

**UNIFORM PERSONNEL RULES AND REGULATIONS FOR
THE CITY OF ST. FRANCIS, KANSAS**

SECTION 1

EMPLOYMENT POLICY STATEMENT

In the course of furnishing service to the citizens of St. Francis, Kansas, for the tax money thereof, and maintaining utility services, streets and all related equipment, it is recognized that qualified and efficient employees must be engaged to perform the necessary activities. These rules and regulations are designed to attract and retain qualified personnel and to promote and increase the efficiency and effectiveness of City services. All policies, rules and regulations are to apply to all employees in the service of the City except elected and/or appointed officials and are to be applied without regard to race, color, sex, disability, religion, age, national origin, or ancestry. These policies, rules and guidelines do not create contractual employment rights; rather all employees are to be considered as at-will employees for the purposes of City employment.

SECTION 2

PERSONNEL RECORDS

The City Clerk shall keep adequate records of all persons employed, their pay scale, time worked, accrued vacation and sick leave, all absences for vacation, sick or other leave, and any and all other regulations or under applicable State or Federal law. An employee's personnel file shall be available during office hours for inspection by that employee.

SECTION 3

FULL TIME EMPLOYEE

A full time employee is one engaged to work a normal workweek of at least 40 hours on a regular and continuing basis. Each employee engaged by the City shall be subject to a training and performance review period and shall be considered by the City on temporary employment beginning on the hiring date and for a period of six (6) months thereafter. The training and performance review period shall be for the purpose of indoctrination and review of the applicant's ability, performance, and ability to adjust to the City's policies. City fringe benefits shall not apply during this period provided however, that health benefits shall commence approximately 90 days after date of employment depending upon the City's health insurance carrier's enrollment processes. If accepted after the six (6) month training and performance review period, the employee shall be reclassified as a permanent full time employee and all fringe benefits shall be commenced and computed from the first day of employment, except as herein noted as otherwise. The City retains the right to discharge

any employee prior to the completion of the training and performance review period or at any other time in the sole discretion of the City.

SECTION 4

PART TIME EMPLOYEES

Any employee working less than 40 hours per week shall be considered a part time employee. Part time employees shall not be entitled to any fringe benefits except City recognized holidays. Payment for the holidays to part time employees shall be based on the normal work day for that employee, provided the holiday was a normally scheduled work day and further provided that the part time employee reports to work on both the first regularly scheduled work day immediately preceding the holiday and the first regularly scheduled work day immediately following the holiday, unless specifically excused by the City.

SECTION 5

SEASONAL EMPLOYEES

During certain times of the year, the City may need to hire seasonal employees. Such employees shall be classified as temporary for a period of time not to exceed six (6) months. Such employees who work 40 or more hours per week shall be entitled to compensation on recognized holidays as set forth in the provisions in Section 4.

SECTION 6

SALARIES

The salaries of each employee of the City, except those appointed officers, whose salary may be set specifically by ordinance, shall be reviewed on an annual basis, and, as determined in the sole discretion of the governing body, adjusted to ensure that similar salary scales will be applied to all full time positions which involve like work. However, the governing body shall consider additional factors such as job performance and time of service to the City in determining an individual employee's salary. Pay increases shall not be routine or automatic and shall be always established by the governing body. Annual cost of living increases may be considered and be given at the sole discretion of the governing body.

SECTION 7

PERFORMANCE EVALUATIONS

Employee performance evaluations will be considered in determining salary increases and decreases, as a factor in promotions, as a factor in determining the order of layoffs, and as a means of identifying employees who should be promoted or transferred, or who, because of their low performance, should be demoted or dismissed. Annual evaluations of the performance of each employee based upon his or her duties or responsibilities shall then be prepared by the employee's immediate supervisor on forms approved by the governing body. Any employee receiving a poor performance rating shall be evaluated by his supervisor on a quarterly basis. Each employee shall be entitled to review his performance evaluation and given the opportunity to respond in writing to the same. All written evaluations and any responses thereto shall be kept in the employee's employment file.

SECTION 8

HOURS OF WORK

The basic workweek for which salaries will be paid shall be based upon a 40-hour workweek except for full time police officers. Employees will be expected to work additional hours necessary in emergency situations. Time of work and assignment of certain shifts for all City employees except police and the staff of the City Office shall be made by the City Superintendent. The Chief of Police shall make work assignments for the Police Department. The City Clerk shall determine the hours of operation for the City Office. Final approval for all work schedules shall be at the discretion of the governing body.

SECTION 9

OVERTIME WORK

Compensation for authorized overtime work shall be at the rate of one and one-half (1 ½) times the employee's regular rate of pay. Overtime compensation shall be paid not later than the first payday following the pay period in which it was earned. No person employed in an administrative, executive or professional position, as defined by the Fair Labor Standards Act, shall be eligible for overtime compensation. Employees shall be eligible to receive overtime compensation for all hours worked in excess of their normal workweek, except for full time police officers. A work period for police officers must be established under the Fair Labor Standards Act. Full time police officers shall be paid straight time for 171 hours in a 28 day work period and eligible to receive overtime compensation of one and one-half (1 ½) times the employee's regular rate of pay for work hours in a 28-day work period which exceeds 171 hours.

SECTION 10

PAY PERIOD

Employees shall be paid every two weeks, and the paychecks shall be issued every other Friday for the two-week period ending the preceding Thursday night at 12:00 midnight. Any overtime accumulated during such pay period shall be paid on the following two-week pay period.

SECTION 11

HOLIDAYS

The City shall honor the following holidays:

1. New Years Day
2. Memorial Day
3. Independence Day
4. Labor Day
5. Veterans Day
6. Thanksgiving Day
7. Friday following Thanksgiving
8. *December 24-4 hours
9. Christmas Day
10. *December 31-4 hours

* May be combined to total 8 hours holiday pay at the discretion of the employee's immediate supervisor.

All employees shall receive 8 hours regular scheduled pay for the above holidays provided that the employee reports to work on both the first regularly scheduled workday immediately preceding the holiday and the first regularly scheduled workday immediately following the holiday, unless specifically excused by the City.

When New Years Day, Independence Day, Veterans Day, or Christmas falls on Saturday or Sunday, the preceding Friday or following Monday may be declared a holiday by the governing body.

Employees, except employees assigned to a twenty-four (24) hour work shift or other split-shift schedules, that are required to work on a City observed holiday shall be granted an 8-hour alternative day off. Employees who as a result of the requirements of their job are required to work split shifts (plant operators and police officers) may, with the approval of their department head, elect to receive, in lieu of double time for the holiday worked, an additional designated day off.

SECTION 12

VACATION

Each employee shall be entitled to 80 hours vacation with regular pay upon completion of one (1) year's continuous service from the date of employment. Each employee shall be entitled to 96 hours vacation with regular pay after five years (5) of continuous service; 120 hours vacation with regular pay after ten (10) years of continuous service ; 144 hours with regular pay after twenty (20) years of continuous service. Any changes in an employee's vacation time shall take effect on the employee's anniversary date in 2010. Vacations shall not be cumulative and all hours of vacation in excess of the permissible maximum shall be removed from the employee's credit at the end of the anniversary year with no compensation being granted.

The dates of the taking of vacation leave shall be scheduled in consultation with the employee's supervisor and department head. In cases where the requested vacation schedules of two or more employees would adversely affect the efficient operation of the City, vacation leave shall be granted on the basis of seniority of City employment. City holidays that occur during the taking of an employee's authorized vacation leave will not be counted as vacation time. Employees may use vacation leaves in units of not less than one hour, subject to approval of their supervisor. In the event of termination, an employee shall be compensated for all earned but unused vacation leave at their final rate of pay.

If an employee is on vacation and is required to return to work, he shall receive his regular straight time pay for all regular work hours. All remaining days of vacation for that requested vacation period may be credited to the employee's record for advance at a future date, but the deferral period shall not exceed one year.

If an employee does not return to work at the end of his vacation period, he shall be subject to discharge five (5) days after written notification to his last address, which was furnished to the City in writing by the employee.

SECTION 13

SICK LEAVE

Full time employees of the City shall be entitled to eight (8) hours of sick leave for each full month of service up to 96 hours sick leave per year. Sick leave shall accumulate on the basis of the unused portion of each employee's 96 hours allowance per year up to a maximum of 960 hours. When an employee has exhausted his accumulated sick leave, the employee may elect to use his accumulated vacation credit during any sick leave period.

Any absence for a fraction or part of a day, which is chargeable to sick leave, shall be charged in increments of not less than one hour.

For sick leave in excess of three (3) workdays, a department head or supervisor may require a signed statement from a health care provider verifying the employee's inability to perform his or her assigned duties because of illness. To be eligible for paid sick leave, an employee, or his or her representatives, shall notify his or her immediate supervisor and give the reason for the absence by the beginning of the first work day for which sick day is taken. An employee shall not be paid for any unused sick leave upon termination of his or her employment with the City.

SECTION 14

MATERNITY LEAVE

An employee who becomes pregnant or whose spouse/partner gives birth may claim and receive maternity leave in the same manner as provided for sick leave; provided, however, that the employee may elect to utilize any accrued vacation leave, if, and to the extent, such leave is available. An employee may also take leave without pay in the same manner as any other employee on leave without pay status. Maternity leave with or without pay, following the birth, shall not exceed a total of 42 calendar days. If medical complications related to the pregnancy exist, an employee may, with the approval of the governing body, remain on maternity leave until the employee's physician releases the mother.

SECTION 15

FUNERAL LEAVE

Employees securing permission from their immediate supervisor will be paid their regular rate of pay while attending funerals for an immediate member of their family (to include only the spouse, children, mother, father, brother, sister, grandparents or like close relatives by marriage) provided they attend said funeral. Paid time allowed for attending funerals shall not exceed 24 hours. All other funeral time off shall be taken at the employee's time without pay. However, the employee may elect to use his accumulated vacation for any funeral time off or elect to have it charged against any unused sick leave at the discretion of the employee's immediate supervisor. If the employee elects to take funeral leave without pay, then the same requires the approval of his or her department head or consent of the council.

SECTION 16

WORK RELATED INJURY

Any employee injured or disabled while on duty and while obeying the safety rules of the City, shall continue to be paid his regular wage less workman's compensation received for a period of disability not to exceed ninety (90) days. Employees may elect to have wage compensation charged against any unused sick leave until workman compensation benefits begin. (Usually around 7 days)

SECTION 17

CIVIL LEAVE

An employee shall be given necessary time off, with pay, when performing jury duty or when appearing in an official capacity in connection with the City in court, or in connection with a court case, as a witness and in answer to a subpoena. If an employee is involved in a personal lawsuit either as a plaintiff, defendant, or witness in an action not related to his or her duties with the City, the employee may take leave without pay unless he or she elects to utilize any accumulated vacation time.

SECTION 18

OTHER LEAVE

An employee may be granted leave, with pay to attend meetings, seminars and conventions related to the employee's work for the City when the governing body authorizes such attendance.

An employee, upon written request, and at the sole discretion of the governing body, may be granted leave without pay for a period of one (1) year to further his or her education or seek specialized training, upon recommendation by the employee's department head.

An employee, upon written request, and with the recommendation of his or her department head, may be granted a leave of absence without pay for a period up to six (6) months, subject to the approval of the governing body.

SECTION 19

HEALTH INSURANCE

All full time employees, including full time supervisory appointed employees, shall be eligible for the City's group health insurance program within 90 days after the commencement of their employment with the City and depending upon the City's health insurance carrier's enrollment processes. Other employees and elected or appointed officials shall not be eligible for participation in the City's group health insurance program without the prior approval of the governing body and then only in the situation where the health insurance premium is paid by the part time or temporary employee or the elected or appointed official. The covered employee shall pay all costs for health care insurance during any period the employee is on leave or suspension without pay or on unauthorized leave or is participating in any unlawful work stoppage.

Health insurance coverage shall be extended to any full time employee injured or disabled while on duty and while obeying the safety rules of the City for a period of disability not to exceed ninety (90) days.

No City employee shall be entitled to a cash payment in lieu of health insurance coverage.

Retirees of the City, under age 65, shall be eligible for continued participation in the City's health insurance plan upon their payment of all costs thereof, in accordance with the provisions of K.S.A. 12-5040. In addition, the City will comply with the provisions of the Federal Consolidated Omnibus Reconciliation Act of 1986 (COBRA) relating to the extension of group health insurance plan coverage upon termination of City employment.

SECTION 20

OTHER EMPLOYEE BENEFITS

Other City sponsored and/or funded employee benefits including, but not limited to the following: Social Security and Medicare (FICA), Kansas Public Employees Retirement System (KPERs), Workmen's compensation benefits; Employment security, unemployment compensation benefits; Medical, health, hospitalization insurance, City sponsored cafeteria plan(s) and employee uniform contribution.

SECTION 21

ADDITIONAL CITY POLICIES

In addition to the policies hereinbefore set out, the City has adopted the following policies:

Harassment in the Workplace on the 5th day of April, 1994; and

Drug and Alcohol Testing Policy and along therewith an Employee Assistance Program on January 16, 1996.

Both of these policies are incorporated herewith as if fully set out herein and are available for review at the office of the City Clerk.

The changes to the Uniform Personnel Rules and Regulations for the City of St. Francis, Kansas, as amended, were reviewed, approved and adopted by the governing body of the City of St. Francis, Kansas, this 8th day of February, 2010.

No fewer than three (3) copies of these Uniform Personnel Rules and Regulations for the City of St. Francis, Kansas shall be marked or stamped "Official Copy as adopted by the Code of the City of St. Francis, Kansas". Said official copies shall be filed with the City Clerk and shall be opened to inspection and available to the public at all reasonable hours.

The City Clerk is hereby directed to ensure that each current employee of the City of St. Francis, Kansas, be given a copy of these rules and regulations for their review and that all employees hired in the future also be given a copy.

Scott Schultz, Mayor

Attest:

Mary P Lampe, City Clerk