with the fuel credit card at designated locations by the Town Fleet Division, or in emergency situations with the employee’s Town-issued procurement card as a first option and personal funds as a second option.
2. Fuel credit cards are issued corresponding to a Town fleet vehicle, not to employees.
3. Contact the Fleet Department to obtain a personal identification number (PIN).
4. Authorized purchases include:
 - Unleaded fuel: lowest octane rating, unless specified by Vehicles Operator’s Handbook;
 - Diesel fuels

I. Vehicle Parking

1. If vehicle is not in use, Town-owned vehicles shall be parked and locked in the Town parking lot designated for that vehicle.
2. No vehicle shall be kept at the home of the employee overnight unless the employee has permission to do so from the respective Department Director.
3. Each employee authorized to drive a Town-owned vehicle to their home overnight is encouraged to provide off-street parking for the vehicle wherever possible while it is parked at their home. This is encouraged to protect Town-owned vehicles from mishaps while parked during evening hours.

Access to vehicles owned by the Town is a privilege which imposes certain responsibilities and obligations that are subject to Town procedures as well as applicable local, state, or federal laws. It is the intent of this procedure to define vehicles to conduct Town business. It is the intent of the procedure to define parameters that will assist the employee to use the Town vehicle in an appropriate manner.

J. Take-Home Vehicles

Department Directors, with Town Manager and Fleet Manager written approval, will determine which employees may be authorized to operate a take-home Town vehicle to commute to/from home/work. The employee must live within ten (10) driving miles from Town limits or obtain approval from Department Director if the distance is greater than ten (10) miles. The department assignment of the vehicle shall be to a position that is responsible for responding to an emergency situation related to public health or safety and protection of property on a 24-hour basis. Employees assigned on-call duties on a rotational basis shall take a Town vehicle home only upon those days the employee is assigned to on-call duty. Any exception to this procedure can only be approved by the Town Manager, or designee.

An employee authorized to operate a take-home vehicle is approved under the following conditions:

1. The employee agrees to assume responsibility for maintaining the safety and security of the vehicle at his/her residence.
2. The employee agrees to be responsible for any tax consequences resulting from the benefit using the Town vehicle to and from his/her home and place of employment.
3. Use of the take-home Town vehicle is limited to that use which enables employees to conduct department business.
4. Employee acknowledges that the use of a take-home vehicle is directly related to current duties and responsibilities and that the Town reserves the right to take away the vehicle at any time with or without notice.

ADMINISTRATIVE PROCEDURE

Subject: Relocation Expenses

Revision Date: 1/5/2024

Procedure Number: 940

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to outline the circumstances under which the Town would provide relocation expenses for new Town employees.

Policy Communication

The policy establishing the Town's support for the payment relocation expenses can be found in Policy #900.

Procedure

Relocation expenses, including travel to Queen Creek, moving expenses, and other associated costs are generally not payable by the Town, unless advance approval from the Town Manager is received. Such expenses shall be approved at the time of hiring and will be stipulated in the candidate's employment offer letter.

ADMINISTRATIVE PROCEDURE

Subject: Employee Purchasing Cards

Revision Date: 1/5/2024

Policy Number: 950

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of the Purchasing Card Program is to provide the Town with an efficient and controllable method of making small dollar commodity, service, and travel purchases. The Town will issue cards through an established bank vendor. The cards will be primarily used in place of petty cash, small regular purchase orders, emergency purchases, and all other small dollar purchases. This card policy is not intended to replace, but rather supplement existing purchasing, travel and other Town policies.

Policy Communication

The procedure establishing the Employee Purchasing Card program can be found in Policy #900.

Procedure

A. Authorized Cardholders

Purchasing cards may be held by Town staff members designated by the Department Director.

B. Application for Purchasing Card Privileges

Employees needing to use a Town-issued purchasing card will apply through the Request for Purchasing Card application process, which is approved by their Department Director and Manager. Any annual fee will be charged back to the department.

C. Issuance

Cards are issued jointly in the name of the Town and the individual. At the time an individual receives a card, a Finance Department staff member will be identified as a liaison to the cardholder to assist with any concerns.

D. Usage

1. The purchasing card can be used for the following:

- a. Any transaction that does not exceed the cardholder’s transaction limit set by the Department Director.
- b. Travel related purchases in compliance with the Town of Queen Creek Business Related Travel and Expense Procedure #910.
- c. Any other business related purchase as long as:

The vendor accepts credit cards, and the goods/services purchased are not covered under a Town supply contract.

- i. Some advantages of the card are:
 - Reduced paperwork generated by small transactions.
 - Facilitating quick payment to the vendor
 - Eliminating the need for purchase orders for qualified purchases.
2. Purchases made on the card will be for Town business only. The card is not a personal line of credit. When in doubt as to whether a purchase is allowable under Town policy, the cardholder should contact the Finance Department Program Administrator before making the purchase. Unauthorized purchases are prohibited and purchaser may be subject to disciplinary action.

E. Duties and Responsibilities

1. Cardholder

The employee who is issued a card is called a “cardholder”. The purchasing card may have transaction limits for the maximum amount of each transaction as well as the maximum monthly transaction total.

- a. The cardholder must use **only** his/her assigned card or their department card. Cards must not be loaned to another employee for his/her use. There will be **no exceptions**.
- b. Each cardholder shall use the card only for authorized purchases. A hardcopy receipt **must** be obtained from the vendor each time the card is used. Online and telephone charges must also be documented by a receipt, so the cardholder shall request the vendor to e-mail, fax or mail the cardholder a receipt.
- c. The cardholder is responsible for immediately notifying their supervisor and the Program Administrator if the card is lost or stolen.
- d. Each cardholder must acknowledge receipt of the purchasing card, understand the rules of usage, and sign the user agreement. Failure to abide by this Purchasing Card procedure may result in disciplinary action up to and including dismissal. The cardholder will be required to reimburse the Town for any unauthorized transactions.
- e. Employees assigned a purchasing card will reconcile their statement on a monthly basis; scan and attach all original receipts to their statement in the Munis Purchasing Card Program and enter in a description for each charge along with updating the general ledger account number to the appropriate account number. Next, the statement needs to be released in the Munis Purchasing Card Program in order for the statement to go through approval workflow to the designated supervisor.
- f. Upon resignation or termination of employment of a cardholder, the supervising Department Director or Human Resources shall notify the Program Administrator immediately, and the card shall be turned in to the Program Administrator.

2. Approver

The “approver” is a supervisory level employee responsible for approving the cardholder’s usage of the purchasing card.

- a. The approver is required to perform routine approval of the transactions made by his/her cardholders. The approver receives an e-mail notification when his/her subject cardholder statement has been released and is requiring the approver to review the statement.
- b. The approver will then approve or reject each monthly statement. Upon approval, the statement will be forwarded to the Program Administrator for statement processing.

3. Program Administrator

The “Program Administrator” manages the purchasing card program. The administrator is the Town’s point of control for the card program and is the point of contact for any cardholder questions or problems.

- a. The Program Administrator monitors all usage of the cards and verifies all information about the transactions prior to posting to the General Ledger. The Program Administrator has no approval power over card transactions. The Program Administrator is knowledgeable on all the procedures in the purchasing card policy.
- b. The Program Administrator is also responsible for ensuring all cardholders are properly trained in the use of the purchasing card before the card is issued.
- c. The Program Administrator will also report to the Department Director and Finance Director any cardholder infractions or potential infractions.

4. Departmental Responsibility

The Department Director is responsible for designating cardholders and approvers. The Department Director shall designate which employees will be issued a card, and what transaction and merchant limits shall apply to the card’s use. The Director insures that purchases are authorized and within Town policies. Departments may implement more stringent internal authorization procedures that its cardholders must follow in order to make purchases with the card.

F. Transactions/Card Limits

1. Each individual purchasing card will have transaction and/or spending limits. The total purchase price as printed on the individual credit card receipt is known as the “transaction amount”. The purchasing card may be limited by the transaction amount, and monthly transaction limit. Each cardholder will be set-up with limits for each of these categories. A card transaction will be denied when swiped if the transaction exceeds any of the limits.

G. Returns

Each cardholder is responsible for coordinating returns with the vendor and making sure a proper credit slip is obtained. Credit shall be issued to the cardholder account. Cash refunds are not allowed.

POLICY STATEMENT

Subject: Employee Safety and Health

Revision Date: 1/5/2024

Policy Number: 1000

Authorized Approval: Council/Gardner/Coffman

Effective Date: 4/1/2010

Purpose

The purpose of this policy for the Town of Queen Creek is to establish a safety and health policy to be followed by all employees in their cooperative efforts to reduce the frequency and cost of occupational injuries, illnesses, and damage and loss of equipment as well as to minimize exposure to public liability.

The Town recognizes that its employees are its most important resource. Safety of individuals and the protection of property are of great importance to the Town of Queen Creek and are the combined responsibility of all Town officials and employees. The Town of Queen Creek recognizes the importance of this responsibility and shall strive to provide a safe, healthful place to work. Employees shall follow safe work practices as outlined in the Town administrative procedures.

A. Loss Control Program

The Loss Control Program is organized and operated under the direction of the Town’s Fire Chief, Human Resources Director, Risk Management, or designees. The program is designed to provide procedures to follow in achieving a reduction of accidental losses.

The program’s objectives include:

- Creation of a positive attitude toward the prevention of accidents by all employees of the Town of Queen Creek.
- Recognition and correction of any unsafe working conditions, operating procedures and practices, so that the general public and employees are protected from harm.
- Development and maintenance of procedures to provide for emergency medical care of employees who are injured or become ill during the performance of their duties.
- Compliance with the provisions of federal, state and local safety rules and regulations.
- Responsibility for reviewing and revising the Town of Queen Creek Loss Control Program will be that of the Risk Manager. The program shall be reviewed annually, or more frequently as needed for revision. Each Town employee shall be rated on safety performance as part of his or her performance evaluation under adherence to the Town’s policies and procedures.

1. Responsibilities

- a. The Fire Chief, , Human Resources Director, Risk Manager, and/or designees, including the safety committee members, shall:
 - Develop, implement, and administer the Town’s Safety, Health, Loss Prevention and Risk

Management programs.

- Assure that all occupation related injuries or illnesses, vehicle accidents, aircraft mishaps or accidents, fire, property damage or other loss of Town of Queen Creek resources are reported, investigated and, where appropriate, recommend corrective measures to avoid recurrence.
- Compile accident/loss prevention data; analyze such data and develop experience and trends. Using these databases, provide periodic reports on the Town of Queen Creek injury, accident and/or loss experience.
- Inspect Town of Queen Creek facilities and resources to assure compliance with safety standards and criteria.
- Provide assistance to personnel at all operational levels in order to coordinate accident/loss prevention activities.
- Conduct and coordinate safety studies designed to evaluate suspected safety problems.
- Participate in the development of training programs and materials.
- Represent the Town of Queen Creek at professional meetings pertinent to safety and loss control matters.
- Participate in the development, evaluation and revision of standards concerning equipment or work practices.
- Conduct periodic audits of the effectiveness of the Town of Queen Creek's Safety, Health, Loss Prevention and Risk Management programs.

b. Employee Responsibilities

The Town of Queen Creek recognizes it is the responsibility of each employee to make every effort to provide and maintain safe and healthy working conditions throughout the Town of Queen Creek.

Consistent with this responsibility, each employee shall comply with and promote safe practices in agreement with the safety rules and procedures set forth in the Town of Queen Creek Policies and Procedures. Questions concerning this program should be directed to the Town of Queen Creek designated Risk Management. Employees are also urged to offer suggestions for improvements in the program. Each employee is required to know, understand and comply with safety regulations that apply to the work they are performing.

c. Supervisor Responsibility

The role of the supervisor is critical to the success of the program. The supervisor will be expected to ensure compliance and to promote and encourage safe work practices consistent with the Town of Queen Creek Policies and Procedures. The supervisor should view this responsibility as being equal in importance to other major supervisory responsibilities. The supervisor shall review departmental safety procedures and shall be responsible for the safety of all employees under his/her supervision.

d. Department Responsibility

Each Town department may have their own safety procedures or regulations that specify

expectations and requirements for their specific type of work. These procedures or regulations may be developed by the Safety Committee, Department Director, Fire Chief or designee and designated Risk Manager. For example, such department specific procedures may include, but are not limited to:

- Hazardous Material Handling
- Use of Protective Equipment
- Storage and Handling of Compressed Gases
- Exposure to Blood Borne Pathogens
- Confined Space Entry
- Lockout-Tag out of Hazardous Energy Sources

2. Enforcement

Along with management and supervisory personnel, the Risk Manager will monitor the loss control program and promote compliance.

Each employee is responsible for their own safety on the job and will be subject to disciplinary action, up to and including dismissal for unsafe work practices constituting violations of safety standards and procedures.

B. Safety Committee Purpose

A Safety Committee appointed by the Town Manager shall convene monthly, or more frequently if necessary, to evaluate the Town of Queen Creek's Safety Program.

Committee focus will include development and revision of safety policies, correction of safety-related problems, and may establish criteria for safety awards. Recommendations made by the committee will be submitted to the Town Manager for final approval.

The purpose of the Town's Safety Committee is to:

1. Provide standard operating procedures (SOP's) for any or all departmental operations that involve employee tasks that could potentially lead to injury or death; or any operational activities described by State or Federal OSHA or industrial best practices.
2. Investigate all accidents and industrial injuries for cause and effect. Use findings to write or change SOP's, make departmental recommendations, and to dictate safety training classes and curriculum.
3. Provide direction and support for the Town's Annual Safety Training curriculum to include topics, lesson plans, instructors, schedules, records, and certification.
4. Assist with safety inspection and corrections for all Town facilities, equipment, and grounds.
5. Provide safety promotional campaigns, messaging, and signage based on pre-determined themes related to workplace safety and employee health and well-being.

C. Controlled Substance, Drug and Alcohol Use and Testing

This general substance abuse policy applies to all employees of the Town and requires employees to refrain from being involved in any way with illegal drugs, on or off the job, abusing alcohol or other controlled substances. The Town of Queen Creek recognizes the problem of substance abuse, which the Town perceives as a serious threat to the welfare of our employees, customers and the public. The Town is committed to providing a drug, alcohol and controlled substance-free, healthy, safe, and secure environment and which complies with the Drug Free Workplace Act.

The Town of Queen Creek observes a “zero tolerance” policy in relation to employees who manufacture, distribute, dispense, conceal, or report to work under the influence of alcohol, drugs or controlled substances, or whose off-duty use adversely affects job performance, safety, or the Town’s reputation. Non-compliance will be subjected to disciplinary action, including dismissal. Employee who self-identify chemical dependency or alcohol problems before it affects safety or on- the job performance, will be given an opportunity to submit to a rehabilitation program (as outlined in Procedure #1020).

1. Authorized Drug/Alcohol Testing Occasions

The Town Manager will establish procedures for addressing the use of drugs, alcohol, and controlled substances in the workplace. The procedures shall allow for the testing of employees under the following circumstances:

- Pre-employment for safety-sensitive positions
- Post-accident
- Reasonable Suspicion
- Random Testing of Employees required to hold a Commercial Driver’s License (CDL)
- Return-to-Duty
- Follow-up

Supervisors at all levels, Directors, and Managers are responsible for the communication, implementation, and enforcement of this policy.

2. Employee and Supervisor Training

Employee Education: All employees are required to take a course provided by the Town which includes information on the Town policy, and on the dangers associated with substance abuse.

Supervisor Training: All supervisors will be required to take a course provided by the Town, to teach them the signs of drug use and other impairment and the steps to follow when impairment is suspected or detected.

3. Rehabilitation

Employees needing assistance in dealing with substance abuse problems are encouraged to voluntarily use the Town’s employee assistance program and/or health insurance for counseling

and treatment.

4. Confidentiality

Information generated in association with alcohol or drug testing will be treated as highly confidential. Care will be taken to ensure that:

- a. All investigations and testing are conducted in a confidential manner and that all information distributed is limited to the Supervisor, the Department Director, the Town Manager and the Human Resources Director.
- b. Written memoranda and their distribution are limited to the Supervisor, the Department Director, the Town Manager and the Human Resources Director.
- c. Test results are kept in the employee's medical files.

D. Workers' Compensation

Employees are covered by the Town under the Arizona State Workers' Compensation Act (A.R.S. Title 23, Chapter 6) against injuries, illness, or disease occurring in the course of Town employment. The law provides for payment of eligible medical expenses, and under certain circumstances, compensation for loss of income.

E. Tobacco Use

The Town does not encourage the use of cigarettes or other tobacco products by Town employees. Employees who choose to use such substances during working hours should do so in designated areas only as per the Smoke Free Arizona Act (Arizona Revised Statutes 36.601.01).

F. Accident Reporting

While employees should avoid any work-related accidents, some accidents may occur in the course of work. The Risk Manager shall provide a procedure for reporting all kinds of work-related accidents including, but not limited to:

1. Motor Vehicle Accidents
2. Accidents Resulting in Property Damage, Loss, or Theft
3. Accidents Resulting in Injury
4. Other Accidents that Result in a Potential Liability for the Town
5. Legal Claims Against the Town

In addition, the Department Director shall provide a mechanism for employees to report potential safety hazards in the workplace to their immediate supervisor, through the chain of command, or through the Risk Manager.

G. Wellness Program

Wellness is an active process through which people become aware of and make choices towards a more successful existence. To that end, the mission of the Town's employee Wellness Program is to engage Town employees in personal wellness and healthy lifestyles by providing programs and resources that encourage employees to become aware of, initiate or expand healthier lifestyles. Our goals are to decrease absenteeism due to illness and stress, increase productivity, and develop a positive culture that is focused on celebrating and improving the quality of life for all employees. An employee committee, with representation from all Town departments, facilitates this program. Certain aspects of the program may be incentivized.

ADMINISTRATIVE PROCEDURE

Subject: Safety and Resources

Revision Date: 1/5/2024

Procedure Number: 1010

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2010

Purpose

The purpose of this procedure is to ensure that within the provisions of the Loss Control Program, employees have the resources to work cooperatively to create a safe work environment and to reduce the frequency of accidents.

Policy Communication

The procedure establishing the Town’s support for a safe work environment can be found in Policy #1000.

Procedure

A. General Safety Requirements

1. Personal Conduct

- a. All employees shall conduct themselves in a manner that assures maximum safety to all persons affected by their actions.
- b. At no time shall employees engage in practical jokes, scuffling, horseplay, or misuse of Town of Queen Creek equipment.
- c. The use of intoxicating beverages during working hours is prohibited. Also, being under the influence of alcohol or of any drug which impairs an employee from safely performing their assigned duties is prohibited, to the extent consistent with the Americans with Disabilities Act. violation(s) of this policy may be sufficient cause for dismissal.
- d. Employees shall strictly observe any designated “No Smoking” areas on Town of Queen Creek property.
- e. Any source of ignition, including smoking, is prohibited in any area where a match, flame, spark, or careless disposal of lighted material constitutes a fire hazard.
- f. Personal work clothing shall be suitable for the individual job and be of the type offering maximum protection from accidental injury. Loose clothing, jewelry, or hanging objects shall not be worn while working around moving equipment/machinery.

2. Protective Equipment

- a. Prescribed protective equipment shall be used at all times in work areas as designated by safety procedures.
- b. Approved hard hats shall be furnished to employees and worn when the employee is exposed to hazards from falling objects or other possible head injury.

- c. Approved safety shoes shall be worn in those departments, shops, or by crews requiring safety shoes.
- d. Goggles, face shields, and other suitable protection devices shall be worn when employees are exposed to possible flying particles or possible splashing from chemicals.
- e. Approved respiratory masks shall be used when employees are exposed to concentrations of dust, fumes, vapors, and gases.
- f. Protective equipment shall be kept clean and free from damage. Frequent inspections shall be performed to assure protective equipment offers maximum protection. Damaged or defective protective equipment or clothing shall not be used and shall be replaced or repaired prior to use.

3. Handling of Materials

- a. All employees are responsible to know and practice the proper lifting technique presented in safety training.
- b. Before an object is lifted, it shall be inspected for grease or slippery substances to ensure that the object will not slip from a grip.
- c. Long objects shall not be carried without assuring that the way is clear and vision is unobstructed to ensure that other persons or objects will not be struck by the load.
- d. If the object is too large or heavy, assistance from additional employee(s) or equipment will be used.

4. Equipment Operation

- a. Operators of Town of Queen Creek-owned vehicles shall be responsible for checking all vehicle safety devices before driving the vehicle. Any defects found shall be reported, and the vehicle will not be operated until the defect has been corrected.
- b. Only fully qualified and properly licensed operators shall be permitted to drive or operate Town of Queen Creek vehicles. The Town of Queen Creek, upon employment and annually thereafter, shall conduct a check of motor vehicle records for all employees authorized or permitted to drive a vehicle on Town of Queen Creek business.
- c. All drivers of Town of Queen Creek vehicles shall comply with all laws governing the safe and legal operation of vehicles.
- d. Town of Queen Creek employees operating or occupying a Town of Queen Creek vehicle as a passenger shall wear seat belts if the vehicle is so equipped.
- e. The driver shall be responsible for assuring that all passengers are seated and properly secured before moving the vehicle. Under no circumstances shall passengers ride on fenders, running boards, the tops of vehicles, or any place not designed for passengers.
- f. Trucks, when used for transportation of employees, shall be provided with facilities that will afford safe seating; and the truck shall be protected on sides and ends to prevent falls from the vehicle. The driver shall not allow anyone to ride in the bed of the truck.
- g. Trucks transporting materials shall not be loaded to a height of greater than 13 feet, 6 inches, from the ground surface. No vehicle or load shall be of a width greater than 96 inches. All materials shall be tightly secured to prevent movement in transport. All cargo that extends 4 feet beyond the end of the bed shall be clearly marked with a red cloth not less than 16 inches square; at night red lights or reflectors shall be used as required. All drivers of Town of Queen Creek vehicles shall strictly observe speed limits on public roads and highways. Drivers are personally responsible for any traffic citations (tickets) that may be issued as a result of

operating a Town vehicle.

- h. Speeds in parking lots, maintenance yards, or in close proximity to persons or equipment on Town property shall not be in excess of 10 mph. Lower speed limits may be imposed for selected areas.
- i. Defensive driving represents an approach to the driving task that, when applied, can lessen the chances of being involved in a motor vehicle accident. Defensive driving means driving so as to prevent accidents in spite of the actions of others or the presence of adverse driving conditions. Annual defensive driving courses for Town of Queen Creek employees authorized to use Town of Queen Creek vehicles are very strongly encouraged.

5. Fire Prevention

- a. The Town's Fire and Medical Department has the primary responsibility for fighting fires, and each employee has the responsibility of being alert for possible fire hazards.
- b. Each employee shall be adequately trained in fire prevention, emergency evacuations, and essential precautions to prevent injury.
- c. All fire-fighting apparatus, including extinguishers, shall be kept in a ready condition and accessible at all times. The Fire and Medical Department and/or Facilities Division shall inspect fire-fighting apparatus on a regular basis to ensure proper condition.
- d. Fire-extinguishing substances that are conductors of electricity, such as water and acids, shall not be used for electrical fires.
- e. When removing supplies of paints, solvents, or other flammables from storage, only the minimum supply to do the job shall be taken. At no time shall the quantity removed exceed one day's working supply.
- f. Combustible products of rubbish, waste or other residues shall not be allowed to accumulate. Oil-soaked rags and similar materials subject to spontaneous combustion shall only be stored in non-combustible containers with self-closing lids.
- g. Flammable liquids shall not be stored in aisles or in walkways and shall be so located that there will be no interference with evacuation of the area in case of fire.
- h. Cigarette butts, matches, or other similar materials shall not be discarded without fully extinguishing the substance.
- i. Ashtray contents, cigarette butts, or matches shall only be disposed of in approved non-combustible containers.
- j. Smoking, striking of matches, or other sources of ignition shall not be permitted within "NO SMOKING - FIRE HAZARD" areas.
- k. All gasoline or flammable solvents or liquids shall not be stored inside a building in other than approved flammable storage containers.

B. Safety Specific to Certain Activities

1. Work Area

- a. Employees shall not be required and should not work in areas or situations where they may be adversely affected by working under such conditions as extreme heights, underground, closed areas, etc., without proper protective devices.

2. Office Safety

- a. Personnel should not run on walkways or stairways. All personnel shall enter and leave buildings in an orderly manner.
- b. All personnel shall observe proper lifting and carrying procedures when moving boxes, office machines, or other heavy materials. Large boxes or materials shall be moved with mechanical equipment or repacked in smaller parcels. Bulky materials shall not be carried when the view ahead is obstructed or when the materials interfere with stairway handrails.
- c. Water, oil, or other slippery substances shall be removed at once to eliminate slipping hazards. Extension cords, wastebaskets, and other materials shall be kept out of walkways aisles to prevent tripping hazards. Standing on chairs, boxes, or makeshift supports to reach overhead objects is prohibited. Doors shall always be opened with caution to avoid striking someone on the other side. Keep to the right when walking to avoid collisions. Handrails shall be used at all times when ascending or descending stairways.
- d. Desk and filing drawers shall be kept closed at all times when not in use. Caution should be observed in opening file cabinet drawers to avoid tipping the cabinet. Only one drawer shall be opened at any one time.
- e. Spindles or other sharp or pointed objects on desks to fasten papers are prohibited. Special care must be observed in disposing of broken glass or other sharp objects.
- f. Cigars, cigarette stubs, or matches shall not be discarded in wastebaskets.

3. Above-Ground Work

- a. Employees shall use approved safety belts, lifelines, or other devices that are adequate for maximum protection while working at heights.
- b. No person, material, or equipment shall be lifted from the ground by supports inadequate for the job. The supports of lines shall be approved supports, sufficiently strong and properly secured in place.
- c. All ladders used shall be of good quality, securely placed, held, or tied to prevent slipping or falling. Ladders shall not be placed in front of doorways unless the door is open, locked or guarded. Employees shall face the ladder when ascending or descending. Materials that interfere with the free use of both hands shall not be carried up or down the ladder. Metal ladders shall have safety feet. Metal ladders shall not be used within ten feet of above-ground electrical.
- d. Scaffolding shall be built from sturdy material with a solid footing and strong guardrail. Scaffold material shall be sturdy enough to support at least 4 times the maximum weight of the user and equipment. (See Arizona Division Occupation Safety and Health Administration (ADOSH) standards 1926.451).

4. Electrical Facilities

- a. Only qualified and properly authorized maintenance personnel shall be permitted to install and maintain electrical facilities and equipment. Apprentice personnel, when permitted to work on electrical equipment, shall be under the supervision of a fully qualified electrician.
- b. All electricians shall be familiar with the National Electrical Code, the National Bureau of Standards Handbook H30, and applicable sections of the National Fire Protection Association Codes.
- c. All electricians shall be trained and fully qualified in emergency first-aid requirements for artificial respiration and closed-chest massage.

- d. Electrical equipment and lines shall always be considered “live” until proven dead. Before beginning work, each electrical circuit shall be inspected and tested and, where possible, isolated from the power source. Extreme care shall be exercised as wires designed to operate at ground potential may become energized by faulty or inadequate connections. Lockout Tag out procedures will be used when working with electrical wires/equipment/controls.
- e. All portable extension cords shall be equipped with a non-conducting plug and outer socket shell. All electrical cords shall be equipped with the three-prong grounding plug. Extension cords shall not be used as permanent wiring. Extension cords should be protected from damage. When using power tools they shall be double insulated (UL approved) or plugged into GFCI outlet.

5. Transporting of Equipment

- a. Transporting of equipment to the job site shall be accomplished in accordance with all state and local laws governing traffic control. Mobile equipment operated on streets and highways shall conform to all state and local law governing motor vehicles. All regulations concerning speeds and load limits shall be strictly observed by personnel operating mobile equipment. When mobile equipment is hazardous to other vehicles on the road, flag persons, signs, or temporary barriers shall control the traffic. When equipment is to be towed to the job site, safety chains shall be used in addition to towing hooks or tow bars. The safety chain shall be of sufficient strength to prevent separation of the towed vehicle, should the tow bar break or disengage in route. Personnel shall never stand or ride on the tow bar while equipment is being towed. Towing should not be completed after dark. When emergency needs require nighttime towing, full operating lights shall be placed at the rear of the tow.
- b. When equipment is to be transported by trailer, extreme care shall be taken to prevent equipment from tipping while loading, unloading, or traveling.
- c. Clearance heights along the proposed route shall be reviewed for low-hanging objects, and operators shall keep a close watch to avoid striking low-hanging objects with the equipment.
- d. Equipment shall be secured and lashed to the trailer with the wheels chocked to prevent in route movement.
- e. All trailers shall be equipped with fully operating stop and directional lights, and they shall be checked for operation prior to transporting equipment.

6. No Smoking Area

- a. All flammable storage areas and fuel dispensing facilities shall be posted “NO SMOKING OR OPEN FLAMES WITHIN FIFTY FEET.”
- b. Work areas in which flammable materials, such as paints, lacquers, gas, oil, compressed gasses/oxygen, acids or other volatile chemicals are used shall be posted as “NO SMOKING” areas.

7. Industrial Hygiene

Industrial hygiene is the professional specialty concerned with preserving the health of employees while at work. Many processes and operations either produce or use compounds that may be harmful to a person’s health. The Risk Manager will refer to a professional industrial hygienist in cases where the occupational health exposures have such significance and frequency that

specialized assistance is necessary.

- a. The industrial hygiene program shall include surveying, monitoring, and controlling potential health hazards. Employees will be notified of hazards using the Material Safety Data Sheets to meet requirements of The Hazard Communication Act and Title III.
- b. Necessary actions shall be taken to control health hazards created by the Town that may affect the health of either employees or the general public. These actions shall ensure compliance with all applicable environmental protection laws.

C. Safety Inspections

1. Facilities

- a. To ensure compliance with safety and health standards, safety self-inspections shall be conducted on a regular basis by the department.
- b. Department inspections should include all buildings, facilities, and equipment, materials, tools and activities. Special emphasis will be placed on housekeeping, illumination, machine and hazard guarding, fire prevention and protection, mechanical and electrical safety.
- c. Inspection checklists are available from the Risk Manager.

2. Vehicles

- a. The assigned operator will check vehicles daily. Any safety and/or other deficiencies (i.e., bad tires, body damage, headlight, brakes, etc.) shall be corrected. Vehicles will be inspected at specified intervals using written checklists. All vehicles shall be serviced according to a preventive maintenance schedule.

D. Safety Suggestions

Employees are encouraged to submit suggestions to their supervisor, Department Director, designated Risk Manager, and/or safety committee representative concerning the modification of any facility, equipment, or procedure that the employee feels will reduce the chances of bodily injury and/or damage to equipment or property.

E. Industrial Injuries

1. Injury Investigations

All occupational injuries and illnesses, regardless of the degree or extent or medical treatment or hospitalization, shall be reported to the immediate supervisor, Human Resources and designated Risk Manager as soon as possible. Prompt investigation is necessary before the facts and evidence of the mishap are removed, destroyed, or forgotten. The primary purpose of the investigation is to determine action necessary to prevent recurrence of the same or similar type of incident. The Town expressly prohibits retaliation against any employee who reports a workplace injury or illness.

2. Occupational Injury and Illness Reporting

When an employee sustains an injury or illness arising out of and in the course of employment, it

will be reported immediately to the employee's supervisor and designated Risk Manager, or Human Resources designee. Failure of the employee to do so on the day of the alleged incident could result in denial of the claim and could result in disciplinary action. Supervisors should then ensure the injured employee receives prompt medical treatment. If it is a life/limb threatening emergency, call 911 immediately. If not, the employee and Supervisor will contact the Town's 3rd party triage service provider immediately. The service will assist as follows:

- In the treatment of first aid;
- Direct employees to the Town's preferred health care provider(s) as needed;

Complete a first report of injury form;

- a. The supervisor or representative, will then investigate the alleged injury or illness.

3. Medical/Industrial Clinic

In order to provide the best emergency medical care and to control claims costs, the designated Risk Manager will designate clinics and/or hospital that is to be used, if possible, to treat job related injuries and illnesses. The contractor will be made aware of the desire to return an injured employee to work as soon as possible. The injured employee always has the right, if he/she so chooses, to seek treatment with his/her own physician.

F. Reporting Motor Vehicle Accidents

Employees involved in vehicle accidents, or incidents involving vehicle damage, shall notify their immediate supervisor as soon as possible.

The Town of Queen Creek Police Department shall investigate vehicle accidents and incidents within Town limits. Accidents outside the Town limits require a report from the local policy agency. The employee must complete the Vehicle Accident Report located in the glove box of the vehicle at the scene and give it to their immediate supervisor. Employees shall not conduct the investigation of an occurrence in which they are personally involved.

G. Reporting Property Damage or Loss

All personnel are accountable for equipment used to perform assigned duties. Care of equipment entails proper maintenance and security. When equipment is damaged, lost or stolen, documentation is required for claims processing and notification.

The employee discovering the damage, loss, or theft of equipment shall immediately report the incident to his/her immediate supervisor and the Town's Police Department.

Questions concerning the replacement of lost or stolen property, or repair or replacement of damaged property should be directed to the Risk Manager.

H. Supervisor Responsibilities

While the individual employee is ultimately responsible for their own safety and well-being on the job, the role of the supervisor is critical to the success of the Loss Control Program. The immediate supervisor is expected to ensure safe work practices consistent with the Town's policies and procedures. The supervisor should view this responsibility as equal in importance to other major departmental safety procedures and provide employees under their supervision with direction. Specifically, the immediate supervisor is responsible for:

1. Providing a safe working environment, including access to proper equipment so that the employee can perform the job safely.
2. Developing, implementing, and administering safe work practices in the workplace.
3. Assuring that all occupationally connected injuries or illnesses, vehicle accidents, fire, property damage, or other loss of Town resources are reported and investigated. When appropriate, supervisors should recommend corrective measures, which may preclude recurrence of the incident.
4. Inspecting Town facilities and resources to assure compliance with Town and OSHA safety standards and criteria.
5. Providing assistance to their employees in order to coordinate accident/loss prevention activities.
6. Conducting and coordinating training programs related to safety issues.
7. Preparing and ensuring compliance of safety policies and procedures or guidelines and regulations that specify expectations or requirements for their individual scope of work.

In addition, each department, in coordination of the Risk Manager, should update their safety-related policies, as needed.

I. Safety Committee Responsibilities

Upon recommendation by the Town's designated Risk Manager, the Town Manager shall appoint

employee representatives to a Safety Committee to provide a mechanism to: (1) evaluate workplace practices; (2) make recommendations based on accident investigation reports; (3) facilitate required or needed employee safety training; and (4) review safety equipment needs and usage. The purpose of the Safety Committee is to maintain and promote a safe and healthy working environment for Town employees, protect public resources, and reduce Town exposures to risk and loss. Under the direction of the Fire Chief, the Safety Committee will be chaired by a designated fire personnel, most likely the Fire Marshal.

The Safety Committee will focus on the development and revision of safety policies, procedures, and practices. They will take immediate or time related actions to correct safety related problems. Such corrections may be in the form of policy/procedural changes, notice of violation, training initiatives, equipment replacement, or some combination of those methods. All actions and recommendations for the Committee are subject to review by the Human Resource Director and may require submittal to the Town Manager for final approval.

Responsibilities of the Safety Committee shall include:

1. Hold monthly meetings
2. Prepare written records of the safety and health issues discussed at Committee meetings.
3. Organize to provide oversight for safety inspections, accident investigations, scheduled training, and equipment operations.
4. Review results of safety inspections by the Safety Officer/Risk Manager and/or other committee members. Take appropriate actions to correct any safety threats, medical exposures, or unsafe practices.
5. Review investigative results of industrial injury, and employee accidents to determine cause and effect. Upon discovery, take appropriate action or make necessary recommendations to prevent or eliminate future mishaps.
6. Review OSHA citations and verify abatement action taken.
7. Review investigation of alleged hazardous conditions brought to the attention of any committee member.
8. Enhance workplace safety by utilizing posters, bumper stickers, employee suggestion program, Town web-site, e-mails, or other multi-media resources to keep safety issues as a high priority in the Town.
9. Promote a safety awards program that recognizes and rewards Town employees for consistent safety behaviors at work.

J. Emergency Phone Numbers

It shall be the responsibility of each supervisor to have emergency telephone numbers clearly posted in the work area.

- Any serious medical situation, any type of fire, and/or 911
any type of life- threatening emergencies

K. Potential Disciplinary Measures

Any employee who violates established safety and loss control practices will be subject to the Town's disciplinary measures.

ADMINISTRATIVE PROCEDURE

Subject: Controlled Substances, Drug and Alcohol Use and Testing

Revision Date: 1/5/2024

Procedure Number: 1020

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to establish the process for conducting tests for alcohol, drugs, and controlled substances on all applicants conditionally offered employment in safety sensitive positions and current employees. This procedure will establish the Town of Queen Creek’s rules governing the maintenance of a drug-free, alcohol-free, and impairment-free workplace that is in compliance with federal and state laws. In addition, these procedures have been developed to implement the Town’s Commercial Driver’s License (CDL) Alcohol and Controlled Use and Testing Program in compliance with the Federal Motor Carrier Safety Administration Regulations (FMCSA), 40 CFR § 40, 382.

The Town acknowledges that our success now, as well as in the future, is dependent upon the well-being of our employees. Our goal is to establish a work environment that is free of the harmful effects of controlled substances or alcohol. It is our intent to protect the safety of our employees, the public we serve, and to prevent accidents that are the result of controlled substance abuse or the misuse of alcohol.

Congress enacted the Drug-Free Workplace Act of 1988. The Town of Queen Creek observes a “zero tolerance” and “zero-impairment” policy in relation to employees who manufacture, distribute, dispense, conceal, or report to work under the influence of alcohol, controlled substances, or drugs (see glossary of terms for definitions), or whose off-duty use adversely affects job performance, safety, or the Town’s reputation, and will be subjected to disciplinary action, up to, and including dismissal. If an employee is required to hold a Commercial Driver’s License the employee is subject to random drug and/or alcohol tests as required by federal and state law. Employees who self-identify chemical dependency or alcohol problems before these issues affect safety or on-the job performance, will be given an opportunity to submit to a rehabilitation program.

Policy Communication

The Policy establishing the Town’s direction related to Controlled Substances, Drug and Alcohol Use, and Testing can be found in Policy #1000.

Procedures

While this procedure does not prohibit the use of legally prescribed drugs or medicine (including over-the-counter), employees are required to notify their supervisor if the use of any legal drug or medicine may endanger their safety or the safety of others. For example, employees should tell their supervisor if they are using any legal drug or medicine that cautions against operating heavy machinery if the employees’ job involves heavy machinery. Legal drugs refer to prescribed, over-the-counter drugs, or medications that have been legally obtained and are being used only for the purpose for which they were

prescribed by a treating physician, manufactured or in the manner in which they were intended.

The Town will maintain screening practices to identify employees who abuse alcohol, misuse legal drugs and medicine, use controlled substances, or who appear to be impaired on the job. As a condition of continued employment, each employee of the Town is required to submit to controlled substance and/or alcohol screening when directed to do so by the Town. Failure to submit to testing is grounds for immediate termination.

Drug Free Workplace Programs Administration

All employee alcohol misuse and controlled substance use prevention programs' records shall be maintained in a secure location with controlled access by the Human Resources Director, or designee, and in accordance with FMCSA 49 CFR §382.

The Human Resources Director, or designee, shall prepare and maintain an annual calendar summary of the results of its alcohol and drug testing programs.

A. Types of Authorized Drug and Alcohol Testing

1. Post-job Offer, Pre-employment Testing

All new job candidates, occupying a safety-sensitive position identified by Human Resources and/or as per State and/or Federal law, must undergo testing for alcohol and controlled substances within twenty-four (24) hours of the conditional offer of employment. The conditional offer of employment will be withdrawn if the job candidate does not test within twenty-four (24) hours of notification.

A job candidate who tests positive for alcohol, controlled substances, or drugs will not be hired.

Pre-employment testing also pertains to current employees who transfer or are promoted into a position that requires the possession of a CDL or is a safety-sensitive position. Applications for any position will not be considered from any current employee who refuses to test.

Applicants will not be allowed to substitute testing done through their own medical facilities and/or laboratories unless the applicant is an out-of-state resident and the out-of-state laboratory has been approved by Human Resources.

2. Post-accident and Injury Testing

Public entities are allowed to conduct a controlled substance and alcohol test if there is a reasonable possibility that drug use by the employee was a contributing factor to the reported injury or illness; and (3) and for which the drug test can accurately identify impairment caused by drug use.

A controlled substances and alcohol test shall be conducted within thirty-two (32) hours and eight (8) hours, respectively, on each driver of a Town-owned vehicle (including a commercial motor vehicle) that has been involved in an accident if:

- There is a loss of life.
- The driver receives a citation for a moving traffic violation arising from the accident.
- There is an injury requiring treatment away from the scene of the accident.
- A vehicle is required to be towed away from the scene.
- It appears the driver may have been at fault, when the actions of the employee apparently caused an accident.

This section does not require the delay of necessary medical attention for the injured person(s) following an accident, or prohibit a driver from leaving the scene of an accident in order to obtain necessary care. Any decision to send an employee for post-accident testing shall be approved by the Human Resources Director.

A recordable injury is one requiring more than First Aid as defined by the United States Department of Labor Occupational Safety and Health Administration. Please see Glossary of Terms for the specifics of determining First Aid.

An employee who is subjected to post-accident testing must remain readily available for such testing, or the Town may consider the employee to have refused to submit for testing. The employee subject to post accident testing must refrain from consuming drugs, controlled substances and/or alcohol for up to thirty-two (32) hours, or until they submit to a drug, controlled substances and/or alcohol test.

Following an accident, which meets the criteria listed above and approved by Human Resources, the supervisor should take the employee to the designated testing facility immediately. If the drug, controlled substances, and/or alcohol test is not administered within two (2) hours following the accident, the supervisor will prepare a written report stating the reasons the test was not administered. If the alcohol test is not administered within eight (8) hours following the accident, all attempts to administer the test will cease and the supervisor will prepare a written report stating the reasons the test was not administered. Copies of the report shall be maintained in Human Resources.

If a drug and/or controlled substances test required by this section is not administered within thirty-two (32) hours following the accident, all attempts to administer the test will cease. The supervisor will prepare a written report stating the reasons the test was not administered. Copies of the report shall be maintained in Human Resources.

Any employee who tests positive for an illegal controlled substance and/or alcohol after a post-accident or injury test will be recommended for dismissal.

3. Random Testing

Commercial Driver's License (CDL) Holders

Any employee required to hold a commercial driver's license (CDL) for the position held by the employee shall be subject to random drug and alcohol testing. The Town or its agents will submit all CDL employees' names to a random selection system. The random selection system provides an equal chance for each driver to be selected each time random selection occurs. Random testing will be unannounced, will be performed at the time the driver reports to work, during the workday, or at the end of the workday, and will be reasonably spread throughout the year. The

Town will drug test, at a minimum, fifty percent (50%) of the average number of employee positions requiring a CDL in each calendar year or at a rate established by the Department of Transportation (DOT) for the given year. The Town will select, at a minimum, ten percent (10%) of the average number of employee positions requiring a CDL in each calendar year for random alcohol testing. The minimum percentages may be changed when required by federal law. Random selection, by its very nature, may result in employees being selected in successive selection or more than once a calendar year.

If an employee is selected at random for drug and/or alcohol testing, he/she will be accompanied by a supervisor to the testing site. If the employee engages in conduct that does not lead to a collection as soon as possible after notification, such conduct may be considered a refusal to test in which appropriate disciplinary action will be taken up to and including termination.

4. Reasonable Suspicion Testing

An employee shall be required to submit to drug and/or alcohol testing if that employee's supervisor has reasonable suspicion to believe the employee is impaired while on duty or while in control of any Town-owned vehicle. The decision to require a test for good faith suspicion will be based upon objective observation, by one or more supervisors who have received reasonable suspicion training of at least sixty (60) minutes for alcohol misuse and sixty (60) minutes for controlled substances use, and who have been appropriately trained to determine if reasonable suspicion exists. A supervisor or Town official's reasonable suspicion will be based upon specific observations concerning the change in the employee's speech, walking, standing or physical dexterity, agility, coordination, actions, movement, demeanor, appearance, clothing, odor, irrational or unusual behavior, negligence or carelessness in operating equipment, machinery, or production or manufacturing processes, including indications of the chronic and withdrawal effects of a controlled substance. If a supervisor or Town official has reasonable suspicion to believe an employee is impaired while on duty or while in control of any Town-owned vehicle, he or she should immediately ensure the safety of the employee and other employees by removing the employee from the work site. The Human Resources Director, or designee, must be notified and provide approval prior to administering a reasonable suspicion test. The Town may request assistance of a law enforcement officer to assist in the determination.

Documentation shall be made as to specific observations made and then the supervisor or designee will drive the employee to the testing site and then home pending the test results. The employee will be placed on paid administrative leave pending notification of the test results.

5. Self-identification Process and Testing

Employees are encouraged to self-identify to his/her immediate supervisor, through the chain-of-command or to the Human Resources Director for chemical dependency, alcohol abuse, or continued misuse of medications before it affects safety or on-the job performance. This is a one-time self-identification opportunity during the employee's tenure with the Town. The self-identification opportunity must be voluntary. Discipline will not be initiated because an employee self-identifies (self-identification must occur prior to an employee receives notification of the requirement for a test).

Employees who self-identify will:

- a. Be removed from any driving or safety-sensitive position until released by a Town-selected Substance Abuse Professional (SAP).
- b. Agree to successfully participate in a Town-approved Employee Assistance Program treatment rehabilitation program and comply with the program conditions.
- c. Sign a Last Chance Agreement. This Agreement is offered in lieu of dismissal for violation of the Town's substance abuse rule. This agreement outlines the additional condition of continued employment with the Town of Queen Creek.
- d. Sign a "Consent to Release Information" document allowing the SAP to communicate the employee's progress to the Human Resources Director, or designee.
- e. Agree that the employee will pay the cost of the SAP and for follow-up testing. The Town will allow follow-up testing on Town time.
- f. Agree to unscheduled alcohol and/or controlled substance tests, as directed by the SAP or the Town, for a minimum of six (6) tests in the first twelve (12) months and not to exceed sixty (60) months from the date the employee returns to work.
- g. Complete a Return to Duty test as a condition to return to work or continued employment in conjunction with the completion of an approved drug and/or alcohol treatment or counseling program.

Employees may:

- a. Use accumulated sick leave for the rehabilitation program. Leave donations will not be authorized under any circumstances. Use of Family Medical Leave may be required, depending upon the circumstances.
- b. Be accommodated by their department by being placed in a non-driving/safety-sensitive position if appropriate and available. (Not all departments will be able to accommodate).

If a non-driving position is not available, employees who are required to drive as part of their job will be allowed to use accumulated leave or will be placed on unpaid leave status until released by a SAP. Depending upon the circumstances, FMLA may be necessary. Length of unpaid leave allowed for this section will be 60 days.

Voluntary self-identification shall not relieve the employee from the responsibility of adequate job performance, nor prevent a recommendation for dismissal in the event that the employee tests positive for any alcohol, illegal controlled substance, or non-prescribed medication, after follow-up testing has begun. In addition, if, due to the circumstances of the drugs, controlled substances and/or alcohol misuse, the employee is not able to perform the functions of their position, the employee will be recommended for dismissal.

B. Testing Procedures

Unless an employee is subject to Federal Department of Transportation regulations, the Town will determine the type and manner of drug, controlled substance or alcohol testing, including what constitutes a positive test result, at its sole discretion. The Town is entitled to rely on the results of its drug, controlled substance or alcohol testing to determine if any employee or applicant has violated this policy and is subject to discipline.

The testing lab the Town uses will ensure that the testing is conducted in compliance with state and applicable federal procedures.

Drug Testing

Drug testing will be performed through urinalysis. The panel of drugs for which persons and/or employees will be tested as recommended by the National Institute of Drug Abuse (NIDA) is the 5 panel which includes marijuana, cocaine, opiates, phencyclidine (PCP), amphetamines, and other controlled substances as appropriate. Referrals for alcohol use include a breath or blood alcohol (ethanol) test.

Each drug test result will be analyzed in a Substance Abuse and Mental Health Services Administration (SAMHSA) certified laboratory and will be reviewed by a certified Medical Review Officer (MRO) prior to being reported to the Town. The lab will use a “split sample” method of testing performed by laboratories. All test results will be reported to the Human Resources Director or designee.

The procedure starts with the collection of a urine specimen. Specimens will be submitted to a certified laboratory for testing. As part of the collection process, the specimen provided will be split into two vials; a primary vial and a secondary vial. The certified laboratory will perform initial screening on all primary vials. In the event that the primary specimen tests positive, a confirmation test of that specimen will be performed prior to the laboratory reporting the results to the Town.

Subject to the oversight of a certified Medical Review Officer (MRO), collection and procedures will follow professionally accepted protocols and, as appropriate, will follow the Department of Transportation testing guidelines (49 CFR §40) to ensure that each specimen is collected and processed using forensically valid criteria. Professionally accepted chain of custody procedures will govern the administration of all drug tests, subject to the oversight of a certified MRO.

All laboratory results will be reported by the laboratory to the Human Resources Director, or designee.

Human Resources may verify a test result as positive without communicating with the employee if:

- The employee declines to discuss the test with the MRO;
- More than seventy-two (72) hours pass since the time the designated Town official informs the employee that they should contact the MRO; or
- Neither Human Resources nor the designated Town official, after making and documenting all reasonable efforts, has been able to contact the employee within ten (10) days of the date on which the MRO receives the confirmed test result from the laboratory.

Once a drug and/or controlled substance test is verified as positive, the employee will be immediately placed on administrative leave. An employee testing positive for drugs or controlled substances must request that Human Resources have the secondary vial tested with seventy-two (72) hours of notification. The secondary vial must be tested by a different certified laboratory from the first certified lab that tested the primary vial. If the secondary vial tests positive, the Town will initiate a letter of intent for dismissal process (as outlined in procedure #820).

Alcohol Testing

The Town of Queen Creek's designee will conduct a screening test for alcohol use by using either an evidentiary breath-testing device (EBT) or a non-evidential screening device approved by the National Highway Traffic Safety Administration. Results will be reported to Town's Human Resources. A positive result is 0.02 percent or greater. If the screening test yields a positive test result for alcohol, a confirmation test will be performed between 15 and 30 minutes after the first test using an EBT. If the two tests yield different results, the confirmation test will be deemed to be the final result upon which any action is based.

Failure to provide adequate breath for alcohol testing without a valid medical explanation will constitute a refusal to submit to alcohol or controlled substances test. Once an alcohol test is verified as positive, the employee will be immediately placed on administrative leave and the Town will initiate a Letter of Intent for dismissal process (as outlined in procedure #820).

Handling of Test Results

All drug, controlled substance and alcohol screening results shall be the private and confidential property of the Town of Queen Creek and will not be shared with anyone except:

- The applicant or employee.
- Town supervisory staff with a demonstrated need to know such information.
- As required by law, expressly authorized by the DOT rules.
- To legally protect the Town.

In the event the job applicant fails the test the Town will notify the job applicant upon receipt of confirmation of a positive test.

The Town will notify an employee of the results of random, reasonable suspicion, and post-accident test results verified as positive for alcohol, drug, or controlled substances, and identify for the employee the drug, controlled substance or alcohol that was detected and verified.

C. Testing Costs

The following describes the Town's responsibility for the cost of the testing:

1. Random (covered in the CDL section), reasonable suspicion, and post-accident and/or injury testing will be done on Town time, at the Town's expense.
2. Pre-employment, post offer testing of job candidates who may occupy an identified safety sensitive position will be done on the applicant's own time at the Town's expense. If the candidate is currently a Town employee, the testing will be done on Town time and at Town expense.
3. The Town will seek reimbursement from the employee for the cost of the split specimen test at a second laboratory.

D. Searches

The Town reserves the right to conduct searches for unauthorized substances or any other relevant items anywhere on Town property, including, but not limited to, lockers, desks, and file cabinets,

where, in the opinion of the Town Manager or Town Attorney reasonable grounds exist for the search. Personal property on Town premises shall be subject to such searches. Employees should have no expectation of privacy related to anything on Town property. All such searches shall be authorized and conducted under the direction of the Town Manager or Town Attorney or their designee. Employees who refuse to cooperate during such unannounced searches shall be subject to disciplinary action, up to and including dismissal. Body searches of employees shall not be conducted by Town personnel other than by law enforcement officers in the performance of their official duties.

E. Off Duty Conduct

The Town of Queen Creek reserves the right to take disciplinary action, up to and including dismissal, in the event an employee's off-duty involvement with alcohol, controlled substances, drugs, or prescribed medication is damaging to the Town's reputation or business or is inconsistent with the employee's job duties or when such off-duty conduct results in impairment of the employee's job performance. This determination will be at the sole discretion of the Town.

F. Prohibited Conduct

Employees or applicants who are currently engaged in the illegal use of drugs or abuse of alcohol are not covered by the Americans with Disabilities Act. Any employee participating in prohibited conduct will be subject to disciplinary action up to and including dismissal. No employee shall:

1. Refuse to submit to an alcohol, drug, or controlled substances test. A refusal shall be deemed a positive test and will result in the candidate's offer of employment being rescinded or a recommendation of dismissal of a current employee.
2. Manufacture, use, sell, distribute, dispense, purchase, or have in possession any illegal controlled substance on Town time or on Town property, including breaks and/or lunch breaks.
3. Fail to notify a supervisor when an employee has reasonable suspicion of another employee's illegal controlled substances and/or alcohol use.
4. Fail to remain readily available for testing after an accident.
5. Be allowed to work when the employee has used any drug, alcohol, or controlled substances of medication that will affect the employee's ability to perform the duties of the job.
6. Test positive for alcohol, drugs, controlled substances, or non-prescribed medication during working hours.
7. When required to take a post-accident test, use alcohol within the eight (8) hours following the accident or before being tested, whichever comes first.
8. When required to take a post-accident test, use drugs or controlled substances for thirty-two (32) hours following the accident or before being tested, whichever comes first. Exception for medical doctor requirements.

9. Attempt to interfere, substitute, alter, or in any way affect the outcome of the alcohol, drug or controlled substance-testing procedure.
10. Violate any portion of this procedure.
11. Test positive for the following controlled substances in accordance with applicable DOT Alcohol & Drug Testing Procedures (49 CFR §40):
 - a. Marijuana (THC metabolite), including those individuals who are approved cardholders by the State of Arizona.
 - b. Cocaine
 - c. Amphetamines (e.g., Racemic amphetamine, dextroamphetamine, and methamphetamine)
 - d. Opiates (e.g., heroin, morphine, codeine)
 - e. Phencyclidine (PCP)
 - f. Other controlled substances as appropriate

G. Compliance with the Arizona Medical Marijuana Act

The Town will comply with the Arizona Medical Marijuana Act unless doing so would cause the Town to lose a federal licensing or monetary benefit, or the Town is otherwise prohibited from complying by an applicable federal law, such as regulations pertaining to transportation positions. The Town will not discriminate against or make employment decisions relating to a medical marijuana cardholder, as defined in A.R.S. § 36-2801, based solely on their status as a cardholder. Unless otherwise required by federal law, the Town will not base decisions relating to medical marijuana cardholders solely upon a positive drug test for marijuana. Pursuant to the Medical Marijuana Act, employees may be disciplined or terminated if impaired while at work, or if the employee possesses or uses marijuana while at work. Signs of impairment include but are not limited to: red, bloodshot eyes; dilated pupils; poor concentration; impaired perception of time; loss of energy; impaired perception of distance; abnormal or erratic behavior; slow and deliberate responses; slow reflexes; incoherent speech; odor; and impaired balance or coordination.

Consistent with A.R.S. § 23-493.06, the Town has designated the following types of positions as "safety-sensitive positions" and preclude the use of medical marijuana and other certain prescribed drugs. Safety-sensitive position" shall include classifications which include any of the following essential duties: public safety personnel (Fire-Sworn, Non-Sworn EMS, Police-Sworn), personnel operating a motor vehicle; operating, repairing or maintaining heavy machinery, equipment or power tools; handling or working with hazardous materials; maintaining public health and safety; performing duties in the residential or commercial premises of a customer; and/or responsibility for supervising juveniles in the absence of their parents.

Adult-Recreational Marijuana

The use of adult recreational marijuana legalized in Arizona by the passage of Proposition 207. However, employees should be aware that they may not possess or use marijuana on Town premises or during work hours. Further, the Town will continue to test for marijuana as a controlled substance, consistent with federal law (49 CFR §40). Any employee that appears to be impaired in our workplace or suffers a workplace accident in which there is a reasonable possibility that drug use by the employee

was a contributing factor, may be drug tested in accordance with the Town's drug testing policy. Any employee who test positive for marijuana under such testing circumstances (at established threshold levels) will be subject to discipline as outlined in this policy.

The use of recreational marijuana is precluded for all "safety sensitive" positions as defined above.

Precluding employees from working in a state of impairment is consistent with our commitment to safety in our workplace. Signs of impairment include but are not limited to: red, bloodshot eyes; dilated pupils; poor concentration; impaired perception of time; loss of energy; impaired perception of distance; abnormal or erratic behavior; slow and deliberate responses; slow reflexes; incoherent speech; odor; and impaired balance or coordination.

H. Management and Supervisory Responsibilities

Following an accident or injury as defined under Post Accident Testing, the supervisor or designee will drive the employee to the designated testing facility immediately.

A supervisor shall be subject to disciplinary action up to and including dismissal if he/she:

- While on Town time, has knowledge that an employee is using, selling, purchasing, manufacturing, or is in possession of or under the influence of alcohol, controlled substances, or drugs which could cause impairment, and allows the employee to work.
- Has actual knowledge or reasonable suspicion that an employee is using alcohol or has an alcohol concentration of .02 or higher while at work, and permits the employee to work.
- Fails to investigate and report a good faith report of impairment on the job and permits the employee to continue to work.
- Permits an employee to work after he or she refuses to post-accident, (random for employees required having a Commercial Driver's License), reasonable suspicion, for cause, follow-up alcohol, drug, or controlled substance testing, to work.
- Has actual knowledge or reasonable suspicion that an employee has used, and is impaired by an illegal controlled substance, drug, alcohol, or non-prescribed medication and permits the employee to work.
- Has actual knowledge or reasonable suspicion that an employee has tested positive for illegal controlled substances and permits the employee to work.
- Has actual knowledge or reasonable suspicion of any of the situations listed above and does not report such information to management immediately.

I. Consequences of Prohibited Conduct

Except for employees who self-identify as outlined in this procedure:

1. Employees testing positive for controlled substances, including recreational marijuana, will immediately be removed from their position and will be recommended for dismissal.
2. Employees testing positive for marijuana metabolites will:
 - Employees in safety-sensitive positions will be immediately removed from their position and

be recommended for dismissal.

- For employees in non-safety-sensitive positions, medical marijuana cardholders who are recognized by the State of Arizona must provide Human Resources a copy of the medical card documentation. The employee will be sent home on administrative leave with pay for a minimum of twenty-four (24) hours and must retest prior to returning to duty.
3. Employees testing positive for alcohol greater than 0.02 percent up to, but not including, 0.04 percent will be subject to the following:
 - The employee will be sent home on administrative leave with pay for a minimum of twenty-four (24) hours and must retest prior to returning to duty.
 - Upon retest, a breath alcohol test measuring greater than .02 percent will result in a recommendation that the employee be dismissed.
 4. Employees testing 0.04 percent or greater at any time they are subject to this procedure will be recommended for dismissal.

J. Record Keeping and Confidentiality

To provide oversight of the Town's Alcohol and Controlled Substance Use and Testing programs and to protect employee confidentiality, the Town will maintain in a secure location with controlled access for certain records concerning its alcohol and control substance use prevention program (including employees who have disclosed medical marijuana cardholder status) in the Human Resources Department. Such records will be maintained in the employee's medical file (and/or CDL file, if applicable), separate from other employment-related documents. It is the policy of the Town to treat this information with strict confidence so that disclosure of information to unauthorized persons does not occur. Employee information shall only be released as required by law or as expressly authorized in the following instances:

1. An employee shall have access to any of their alcohol and controlled substance testing records upon written request to the Human Resources Director.
2. The Town must allow any authorized governmental agency access to all facilities and all records.
3. When requested, the Town shall disclose post-accident testing information to the Department of Transportation and Federal Motor Carrier Safety Administration (FMCSA), as part of an accident investigation.
4. For employees who possess a Commercial Driver's License, the Town shall make records available to a subsequent employer upon receipt of a written request from the employee.
5. The Town may disclose information to the appropriate party in a lawsuit, grievance, or other proceeding initiated by or on behalf of the employee. This may include workers' compensation, unemployment compensation, or other proceedings relating to benefit sought by the employee or a third party. The request will be processed through the Town of Queen Creek's legal department.
6. Other identified means, if appropriate, and requested in writing by the employee.

K. Additional Requirements for Employees Required to Possess a Commercial Driver's License

In addition to the preceding requirements, the following procedure applies to all employees and applicants of the Town of Queen Creek regulated by the Federal Motor Carrier Safety Administration (FMCSA) 49 CFR § 382 and DOT 49 CFR § 40 with duties or activities that involve the requirement of a Commercial Driver's License (CDL), herein referred to as safety-sensitive. The actual job duties of employees have been analyzed to determine whether persons perform, or may be called upon to perform safety-sensitive duties.

Participation in the Town of Queen Creek's Alcohol and Controlled Substance Testing/FMCSA Program is a requirement of each of these safety-sensitive employees and is a condition of employment and continued employment with the Town of Queen Creek. This includes any employee and/or supervisor if they utilize their CDL at least once per year, or may perform safety sensitive functions in the future.

Each employee regulated by the FMCSA will be required to sign a confirmation of receipt form that acknowledges that the employee received a copy of this policy. It is the responsibility of the employee to read, understand, and comply with this policy. Employees are encouraged to ask questions if there is any part that is unclear. Failure to read or understand will not relieve the employee of the responsibility to abide by it.

Job candidates who held CDL positions with previous employers are required to sign a release form that allows the Town to obtain alcohol and drug test results and information from all previous employers for the past two years. This includes job applicants that have failed or refused a Department of Transportation Alcohol and Controlled Substance pre-employment test within the past two years from an employer who did not hire the applicant.

1. Training

Covered CDL employees will be provided with at least sixty (60) minutes of initial awareness training on Alcohol and Controlled Substances and educational materials explaining the requirement of their positions. The training will emphasize the effects and consequences of prohibited drug use and alcohol and prescription medication misuse, personal health, safety, the work environment, and on the signs and symptoms which may indicate a substance issue. The materials shall include but are not limited to:

- The name and phone number of a Human Resources representative who is designated to answer employee questions.
- The categories of employees who are subject to this policy.
- Information about the safety-sensitive functions performed by these employees to make clear what period of the workday the covered employee is subject to testing.
- Overview of the Prohibited Conduct and Consequences of Prohibited Conduct.
- The types of testing employees are subject to.
- The procedures that will be used to test for the presence of drugs and/or alcohol.
- The testing procedures.
- Definition of what constitutes a refusal to test.
- Effects of Alcohol and/or Controlled Substance use on an individual's health, work and personal life; signs and symptoms of an alcohol and/or drug problem; and, available methods of intervention and rehabilitation.

Refresher training of sixty (60) minutes for Alcohol and Controlled Substance Awareness is recommended each year.

In addition, employees designated to supervise employees subject to FMCSA requirements are recommended to receive annual training of at least an additional 60 minutes of training on controlled substances use. The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substance.

L. Employee Assistance Program

The Town maintains an Employee Assistance Program (EAP). The EAP offers confidential counseling, assessment, and other professional services in an effort to aid the employee who has substance abuse issues or related problems.

Employees needing assistance in dealing with substance abuse problems are encouraged to voluntarily use the Town's EAP and/or health insurance plan for counseling and treatment. Absences for voluntary treatment may qualify for sick leave or FMLA leave for eligible employees.

ADMINISTRATIVE PROCEDURE

Subject: Medical Inquiries

Revision Date: 1/5/2024

Policy Number: 1030

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

In certain situations, the Town may have a need to determine the physical or mental fitness of an employee to perform the essential functions of their job without endangering themselves or others. The process for conducting these independent medical examinations, including the circumstances under which they would be conducted, will be outlined in this administrative procedure.

Policy Communication

The procedure establishing the Town’s support for a medical inquiries can be found in Policy #1000.

Procedures

A. Circumstances Leading to a Medical Evaluation

The Department Director, with the approval of the Human Resources Director, may request an employee submit to a medical evaluation under the following circumstances:

1. When the employee presents medical documentation that limits their ability to perform the essential functions of the job.
2. When the employee refuses to seek medical attention to treat conditions that affect their ability to perform the essential functions of the job.
3. When an employee returns to work after being on medical leave.
4. When an employee is injured on the job and the Town desires a second opinion on the employee’s medical condition.

B. Steps to be Taken to Initiate a Medical Evaluation

1. When a Department Director is aware of a situation where the medical condition of the employee limits or restricts the employee’s ability to perform the essential functions of the job, the Department Director should contact the Human Resources Director for assistance.

2. The Human Resources Director will coordinate an appointment for the employee and ensure the employee has the necessary information to attend the appointment. The Town will pay the cost of the medical evaluation.
3. Results of the medical evaluation will be given to the employee and a copy sent to the Human Resources Director, or designee, with any job-related restrictions or limitations conveyed to the Human Resources Director and a copy of the restrictions given to the employee.
4. The Human Resources Director will share with the Department Director any confirmed medical restrictions.
5. If there are restrictions, a determination will be made by the Department Director and Human Resources Director to see if reasonable accommodations under the American with Disabilities Act can be made and if the employee can perform the essential functions of their positions.
6. If an employee is not capable of performing the essential functions of their position with or without reasonable accommodation, they will be given the opportunity to transfer to any open position they are qualified and for which they can perform the essential functions with or without reasonable accommodation. If no position is available, the Department Director, in conjunction with Human Resources, will initiate a letter to the employee the Town's intent for the employee's dismissal.

C. Confidentiality

Results of any Town-ordered medical evaluation are strictly confidential and are to be shared only with the Human Resources Director, or designee, and individuals with a compelling need to have such information as outlined in the Health Insurance Portability and Accountability Act (HIPAA).

D. Employee Rights

Upon receipt of the results of the medical evaluation, the employer or employee has the right to dispute the results and restrictions and request a second opinion. The Town will pay the cost of the second opinion and the medical doctor issuing the second opinion will be chosen by the Town. If the employee or the Town disputes the results of the second opinion, either party may request a third and final opinion. The final opinion will be paid by the employee and will be issued by a medical doctor that is mutually agreed upon by both parties. The third opinion will be binding. The results of the third examination shall guide personnel decisions affecting the employee and shall be kept confidential and only shared with others on a need to know basis.

ADMINISTRATIVE PROCEDURE

Subject: Tobacco Use

Revision Date: 1/5/2024

Policy Number: 1040

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

This procedure is provided in recognition of the Town’s duties under the Health and Safety at Work Act of 1974 and the Smoke Free Arizona Act (ARS 36.601.01) to take all reasonable steps to provide a healthy working environment for all its employees, customers, and visitors.

Policy Communication

The procedure establishing the Town’s support for Tobacco Use can be found in Policy #1000.

Procedure

The Town does not encourage the use of cigarettes or other tobacco products by Town employees as per Resolution No. 53-92. Employees who choose to use such substances during working hours should do so in designated areas only. Smoking is prohibited within all enclosed Town work areas and public spaces including conference areas, restrooms, stairwells, hallways, work stations and break rooms. The success of this procedure depends upon the thoughtfulness, consideration and cooperation of smokers and nonsmokers. All employees share in the responsibility for adhering to and enforcing this procedure.

A. Prohibited Areas

Smoking (traditional or e-cigarettes) is also prohibited in the external locations which are covered by existing statutory provision:

- 20 feet of any door and within any Town vehicle.
- On the balcony of buildings.
- Either in or adjacent to paint, chemical or solvent stores.
- Storage areas or areas housing flammable industrial gases or in the immediate vicinity of such areas.
- Either in or adjacent to battery rooms or location where batteries are charged.
- Any other area as required by OSHA Safety Standards where there is a flammable hazard or risk of ill health.

The decision to provide or not provide designates smoking areas outside the building where smoke does not filter into the doorways, windows, or air intake systems will be at the discretion of management or other decision-making body.

Supervisors will discuss the issue of smoking breaks with their staff. Together they will develop

effective solutions that do not interfere with the productivity of the staff.

B. Signage

Prominent “No Smoking” signs or “Open Flames within Fifty Feet” are posted at visible prohibited areas such as:

- All building entrances;
- In and around all flammable storage areas and fuel dispensing facilities;
- Work areas in which flammable materials such as paints, lacquers, gas, oil compressed gasses/oxygen, acids or other volatile chemicals are used.

C. Designated Smoking Areas:

NE side door of the Municipal Services Building (MSB)

- SW corner area of MSB
- West side of MSB near parking lot
- North side of Town Hall at back door to council chambers
- East side of Town Hall near large building sign only during meetings and for visitors
- South side of Town hall near hitching rail

D. Enforcement

It is the responsibility of each employee to comply and to duly notify his or her visitors of the provisions to ensure compliance of this procedure.

ADMINISTRATIVE PROCEDURE

Subject: Workers' Compensation

Revision Date: 1/5/2024

Procedure Number: 1050

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this procedure is to describe the protections afforded to employees under the State Workers' Compensation Act. Work-related injuries should be avoided at all costs. However, when an employee is injured on the job or becomes ill as a result of a job-related condition, they are entitled to medical treatment and compensation for qualifying time lost, under the Act. Employees and supervisors should be familiar with the steps outlined in this procedure to ensure compliance with the State regulations.

Policy Communication

The procedure establishing the Town's support for Workers' Compensation can be found in Policy #1000.

Procedures

A. Provisions

Workers' Compensation shall be provided to Town employees for injuries sustained or illness contracted while in the official performance of job assignments with the Town. When light duty is not permitted by the treating physician, the employee will receive the workers' compensation payment directly from the workers' compensation carrier, for as long as the payments are authorized or until light duty is authorized. Employees are not allowed to work at secondary employment while on injury leave or light duty.

During the first ninety-(90) days, if the treating physician has not released the employee to "Light Duty", the employee will be able to use any accrued leave, including sick leave, or vacation leave to supplement the Workers' Compensation provided income.

B. Notification Requirement

During the period of time an employee is on Workers' Compensation and the employee receives his/her regular salary or portion thereof, he/she is required to report to the designated Risk Manager or designee and Department Director or designee of the Department, at least once a week regarding the status of the injury or illness. Failure to comply with this notification requirement may result in termination of Town wages under Administrative Procedure #660 letter E, Injury Leave.

C. Procedures to follow if there is a Work-Related Injury other than First Aid

1. Employees must report the injury to their supervisor immediately. The supervisor will immediately notify the Department Director or designee and the Risk Manager. The supervisor shall direct the employee to obtain the appropriate medical treatment. Supervisors shall complete the Supervisor's report of Industrial Injury form and forward it to the Risk Manager within 24 hours of the injury. Nothing in this procedure should be construed as to require the delay of necessary medical attention for the injured person.
2. All employees who are injured and require medical treatment will be required to do a post-accident drug and alcohol test at the Town's chosen Workers' Compensation medical provider. The process is defined under Procedure #1020.
3. The employee may refuse treatment. The refusal shall be in writing to the Risk Manager.
4. The Risk Manager will complete the Employer's Report of Industrial Injury immediately upon receipt of the Supervisor's Report of Industrial Injury (form 1060).

If treatment is required:

- a. The Employer's Report is to be submitted to the workers' compensation provider no later than three (3) business days after the injury.
 - b. The Employer's Report is then forwarded to the Industrial Commission of Arizona by the Risk Manager.
5. The industrial injury medical provider will advise the Risk Manager if recuperation is required or if medical restrictions apply. The industrial injury medical provider will also give a probable date of return to work or a list of light duty restrictions. The Risk Manager will inform the employee's immediate supervisor and Department Director as to the employee's work status.
 6. An employee may be required to obtain a second opinion from a physician on the condition of the injury (see Procedure #1030-Medical Inquiries.)
 7. As required by law, the Town will post the injury time lost (OSHA 300A Summary), each February and March. All employees will have access to the Town's time lost and injury statistics.

D. Leave Accounting

Time off for industrial leave will also count towards the employee's eligible Family and Medical Leave Act (FMLA) leave. FMLA leave runs concurrent with industrial leave time (see Procedure #650).

E. Refusal of Light Duty

The employee may refuse light duty. If the employee chooses to refuse light duty, no Workers' Compensation or injury leave from the Town will be paid until the employee agrees to take a light duty assignment. Leave donations will not be authorized under this circumstance.

F. Doctor's Release

The Town will require that the treating physician provide a final release. Upon final evaluation, if the release is other than for full duty, we will request that the treating physician provide documentation as to whether the employee can perform the essential functions of the position with or without accommodation.

G. Sick Leave in Relation to Workers' Compensation

Employees are insured by the Town under the Arizona Workers' Compensation statutes, against injuries and illnesses occurring in the course of Town employment. The law provides for payment of medical expenses for qualifying conditions, and, under certain circumstances, compensation for loss of income. It is mandatory that every job-related injury or illness, regardless of severity, must be reported immediately to the supervisor and a written report prepared and submitted to the Risk Manager.

During those periods when workers' compensation is not provided, pay, if any, must be charged to the employee's accrued sick leave or vacation leave if all sick leave has been exhausted.

An employee receiving temporary disability payments under the Workers' Compensation laws may use accumulated sick leave in order to maintain his or her regular income. However, all employees receiving full salary in lieu of temporary disability payments shall remit any funds received under Workers' Compensation to the Town. Employees receiving Workers' Compensation and not supplementing their income with sick leave shall not accrue sick or vacation leave or receive pay for holidays for any pay period they do not actually perform their duties. The employee's accumulated sick leave shall be used until it is exhausted. Vacation leave may then be used until it is exhausted.

A certification from a licensed physician or practitioner allowing an individual to return to work is required for any absence, due to illness or injury, when it is determined by the Department Director or Human Resources that one is necessary to establish that an employee is safe to perform his or her essential job duties. The Town will work with disabled employees as necessary, consistent with the Americans with Disabilities Act, to find reasonable accommodations that are needed to allow the employee to perform essential job functions.

ADMINISTRATIVE PROCEDURE

Subject: Accident and Loss Reporting

Revision Date: 1/5/2024

Procedure Number: 1060

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2010

Purpose

While employees should work in the safest manner possible, work-related accidents may occur. When an accident occurs, the employee and the immediate supervisor must appropriately report the incident and take the prescribed action. The purpose of this procedure is to describe the appropriate steps to be taken in the event of a motor vehicle accident, an accident resulting in property damage, or if there is injury as the result of an accident. In addition, this procedure will establish a process for employees to notify the Town of any potential hazards.

Policy Communication

The policy establishing the Town’s support for a safe work environment can be found in Policy #1000.

Procedures

A. Reporting Motor Vehicle Accidents

These procedures are to be followed after the appropriate medical treatment has been rendered. The employee’s immediate supervisor must make every attempt to meet the required timelines as established by Town policy.

All employees who are involved in a vehicle accident or incident or injury, shall notify their immediate supervisor as soon as practical. The supervisor must notify their department director and the Human Resources Director as soon as practical.

Accidents and incidents involving Town-owned vehicles, which occur within the Town limits, shall be investigated by the Police Department at the time of their occurrence. An employee involved in an accident/incident must fill out an Incident and/or Accident Report form (Form 1060). The completed Incident and/or Accident Report Form should be forwarded to the immediate supervisor within twelve (12) hours of the incident. The immediate supervisor will forward the completed Incident and/or Accident Report Form along with any supporting documentation, through the appropriate chain of command to the designated Risk Manager within twenty-four (24) hours of the injury/accident/incident. Employees shall not conduct the investigation of an occurrence in which they are personally involved. Each Town vehicle **is equipped with an Accident Reporting Flow Chart in the glove box** of the vehicle. It is the responsibility of the driver to follow these instructions and complete the Accident Report Form.

Drug, alcohol, and controlled substance testing may be required for an employee that is injured and/or involved in an accident. To determine whether an employee should be required to submit to a drug

and/or alcohol test, please see Procedure #1020.

For vehicle accidents occurring outside Queen Creek Town Limits, the appropriate jurisdiction should respond to the accident and take an official report. The employee must request a copy of the report and forward it through the Chain of Command to the Risk Manager immediately upon receipt.

For out-of-area or out-of-state injuries and/or accidents, the employee must report to a local medical facility (by a means other than themselves) for any immediate medical care. The medical facility should also be informed that a workers' compensation claim will be filed with the Arizona Municipal Risk and Retention Pool (AMRRP). The provider may contact AMRRP, the Risk Manager or Human Resources Director with any questions.

B. Reporting Property Damage, Loss, or Theft

All personnel are accountable for equipment used to perform assigned duties. Care of equipment entails proper maintenance and security. When equipment is damaged, lost, or stolen, documentation is required for claims processing and notification.

The employee discovering the damage, loss, or theft of equipment shall immediately report the incident to their immediate supervisor and the Police Department, if applicable. The completed Incident and/or Accident Report Form (Form 1060) should be forwarded to the immediate supervisor within twelve (12) hours of the incident. The immediate Supervisor will forward the completed Incident and/or Accident Report form with any supporting documentation to the Risk Manager within twenty-four (24) hours of the accident/incident. Employees shall not conduct the investigation of an occurrence in which they are personally involved.

Questions concerning the replacement of lost or stolen property or the repair or replacement of damaged property should be directed to the appropriate Department Director.

C. Reporting On-the-Job Injuries

On-the-job injuries should be reported according to Administrative Procedure #1050 Workers' Compensation.

D. Reporting Potential Safety Hazards

Employees who are aware of potential safety hazards in the workplace are expected to report the hazard immediately, either verbally or in writing, to their immediate supervisor. The supervisor should act to correct the hazard and report it to the Department Director. The Department Director is responsible for ensuring that resources are in place to correct potential safety hazards as soon as possible.

E. Legal Claims Against the Town

Persons wishing to file an official claim against the Town will need to fill out a Notice of Claim Form. Forms can be obtained from the designated Risk Manager or Town Clerk. The "Notice of Claim" must be filed with the Town Clerk. It is important that all employees refrain from discussion with persons

wishing to file a claim. The Town's insurance management firm, Southwest Risk Services, will administer and handle all claims and correspondence on behalf of the Town.

ADMINISTRATIVE PROCEDURE

Subject: Light Duty

Revision Date: 1/5/2024

Procedure Number: 1070

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2010

Purpose

Employees are the Town’s most valued asset. The Town recognizes that employees strive to be diligent in exercising safe work habits but that an on-the-job accident could occur. To protect employees and their income in the event of an on-the-job accident, the Town will make every attempt to provide temporary early return to work opportunities, based on the physician’s recommendations. Light Duty pay will be at the same rate of pay as the time before the employee’s work-related injury.

The purpose of this procedure is to require the practice of light duty arrangements to encourage the prompt and safe return of the Town’s injured employees to some form of employment. Injuries or illness on the job are eligible for light duty. Injuries or illness not work related may be eligible for light duty as determined by the Department Director or designee and the Risk Manager. The light duty assignment is not intended to exceed six (6) calendar months in duration commencing on the date of the injury or first diagnosis of an illness requiring light duty. Additional time requires Town Manager approval.

Policy Communication

The policy for establishing the Town’s support for Light Duty can be found in Policy #1000.

Procedures

Employees recovering from a work-related injury or illness, who cannot return to full-time full duty status, are eligible, if released with restrictions by their treating physician, for light duty.

The light duty program is designed to permit employees with temporary medical restrictions to return to work at their regular hourly pay for a temporary period of time, which may require a change in duties to less strenuous tasks or some other change of the employee’s normal work duties.

For a work-related injury or illness, when the treating physician has determined that the employee is eligible for light duty, the employee shall report to the Department Director or designee on the next scheduled workday. When reporting, the employee shall present a release to work, with the physical limitations and any medical recommendations, signed by the treating physician, nurse, or physician assistant working at the direction of the physician. The Department Director or designee will consult with Risk Manager and will attempt to assign the employee to temporary light duty based on the physical limitations and medical recommendations. This temporary light duty is not limited to the employee’s department. The employee may be assigned to other departments within the Town if no light duty is available within the employee’s department.

Town of Queen Creek Administrative Policies and Procedures Manual

If an employee chooses to refuse light duty, no Workers' Compensation wages from the insurance carrier or injury leave from the Town will be paid. The employee may use sick time or vacation time if approved by the Department Director or designee and the Human Resources Director in the event of a refusal of the light duty offer (donated hours from other employees may not be used).

For a non-work-related injury or illness, if the employee wishes to be considered for light duty, they must report to the Department Director or designee and present a release to work with the physical limitations and medical recommendations, signed by the treating physician, nurse, or medical assistant working at the direction of the physician. After review by the Department Director and Risk Manager, the department may assign the employee to temporary light duty within the employee's department, based on the physical limitations, medical recommendation, and availability of light duty work. If, in the sole determination of the department, light duty is not available within the department where the employee works, the employee will be required to use sick leave, other accumulated leave, or leave without pay (donated hours from other employees may be used in accordance with Town policy and procedures).

ADMINISTRATIVE PROCEDURE			
Subject:	Visitors in the Workplace		
Revision Date:	1/5/2024	Procedure Number:	1080
Authorized Approval:	Gardner/Coffman	Effective Date:	4/1/2010

Purpose

The Town recognizes that allowing visitors in the workplace can be beneficial to the employees, their family and friends, and the organization. While the Town allows visitors on the Town premises, this procedure is provided in recognition of the Town’s duties to meet the needs of employee visitors while taking all reasonable steps that are compatible with our goal of a safe workplace.

Policy Communication

The procedure establishing the Town’s support for a safe work environment can be found in Policy #1000.

Procedure

The Town workplace is a diverse environment of a variety of offices, workshops, public safety buildings, and warehouse style spaces where many different activities are performed. Visitors to the workplace are generally welcome, and in some settings even encouraged. However, appropriate precautions and limitations on visitation are necessary to protect health and safety, and to maintain productivity and regulatory compliance.

Hazardous Workplaces

There are many workplaces where hazardous materials or equipment are located or where hazardous operations are conducted. These include computer rooms, shops, custodial closets, chemical storage, and material storage. It is, therefore, necessary to restrict access to these areas for visitors, especially minors. For the purpose of this policy, hazardous areas are defined as any Town operation or space where any of the following are present:

- chemicals or radioactive materials in use or storage,
- computer data rooms,
- biological or infectious hazards,
- construction or renovation activities,
- utility equipment spaces, tunnels, rooftops, mechanical rooms, heavy machinery, cranes, high noise levels, electrical hazards, or
- other areas deemed hazardous by the department.

Visiting adults who are not employees (visiting contractors, etc.) who work for two weeks or more in hazardous areas must receive safety training equivalent to that required for employees in the same environment. Documentation of training received from other employers or institutions may be accepted

if approved by the Risk Manager. The host department is responsible for providing all visitors with specific safety instructions for local conditions and procedures, and for providing all necessary personal protective equipment. All safety training must be properly documented by the host department and kept on file in that department.

Visiting adults who are not employees (visiting contractors, etc.) who visit or work for two weeks or less in hazardous areas must, at a minimum, have local safety measures and emergency procedures explained to them, and must be provided with personal protective equipment appropriate to the environment being visited. Short-term visitors must be escorted and/or supervised by the host department at all times during their visit.

Children

In general, the workplace is not an appropriate place for minor children on a frequent or continuing basis, as children in the workplace create an atmosphere that may not be conducive to achievement of the unit's specific goals and objectives.

Special occasions that are employer-sanctioned and at which attendance by children is encouraged, should be coordinated with and approved by the department. The employee's schedule for that day should take the child's presence into consideration to eliminate potential hazards.

Children may be brought to workplaces by parent employees for brief visits or other times when common sense would dictate that it is more efficient for the employee to bring the child into an office (following or before a physician's appointment, for example). The parent employee must supervise the child(ren) on such visits. It is generally not appropriate for children of any age to be in the workplace on a regular basis, such as after school each school day or on regularly scheduled school holidays.

The Town recognizes that, occasionally, situations may arise that leave an employee with no acceptable alternative but to bring his or her child(ren) to work. In the event of an emergency, or if there are no other alternatives, employees who are parents may have children present in the workplace provided the parent secures prior departmental approval. Departments may implement an internal departmental policy allowing short-term visits by employees' children or may request employees to seek approval at the time of the visit. Such arrangements may be granted only in circumstances where safety issues (such as stairs and stairwells, automatically closing doors, open windows, office machines, etc.) have been satisfactorily addressed. This exception is not applicable to hazardous areas. Parent employees may not leave such child(ren) in the custody of another Town employee, even for brief periods of time.

Minor children are not permitted as regular visitors in any hazardous area as defined above. Short-term visits may be authorized for approved guided tours or other reasons if appropriate precautionary measures are taken, and hazards have been fully controlled or removed during the visit. Direct adult supervision of children is required at all times. Department heads may require additional safety measures prior to such visits, and may wish to require written parental consent authorizing the site visit.

Office and work space is not designed with the safety of children in mind. There are safety hazards and possible Town and supervisory liability in the event of accident or injury. Although the town-at-large strives to be a family friendly environment, it must be recognized that it is not appropriate to bring children to work as a substitute for making arrangements for regular child care while at work. Such a

practice is not permitted by town insurance policies.

The Town staff is encouraged to remain sensitive to the needs of working parents. Supervisors and managers are asked to attempt to accommodate working parents who have special needs as a result of family obligations. The Family and Medical Leave Act is an example of an appropriate approach to family issues.

Vehicles

As a general rule, all occupants of Town vehicles must have an official purpose to ride in the vehicle. This may typically include employees, students, volunteers or adult participants in an official Town program or activity that uses the vehicle. As a general policy employee's children are not to be transported by Town vehicles and are not allowed at any time to go to construction projects.

ADMINISTRATIVE PROCEDURE

Subject: Infants at Work

Revision Date: 1/5/2024

Procedure Number: 1085

Authorized Approval: Gardner/Coffman

Effective Date: 10/1/2019

Purpose

To provide mothers and fathers opportunities to bring infants at work in a productive and safe manner. While this program is not to replace day care and/or other options for the employee in care of the infant, the program is an opportunity to allow additional bonding for the infant’s development and the employee’s well-being.

Definition

Infant: New born through six months.

Eligible Employees: Any full-time and/or part-time employee that is a legal mother or father to the infant.

Procedure

Eligible employees may bring their infant to work for up to six months, as long as the area is safe for an infant, and the presence of the infant is not disruptive to the area assigned. This program can be utilized on a full-time schedule, or a part-time schedule, and can utilize available Family Medical Leave Act (FMLA) hours as appropriate.

In order to be eligible for this program the employee must:

1. Discuss with his/her supervisor, prior to delivery, to see if this would work in their area and with their job duties.
2. If it does, the employee must complete the Infant at Work Approval form and have his/her supervisor and Director sign it, then forward it to Human Resources.
3. The Human Resources will schedule a meeting with the employee and supervisor, prior to the infant start date, to discuss the program and Employee Plan.

Prior to approval, an employee and supervisor shall consider the following:

1. The employee is responsible for the safety of the infant and will remain with the infant at all times.
2. The employee may not ask co-workers to watch the infant for them.
3. The employee will not transport the infant in a Town of Queen Creek vehicle.
4. The employee cannot bring the infant to work when the infant is sick.
5. The employee will maintain acceptable work performance and ensure that the infant does not create office disturbances.
6. A mother who is breastfeeding her infant may use one of the designated Wellness Rooms/Lactation areas identified by the Town.
7. When changing an infant’s diaper, the employee must use a changing station in a restroom or designated area. Diapers will be sealed in a plastic bag and disposed of in a restroom trash bin.
8. The employee will provide all supplies and equipment needed to care for the infant and will ensure that the work area is kept in a clean and sanitary condition.

Restrictions

Not all work environments are appropriate for this type of arrangement. For example, some areas of Public Works and Public Safety may not be suitable. In certain conditions and without impacting productivity, alternate assignments could be made while the infant is at work. If an alternate assignment is to be provided, the supervisor will consult with Human Resources for further guidance. Human Resources will help evaluate any situation to try to support the program.

Revocation of the employee's rights under this program is at the sole discretion of the supervisor, department director and/or the Town. For example, if bringing the infant causes disruption, safety concerns, performance concerns, or a similar issue(s), the approval may be revoked immediately.

Associated Forms:

Infant at Work Approval Form

ADMINISTRATIVE PROCEDURE

Subject: Infectious Disease Outbreak (Pandemic) Response

Revision Date: 1/5/2024

Procedure Number: 1090

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2010

Purpose

The Town of Queen Creek will take proactive steps to protect employees and the workplace in the event of an infectious disease outbreak. The Town’s goal is to limit exposure and health risks to its employees during a pandemic while continuing to provide essential services to the Town’s citizens.

Under the direction of the Town Manager and Fire Chief, an Emergency Operations Center (EOC)/Department Operations Center (DOC) will be designated to monitor and coordinate events around an infectious disease outbreak, as well as create work rules to promote safety through infection control. The Town of Queen Creek is committed to providing authoritative information about the nature and spread of infectious diseases, including symptoms and signs to watch for, posters, as well as required steps to be taken in the event of an illness or outbreak.

It is impossible to fully anticipate circumstances that may occur in the event of a pandemic. In such event, the Town Manager has broad discretion in taking steps deemed appropriate under the circumstances. Set forth below are general guidelines that may be followed, or as needed, altered, in the event of a pandemic.

Definition

According to the World Health Organization (WHO), a pandemic can start when three conditions have been met:

- Emergence of a disease new to a population.
- Agents infect humans, causing serious illness.
- Agents spread easily and sustainably among humans.

A disease or condition is not a pandemic merely because it is widespread or kills many people; it must also be infectious.

Policy Communication

The policy for establishing the Town’s support for a safe work environment can be found Policy #1000.

Procedures

A flu pandemic or other infectious disease may have a personnel policy impact on any or all of the following:

- Cancellation of scheduled vacations/required use of paid sick leave or accrued vacations;
- Requirement of overtime;

- Shut-down/closure of non-essential operations;
- Re-assignment of staff to a different department, division, or section;
- Additional use of part-time/contract staff.

A. Business Continuity and Essential Functions

The Town Manager has the discretion to require employees to work outside their job description as deemed appropriate under the circumstances. The Town Manager may require workgroups to cross-train and redeploy across departments, divisions, or sections in order to ensure essential functions are completed. In some cases, contractors or part-time employees will be hired on a temporary basis to fulfill essential service requirements. In these instances, provisions will be made to allow for temporary access to Town resources (door badges, access to shared physical and digital files, etc.) as necessary.

B. Prevention and Hygiene Practices

At all times employees are encouraged to engage in good hygiene practices while at work, especially hand washing with soap and water or, if water is not available, using alcohol-based disposable hand wipes or gel sanitizers. Employees are also encouraged to participate in any annual influenza shot program for employees.

In the event of a pandemic, screening of employees by qualified healthcare personnel for any symptoms of viruses may be required prior to the beginning of the work shift. Any employee refusing to be screened will be sent home.

Physical distancing may be required to decrease possible pandemic exposure. This may include limiting/eliminating public events and face to face meetings. Other forms of communication mediums will be used to reduce face to face meetings, including telecommunications, cell phones, email, remote access, mobile offices and use of radio. As needed, Information Technology will install software only on Town-owned computers for remote use and assist with forwarding of office telephones to Town cell phones or external telephone numbers.

Employees will be encouraged to use only their assigned phone and/or work station.

Antimicrobial wipes will be available to clean contact surfaces like countertops, door handles, phones, etc.

Personal protective equipment including gloves and surgical masks will be purchased and stored to provide protective equipment for personnel. The EOC/DOC will evaluate additional access to and availability of healthcare services for employees during a pandemic, as needed.

The EOC/DOC will evaluate additional access to and availability of healthcare services for employees during a pandemic, as needed.

C. Vaccinations and Masks

As per Town Council Resolution #1540-23, to implementing any mask or vaccine mandates for Town employees taking into consideration employees may make their own decisions regarding vaccines and

wearing of masks, as those are personal decisions that may not require government mandates. Employees of the Town will not be compelled to wear mask or be vaccinated to keep their jobs.

D. Communications

The Town will provide timely and accurate communications to employees during a pandemic through the EOC/DOC. The EOC/DOC will establish procedure for timely, coordinated, and approved dissemination of information regarding Town operations and status. Human Resources will ensure employees that remain off-site due to their own or family illnesses are also updated. Employees are encouraged to contact the Town Employee Assistance Program (EAP), if necessary.

The EOC/DOC will determine the timing and manner of notice at the end of the pandemic emergency.

ADMINISTRATIVE PROCEDURE

Subject: Trip Reduction Program

Revision Date: 1/5/2024

Procedure Number: 1100

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

The Maricopa County Trip Reduction Program (TRP) began in the late 1980s as part of the State of Arizona’s response to a court ruling requiring greater efforts to reduce air pollution. One outcome of the ruling was the legislation of Travel Reduction Program state statutes focused on employers with a minimum of 50 employees.

The goal of the program is for employers to work towards employees reducing single occupant vehicle (SOV) trips and/or miles traveled to the work site by 10 percent for a total of five years, and then 5 percent for three additional years, or until a 60 percent rate of SOV travel is reached. Progress is tracked through an annual commute survey of employers. The results of the survey are used to develop an annual plan that commits the employer to implementing and documenting various strategies to reduce SOV trips or miles.

The Town’s Trip Reduction Plan includes incentivized prize drawings:

- quarterly for newly registered alternate mode users;
- quarterly for on-going alternate mode users;
- annually for all alternate mode users;
- annually for Valley Bike Week participants;

Additional resources include a regularly updated list of employees by zip code and/or sub division to help initiate and facilitate carpooling; a carpool incentive for qualified users; a guaranteed ride home in emergency situations for alternate mode users; shower facilities; and safe, covered bike racks.

ADMINISTRATIVE PROCEDURE

Subject: Glossary of Terms

Revision Date: 1/5/2024

Policy Number: 1200

Authorized Approval: Gardner/Coffman

Effective Date: 4/1/2017

Purpose

The purpose of this Section is to define the critical terms used in the Town’s policies and administrative procedures. This document should be used to clarify what is meant by the terms in these documents.

A

Administrative Leave

The non-disciplinary suspension of an employee with pay.

Alcohol

The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl and isopropyl alcohol, and any medication, food, or other alcohol-containing products.

Alcohol Use

The consumption of any beverage, mixture, preparation, or medication containing alcohol.

Allegation Memorandum

First step in the disciplinary process in which, prior to making a determination, the supervisor outlines the misconduct, violations of policies and procedures or other Town rule, and/or poor work performance allegations for the employee to respond to in writing.

Allegation Response

Second step in the disciplinary process in which the employee responds in writing to the allegation memorandum given to him/her by his/her supervisor regarding the employee’s alleged misconduct, violations of policies and procedures or other Town rule, and/or poor work performance allegations.

Anniversary Date

The anniversary date shall be the date the employee is placed in their original position and shall be used as the date to determine years of service.

If an employee leaves the employment of the Town of Queen Creek and returns within two calendar weeks of their date of separation, the Department Director may allow the employee to return with original salary, full benefits and original anniversary date, subject to continuing availability of funds and vacancy in the position.

Appointing Authority

The person or any group of persons having the authority by virtue of Town Charter, ordinances, resolutions, or policies to make appointments to specific positions in the municipal service of the Town, subject to the provision of these policies and administrative procedures. Except for the positions filled through appointment by the Town Council, the Town Manager is the appointing authority.

Appointment

The designation of a person to a position by the Town Council, or by the Town Manager, as appropriate.

ARS

Arizona Revised Statutes

Assignment

The allocation of a single position to its proper class in accordance with the duties performed and the authority and responsibilities exercised.

At-Will

An employee who is subject to termination at any time with or without cause or notice at the discretion of the Town Council, Town Manager, or Department Director with the Town Manager's approval, whichever is appropriate. At-will positions will normally consist of Department Director and above, any appointed position, any temporary and/or seasonal part-time positions, and other positions as designated by the Town Manager.

At-Will Status

The Town Council authorizes the Town Manager to enter into employment contracts/agreements with positions titled "Department Director" and above and, any other position designated by the Town Manager, to establish levels of compensation, fringe benefits, and other matters affecting their employment. Specifications provided in these employment contracts shall prevail over the provisions of the Town Policies and Administrative Procedures to the extent that there is inconsistency between the two.

B

C

Certified

Designation given to qualified applicants.

Class

A grouping of positions or jobs that share the same descriptive title and share similar duties, authority, responsibilities, and skills required to perform duties for the purpose of grouping under a common title and the application with equity of common standards of selection, transfer, promotion and salary determination.

Classification

The original assignment of the position to an appropriate class on the basis of the kind, difficulty, responsibility of work and skills required to perform duties.

Classification Plan

A plan which groups all positions in the municipal service into classes based upon their duties, authority, responsibility and skills required to perform duties.

Class Series (Job Family)

A grouping of positions in sequence of classes that are alike in kind of work but not in the level of assigned work and responsibility, starting with an entry level position and advancing upward in duties, complexity, authority, skill and responsibility. Also known as a job family. (Example: Planner and Senior Planner)

Class Specification (Job Description)

The official written general statement of the characteristics, duties, responsibilities, and qualification requirements that distinguish a specific class from other classes. The specific description depends upon exact job activities and may be developed with class specifications for recruitment, hiring and employment. Also known as a job description.

Commercial Vehicle

A motor vehicle or combination of motor vehicles used in commerce to transport passengers or property as defined by the Federal and State Departments of Transportation.

Compensation Plan

A plan which establishes a salary range for each class and includes a minimum and maximum pay rate and such intermediate pay steps as are necessary and equitable.

Compensatory Time

Time off from work for non-exempt employees in lieu of monetary payment for work performed over the standard work week. Compensatory time is accrued at a rate of one and one half hours per each hour worked. The Town allows department directors to grant up to a maximum of 40 hours of compensatory time banked. It is the Town's policy to pay overtime for all overtime worked if the employee has maximized his/her banked compensatory time.

Computer Devices

This term includes, but is not limited to

- Personal computer hardware and software, including cellular devices.
- Printers, modems monitors, and other peripheral devices.
- Electronic whiteboards and other presentation equipment.
- iPads, tablets, and other mobile devices.

Constructive Discharge

An employee feels compelled to resign due to perceived duress or intolerable working conditions.

Controlled Substance

- A drug which has been declared by federal or state law to be illegal for sale or use, but may be dispensed under a physician's prescription.
- Legalized medical marijuana is defined as a controlled substance.
- Includes the misuse of over-the-counter medication.

D

Demotion

The movement of an employee from a position currently held to another position resulting in a lower salary range. A voluntary demotion is a demotion initiated by that employee. An involuntary demotion is a demotion initiated by a Department Director or above.

Department

A major functional unit of the Town government.

Department Director

The single administrative head of each department employed for the discharge of duties provided by law or of particular delegated functions.

Discipline

Discipline is defined as actions taken to address and correct an employee's work behavior or performance. Types of discipline may include a verbal reprimand, written reprimand, suspension without pay, disciplinary demotion, pay rate reduction, or dismissal.

Dismissal

The separation of an employee from the Town service by any means other than lay-off or retirement, whether it is voluntarily or involuntarily.

Driver

Any person who operates a vehicle on a regular, intermittent, or occasional basis to conduct Town business.

Drugs

- Any substance considered unlawful under the controlled substances act (21 U.S. code sections 812) or the metabolite of the substance. A chemical substance, such as a narcotic or hallucinogen, that affects the central nervous system, causing changes in behavior and often addiction
- Can include abuse of over-the-counter medication or prescription medicine

E

Education

The formal enrollment and participation in collegiate courses for which academic credit is earned.

Electronic Mail (E-Mail)

Electronic mail refers to the internal and Internet e-mail hardware and software systems that the Town utilizes to conduct business.

Employee Break

A period of time taken by an employee during the course of a regular scheduled work day. Breaks are to be taken at a place other than the designated workstation and are governed by departmental policies and procedures.

Emergency

A sudden and unforeseen happening that requires the unscheduled service of an employee to protect the health, welfare and safety of the community.

Essential Functions of the Job

A job function may be considered essential because:

- a. The position exists to perform that function;
- b. A limited number of employees are available and therefore, that job function cannot be distributed to another employee; or
- c. The incumbent was hired for his or her expertise or ability to perform the highly specialized job function.

Under the Americans with Disabilities Act (ADA) an employee with a disability must be able to perform the essential job functions, with or without a reasonable accommodation, in order to be considered qualified for the job.

Examination

The evaluation procedure used to determine the relative knowledge, skills, abilities, training, and experience of applicants.

Exceptional Performance Award

The Town Manager has the authority to award an employee who has performed exceptionally by granting the employee a bonus and/or a day off with pay.

Exempt

An employee who is paid a salary and is not eligible for overtime compensation as determined by the Fair Labor Standards Act (FLSA). Positions are designated as exempt or non-exempt by the Town.

F

First Aid

First aid is defined by the U.S. Department of Labor Occupational Safety and Health Administration as requiring only the following types of treatment:

1. Using non-prescription medications at non-prescription strength.
2. Administering tetanus immunizations.
3. Cleaning, flushing, or soaking wounds on the skin surface.
4. Using wound coverings, such as bandages, Band-Aids, gauze pads, etc., or using SteriStrips or butterfly bandages.
5. Using hot or cold therapy.
6. Using any totally non-rigid means of support, such as elastic bandages, wraps, non-rigid means of support, such as elastic bandages, wraps, non-rigid back belts, etc.
7. Using temporary immobilization devices while transporting an accident victim (splints, slings, neck collars, or backboards).
8. Drilling a fingernail or toenail to relieve pressure, or draining fluids from blisters.
9. Using simple irrigation or cotton swab to remove foreign bodies not embedded in or adhered to

the eye.

10. Using eye patches
11. Using irrigation, tweezers, cotton swab or other simple means to remove splinters or foreign material from areas other than the eye.
12. Using finger guards.
13. Drinking fluids to relieve heat stress.

FLSA

The Fair Labor Standards Act of 1938 (and related amendments) is the federal law that sets minimum wage, overtime, and minimum age requirements for employers and employees.

Flex Day

Flex day means, in conjunction with an alternative work schedule, the day of the week or pay period in which the employee does not work (in cases of a 4/10 or 9/80 schedule) or the day the employee reduces the number of hours worked (in case of a 4/9s + one 4 hour day schedule).

Flexitime

The temporary adjustment of the employee's daily work schedule.

Full Time Status

A person who is appointed to perform the duties of a position requiring 40 hours or more a week. Positions considered under the full-time status will require the incumbent to minimally work 40 hours per week. Full-time positions may need to work more than the standard forty hours per week, depending on the job assignment (expectation of employees classified as exempt (salaried) is to work 40+ hours a week). For Benefit purposes, the Town will consider employees working 32 hours a week for eligibility as per the Affordable Care Act (ACA).

G

Good Faith Reporting

- Observed conduct, behavior, or appearance.
- Information reported by a person believed to be reliable, including a report by a person who witnessed the use or possession of drugs or drug paraphernalia at work.
- Written, electronic, or verbal statements
- Lawful video surveillance
- Records of government agencies, law enforcement agencies, or courts
- Results of a test for the use of alcohol drugs, or controlled substances

Grievance

A written complaint by an employee of the Town concerning the interpretations and application of these policies governing personnel practices or procedures, department work rules, unsafe or unhealthy working conditions, alleged discrimination or alleged improper treatment.

H

Harassment

Harassment is defined as any conduct which has the purpose or effect of unreasonably interfering with an individual’s work performance or creating any intimidating, hostile, or offensive work environment, based on that individual’s race, color, gender, national origin, religion, age, disability or any other category protected by law.

Holiday

The twenty-four (24) hour period starting at midnight and ending at 11:59 pm of the day observed. Holiday compensation is paid at the employee’s regular daily hourly rate of pay, not to exceed 10 (10) hours (11.2 hours for Fire-Sworn and Non-Sworn EMS personnel working 24-hour shifts). Any increase to the amount received by employees is based on approval of the Town Manager.

Hostile Work Environment

A hostile work environment exists when an employee is regularly exposed to offensive comments, jokes, cartoons, pictures, or any conduct that makes it difficult for the employee to perform their job. A work environment may be deemed hostile not only based on sexually-related behaviors, but on other factors as well, including race, religion, age, gender, disability, color, national origin or any other category protected by law.

I

Immediate Family

Immediate family is defined in terms of consanguinity and affinity, based on the list:

Consanguinity (Blood)	
First Degree:	Father Mother Son Daughter Brother Sister
Second Degree:	Grandfather Grandmother Grandson Granddaughter Uncle (Your mother’s or father’s brother) Aunt (Your mother’s or father’s sister) Nephew (Your brother’s or sister’s son) Niece (Your brother’s or sister’s daughter)

Town of Queen Creek Administrative Policies and Procedures Manual

Third Degree:	Great Grandfather Great Grandmother
Affinity (Marriage)	
First Degree	Wife Husband Father-in law Mother-in-law Son-in-law Daughter-in-law Brother-in-law Sister-in-law Step-Son Step- (Your spouse's brother or your sister's Daughter Step- husband) Father Step- (Your spouse's sister or your brother's wife) Mother
Second Degree:	Grandfather-in law Grandmother-in-law Uncle-in-law (Your spouse's uncle or your aunt's husband) Aunt-in-law (Your spouse's aunt or your uncle's wife) Nephew-in-law (Your spouse's nephew or your niece's Niece-in-law husband) (Your spouse's niece or your nephew's wife)

Immediate Supervisor

The person with direct administrative or supervisory responsibility.

Impairment

- Defined as actions that may decrease or lessen the employee's performance of the duties or tasks of the employee's job position and includes the following symptoms:
- Change in the employee's speech, walking, standing, or physical dexterity, agility, coordination, actions, movement, demeanor, appearance, clothing, odor, irrational or unusual behavior, negligence or carelessness in operating equipment, machinery, or production or manufacturing processes.

Improper Conduct

Improper conduct shall mean any improper actions by an employee or Town official, which tends to affect that person's ability to perform their duties efficiently and effectively, any violation of personnel policies or procedures, or any improper use of their duties for personal advantage.

Intangible Suggestion

A suggestion where savings or net revenue is inconsequential after the first year of implementation or when savings/revenue cannot be accurately quantified or verified.

Job Announcement

A public notice by the Town advertising a position to be filled by open competition, or the notice to Town employees of a position to be filled internally.

Job Description

(See Class Specification)

Job Family

(See Class Series)

K

L

Leave

An authorized absence from regularly scheduled work hours, which has been approved by the proper authority.

M

Manual

Administrative Policies and Procedures handbook.

Market Adjustment

Based upon an annual review of the market, the salary ranges and employee salaries may increase based upon economic indicators as determined by the Town Manager. Currently, the Town evaluates market adjustments based on the Department of Labor prior calendar year release of the Employment Cost Index (ECI) for State and Local Government Workers and Consumer Price Index (CPI) for Western Region.

Mediation

Mediation is a voluntary process in which a neutral person facilitates communication between disputants to assist them in reaching a mutually acceptable agreement.

Medical Evaluation

The physical or mental evaluation of an employee by a certified medical doctor paid by the Town and

completed upon the Town's request.

Medical Review Officer (MRO)

A medical review officer is the physician certified and hired to review the results of employee drug and controlled substance tests and issue a binding opinion.

Merit Increase

Merit increases for employees may be in single or multiple step increments on the same pay grade of the Compensation Plan which is granted to an employee who meets work performance expectations over a period of time (usually one year for full-time employees), and contingent upon funds being budgeted and approved by Council.

Merit Status Employment

Merited status includes all employees who have successfully completed their initial trial period and whose positions have been approved and budgeted by the Town Council and have not been included in the at-will service status.

N

Narcotics

Technically, drugs which dull the senses. A popular generic term for drugs which cannot be legally possessed, sold, or transported except for medicinal uses for which a physician or dentist's prescription is required. Among these "controlled substances" are heroin, cocaine, L.S.D., opium, methamphetamine ("speed"), angel dust, hashish, and numerous chemically-designed hallucinogenics, as well as drugs with a legitimate medical use such as morphine.

Non-Exempt

Employees who, due to the nature of their employment with the Town, are eligible for overtime compensation as defined and governed by the Fair Labor Standards Act. Positions are designated as exempt or non-exempt by the Town.

O

P

Part-time Status

A person who is appointed to perform the duties of a position regularly scheduled to work fewer than 40 hours per week.

Pay Range

The minimum to maximum pay associated with a class of positions in the Classification Plan.

Performance Evaluation

A written evaluation of an employee's work performance given at the completion of the trial employment period and given annually thereafter (exceptions apply to part-time, temporary and seasonal employees).

Performance Improvement Plan (PIP)

A development tool that may be used to correct performance deficiencies of employees, or to develop the potential of an employee.

Performance Review Date

A performance review date is the date the employee completes his/her trial employment period as a new employee. The employee's performance review date may change with a promotion, reclassification, demotion, or transfer based upon the Department Director or designee approval of a new trial employment period in conjunction with any of these changes. Once the trial employment period is completed, future performance evaluations would occur on that date.

In the case of an employee receiving a promotion or lateral transfer, the performance review process begins again at the time of promotion or lateral transfer. Upon promotion or lateral transfer, the employee may be required to serve a new trial employment period at the discretion of the Department Director. Employees receiving a promotion or lateral transfer are strongly encouraged to give a two-week notice (if applicable) for leaving their old job before assuming their new duties, in order to give time for the department to find and train a replacement.

Personnel Change

Any official action taken with reference to appointment, compensation, promotion, suspension, transfer, layoff, demotion, dismissal, or any other action effecting the status of an employee.

Pre-Dismissal Notice

A letter given to a merit-status employee to notify them that the Town intends to involuntarily dismiss the employee from Town employment.

Promotion

The movement of an employee from a position in one class to a position in another class having a higher salary range.

Q

Qualified Individual with a Disability

Under the Americans with Disabilities Act, a *qualified individual with a disability* is a person who meets the qualification standards of a job and can satisfactorily perform the essential functions with or without

reasonable accommodation, and who a) has been diagnosed with a non-temporary physical or mental disability which substantially limits one or more major life activities, b) has a known record of such impairment, or c) is regarded as having such impairment.

R

Reasonable Accommodation

A change or adjustment to a job or work environment that permits a qualified employee with a disability to satisfactorily perform the essential functions of a job, or to enjoy the same employment benefits and privileges as those enjoyed by employees without disabilities. Consistent with business necessity, a reasonable accommodation does not impose an undue hardship with the Town. Examples of undue hardship may include significant difficulty for implementation, service deterioration, expense, or a fundamental alteration in the nature of the service, program, or activity. Reasonable accommodations shall not pose a direct threat to the employee or others with whom the employee regularly comes in contact.

Reclassification

A change in an individual position by raising the position to a higher class, reducing to a lower class or by moving to another class at the same level on the basis of significant changes in the kind, difficulty, or responsibility of the work performed in such a position.

Resident

A person whose place of resident is within the Town boundaries of the Town of Queen Creek.

Resignation

A written notice filed with the Town Manager or designee indicating an employee's intention to terminate employment with the Town.

Retiree

Any employee covered by either the Public Safety or Arizona State Retirement Plan who has reached the designated age and possesses the appropriate number of years of service, and who elects to receive an annuity benefit from either plan.

S

Safety Sensitive Function

Safety-sensitive function is any position required to operate a motor vehicle; operate, repair or maintain heavy machinery, equipment or power tools; handle or work with hazardous materials; maintain public health and safety; perform duties in the residential or commercial premises of a customer; and/or responsibility for supervising juveniles in the absence of their parents.

Salary Reduction

A salary decrease within the pay range of a particular class.

Secondary Employment

Any employment that is in addition to employment with the Town of Queen Creek.

Sexual Harassment

Any unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sick Leave

An absence with pay due to personal illness or physical incapacity caused by factors over which the employee has no reasonable or immediate control or for other reasons allowed in the sick leave policy.

Social media

Types of media that includes various forms of discussion and information sharing including social networks, blogs, video sharing, podcasts, wikis, message boards, and online forums. Technologies include photo-sharing, wall-postings, e-mail, instant messaging, and music sharing for example. Examples of social media applications include, but are not limited to, Google and Yahoo groups (reference, social networking), Wikipedia (reference), Facebook (social networking), MySpace (social networking), YouTube (social networking and video sharing), Flickr (photo sharing), Twitter (social networking and microblogging), LinkedIn (business networking), and news media comment sharing/blogging.

Social networking

The practice of expanding the number of business and/or social contacts by making connections through web-based applications.

Special Pay Increase

A special pay increase granted in recognition of outstanding, exceptional and meritorious service as recommended by the Department Director and approved by the Town Manager, or designee, within the limits of a pay range established for a position.

Strike

A concerted action by an employee that disrupts or interferes with the carrying out of a Town function for the purpose of inducing, influencing, or coercing a change in the conditions, compensation, rights, privileges or obligations of employment.

Substance Abuse Professional (SAP)

A licensed physician (medical doctor or doctor of osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

Suspension

Suspension is a form of discipline consisting of relieving an employee from work with or without pay for a special period of time, depending upon the circumstances.

T

Tangible Suggestion

A suggestion that yields a net savings or net revenue after the first year of implementation.

Temporary Status

Temporary employment is limited in nature and does not normally exceed one-year of employment except under special circumstances with the approval of the Human Resources Director or Town Manager. Recruitment for temporary positions is subject to the recruitment and selection procedures (310) of this Manual.

Town

Town of Queen Creek

Transfer (Lateral)

A change of an employee from one position to another position in the same class or in a comparable class with the same pay range.

Trial Employment Period

A pre-determined period of time during which an employee is required to demonstrate ability to perform the duties of the job in a satisfactory manner. Although there is no guarantee of employment for any specific length of time, the trial employment period shall be, in the case of a full-time employee, six (6) months from the date of hire. In the case of a part-time employee, the trial employment period consists of the first 12 months worked from the anniversary date. Upon promotion or lateral transfer, the employee may be required to serve a new trial employment period at the discretion of the Department Director.

During this period employment is “at-will,” meaning that the employee or the employer may terminate the employment relationship at any time with or without notice, with or without cause and without or without procedural due process. Trial employment employees do not have access to the appeal process or other disciplinary or dismissal rights laid out in the Town’s policies or administrative procedures. Upon satisfactory completion of the trial employment period the employee becomes a merited status

employee. In order to maintain employment, regardless of status or duration, all employees must meet and maintain Town standards for job performance and behavior.

U

V

Vacancy

A Town Council authorized and budgeted position which is not occupied and for which funds are available.

Vacation

Time off with pay granted in accordance with the provisions of this policy, to the employee at the convenience of the Town in recognition of service and of the employee's need for a period of rest and recreation.

Vehicle Accident

An accident has occurred when a moving vehicle contacts another vehicle or object when a non-moving vehicle is struck by another vehicle causing physical damage and/or injury.

Verbal Reprimand

A counseling discussion between an employee and their immediate supervisor where the supervisor puts the employee on notice that their work performance, behavior, attitude, attendance, etc., needs improving.

Violence

"Violence" means the attempted, threatened or actual conduct of a person that causes or is likely to cause injury, and includes any threatening statement or behavior that gives a worker reasonable cause to believe that the worker is at risk of injury.

- Incidents of violence include *attempted* or *actual* assaults or any threatening statement or behavior towards a worker made by any person, which gives the worker reasonable cause to believe that he or she is at risk of injury.
- The regulation covers the conduct of everyone at the place of employment, including the public, customers, employers, supervisors, managers and co-workers.
- Incidents of violence may occur at the place of employment, at a worksite or in other work- related areas.

W

Workers' Compensation

Benefits received by an employee for an injury or illness which occurs during the course and scope of employment.

Work Week

For payroll purposes, the work week begins on Saturday 12:00 a.m. (midnight) and ends the following Friday at 11:59 p.m. for employees that work 40-hour work weeks.

Written Action Memorandum

Step three in the disciplinary process in which the supervisor provides official notification to an employee on whether there is sufficient cause or justification to discipline the employee due to dissatisfaction with the employee's poor work performance, due to violation of policy, procedure, other Town rule, or act of misconduct. A final action is determined after the employee has had an opportunity to respond, in writing, to the supervisor's allegation memorandum of misconduct, poor work performance, and/or violations of policies and procedures or other Town rule.

Written Reprimand

A memorandum given to an employee to notify the employee that his/her work-related behavior and/or poor performance is violating a policy, procedure, or other Town rule and that the employee is expected to change the behavior immediately.

X

Y

Z

INDEX

3

360-Degree Evaluation Considerations, 123

A

Absence Due to Emergency
 Conditions, 155
 Absence Without Authorized
 Leave, 156
 Abuse of Sick Leave, 170
 Acceptable Uses, 241
 Acceptance of Gifts, 205
 Access to Files, 98
 Accident Reporting, 330
 Acting Assignments, 5
 Additional Requirements for Employees
 Required to Possess a Commercial
 Driver’s License, 353
 Adjustments to Salary, 35
 Administration of Employee Handbook
 Policies and Administrative
 Procedures, 25
 Administrative Leave, 186, 270, 286
 Adoption and Amendment of Policy, 24
 Advance Notice Requirement, 173
 Alternative Work Schedules, 147
 Anniversary Date, 77
 Anti-Harassment Policy, 207
 Appeal Handling Steps, 288
 Appeal Process, 270
 Application for Purchasing Card Privileges,
 319
 Application Forms, 67
 Approving Time, 49
 At-Will Status Employment, 31, 33
 Authorized Cardholders, 319
 Authorized Passengers, 313

B

Background History, 110
 Background Investigations and Pre-
 Employment Drug Tests, 71
 Benefits, 64, 180

Billing and Reimbursement Procedures,
 265

Breaks, 155
 Budgeting for Job-Related Training, 131
 Business Continuity and Essential Functions, 380
 Business Meetings (Food and Beverage), 307

C

Candidate Travel Expenses, 69
 Care of Uniform Clothing, 237
 Causes for Initiating Disciplinary
 Action, 283
 Certification of Illness or Injury, 168
 Chain of Command, 204, 223
 Change of Employee Status, 167
 Circumstances Leading to a Medical
 Evaluation, 357
 Code of Ethics, 21
 Compensation, 60
 Compensation for Attending Job-Related
 Training, 130
 Compensatory Time, 48
 Computers and Energy Conservation, 253
 Conditions for Secondary Employment, 225
 Conduct Away from the Workplace, 285
 Confidential and Medical Files, 98
 Confidentiality, 206, 211, 358
 Consequences of Prohibited Conduct, 352
 Continued Benefits Coverage, 176
 Contracts, 63
 Controlled Substance, Drug and Alcohol Use and
 Testing, 328
 Credit Checks, 84
 Criminal History Record, 83

D

Damage, Loss or Theft, 266
 Dangerous/Emergency Situations, 215
 Daytrips, 300
 Definition Guidelines of Performance Ratings, 120
 Delegation of Authority, 206 Demotion, 74
 Department-specific Policies and/or
 Procedures, 26
 Designated Smoking Areas, 360

Disciplinary Grievance, Disciplinary Action and Appeal Process, 285
 Disciplinary Probation, 282
 Discipline, 266
 Discipline Policy, 269
 Dismissal, 281
 Doctor's Release, 365
 Donor, 163

E

Education, 210
 Education Incentive, 135
 Election Leave, 186
 Eligibility for Training, 127
 Emergency Phone Numbers, 341
 Employee Assistance Program, 219, 355
 Employee Assistance Program Counselors, 217
 Employee Donation Process, 165
 Employee Performance Improvement Process, 116
 Employee Performance Improvement Process (PIP), 125
 Employee Residency, 205
 Employee Responsibilities of Town Vehicles, 312
 Employee Rights, 358
 Employee Rules, 19
 Employee Suggestion Program, 45
 Employee Suggestion Review Committee, 53
 Employee Uniforms, 205
 Entry of Material into Files, 97
 Equal Employment Opportunity, 207
 Equal Opportunity Employment, 61
 Essential Functions of the Job, 113
 Etiquette/Ethics, 243
 Exempt Employees, 156

F

Family and Medical Leave, 144
 Family Sick Leave, 168
 Final Written Warning, 278
 Flex Day, 193
 Flextime, 156
~~Floating~~
 Holidays, 160

FMLA Qualifying Events, 172
 Footwear, 236
 Frequency of Evaluations, 120
 Funeral or Bereavement Leave, 185

G

General Safety Requirements, 331

H

Harassment, Discrimination, Workplace Violence and Unlawful Activity, 202
 Harassment/Sexual Harassment Complaint Procedure, 209 Hearings, 295
 Holiday Compensation, 158
 Holiday, Vacation, and Sick Pay, 193
 Holidays, 137
 Holidays Falling on Saturday or Sunday, 157
 Hours of Work/Attendance, 137

I

Immediate Family Members, 102
 Inappropriate Use, 262
 Independent Contractors, 64 Injury Leave, 186
 Insurance Requirements, 111
 Intermittent/Reduced Schedule Leave, 175 Internet Access, 257
 Intolerable Working Conditions, 212
 Investigation, 210
 Issues Not Subject to Appeal, 287

J

Jackets, 237
 Job-related Seminars, Conferences, or Workshops, 129 Joint Employment, 176
 Jury Duty Leave, 186

L

Layoff, 63

Layoff Eligibility List, Recall of
Employees on Layoff Eligibility
List, 92
Leave, 381
Leave Accounting, 364
Legal Claims Against
the Town, 369
Light Duty, 371
Lodging, 304
Logo Standards, 238
Loss Control Program, 325
Lunches and Breaks, 193

M

Maintenance and Administration of the
Compensation Plan, 35
Marriage between Employees, 102
Mayor and Council Communications, 247
Mediation Policy, 269
Mediation Process, 273
Medical Certification/Eligibility
Requirements, 175
Medical Examination, 84
Meetings and Hearings, 293
Merited Status Employment, 31
Military Leave, 179
Misuses, 211
Monitoring Cellular Telephone Services,
265

N

Notice regarding Terms and Conditions of
Employment, 88 Notification
Requirement, 363

O

Off Duty Conduct, 350
Offer of Employment, 70

Verbal Reprimand,
276 Order of
Separation, 91

Outside Employment, 170, 177
Overnight Trips, 301
Overnight Use of a Town Vehicle, 315

P

Paid Leave Categories, 145
Paid Leave Substitution, 174
Pants/Trousers, 237
Pay Periods and Pay Dates, 48
Payment of Wages, 49
Payroll Responsibilities, 50
Performance Management, 116
Performance Ratings, 121
Personal Emergency, 163
Personal Leave Without Pay, 147,189
Personal Relationships, 102
Personnel Files, 62
Pets and Animals, 377
Planned or Unscheduled Absences, 50
Political Activity, 204
Position Classification, 27
Posting of Job Announcements, 65
Preparation, Maintenance and Administration of
the Classification Plan, 27
Preservation and Retention of Records,
267
Prevention and Hygiene Practices, 380
Prior to Completion of Trial Period, 82
Privacy, 243
Procedures to follow if there is a Work-Related
Injury other than First Aid, 364
Processing Statements for Payment, 319
Procurement Rules, 255
Professional Attire at Work, 205
Prohibited Conduct, 351
Prohibited Areas, 359
Prohibited Conduct, 213
Prohibited Uses, 241
Prohibition of Coercion, 166
Prohibition of Political Activity, 227
Promotion, 47, 74
Purchasing Card, 305
Purpose and Objectives of the Employee
Handbook Policies & Administrative Procedures,
24

Q

Qualified Individual with a Disability, 113

R

Rates of Pay, 39
Reasonable Accommodation, 114
Recall/Re-employment, 75
Record Keeping and Confidentiality, 353
Recording Work Hours, 150
Recruitment and Selection Process, 62
Recruitment Process, 66
Reference, Employment and Academic Checks, 83
Refusal of Light Duty, 365
Registration, 305
Regulations to Follow When Accessing the Internet, 258
Relationship to Regular Appointment and Annual Salary Review, 123
Relocation Expenses, 317
Remote Access and Use, 249
Removal of Materials, 99
Reporting Discrimination, Harassment and/or Offensive Behavior, 209
Reporting Motor Vehicle Accidents, 338, 367
Reporting On-the-Job Injuries, 368
Reporting Potential Safety Hazards, 368
Reporting Property Damage or Loss, 339
Reporting Property Damage, Loss, or Theft, 368
Reprisals, 211
Request for Approval of Secondary Employment, 225
Requests to Recruit, 65
Requirements for Motor Vehicle Use, 84
Resignation Procedures, 87
Resignations, 87
Retention of Electronic Communications, 245
Retirement, 63, 79
Return to Work, 176
Review of Application, 164
Risk Reduction Measures, 214

S

Safety, 266
Safety Committee Purpose, 327
Safety Committee Responsibilities, 340
Safety Inspections, 337
Safety Suggestions, 338
Salary Continuation, 180, 183
Scheduling Flex Day Off, 192
Scheduling of Vacation Time, 161
Screening of Applicants, 68
Searches, 350
Secondary Employment, 204
Shirts, 236
Sick Leave, 141
Sick Leave Conversion, 170
Sick Leave Incentive, 168
Signage, 360
Signatures on Performance Evaluations, 122
Social Media, 261
Social Networking, 261
Special Reviews (Performance Improvement Plan), 123
Standard for Fridays or “Casual Day”, 231
Standard for Office Staff, 230
Starting Salary Authorization, 48
Status of Files for Former Employees, 99
Steps to be Taken to Initiate a Medical Evaluation, 357
Strike, 93
Substance Abuse Screening, 84
Suggestion Eligibility, 55
Suggestion Processing, 55
Suggestion Submittal, 54

T

Take-Home Vehicles, 316
Technical Rules and Procedures of Evidence, 295
Temporary Employees Hired Through Third Party Agencies, 71
Termination of Personal Emergency, 165
Terms of Tuition Reimbursement, 134
Testing Costs, 350
Testing Procedures, 348
The Consolidated Omnibus Budget Reconciliation

Act of 1986 (COBRA), 88

Threat Assessment Team, 218
Time Clocks, 151
Time Sheet Adjustments and Corrections, 152
Time Worked for Non-Exempt Employees
for Day and Overnight Travel, 300
Time-keeping Responsibilities, 177
Tobacco Use, 330
Town Vehicle Identification, 314
Town's Cellular Telephone Plan, 264
Tracking Time, 50
Training and Educational Priorities, 128
Training Costs, 127
Transactions/Card Limits, 322
Transfer/Lateral, 74
Transportation, 303
Travel and Expenses, 297
Travel Costs, 130
Travel to and from Local Training, 130
Trial Employment Period, 47, 63
Tuition Reimbursement Budget, 135
Types of Alternative Work Schedules
Available, 191
Types of Authorized Drug and Alcohol
Testing, 344

U

Unallowable Expenses, 305
Uniform Service, 237
Unlawful Discrimination, 177
Use of a Personal Vehicle on Town Business,
314
Use of Sick Leave, 167
Use of Town Computer Hardware and Software,
206
Use of Town Equipment or Materials, 226

V

Vacation Leave, 139
Vacation Pay on Termination, 161
Vehicle Fueling and Emergency
Repairs/Maintenance, 315
Vehicle Parking, 315
Verification of Employment, 99, 373
Volunteer Leave, 187
Volunteer Policies and Procedures, 105
Volunteer Supervision, 107

Volunteers, 64

W

Witnesses, 294
Workers' Compensation, 330
Working on Flex Day Off, 192
Written Reprimand, 276

Y

Youth Volunteers (under 18 years old), 109