

The public is invited to observe City Council Work Sessions. However, the agenda for Work Sessions does not include an opportunity for public interaction. Seating in the Council Chambers may be limited. All seating is available on a first-come, first-serve basis. The public also may view this meeting via livestream on the City's website at <https://www.idahofallsidaho.gov/429/Live-Stream>.

This meeting may be canceled or recessed to a later time in accordance with law. If you need communication aids or services or other physical accommodations to participate or access this meeting of the City of Idaho Falls, you may contact City Clerk Corrin Wilde at 612-8414 or the ADA Coordinator Lisa Farris at 612-8323 not less than 48 hours prior to the meeting. They can help accommodate special needs.

CITY COUNCIL WORK SESSION

Times listed in parentheses are only estimates.

Call to Order and Roll Call

**Human Recourses and Legal
Departments:**

Presentation and Discussion: Personnel Policy Manual Updates. (30)
Action: Council Direction to Staff (or take other appropriate action)

**Legal, Airport and Police
Departments:**

Review and Discussion: Ordinance Options for changes to allow on-street parking on International Way. (30)
Action: Council Direction to Staff (or take other appropriate action)

**Mayor's Office, and Legal
Departments:**

Discussion: Naming of City Facilities, Parks and Locations. (30)
Action: Council Direction to Staff (or take other appropriate action)

**Idaho Falls Fire Department and
Firefighters Union Local No. 1565:**

Special Presentation and Comments. (10)

Mayor and City Council:

Acceptance or Receipt of Minutes (5)
Action: To receive recommendations from the Planning and Zoning Commission

Presentation and Discussion: City Strategic Plan language and format (30)
Action: Council Direction to Staff (or take other appropriate action)

Mayor and Council Liaison Reports: Upcoming Events, Announcements, Annual Calendar, Reports, Updates, Concerns, Questions, and attendant Discussions (20).
Action: Council Direction to Staff (or take other appropriate action)

DATED this 6th, day of December 2024


Corrin Wilde, City Clerk

Human Resources and Legal Department

SECTION	POLICY CATEGORIES	OLD NUMBERING AND TITLE	NEW NUMBERING AND TITLE	SUMMARY OF CHANGES
Section 1	GENERAL			
	PURPOSE	I. PURPOSE	100. GENERAL POLICY STATEMENT	Made minor changes to add clarity.
	NATURE OF EMPLOYMENT	II. NATURE OF EMPLOYMENT	100. GENERAL POLICY STATEMENT	Made minor changes to add clarity.
	SCOPE	V. SCOPE	100. GENERAL POLICY STATEMENT	Made minor changes to add clarity.
	CHANGES	VI. CHANGES	100. GENERAL POLICY STATEMENT	Made minor changes to add clarity.
	DEFINITION AND TERMS	VII. DEFINITION AND TERMS	110. DEFINITION AND TERMS	Made minor changes for clarity or grammar. Removed definition of "Continuous tour of Duty" this is explained in detail in Policy 210.
Section 2	EMPLOYMENT			
	EQUAL EMPLOYMENT	III. EQUAL EMPLOYMENT	200. RECRUITMENT AND SELECTION	Updated EEO Statement. Simplified and clarified language throughout.
	NEPOTISM/HIRING	IV. NEPOTISM/HIRING	200. RECRUITMENT AND SELECTION	Added definition for relative within the second degree.
	EMPLOYEE RECRUITMENT AND STATUS	X. EMPLOYEE RECRUITMENT AND STATUS	200. RECRUITMENT AND SELECTION	Simplified and clarified language throughout.
	ADMINISTRATION AND RECRUITMENT	VIII. ADMINISTRATION AND RECRUITMENT	200. RECRUITMENT AND SELECTION	Simplified and clarified language throughout.
	PROMOTIONS AND HIRES	XI. PROMOTIONS AND HIRES	200. RECRUITMENT AND SELECTION	Added reference to policy 500.
	RULES GOVERNING CONTINUOUS SERVICE	XIX. RULES GOVERNING CONTINUOUS SERVICE	210. RULES GOVERNING CONTINUOUS SERVICE	Clarified definition. Added sick and vacation leave to list of leaves that do not create a break in service.
	FLEXIBLE WORK SCHEDULE POLICY	XV. FLEXIBLE WORK SCHEDULE POLICY	260. FLEXIBLE WORK SCHEDULE	Added language to clarify that flexible work hours are not an employee entitlement. Added language to consider the impact on co-workers and disruptions.
	REDUCTION IN FORCE	XXXV. REDUCTION IN FORCE	270. REDUCTION IN FORCE	Added a sentence about the city rights to initiate a reduction in force. Clarified language throughout. Added "Position Service" to seniority definition. Changed the order of division and department in Section C for consistency.
Section 3	EMPLOYEE RELATIONS			
	DISCRIMINATION AND HARASSMENT-POLICY	IX. DISCRIMINATION AND HARASSMENT	300. DISCRIMINATION AND HARASSMENT	Updates EEO Statement throughout policy. Added "severe and pervasive" language to align with the law. Eliminated redundant language in section 4.
	DISCIPLINARY ACTIONS AND TERMINATIONS	XXIX. DISCIPLINARY ACTIONS AND TERMINATIONS	310. DISCIPLINARY ACTIONS AND TERMINATIONS	Removed language requiring a signed letter in sections 2 and 3. Added language to allow for the extension of a WIP. Clarifies the need for prior approval for certain disciplinary actions. Adds reference to Information Systems usage policy. Adds additional examples to the code of conduct.
	GRIEVANCE PROCEDURES	XXX. GRIEVANCE PROCEDURES	320. GRIEVANCE PROCEDURES	Added clarifying language. Added definitions for "resolution," "withdrawal," and "resubmission."
	DRUG AND ALCOHOL FREE WORKPLACE POLICY	XXXVI. DRUG AND ALCOHOL FREE WORKPLACE POLICY	330. DRUG AND ALCOHOL FREE WORKPLACE	No changes to policy language.
	ASSOCIATION BUSINESS	XXXIV. ASSOCIATION BUSINESS	340. ASSOCIATION BUSINESS	No changes to policy language.
	POLITICAL ACTIVITY	XXXII. POLITICAL ACTIVITY	350. POLITICAL ACTIVITY	Minor grammar corrections.
	SOCIAL MEDIA	XXXVII. SOCIAL MEDIA	360. SOCIAL MEDIA	Removed language that is no longer applicable and added a reference that the media might pick up information posted on social media. Added a section restricting the use of personal social media accounts for official City business.
	CITY INFORMATION SYSTEM USAGE	XXXI. CITY INFORMATION SYSTEM USAGE	370. CITY INFORMATION SYSTEM USAGE	Added "tablets" to the list of devices.
Section 4	BENEFITS			
	DETERMINATIONS OF INSURANCE BENEFITS	XII. DETERMINATIONS OF INSURANCE BENEFITS	400. DETERMINATIONS OF INSURANCE BENEFITS	Added a reference for when insurance premiums will be withheld. Referenced Policy 110 for definitions.
	HOLIDAYS	XVII. HOLIDAYS	410. LEAVES	Some language was added or changed to improve clarity, and some were moved from one location to another to flow better. The sick leave grandfathering clause is summarized succinctly. Addition of administrative leave with pay section. Clarified holiday language for library. Added ability for the director to approve additional bereavement leave. Addition of voting section. Addition of unauthorized leave section.
	VACATIONS	XVIII. VACATIONS	410. LEAVES	See Above.
	SICK LEAVE	XX. SICK LEAVE	410. LEAVES	See Above.
	BEREAVEMENT LEAVE	XXI. BEREAVEMENT LEAVE	410. LEAVES	See Above.
	JURY DUTY AND OTHER REQUIRED APPEARANCE	XXVIII. JURY DUTY AND OTHER REQUIRED APPEARANCE	410. LEAVES	See Above.
	LEAVE OF ABSENCE WITHOUT PAY	XXVI. LEAVE OF ABSENCE WITHOUT PAY	410. LEAVES	See Above.
	FAMILY MEDICAL LEAVE	XXII. FAMILY MEDICAL LEAVE	420. FAMILY MEDICAL LEAVE	Eliminated reference to January 2009 revisions of FMLA. Made changes for clarification. Removed reference to DOL form WH 381 as this notice may be provided via letter.
	MILITARY LEAVE	XXVII. MILITARY LEAVE	430. MILITARY LEAVE	Changed from calendar year to fiscal year. Added language to clarify the process for requesting and returning from military leave. Added clarification on auditing partial pay at the end of leave.
	WORKERS COMPENSATION	n/a	440. SAFETY AND WORKERS COMPENSATION	New policy.
	PHYSICAL EXAMINATIONS	XXIII. PHYSICAL EXAMINATIONS	440. SAFETY AND WORKERS COMPENSATION	Language adapted into new policy.
	ACCIDENT-ON-DUTY	XXIV. ACCIDENT ON DUTY	440. SAFETY AND WORKERS COMPENSATION	Language adapted into new policy.
	EDUCATION	XXV. EDUCATION	450. EDUCATION	Added language about taxability of benefit.
	COMPENSATION			
	CLASSIFICATIONS AND PAY GRADE POLICY	XIII. CLASSIFICATION AND PAY GRADE POLICY	500. SALARY SCHEDULE, PAY GRADE, AND POINT FACTORING	Changed the policy to not reset the anniversary date when there is promotion, demotion, or transfer. Added clarifying language throughout.

	OVERTIME COMP TIME AND TIME KEEPING FOR EXEMPT-EMPLOYEES	XIV. OVERTIME COMP TIME AND TIME KEEPING FOR EXEMPT EMPLOYEES	510. OVERTIME COMP TIME AND TIMEKEEPING FOR EXEMPT EMPLOYEES	Added clarifying language on how standby time is calculated. Changed the leave increments for exempt employees from 4-hours to 1-hour.
	CLOCK PATTERN PREMIUM PAY	XVI. CLOCK PATTERN PREMIUM PAY	520. CLOCK PATTERN PREMIUM PAY	This policy was updated on October 10, 2024.
	Deleted Policies			
	SPECIAL PROVISIONS---FIRE DEPARTMENT - REMOVE	XXXIII		This policy will be deleted as all provisions in the policy are covered by the fire collective bargaining agreement.



City of Idaho Falls Human Resources
Policy III 200
Equal Employment Opportunity Recruitment and Selection
Approved: March 2022

III-EQUAL EMPLOYMENT OPPORTUNITY

~~The City of Idaho Falls intends to provide fair and impartial treatment to all individuals with respect to service, recruitment, hiring, training, promoting and all other programs without regard to race, color, national origin, religion, age, sex, disability, sexual orientation, gender identity/expression, and any other bases protected by law. The City also prohibits any form of harassment within the workplace, sexual or otherwise.~~

It is the policy of the City of Idaho Falls to provide equal opportunity to all employees and applicants for employment without regard to race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, disability, veteran's status or other basis protected by law and to base all employment decision solely on merit, qualification, and competence. The City also prohibits any form of harassment within the workplace, sexual or otherwise.

NEPOTISM POLICY

- A. No person will be employed by the City when the employment would result in a violation of provisions found in Idaho Code, including but not limited to Idaho Code, C. § 74-401 et seq., and I.C. § 18-1359. Any such employment made in violation of the Idaho Code or this Section may be void.
- B. In addition to the relevant provisions of the Idaho Code stated in this Section:
 1. No person related to the Mayor or a City Council member by blood or marriage within the second degree may be hired as a paid employee of the City, appointed to any compensated office, position or duty; and
 2. No employee of the City will hire, participate in the hiring, supervise or otherwise exercise discretion concerning a paid employee who is related to that employee by blood or marriage within the second degree. A relative within the second degree is defined as a child, parent, sibling, grandparent, grandchild, aunt, uncle, cousin, niece, or nephew.
- C. An employee whose relative is subsequently elected may be eligible to retain his/her position and pay increases as allowed by relevant provisions of Idaho law, including Idaho Code § 18-1359(5).

EMPLOYEE RECRUITMENT AND STATUS

- A. All employees of the City of Idaho Falls will be hired on the basis of qualifications, ability, attitude, aptitude, education and work ethic as determined at the sole discretion of the hiring officer. No supervisory employee shall hire or otherwise participate in the decision to hire any person, by blood or marriage, within the second degree of consanguinity to such supervisory employee.

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City of Idaho Falls Human Resources Policy 200 Recruitment and Selection

- B. The status of all employees (i.e., full-time, part-time, casual, seasonal, temporary) shall be determined at the time of hire and shall be reflected in a Personnel Action form. The status of all employees at any given time shall be based upon the most recent Personnel Action form signed by the Respective Department Director, Human Resources Director or **designee**, and **Finance Manager/City Treasurer/Controller or designee**, irrespective of whether the employee's work schedule, hours, assignment or duties shall be changed by their Division.
- C. ~~When a new position is created or other vacancy occurs and the possibility for advancement of qualified regular employees have been considered, a public announcement may be made by the Department of Human Resources soliciting applications from other interested and qualified persons. The Department of Human Resources will post all vacancies via an online applicant tracking system. The Residents of the City of Idaho Falls will be given preference for employment where their qualifications, ability, attitude, aptitude, education and work ethic as determined at the sole discretion of the hiring officer for a particular position are equal to those of applicants residing outside the City.~~
- D. Every applicant shall, ~~when an opening occurs~~, complete an Application for Employment in such form as may be determined by the Department of Human Resources. Any employee who willfully furnishes information in an employment application that is false in any material respect, may be subject to immediate discharge.
- E. ~~All applicants must provide employment references to the City. The names of former employers are preferred. Applicants who have previously worked for the City shall provide the name of their former supervisor(s).~~
- F. ~~All applicants for regular employment shall file their applications for employment with the Department of Human Resources. No person shall be hired unless their name has been placed on a qualified list by the Department of Human Resources.~~
- E. Physical examinations shall not be administered to or required of any applicant prior to the extension of any offer of employment. However, an offer of employment may be made subject to successful completion of a physical examination, provided any physical condition or qualification shall be made only for bona fide conditions reasonably necessary to fulfill the essential functions of the position. No condition or qualification shall be imposed in contravention of the Americans With Disabilities Act. Nothing herein shall preclude the use of pre-employment testing for use of controlled substances by any applicant for any position which requires a commercial driver's license.

ADMINISTRATION AND RECRUITMENT PROCEDURES

- A. ~~The Mayor may delegate administrative authority to the Department Directors. The Department Directors may, pursuant to such delegation of authority, take such actions as are necessary to fully implement the terms and provisions hereof and to accomplish the objectives~~

City of Idaho Falls Human Resources Policy 200 Recruitment and Selection

set forth herein. Actions of the Department Directors shall be consistent with the terms of this Policy.

- A. The Mayor delegates administrative authority to the Department Directors to hire positions approved through the City budget process. Each department Director is responsible for the hiring of employees within their department, subject to the pre-employment requirements stated in this Policy. Hiring of employees shall be in conformity with this policy, budgetary allocations, positions classifications and wage rates approved by the Mayor and City Council.
- B. Subject to the pre-employment policy set forth herein, each Department Director assumes responsibility for the following:
1. Reviewing applications received by the Department of Human Resources.
 2. Interviewing applicants received by the Department of Human Resources and hiring the applicant the Department Director deems to be the best qualified.
 3. As part of the employment offer, the applicant must successfully comply with, and complete the required background check. ~~The Department must obtain necessary approval as indicated on the Personnel Action request.~~
 4. Submitting ~~file of successful applicant and~~ an approved Personnel Action request to Department of Human Resources for payroll action and personnel records.

PROMOTIONS AND HIRES

- A. All promotions or upgrading to an advanced classification will be made on the basis of qualifications, ability, attitude, aptitude, education, performance, and work habits.
- B. Approval of promotions will be shown on Personnel Action request. Any increase in an employee's wage shall become effective at the start of a pay period and only when approved by the appropriate Department Director over such employee, the Department of Human Resources, and the Division of Municipal Services.

~~B.C.~~ For salary placement upon promotion or hiring, see Policy 500. SALARY SCHEDULE, PAY GRADE, AND POINT FACTORING.

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City of Idaho Falls Human Resources
Policy XIX210.
Rules Governing Continuous Service

Approved: March 2022 2024

~~XIX.~~ RULES GOVERNING CONTINUOUS SERVICE

Continuous service is a period of an unbroken ~~period of actual performance of assigned duties for the number of hours per week designated as the basic or regular work week for an work performed in an~~ employee's job classification, ~~except that~~

~~The~~ The following absences shall not be construed as a break in continuous service:

A. Paid or unpaid absences due to personal sickness and sickness or death in the family or absences which qualify for leave under the Family Medical Leave Act.

A-B. Approved use of vacation and sick leave.

B-C. Excused off-duty period without pay for fifteen (15) calendar days or less.

C-D. Off-duty periods covered by the provisions of the Military Leave of Absence Policy.

D-E. After one (1) year of continuous service, a layoff for lack of work which does not exceed ninety (90) days.

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City of Idaho Falls Human Resources
Policy 260 XV.
Flexible Work Schedule Policy

Approved: 2024 March-2022

XV. FLEXIBLE WORK SCHEDULE POLICY

- A. The City recognizes the value of helping employees face the demands of work, family, and personal obligations by offering, when feasible, certain flexible working arrangements. These arrangements provide employees with increased flexibility with their work schedule while allowing the City to maintain a progressive and productive work environment.

As a means of achieving administrative efficiencies this policy defines flexible work hours. Flexible work options are may be available when both the employee and the job are suited to such an arrangement. Flexible work schedules may be appropriate for some employees and jobs but not for others. Flexible work schedules are not an entitlement, are not a citywide benefit, and in no way change the terms and conditions of employment with the City of Idaho Falls.

Flexible work hours are not an employee entitlement or right. Rather, these arrangements are management tools, business strategies, and an employee benefit. The City mission and quality of service provided to its citizens must be maintained or improved by the allowance of telework and any agreement on flexible work hours. Flexible work hours in no way change the terms and conditions of employment with the City of Idaho Falls.

Not all situations are suitable for flexible work hours. The City will use a fair and consistent process for determining which applications for flexible work hours are approved.

Any flexible working arrangements, including working from home, must be approved by the Department Director and conform with the needs of the City. The authorization of flexible working arrangements can be terminated at any time by the Department Director. Violating the expectations and/or guidelines of flexible working arrangements may result in disciplinary action up to and including termination.

The Human Resources Department should be consulted regarding long-term ongoing flexible working arrangements to ensure compliance with the Fair Labor Standards Act (FLSA) or other related employment laws.

- B. Flexible working arrangements may include:

1. Flextime, in which an employee can work 8 hours per day, but there is flexibility in the employee's set starting and ending times.
2. Compressed work weeks. For example, an employee may be allowed to work a 10-hour workday, reducing the work week to 10 hours per day, four days per week. (Other examples could be cited.)
3. In certain circumstances, an employee may be allowed to work from home. In those circumstances, the following guidelines must be followed:

City of Idaho Falls Human Resources Policy 260. XV
Flexible Work Schedule Policy-

- a. Amount of time working from home will be limited to a maximum of two days per week. Exceptions must be approved by the Department Director and the Human Resource Director.
- b. The duties of the job clearly lend themselves to effective work at home. For instance, jobs which require public contact would be unlikely to allow working from home.
- c. Working from home must not interfere with the ability to do the job effectively and productively. Consideration should be given to disruptions in service or additional work for co-workers or others.
- d. If at any time, during regular business hours, a Department Director or Manager requires that an employee be at the worksite, the employee must be there.
- e. The employee will be responsible for providing a reliable internet connection when working from home.
- f. A City-issued laptop must be provided for remote access to city networks when working from home.
- g. Work from home IT support is limited to regular business hours: Monday to Friday 8:00 a.m. to 5:00 p.m. via help desk phone call. No on-site support will be provided.
- h. Needs to conform to the needs of the City.

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City of Idaho Falls Human Resources

Policy ~~270~~ XXXV.

Reduction in Force

Approved: ~~2024~~ March-2022

XXXV. REDUCTION IN FORCE

- A. The City will determine the basis for, extent, effective date and the length of a reduction in force. Definition of Reduction in Force. For the purposes hereof, the term "Reduction in Force" means any involuntary termination without cause due to budget limitations, reduction in workload, efficiency enhancements, departmental reorganizations or other similar reasons. The guidelines set forth below will be followed whenever a reduction in force becomes necessary ~~however; however,~~ nothing herein shall be interpreted to limit or otherwise restrict the ability of the City to terminate employment under the at-will provision hereof.

A Reduction in Force shall not be used to address employee performance or behavioral problems. For employee disciplinary issues follow Section-XXIX City of Idaho Falls Human Resources Policy 310 -- DISCIPLINARY ACTIONS AND TERMINATIONS in the Personnel Policy Manual.

- B. Reduction Factors. When, for any reason, it becomes necessary to reduce the working force in a Department or Division not covered by a collective bargaining agreement ~~or governed by Civil Service Rules,~~ employees will be selected for termination based on:

1. The City's skill requirements;
2. Employee's potential; and
3. Employee's work performance.

When the first three factors are equal, the employee with the greatest seniority will be retained.

- C. Seniority Defined. Seniority is defined as length of continuous full-time service. Seniority is based on the following factors:

1. Position service
- ~~1. Departmental service~~
2. Division service
- ~~2.4. Departmental service~~
- 3.5. City service

The Department Director and Director of Human Resources will determine the definition of ~~Department~~ division as it applies to a ~~Division~~ Department.

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City of Idaho Falls Human Resources Policy 270 Reduction in Force

- D. Notification. A formal notice of separation signed by the Department Director will be provided to the employee at least ten (10) working days prior to separation. This notice will specify the separation date.



City of Idaho Falls Human Resources
Policy 300 IX.
Discrimination and Harassment

Approved: 2024 March-2022

IX. DISCRIMINATION AND HARASSMENT POLICY

- A. Unlawful Discrimination and Harassment Prohibited. Unlawful discrimination and harassment are forms of misconduct that undermine the integrity of the employment relationship. Unlawful discrimination or harassment of any employee or member of the public by or against an employee of the City is absolutely prohibited. The City desires to maintain a working environment free from unlawful discrimination, harassment and disruptive behavior. Each employee has the right to work in an atmosphere that promotes equal opportunities and is free from all forms of discrimination or harassment. Unlawful discrimination or harassment by a non-employee against any person, whether or not an employee, within the workplace, is similarly prohibited.
- B. Retaliation Prohibited. The City and its officers and employees shall not retaliate in any way against an individual who complains of unlawful discrimination or harassment participates as a witness or assists another employee in making a claim of discrimination or harassment.
- C. Definition of Unlawful Discrimination and Harassment.

1. Unlawful harassment is unwelcome conduct toward a person because of a race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, disability, veteran's status or other basis protected by law~~legally protected personal characteristic including race, color, national origin, religion, age, sex, sexual orientation, gender identity/expression, disability, veteran status, or any other basis protected by law,~~ and which is severe or pervasive and creates an intimidating, hostile or offensive working environment, unreasonably interferes with work performance or negatively affects an individual's employment opportunities.
2. Unlawful discrimination occurs when an employee is treated less favorably in employment decisions because of a legally protected personal characteristic including race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, disability, veteran's status or other basis protected by law~~race, color, national origin, religion, age, sex, disability, veteran status, sexual orientation and/or gender identity/expression, or any other basis protected by law~~ and which is severe or pervasive and creates an intimidating, hostile or offensive working environment, unreasonably interferes with work performance or negatively affects an individual's employment opportunities.

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D. Forms of Unlawful Discrimination and Harassment

1. Sexual Harassment

City of Idaho Falls Human Resources Policy 300IX

Discrimination and Harassment

- a. No employee shall be subject to unsolicited and unwelcome sexual overtures or conduct, either verbal or physical. Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment 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 individual; or
 - (3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work ~~environment or creating an intimidating hostile or offensive working environment~~ and which is severe or pervasive and creates an intimidating, hostile or offensive working environment, unreasonably interferes with work performance or negatively affects an individual's employment opportunities. Sexual harassment includes, without limitation, unwelcome propositions of a sexual nature or having sexual overtones, offensive touching of the body or display of sexually explicit images, or paraphernalia within the workplace.
2. ~~Race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, veteran's status, or other basis protected by law~~ Race, color, national origin, religion, sex, sexual orientation and gender identity/expression discrimination.
 - a. No employee shall be subject to unlawful discrimination or harassment as a result of that employee's race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, veteran's status or other basis protected by law ~~race, color, national origin, religion, sex, sexual orientation, or gender identity/expression.~~
 - b. No employee shall be unlawfully denied equal employment opportunity because of race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, veteran's status or other basis protected by law ~~race, color, national origin, religion, sex, sexual orientation, or gender identity/expression.~~ Equal employment opportunity cannot be denied because of marriage or association with persons of a particular race, color, religion, sex, sexual orientation, gender identity/express or national origin or because an employee has a surname associated with a national origin group.
3. Disability Discrimination (American with Disabilities Act)
 - a. The City will not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment. Additionally, the Americans with Disabilities Act (ADA) requires employers to reasonably accommodate qualified individuals with disabilities. It is the policy of the City to comply with all Federal, state, and local laws concerning the employment of persons with disabilities.

City of Idaho Falls Human Resources Policy 300IX

Discrimination and Harassment

- b. The City will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of the job in question. An individual, who can be reasonably accommodated for the job in question, without undue hardship, will be given the same consideration for that position as any other employee or applicant.
- c. All employees are required to comply with safety standards. Applicants who cannot meet such standards and who pose a direct threat to the health or safety of other individuals in the workplace, which threat cannot be eliminated by reasonable accommodation, will not be hired. Current employees who pose a direct threat to the health or safety of the other individuals in the workplace will be placed on appropriate leave until an organizational decision has been made in regard to the employee's immediate employment situation.
- d. Definitions: In implementing this policy, the City will be guided by the applicable definitions of the ADA, lawful regulations promulgated with respect thereto and case law construing the ADA, and applicable state and local law. In the event of any conflict between such laws and regulations and the provisions of this policy, then such laws and regulations shall control. The following definitions are provided for general guidance of employees and applicants in understanding the policy of the City of Idaho Falls:
 - (1) "Disability" refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such an impairment, has a record of such an impairment is also deemed a "disabled individual". An individual may also be deemed "disabled" if that person is regarded as having such impairment.
 - (2) "Major life activity" may include things such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, or working. A "major life activity" may also include bodily functions such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive systems.
 - (3) "Direct threat to safety" refers to a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.
 - (4) "qualified individual with a disability" refers to an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.
 - (5) "Reasonable accommodation" refers to making existing facilities readily accessible to and usable by individuals with disabilities, including but not

City of Idaho Falls Human Resources Policy 300IX

Discrimination and Harassment

limited to; job restructuring, part-time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, adjustment or modification of examinations, adjustment or modification of training materials, adjustment or modification of policies, and similar activities.

- (6) "Undue hardship" refers to an action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship include: (1) the nature and cost of the accommodation; (2) the overall financial resources of the facility at which the reasonable accommodation is to be made; (3) the number of persons employed at that facility; (4) the effect on expenses and resources or other impact upon that facility; (5) the overall financial resources of the City; (6) the overall number of employees and facilities; (7) the operations of the particular facility as well as the entire City; and (8) the relationship of the particular facility to the City. These are not all of the factors but merely examples.

- (7) "Essential job functions" refers to those activities of a job that are the core to performing the job in question.

4. Age Discrimination

a. ~~No employee shall be unlawfully discriminated against with respect to compensation, terms conditions, or privileges of employment because of the individual's age.~~

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5. Veteran Status Discrimination

a. ~~No employee shall be discriminated against with respect to compensation, terms, conditions, or privileges of employment because of that individual's veteran status.~~

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- E. Reporting a Complaint. All employees are strongly encouraged to report behavior which may constitute unlawful discrimination or harassment. Such reports shall be made in the manner set forth herein, so that appropriate, effective and timely action may be taken. Individuals who believe they are being discriminated against or harassed should, whenever possible, tell the offender that their behavior is unwelcome. However, such confrontation is not always feasible or productive and is not required. Any employee who believes they have been or is being unlawfully discriminated against or harassed should report the situation immediately to one or more of the following persons:

- (i) employee's immediate Supervisor,
- (ii) any Department Director of the City (preferably, the Department Director of the department in which the employee is employed);
- (iii) the Director of Human Resources; or
- (iv) the City Attorney.

Whenever any officer or employee of the City receives information that unlawful discrimination or harassment has occurred or is occurring in the workplace, they shall report the matter to

- (i) employee's immediate Supervisor;

City of Idaho Falls Human Resources Policy 300IX
Discrimination and Harassment

- (ii) any Department Director;
- (iii) the Director of Human Resources; or
- (iv) the City Attorney.

The officer receiving such report shall maintain a file documenting such report and shall ensure the matter is resolved appropriately. All such complaints and complaint resolutions must be reported to the Director of Human Resources within seventy-two (72) hours of receipt. All supervisory employees to whom a report of unlawful discrimination or harassment is made shall attempt to resolve the matter informally; however, if the matter cannot be resolved to the satisfaction of the complaining employee, a confidential investigation shall be made in accordance with the provisions of such Section F hereof.

F. Formal Complaint Resolution. When a discrimination or harassment complaint cannot be resolved, the matter may be referred to the City Attorney or the Director of Human Resources to conduct a confidential investigation. The City Attorney or the Director of Human Resources may use other employees or officers of the City to conduct such investigation, provided, however, in order to protect the individuals involved, such investigation shall be confidential and to the extent permitted by law, shall be protected by the attorney-client or work product privileges. Upon receipt of such complaint, the City Attorney or the Director of Human Resources may take the following immediate steps:

- (i) have the complainant complete a written report describing the discrimination or harassment;
- (ii) obtain a statement from the accused;
- (iii) obtain statements from any witnesses;
- (v) prepare a report and recommendation.

The investigation shall be completed, and a written report prepared as soon as reasonably possible. Appropriate disciplinary action shall be taken if there is sufficient evidence to support the allegation, including the possibility of termination of anyone who is guilty of unlawful discrimination or harassment. If there is insufficient evidence to support the allegations, no record will be made in the complaining employee's personnel file or in the personnel file of the accused. If the investigation discloses that the complaining employee has falsely accused another employee of discrimination or harassment, knowingly or in a malicious manner, the complaining employee may be subject to disciplinary action as appropriate to the circumstances. The investigation and all records of the matter shall, to the fullest extent permitted by law, be kept confidential and shall involve other officers or employees of the City only on a "need-to-know" basis.

G. Interpretation. The policy shall be interpreted in a manner consistent with the applicable federal, state, and/or local laws. Nothing herein shall be construed or otherwise interpreted as conferring any right, privilege, or protected status above and beyond the rights protected by these laws.



City of Idaho Falls Human Resources

Policy **310XXIX.**

Disciplinary Actions and Terminations

Approved: 2024March-2022

XXIX. DISCIPLINARY ACTIONS AND TERMINATIONS

- A. **Employee Performance.** All employees shall maintain high standards of cooperation, efficiency, and economy in their work for the City of Idaho Falls. Department Directors and Supervisors shall organize and direct their work to achieve such objectives. Whenever work habits, attitudes, or conduct of an employee falls below a desirable standard, Supervisors should point out the deficiencies to the employee at the time they are observed. Disciplinary action taken against an employee should be noted in the employee's personnel file.

- B. **Progressive Discipline.** The City encourages the use of progressive discipline to address performance problems, when feasible.

Progressive discipline is a tool used to counsel and to discipline employees for poor or inadequate performance or for inappropriate behaviors by increasing the level of the discipline to meet the need for change in performance. It provides opportunities for an employee to correct an issue before it becomes too severe and provides the City, the supervisor, and the employee with performance-related documentation. The purpose of any discipline imposed is to encourage better performance, not simply to punish unwanted behavior.

- C. **General Guidelines.** Progressive discipline is the responsibility of the supervisor, with review by the Department Director, and as needed, Human Resources. Generally speaking, employees should be provided with an opportunity to correct deficiencies in performance or behavior, when deemed appropriate by management. Some infractions of City policies/Code of Conduct will be cause for immediate termination.

1. Factors which may be considered when determining a course of disciplinary action:

- Whether the employee had reasonable notice of what is expected;
- The extent to which the employee has been given an opportunity to correct the deficiency;
- The degree to which the employee had advance notice of the potential consequences of not meeting the expectations;
- An evaluation of the employee's explanation (if any) of why expectations were not achieved;
- The relationship between the failure of performance and the discipline imposed or "proportionality" (e.g., seriousness of the offense, employee's past performance, circumstances surrounding the particular event, Department practice in similar events).

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Disciplinary Actions and Terminations

D. Discipline Process. Progressive discipline may include any of the following steps:

1. Informal Verbal Coaching/Warning

In most cases, informal coaching should be an ongoing part of the supervisor/employee relationship so that problems can be addressed as they arise (rather than putting them off). Informal coaching may be carried out by the supervisor verbally discussing the problem with the employee and explaining that this is (usually) the first step in the improvement process. The supervisor should keep a written record of discipline-related discussions.

2. Written Warning

If improvement in an employee's performance or behavior is not apparent after the informal coaching/verbal warning, a formal written warning could be given. The purpose of a written warning is to impart to the employee the gravity of the situation and to document performance expectations and the need for improvement. This should be a written document with verbal discussion that is delivered by the employee's supervisor. A copy of the warning should be provided to the employee and the supervisor. A copy of the warning should also be placed in the employee's personnel file. The original warning letter should be signed by the employee and placed in the employee's personnel file. Acknowledgement by the employee in this case means that the employee received the written warning, not necessarily that the employee agrees with the written warning. If the employee fails to sign an acknowledgement of written warning receipt, the supervisor should note delivery of the written warning.

3. Work Improvement Plan (WIP)

If the performance or behavioral problem continues despite verbal and written warnings, a formal WIP may be appropriate. The purpose of the WIP is to document a formal plan to improve employee performance, which should include a specified timetable by which the employee must meet acceptable performance or be subject to behavioral standards and consequences for not doing so. A copy of the WIP should be provided to the employee and supervisor. A copy of the WIP should also be placed in the employee's personnel file. At the discretion of management, a WIP timeline may be extended if the specific situation creates a justification for an extension. The original WIP should be acknowledged by the employee and placed in the employee's personnel file. Acknowledgement by the employee in this case means that the employee received the WIP, not necessarily that the employee agrees with the WIP. If the employee fails to sign an acknowledgement of WIP receipt, the supervisor should note delivery of the WIP.

4. Meets Performance Standards OR Demotion / Suspension / Termination

If the employee's performance or behavior improves enough by the target date of the WIP to meet all performance standards for the employee's position, the employee can be removed from the Plan. If the performance or behavior does not improve sufficiently enough to meet performance standards, the next discipline step may include a job demotion, a suspension, or termination from employment. Demotion, suspension, or termination from employment requires prior approval as defined in sections F and G of this policy. The employee's Department

City of Idaho Falls Human Resources Policy 310-XXIX. Disciplinary Actions and Terminations

~~Director and the Human Resources Department must be contacted before a demotion, suspension, or termination occurs.~~

- E. Management Discretion. These progressive discipline steps merely provide a framework for approaching a performance issue. Because no two disciplinary situations will be the same, strict adherence to these steps may not be appropriate. For instance, some performance issues may require immediate suspension or termination. Other situations may allow for multiple incidents of verbal and/or written warnings. The course of action to correct deficiencies in job performance or inappropriate behavior will depend on how management views the nature or severity of the problem. Management has discretion to determine what steps of the progressive discipline process, if any, are appropriate in a particular case.

The Human Resources Department is available to assist in constructing a discipline plan. If an issue is raised to the level of demotion, suspension or termination, the Department Director and Human Resources ~~Director approval is required~~~~must be contacted~~ prior to taking the action.

All employees of the City are employed "at will" and at the discretion of the Mayor and City Council, except as may be agreed in writing or in an approved collective bargaining agreement.

- F. Involuntary Termination of Employment. Regular employees may be terminated only by a Department Director or by the Mayor, with approval of the Human Resources Director and the City Attorney. A Supervisor may, with the concurrence of a Department Director and approval from the Human Resources Director and the City Attorney, ~~demote or suspend an employee~~ without pay for a period not to exceed five (5) working days. Prior to the termination of an employee's employment for any reason other than a reduction in force and prior to the termination or suspension of any benefit of employment, the Department Director shall notify the employee involved, in writing, of their intent to do so. The notice must set forth in general terms the basis for the proposed action and give the employee an opportunity to be heard before the Department Director prior to such termination or any suspension of any benefit of employment.
- G. Disciplinary Suspensions. An employee who is exempt from payment of overtime compensation under the Fair Labor Standards Act ("FLSA") may not be suspended without pay unless allowed by the FLSA.
- H. Code of Conduct. All employees are expected to adhere to the following "Code of Conduct." Listed below are examples of conduct generally recognized as detrimental to the best interests of the City. THESE EXAMPLES ARE SET OUT FOR PURPOSES OF ILLUSTRATION ONLY AND THIS LIST IS NOT INTENDED TO BE ALL-INCLUSIVE. A violation of any of the provisions of this Code of Conduct may result in disciplinary action or termination, depending upon the circumstances. Examples of conduct for which disciplinary action or termination may be taken are as follows:
1. Theft of City property, the use of City property for personal purposes or the unauthorized removal of City equipment or property from the workplace, including the inappropriate use of information systems as described in PolicySection XXVIII-370 (City Information Systems Usage) of this Policy.

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Disciplinary Actions and Terminations

2. Violation of the Idaho Ethics in Government Act or other similar statutes prohibiting conflicts of interest.
3. Acceptance of a bribe or gift or using one's public position for personal gain in violation of Chapter 13, Title 18, Idaho Code.
4. Commission of a misdemeanor while on duty or the commission of a felony either on or off duty.
5. Willful or malicious damage to City property or property under the control or in the custody of the City.
6. Intoxication, possession of, drinking or ingesting alcoholic beverages or any controlled substance without a valid prescription while on duty, or reporting to work when under the influence of such beverages or substances. This prohibition also applies to employee breaks and lunch periods and also includes controlled substances which are illegal in the State of Idaho, even if the substance was purchased legally in another state or prescribed legally in another state.
7. Horseplay, fighting, intimidation or coercion of other employees.
8. Willful insubordination, including, but not limited to failure to discontinue job duties or failure to leave the workplace when directed to do so by the employee's supervisor.
9. Violation of safety regulations and practices, including, but not limited to, failure to use safety equipment, willful failure to adhere to safety regulations, failure to report on-the-job injuries or accidents or failure to follow instructions regarding medical treatment.
10. Falsification or unauthorized destruction of public records or reports.
11. Dereliction of duty, unsatisfactory performance of assigned duties, failure to perform assigned duties or sleeping while on duty.
12. Reckless or negligent driving of a City vehicle or failure to promptly report vehicle accidents or other violations or regulations incident to the operation of City vehicles, whether or not the employee was directly involved.
13. Tardiness or unexcused absence from work. (Absences without prior notification to an employee's Supervisor of an intent to use paid leave benefits hereunder will be considered to be unexcused, absent exigent circumstances.)
14. Gambling on duty.
15. Engaging in patently offensive or immoral activity while on duty and/or violating the city information systems usage policy.
16. Possession of weapons or explosives while on duty without proper authorization.

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Disciplinary Actions and Terminations**

17. Failure to cooperate with fellow employees in a manner which impairs performance of job duties.
18. Engaging in or conspiring to commit espionage, sabotage or criminal conspiracy.
19. ~~Abuse of sick leave or other~~ Misuse of paid leave benefits hereunder.
20. Dishonesty while in the performance of job duties.
21. Unlawful discrimination and harassment of another employee, or member of the public, or failure to report such conduct by another employee, or failure to follow adopted procedures for the reporting of unlawful discrimination and harassment.
22. Knowing submission of materially false information in an employment application.
23. Use of City's tax-exempt status for personal use.
24. Loss of CDL or regular driver's license for positions that require CDL or regular driver's license.
25. Falsification of time records, personnel records, or other City records.
26. Inappropriately sharing confidential medical or other information about other city employees.
27. Consensual relationships, dating, etc. in a supervisor, supervisee relationship, or other employment relationship that disrupts work.
28. Refusing to participate in or refusing to respond provide to an official information as directed by the City as -request for factual information or part of an impendingimpending an-internal or administrative investigation.
- 25;29. Failure to follow City Policy.

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City of Idaho Falls Human Resources

Policy 320 XXX

Grievance Procedures

Approved: 2024 March 2022

XXX GRIEVANCE PROCEDURES

A. Purpose.

The purpose of this grievance procedure is to maintain a productive, cooperative, efficient ~~and experienced work force, thereby enhancing the public welfare; to not unjustifiably terminate or treat employees inappropriately; to afford the City administrative staff and employees, and~~ experienced workforce, thereby enhancing the public welfare; to not unjustifiably terminate or treat employees inappropriately; to afford the City administrative staff and employees the opportunity to resolve errors, disputes, without the need for judicial intervention. This grievance procedure is the exclusive procedure to be applied to all City employees other than an employee who is a member of a collective bargaining unit, a Police Department employee covered by the Police Department grievance procedure, or a Department Director. NOTHING HEREIN SHALL BE CONSTRUED TO GRANT AN EMPLOYEE ANY RIGHT OR EXPECTATION OF CONTINUED EMPLOYMENT, TO LIMIT THE REASONS FOR WHICH AN EMPLOYEE MAY BE DISCHARGED, TO SPECIFY THE DURATION OF EMPLOYMENT OR TO IMPLY AN EMPLOYEE MAY ONLY BE TERMINATED FOR CAUSE.

B. Grievance Defined.

"Grievance" is any complaint by a regular employee who is subject to this Grievance Procedure and related to the following:

1. A disciplinary action applied to an employee,
2. Action taken by an employee which results in unfair or discriminatory treatment, inequity, or arbitrary or capricious action relative to another employee, based on a legally protected status,
3. Any interpretation or dispute regarding the terms and conditions of the City Personnel Policy, or
4. Retaliation or recrimination as result of any action by a superior that violates public policy or law.

C. No Retaliation.

An employee who files a grievance shall be free from restraint, interference, discrimination or reprisal by the City, its officers or employees, for having filed a grievance.

D. Privacy.

All documents, records and information generated, compiled or kept in conjunction with a grievance shall be exempt from disclosure to the public to the extent allowed by the Idaho Code

City of Idaho Falls Human Resources Policy 320 XXX. Grievance Procedures

(especially Title 74, Chapter 1, commonly known as the "Idaho Public Records Act"), [Idaho Code Title 74, Chapter 1](#). An employee who files a grievance may obtain copies of records related to a grievance pursuant to the Idaho Public Records Act.

- E. Resolution: If the Employer provides the requested remedy or a mutually agreed-upon alternative, the grievance will be considered resolved and may not be moved to the next step.
- F. Withdrawal: A grievance may be withdrawn at any time.
- G. Resubmission: If resolved or withdrawn, a grievance cannot be resubmitted.

E-H Commencing a Grievance.

Every employee is encouraged not to file a grievance until after they have made a reasonable effort to resolve the subject matter of the grievance with their immediate supervisor or other person against whom the grievance could be filed. Examples of reasonable effort include: meeting informally with the person(s) affected to discuss the matter; engaging a supervisor to assist in resolving a matter; suggesting a compromise or resolution; self-assessment; reviewing a policy with a peer or supervisor to clarify expectations; and/or meeting with the Human Resources Department Director.

A grievance shall be commenced by filing the grievance with the Director of the Department out of which the grievance arises. Such grievance shall be in writing and shall contain the following:

1. The name and job classification of the grievant;
2. The date of the alleged action(s) or omission(s) which form the basis of the grievance;
3. A statement of the facts, materials, and arguments supporting the grievance;
4. A list of all articles, sections, or rules of the Department, City policy, or law which are alleged to have been violated; and
5. The remedy or resolution sought.

Failure of the City to comply with the time limits specified in this grievance process shall automatically and immediately advance the grievance to the next Step in the grievance process. Failure of a grievant to comply with the time limits specified in this grievance policy automatically and immediately results in the denial of the grievance.

"Day" as used in this Policy, shall mean one (1) twenty-four (24) hour calendar day beginning at midnight and ending twenty-four (24) hours later, whether or not the City is open for business.

When time is calculated for a deadline, counting begins on the day following the date of determined event. Where a due date falls on a day that the City is officially closed for business (e.g., a weekend or official or declared holiday), the document is due or the event must occur on the first date that the City is open for business following the due date.

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City of Idaho Falls Human Resources Policy 320 XXX.

Grievance Procedures

The time limits herein stated may be extended only by prior written mutual agreement of the parties.

F.I. Grievance Process:

Step 1. Department Director's Review. The grievance process shall be initiated by submitting the written grievance to the Department Director within fourteen (14) days following the disputed grievance action or inaction or the date that the employee knew or should have known of the action or inaction, whichever is earlier. This requirement is meant to encourage prompt reporting and resolution of the matter grievance.

Within fourteen (14) days following the Department Director's receipt of the written grievance, the Department Director shall meet with the grievant to discuss the grievance. The Department Director shall provide a written response to the grievant within fourteen (14) days following such meeting.

Step 2. Mayor's review. If the grievant does not agree with the Department Director's response in Step 1, the grievance and Director's response may be submitted by the grievant to the Mayor within fourteen (14) days following the Department Director's response.

Within fourteen (14) days following receipt of the grievance and materials from Step 1, the Mayor shall provide a written response to the grievant.

Step 3. Independent Review. If the grievant does not agree with the Mayor's response in Step 2, the grievance may be submitted for independent third-party review in the following manner:

Within twenty-one (21) days following the grievant's receipt of the Mayor's response in Step 2, the grievant shall deliver a written request for independent review to the City Human Resources (HR) Director. The grievant and the HR Director shall meet to select an independent reviewer from a list of qualified reviewers within fourteen (14) days following the receipt of the demand from the grievant for such review.

The HR Director shall maintain a list of not less than five (5) qualified independent reviewers. If the parties are unable to agree upon an independent reviewer, the HR Director and grievant shall alternately strike a name from the list (the first to strike a name shall be determined by coin flip) until the name of only one (1) individual from the list remains. The remaining person shall be the independent reviewer for the grievance.

The independent reviewer shall be selected and engaged within fourteen (14) days following a meeting between the grievant and HR Director to select a reviewer. The review will commence within fourteen (14) days following the reviewer's receipt of grievance material provided by the HR Director. The failure of the reviewer to commence and to complete review within the time periods established shall result in selection of a new reviewer, who will proceed with the process outlined in this Step 3 until a review is completed.

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The scope of review by the independent reviewer in Step 3 shall be limited to whether the action taken against the grievant was or resulted in something unfair, discriminatory, inequitable, arbitrary, or capricious, based upon 1. a legally protected status, or 2. whether any Department or City policy was vague, subject to misinterpretation, or erroneously or wrongly applied to the grievant. The reviewer shall have no authority to rule contrary to, expand upon, or eliminate any terms or conditions of a Department policy or City Personnel policy. The grievant and the City may submit materials and/or testimony in support of their relative positions, the weight, materiality, and persuasiveness of which shall be determined solely by the reviewer. The reviewer may request additional information or clarification of any party or person and may independently research the matter; however, the reviewer shall have no authority to compel production of any information nor have the authority to compel the presence or testimony of any person. The reviewer shall not attribute any adverse motive or inference to materials not proffered by the grievant or the City.

The reviewer shall be requested to provide the parties with a written statement of relevant criteria and standards and a decision justifying the reviewer's decision regarding the grievance within thirty (30) days of commencement of the review.

An informal group comprised of the Department Director, a representative from the HR Department and from the City Attorney's office will meet to confer about the reviewer's decision within fourteen (14) days following the City's receipt of the decision (to consider it and to take action, if any, deemed appropriate).

City of Idaho Falls Human Resources
Policy 330 XXXVI.
Drug & Alcohol-Free Workplace Policy
Approved: 2024 March 2022

~~XXXVI.~~ DRUG & ALCOHOL-FREE WORKPLACE ~~POLICY~~

- A. The City has a longstanding commitment to providing a safe, quality-oriented and productive work environment consistent with the standards of the community in which we operate. Alcohol and drug use and misuse pose a threat to the health and safety of City employees, residents, and visitors and to the security of our equipment and facilities. For these reasons, it is the policy of the City to prohibit the use or misuse of drugs and/or alcohol in the workplace (and outside of the workplace when it impacts the work of the City. This Drug Free Workplace Policy outlines the practice and procedure designed to address these impacts on the City.
- B. This policy applies to all employees and all applicants for employment with the City. This policy, shall, to the extent possible, be interpreted in a manner consistent with the provisions of any collective bargaining agreement approved by the Council in the event of any irreconcilable inconsistency, then the respective collective bargaining agreement shall prevail.
- C. Compliance with the following rules is a condition of employment for all City employees. A violation of this policy or any of these rules may subject the employee to disciplinary actions, up to and including termination.
 - 1. The unlawful sale, possession, transfer, manufacture, distribution, dispensation, purchase, or use of alcohol or any controlled substance, or being under the influence of such substances by any employee of the City is prohibited at all times an employee is working, operating any City vehicle, is present on City premises, or is conducting City related work off-site.
 - 2. An employee whose off duty use or abuse of alcohol or any controlled substance results in excessive absenteeism or tardiness or is the cause of accidents or poor work performance may be considered to have violated this policy.
 - 3. An employee who has a commercial driver's license or regular driver's license expire, revoked, or suspended shall notify their Department Director prior to employee's return to work and immediately discontinue operation of any City vehicle. Failure to do so will result in disciplinary action, up to and including termination.
 - 4. If an employee's position requires a commercial driver's license or regular driver's license and the employee's commercial driver's license or regular driver's license is expired, revoked or suspended, the employee's employment will result in disciplinary action up to and including termination.
 - 5. Any illegal drugs or drug paraphernalia found at the workplace or in the possession of an employee while on duty will be turned over to an appropriate law enforcement agency.
 - 6. An employee must notify his/her Department Director in writing of any on-duty or off-duty criminal drug or alcohol related allegation, citation, incident or violation that adversely

City of Idaho Falls Human Resources Policy ~~330-XXXVI-~~

Drug & Alcohol-Free Workplace

impacts or could impact the employee's ability to drive, work, or perform a major life function of the employee or that arose out of activity in the employee's workplace, no later than five (5) calendar days after such allegations, citation, incident or violation.

7. The use of drugs/medicines prescribed by a licensed medical practitioner will be permitted provided that it will not and in fact does not adversely affect work performance, nor impair the employee's ability to safely operate equipment or machinery. The City reserves the right to have a licensed medical provider who is familiar with the employee's medical history and assigned duties determine if use of a prescription drug will produce effects which will increase the risk of injury to the employee or others while the employee is working. The City may limit or suspend the work activity of the employee during the period that the medical provider advises that the employee's ability to perform their job safely may be adversely affected by medication. Any employee who has been informed by their physician, health care provider, or by information provided by a pharmacy, drug manufacturer or on the label of the medication that the prescription drug could cause adverse side effects while working must inform their supervisor prior to using the medication while at work.
 8. Use of a legally prescribed controlled substance or medication which may adversely affect an employee's ability to safely perform the job must be disclosed by the employee to their supervisor prior to its use while at work. Any accommodations for the use of that prescription must be approved by the Human Resources Department and the employee's supervisor in a manner that provides for the safe performance of the employee's job.
- D. Drug Testing. As a condition of employment, all employees holding U.S. Department of Transportation (DOT) regulated positions required to be tested for drugs and alcohol as set forth in 49 CFR Parts 40 and 382 of the U.S. DOT regulations and will abide by the conditions set forth in Sections XXXVIII.D.1. of this policy. The term "DOT regulated positions" means any position that requires a commercial driver's license ("CDL") to perform any functions of the position. All other employees not in DOT regulated positions are covered under Section XXXVIII.D.2 of this policy.
- E. Drug Testing Policy for Employees in DOT Regulated Positions. Employees who are required to have a CDL as a condition of employment will be tested:
1. Prior to beginning duties in a DOT regulated position; or
 2. Randomly and unannounced; or
 3. Upon observation of behaviors that create "reasonable suspicion" of the possession or use of alcohol, controlled substances or drug-related paraphernalia; or
 4. Following a significant accident; or
 5. Prior to and after return-to-duty after failing a drug test and/or after completion of rehabilitation treatment.

City of Idaho Falls Human Resources Policy ~~330-XXXVI-~~

Drug & Alcohol-Free Workplace

No employee shall use or be under the influence of alcohol or controlled substances while on duty or while performing DOT regulated position functions related to their job. No employee shall have used alcohol or controlled substances within four (4) hours of reporting for duty. No employee shall use alcohol or controlled substances during the hours that they are on call. No employee should report for duty or remain on duty when his/her ability to perform assigned functions is adversely affected by alcohol or controlled substances or when their blood alcohol concentration is two tenths (0.02) or greater.

F. Pre-Employment Testing

1. Prospective employees for any DOT regulated positions will be tested for drugs after a contingent offer of employment is made. A confirmed positive test disqualifies applicants from employment. Additionally, this applies to current employees who are transferring from a non-DOT regulated position to a City DOT regulated position.
2. A drug and alcohol testing history check will be conducted on all hires for DOT regulated positions, including current employees who transfer from a non-DOT regulated position to a DOT regulated position within the City. Such history check shall consist generally of a signed authorization form that will be sent to each of the prospective employee's previous DOT-regulated employers from the prior three (3) years requesting any drug and alcohol history documentation they might have on the prospective employee.

G. Random Testing

1. All employees occupying DOT regulated positions will be subject to urine drug testing and breath or saliva alcohol testing at any time without prior notice.

H. Reasonable Suspicion Testing

1. An employee may be required to submit to drug and alcohol testing if reasonable suspicion is established regarding the employee's possession, use of, or being under the influence of, drugs or alcohol while on duty. The following represent conditions under which reasonable suspicion may be established:
 - i. Direct observation of drug use or possession.
 - ii. Direct observation of the physical symptoms of being under the influence of drugs or alcohol, such as impairment of motor functions or speech.
 - iii. A pattern of abnormal conduct or erratic behavior.
 - iv. Arrest or conviction for a drug-related offense or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or distribution.

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Drug & Alcohol-Free Workplace

- v. Information that is provided by reliable and credible sources or that can be independently corroborated.
 - 2. Supervisors should document all behaviors that lead to the reasonable suspicion conclusion, shall complete a "Report of Reasonable Suspicion" form, and return this form to the Human Resources Department prior to submitting the employee for testing when possible. If not possible prior to testing, the form should be returned to the Human Resources Department as soon as possible.
- I. Post-Accident Testing
- 1. Employees will be required to undergo urine drug testing and breath or saliva alcohol testing if they are involved in a serious accident on duty if:
 - i. The accident results in a fatality or
 - ii. The employee receives a citation under State or local law for a moving traffic violation arising from the accident AND either: (a) an accident results in injuries requiring transportation to a medical treatment facility or (b) one or more vehicles incurs disabling damage that requires towing.
 - 2. Employees who are not on duty but are in an accident meeting the above requirements while driving a City owned vehicle will also be tested.
 - 3. Following an accident, the employee will be tested as soon as possible, but not more than eight (8) hours following an accident for alcohol testing or more than twenty-four (24) hours for drug testing. Any employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident or until they undergo a post-accident alcohol test. Any employee involved in an accident must not leave the scene of an accident (unless emergency medical attention is warranted) and must contact their supervisor as soon as reasonably possible. Any employee who leaves the scene of the accident without appropriate supervisory authorization prior to submission to drug and alcohol testing will be considered to have refused the test and their employment may be terminated.
 - 4. An employee who is seriously injured and cannot provide a specimen for testing will be required to authorize the release of relevant hospital reports, or other documentation, that would indicate whether there were alcohol or drugs in his/her system at the time of the accident. Any employee required to be tested under this section must remain readily available for such testing and the employee may not consume any alcohol or illegal drugs.
- J. Return-to-Duty Testing
- 1. Employees will be tested prior to and after return-to-duty after failing a drug test and/or after completion of rehabilitation treatment.
- K. Testing Procedures

City of Idaho Falls Human Resources Policy ~~330-XXXVI-~~

Drug & Alcohol-Free Workplace

1. When an employee is notified of their selection for a test, they must proceed immediately to the collection site and/or collection representative. Tests for alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved evidential breath testing device (EBT) operated by a trained breath alcohol technician (BAT) or by saliva. If the initial test indicates an alcohol concentration of two-tenths (0.02) or greater, a second test will be performed to confirm the results of the initial test. An employee who has confirmed alcohol concentration of greater than two-tenths (0.02) but less than four-tenths (0.04) will result in removal from their position duties for twenty-four (24) hours unless a retest results in a concentration measure of less than two-tenths (0.02). An alcohol concentration of four-tenths (0.04) or greater will be considered a positive alcohol test and in violation of this policy.
 2. Tests for drugs will be conducted utilizing urine specimens and must be conducted by a drug testing laboratory certified by the Department of Health and Human Services (DHHS). DOT urine specimens are analyzed for the following drugs or drug metabolites (This list is not definitive. All current illegal substances and any that may become illegal after this policy is enacted are considered to be within the scope of this policy.):
 - Marijuana metabolites/ THC
 - Cocaine metabolites
 - Phencyclidine (PCP)
 - Amphetamines, Methamphetamine, and Methylenedioxymethamphetamine (MDMA)
 - Opiate metabolites (Codeine, Morphine, and Heroin)
 3. A positive drug test is a violation of this policy and requires removal of the employee from their position duties immediately and will lead to disciplinary action up to and including termination. Any employee who challenges the results of a required drug test may request that an additional test be conducted. The employee's request for a re-test must be made to the City Human Resources Department within seventy-two (72) hours of notice of the initial test result. Requests after seventy-two (72) hours will only be accepted if the delay was due to documentable facts that were beyond the control of the employee. This test must be conducted at a different certified testing DHHS laboratory. The test must be conducted on the split sample that was provided at the same time as the original sample. All costs for such testing shall be paid by the employee unless the second test invalidates the original test. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40 regulations.
 4. Any employee who refuses to comply with a request for testing, who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution shall be removed from duty immediately and their employment may be terminated. Refusal can include, but is not limited to, an inability to provide a specimen or breath sample without a valid medical explanation as well as verbal declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test.
- L. Confidentiality

City of Idaho Falls Human Resources Policy ~~330-XXXVI-~~

Drug & Alcohol-Free Workplace

1. Any testing, test-related documents and test results will be kept confidential and will be released only to City officials with a need to know and to the applicant or employee tested. Any breach of confidentiality by City officials or employees will be cause for disciplinary action up to and including termination.

M. Testing Results

1. All results received from the laboratory will be forwarded to the office of the accredited collection agency for the purpose of their providing medical review officer services. When a test shows a positive test result the employee or applicant will be contacted by the Medical Review Officer (MRO) and will be given the opportunity to provide an explanation for the positive results. The MRO may choose to conduct employee medical interviews, review employee medical history, or review any other relevant biomedical factors. After the employee or applicant has been provided an opportunity to consult with the MRO and the MRO determines that the test is positive, the City will be notified. The collection agency will only report results to the Human Resource Department
2. Any employee who tests positive for the presence of illegal drugs or alcohol above the minimum thresholds set forth in 49 CFR Part 40 may be evaluated by a Substance Abuse Professional (SAP) as defined by DOT regulations. If used, the SAP will evaluate an employee to determine what assistance, if any, the employee needs in resolving problems associated with prohibited substance abuse or misuse. Assessment by an SAP does not shield an employee from disciplinary action or guarantee employment or reinstatement with the City.
3. Any employee whose position requires a CDL or regular driver's license, who loses their CDL or regular driver's license due to a positive drug or alcohol test or a DUI will be immediately removed from their position. The employee will be placed on administrative leave pending a disciplinary hearing procedure. The employee will be subject to discipline up to and including termination.
4. All employees who previously tested positive on a drug or alcohol test may be provided an opportunity to re-enter the work force by the City. To do so, the employee must agree to re-entry conditions that ensure the employee is drug and alcohol free. Such conditions may include (but are not limited to):
 - a. A release-to-work statement from an approved SAP.
 - b. A negative test for drugs and/or alcohol.
 - c. An agreement to submit to unannounced follow-up testing.
 - d. A statement of expected work-related behaviors.
 - e. An agreement to follow specified after-care requirements with the understanding that violation of the re-entry contract is grounds for termination.

City of Idaho Falls Human Resources Policy ~~330-XXXVI-~~
Drug & Alcohol-Free Workplace

5. The cost of any treatment or rehabilitation services will be paid directly by the employee or their insurance provider. Employees will be allowed to take accumulated sick leave and vacation leave to participate in the prescribed rehabilitation program.
 6. All employees are encouraged to make use of the available resources for treatment for alcohol and substance abuse problems. All regular employees of the City of Idaho Falls have access to an employee assistance program (EAP) that can help with providing information concerning the effects of the use of alcohol and controlled substances, as well as identifying and recommending a course of treatment, if needed.
 7. Under certain circumstances, employees may be required, as a condition of continued employment, to undergo treatment for substance abuse. Successful completion of such treatment shall not be construed to provide such employee with any right to continued employment. Any employee who refuses or fails to comply with the requirements for treatment, after-care, or return-to-duty shall be subject to disciplinary action including suspension without pay or termination.
- N. Drug Testing for Employees in Non-DOT Regulated Positions
1. It is not permissible for City employees or applicants who do not hold DOT regulated positions to be required to undergo pre-employment or random drug or alcohol testing. It is permissible for City employees or applicants who do not hold DOT regulated positions to be required to submit to drug and alcohol reasonable suspicion testing, post-accident testing and return to duty testing.
 2. Allowable testing for employees who do not hold DOT regulated positions will follow the testing guidelines and minimum thresholds established by the DOT as set forth in Sections XXXVIII.D.1.f-h.



City of Idaho Falls Human Resources

Policy ~~340XXXIV.~~

Association Business

Approved: ~~2024~~March 2022

~~XXXIV.~~ ASSOCIATION BUSINESS

Regular employees elected to an office within an employee association or selected by an employee's association for the purpose of any grievance meeting or presentation of new recommendations, upon notification of their Department Director, shall be granted time off to perform such duties with no loss of pay to the employee, provided such meetings or duties shall not require the employee to leave the City or indulge in any other meetings or business not to exceed a maximum of four (4) people at any one time.



City of Idaho Falls Human Resources
Policy 350 XXXII.
Political Activity
Approved: March 2022

XXXII. POLITICAL ACTIVITY

Employees may join any political organization, attend political meetings, express their views on political matters and vote in any election without retaliation, restraint or interference by the City or any of its officers or employees. However, while employed by the City, employees are prohibited from holding any City of Idaho Falls elective office, from using their official City position to publicly influence any public election campaign and from campaigning or circulating political petitions or otherwise engaging in political activities within the work-place workplace or while on duty.



City of Idaho Falls Human Resources

Policy 360 XXXVII.

Social Media

Approved: March 2022

XXXVII. SOCIAL MEDIA

- A. Purpose. The City supports the use of social media to enhance communications from the City and inform the public about the missions of its Departments.

Official City social media accounts provide general interest information to the community about City services, issues, news, programs, and activities. City social media accounts are also an important tool in providing emergency communications.

This policy establishes guidelines for City use of social media including guidelines and procedures that govern the creation, use, and administration of all official City social media accounts.

- B. Limited Public Forum. City social media accounts are limited public forums under the First Amendment; therefore, all content published is subject to monitoring and is considered a public record. City social media accounts shall provide notice to site visitors regarding the City's standards of use. The City social media account administrator must post the City's standards of use prominently on all of the City social media accounts. Social media sites are generally third-party owned. User-generated posts may be reported and/or rejected when the content violates legal standards of use. Prior to rejecting or removing user-generated posts, the City's social media account administrator shall consult with the City Attorney's Office.
- C. Creation of City Social Media Accounts. City social media accounts may be created only with approval from the Office of the Mayor and, for Departmental sites, the appropriate Department Director. All City social media accounts shall follow the City's Graphical Standards Manual, and must include the City's standards for use statement.

Guidelines for administration and posting on City social media accounts are governed by the established Social Media Guidelines and Procedures administered through the Office of the Mayor and the Public Information Officers, a copy of which may be obtained from any Public Information Officer.

City social media accounts will be regularly maintained by a site administrator who is approved by the Office of the Mayor and appropriate Department Director. Additionally, site administrator privileges shall be granted to the City's Public Information Officers to serve as secondary administrators.

Only administrators or spokespeople officially authorized by the City may make official posts to City social media accounts. City's social media accounts are to be used for City and Department business purposes only.

City posted information shall follow professional standards for good grammar, spelling, brevity, clarity, and accuracy. Jargon, obscure terminology, or acronyms should be avoided when possible. City employees or authorized social media administrators recognize that the content

City of Idaho Falls Human Resources Policy XXXVII- Social Media

and messages they post ed-on social media accounts are public and may be cited or considered to be official City statements and might be used by the media. Approved social media administrators shall consult with their designated Public Information Officer prior to posting or commenting on issues likely to be controversial.

City social media accounts may not be used for political purposes, to conduct private commercial transactions, or to engage in private business activities.

Social media should not be used to circumvent other City communication policies, including the news media policy. City employees who are administering official City social media accounts may not publish information on those accounts that include:

1. Confidential information;
2. Profanity, racist, sexist, or derogatory content or comments;
3. Partisan political views; or
4. Commercial endorsements or "spam".

4.D. Employees of the City are not permitted to represent the City in an official capacity on personal social media accounts. Personal accounts are a private space and are not to be used for conveying City statements, policy positions, or responses on behalf of the City. Any communication or statements made by employees on personal platforms or utilizing personal profiles should not imply or suggest an official affiliation or endorsement by the City. Official City communication is managed only through approved channels and designated staff to ensure accurate and consistent messaging.

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City of Idaho Falls Human Resources
Policy 370 ~~XXXI~~.
City Information System Usage
Approved: ~~March 2022~~

~~XXXI.~~ CITY INFORMATION SYSTEM USAGE

- A. This policy applies to all users of City information resource systems, including but not limited to full and part-time employees, subcontract personnel, temporary staff, and anyone else who is given access to City computer systems.
- B. City information system equipment may be used for official business only. City information resources are municipal property and, as such, are subject to City policy and federal and state laws pertaining to the proper use, protection, accountability, and disposition of municipal property. Information resources include all City-owned or municipal-funded data communication equipment and services, located on- or off-site, including, but not limited to personal computers, laptop computers, workstations, networking services, telephones, cell phones, tablets, radios, associated peripherals and software, copiers, fax machines, and municipal provided access to electronic mail, the City's network.
- C. City information resource systems and the equipment used to operate these systems are to be used for the purpose of conducting official business only. That is, activities that pursue and fulfill the mission, vision and strategic goals of the City. Official Use, for the purpose of this policy means a use that is in support of or related to the conduct of City-related business. Incidental use, which should be done sparingly, is considered to be official use and includes activity or use that does not (a) directly or indirectly interfere with the operation of City resources, (b) create additional cost, (c) interfere with the user's employment duties or reduce employee productivity, or (d) violate other established rules. Playing games, surfing the internet/web, visiting chat rooms, blogging, and performing other non-productive, non-work-related activities are not appropriate. Additionally, it is not appropriate to use City information systems and equipment to solicit or proselytize for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.
- D. Using City information systems or services to intentionally access, download, or otherwise transmit any sexually explicit material; sending obscene, threatening, or harassing e-mails; using City computer resources for personal or financial gain (i.e., running a private business, trading stocks other than maintenance of a City-sponsored retirement plan, or other similar activities); transmitting or disclosing classified or other protected information without authorization; or the forwarding of sensitive material to an address with an outside internet service provider (ISP) will not be tolerated and will result in discipline up to and including discharge.
- E. There is no personal privacy on City information resource systems. Use of City computers and systems may be intercepted, monitored, recorded, copied, audited, inspected, and disclosed by authorized officials. It is understood that employees may unintentionally come across non-work-related material; however, if this happens, they are to exit the site or terminate access immediately and notify their manager or supervisor as soon as possible of the circumstances that led to the situation.



City of Idaho Falls Human Resources
Policy 400 XII.
Determination of Insurance Benefits
Approved: August 5, 2024

XII. DETERMINATION OF INSURANCE BENEFITS

- A. Employee insurance benefits for eligible employees, as determined by this Section will begin on the first day of the month after their hire date. In addition, if an employee changes status to an insurance benefit eligible status, their insurance benefits will begin on the first of the month following that status change. For example, if an employee's hire date is in January, their insurance benefits will begin February 1. If an employee changes status from seasonal to full-time in March, their insurance benefits will begin on April 1. The insurance start date for new IBEW employees will be determined as outlined in the current labor agreement or as determined by the Power Department General Manager. Insurance premiums will be withheld and paid in the month of coverage.

Insurance benefits will end for a terminated employee at the end of the month of their termination whether the termination is voluntary or involuntary. For example, an employee with a termination date in June will no longer receive insurance benefits after June 30.

- B. Regular full-time employees shall receive full insurance benefits in accordance with the terms of this policy. Regular part-time 30 employees who are assigned to work thirty to thirty (30) to thirty-four (34) hours per regular work week shall be entitled to receive insurance benefits on a pro-rated basis, based upon the number of hours so assigned compared to a forty (40) hour regular work week. Regular part-time 20 employees who are scheduled to work twenty (20) to twenty-nine (29) hours per work week are not entitled to receive insurance benefits. Casual, Seasonal, and Temporary employees are not entitled to receive insurance benefits. For definitions of employee types, see Policy 110 Definition and Terms.



City of Idaho Falls Human Resources

Policy **XVIII.410**

Vacations/Leave Practices

Approved: **March 2022**

XVIII. VACATIONS

A. Eligibility and Accrual

1. Vacation Benefits. Regular employees will be eligible for paid vacation in accordance with the following schedule and according to Section X of this Personnel Policy. Accrued hours will be pro-rated for regular employees that work less than Full-Time.

A.2. Employees will accrue vacation leave on a per pay period basis, based on the number of regular hours worked and the years of continuous employment with the City.

Completed Years of Service	Vacation Hours	Days	Accrued H Per Pay Period
Date of Hire-4 years	140	17.5	5.38
5 years	160	20	6.15
10 years	180	22.5	6.92
15 years	220	27.5	8.46
20 or more	240	30	9.23

1. Maximum vacation accrual is 240 hours. The maximum eligibility for accumulated vacation pay at termination or retirement shall not exceed two hundred and forty 240 hours or thirty (30) days.

- 2.1. Employees are not permitted to use more than **three (3)** days of vacation after their last full week on the job.

- 3.2. Vacation cannot be used prior to being accrued.

- 4.3. Vacation will not be considered as time worked for purposes of calculating overtime compensation.

B. Maximum Accrual

1. Maximum vacation accrual is **two-hundred and forty (240) hours**. The maximum eligibility for accumulated vacation pay at termination or retirement shall not exceed two-hundred and forty 240 hours or thirty (30) days.

C. Scheduling of Vacation.

1. Eligible employees may take their vacations in accordance with the following:

1. Use of vacation must be approved in advance by employee's supervisor or Department Director.

2. Department or Division Directors may deny requests for vacation leave based on workload.

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City of Idaho Falls Human Resources Policy XVIII410 – VacationsLeave Practices

D. General Vacation Rules

1. Employees nearing with a balance above two hundred-forty (240) hours of vacation leave and wanting to have the ability to rollover any vacation balance over the two hundred – forty (240) must request approval for a vacation leave rollover. The employee must submit a detailed plan of how the rolled over vacation leave will be utilized within the next rolling calendar yearsix months. Under extenuating circumstances and subject to recommendation from the Department Director, Director of Human Resources, and Director of Municipal Services and final approval from the Mayor, the employee will be allowed to accrue beyond the two hundred-forty (240) hours as approved by this policy. At the end of the rolling calendar year-six-month period, all vacation leave above two hundred-forty (240) hours will be forfeited, the excess amount (hours over 240), may be rolled over to the next year. If such request is approved, the overage amount must be used within the immediately succeeding year, after which no accrued vacation totals will exceed the 240-hour maximum.

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2. An employee returning to the employ of the City following a termination of employment for a period greater than ninety (90) days will re-enter the work force as a new employee with respect to vacation privileges and all other benefits described in this Policy.

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3. Minimum Amount of Leave. Vacation leave will be used in increments of fifteen (15) minutes for hourly employees and one (1) hour increments for exempt employees. 2. Pay During Vacations. Vacation pay shall be calculated in accordance with the employee's regular job classification rate and work schedule, exclusive of any clock pattern premium pay where applicable. Pay in Lieu of Vacation in Event of Termination. An employee whose employment is terminated (whether voluntarily or involuntarily) and who is eligible for vacation benefits shall receive a lump-sum payment at the regular hourly rate of pay in lieu of such vacation. Vacation benefits will not exceed two hundred forty (240) hours thirty (30) days. For members of IAFF Local No. 1565, refer to the current union contract.

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4. Available vacation time does not justify tardiness or unexcused absences. Unscheduled absenteeism and tardiness are grounds for disciplinary action, regardless of the availability of vacation. Failure to notify the City of an absence may result in disciplinary action, up to and including termination.

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5. When an employee transfers from one City department to another, their accrued vacation leave balance shall not be forfeited, and will be available for use within the new department.

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6. Employees who have a change in status when the new position is not eligible for accrual will be paid for their accrued vacation hours, up to a maximum of two-hundred and forty (240) hours.

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City of Idaho Falls Human Resources Policy XVIII410 – VacationsLeave Practices

1.7. Vacation leave pay outs will be made at the employee's base rate at the time of applicable termination or change.

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VOLUNTARY SHARED LEAVE

1. An employee may donate vacation hours to benefit another employee who has or who will exhaust all leave time due to a serious illness or injury to the employee or immediate family member.
2. An employee requesting additional leave must exhaust all available leave (i.e., vacation, sick, comp time) before requesting donated leave.
3. Upon approval, Human Resources will notify City employees of the need for donated hours. Donated vacation hours will be transferred on an hour-for-hour basis. Employees receiving donated hours will be paid for such hours based on their work schedule and their own base hourly rate.

4. Maximum amount of donated leave an employee can use is 240 hours annually.

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5. Once a donation is made, it cannot be withdrawn. The requesting employee cannot carry unused donated hours forward. All unused donated hours will be returned to the donors.

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6. All donor names and contributions will be kept confidential.

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XX. SICK LEAVE

A. Sick Leave BenefitEligibility and Accrual

1. Regular full-time employees will be eligible to accrue and use sick leave. The City recognizes that there are times when employees or an immediate family member may have health problems that require time away from work. An employee is allowed to use sick leave for:

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1. a. PersonalMedical needs including:

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- Medical, dental, or optical examinations or treatments
- Physical or mental illness, injury, pregnancy, childbirth, adoption-related purposes, or for scheduled medical, dental, or optical or similar appointments.
- Possibly jeopardizing the health of others by their presence on the job because of exposure, as determined by a health care provider.

2. Care of an immediate family member as defined in the policy for the purpose of:

- Medical, dental, or optical examinations or treatments
- Physical or mental illness, injury, pregnancy, childbirth, adoption-related purposes, or for scheduled medical, dental, or optical or similar appointments.

City of Idaho Falls Human Resources Policy XVIII410 – VacationsLeave Practices

Possibly jeopardizing the health of others by their presence on the job because of exposure, as determined by a health care provider.

2. Bereavement – after Bereavement Leave has been exhausted as defined by the bereavement leave policy.
3. Minimum Amount of Leave. Sick leave will be used in increments of fifteen (15) minutes for hourly employees and one (1) hour increments for exempt employees

B. Sick Leave Accrual

Description	Accrued Hours Per Pay Period	Total Hours Per Year
Full-time employees	3.69	96
Part-time 30 employees	2.77	72
Part-time 20 employees	1.85	48

1. Sick leave may accrue up to a maximum of one thousand and forty (1,040) hours total. When an employee reaches one thousand and forty (1040) hours, leave will stop accruing.
2. Sick leave cannot be used prior to being accrued.

3. Sick leave will not be considered as time worked for calculating overtime compensation.

4. Minimum Amount of Leave. Sick leave will be used in increments of fifteen-minutes.

C. Sick Leave Conversion

1. Employees with five (5) or more years of service may choose to convert sick leave annually into an employer sponsored tax deferred compensation plan, transfer hours to vacation hours, or cash out hours. Annual selection to convert sick leave must be made between April 1st and April 30th and shall be converted the first payday in November of the same year. A balance of at least one hundred twenty (120) hours must be left in the employee's sick leave balance. Sick leave will be converted/cashed out at one-third (33%) of the employee's regular hourly rate of pay not to exceed a maximum of \$2,500.

4. D. Sick Leave Pay out

- 5-1. If the employee meets the requirements for PERSI retirement, one-third (33%) of the sick leave balance is converted to an HRA VEBA plan upon retirement. For members of IAFF Local No. 1565, refer to the current union contract.

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City of Idaho Falls Human Resources Policy XVIII410 – VacationsLeave Practices

6.2 Upon the death of an active employee, sick leave benefits will be paid 100% to the employee's estate, ~~in the form of cash.~~

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C. E. Notification Requirements.

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1. A department may require employees to request advanced approval for sick leave for their own medical, dental, or optical examination or treatment. To the extent possible, an employee may be required to request advanced approval for sick leave to attend to a family member receiving medical, dental, or optical examination or treatment, to care for a sick immediate family member or with a serious health condition, for bereavement purposes, and for adoption-related proceedings. If the employee complies with the department notification and medical evidence requirements, the department must grant sick leave.

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D. F. Denial of Sick Leave.

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1. For absences in excess of ~~three (3)~~five (5) days, a department may require a medical note. If the employee fails to provide the required medical note within 15 calendar days after the department's request, they are not entitled to sick leave. Any employee who is on ~~Accident on Duty (AOD) leave or on~~ sick leave who is found to be working at another job, using sick leave for something other than recuperation from a qualifying illness or injury or otherwise abusing sick leave, is subject to immediate disciplinary action, up to and including dismissal.

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~~E. Minimum Amount of Leave. Sick leave will be used in increments of fifteen minutes.~~

F. G. Grandfathering Sick Leave Clause: Sick

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1. Any employee who currently has more than 1,040 hours of sick leave accrued can choose to remain on the sick leave policy on or before November 21, 2017 (previous sick leave policy) or to move to the sick leave policy in effect adopted on or after November 21, 2017 (the new sick leave policy). If the employee chooses ~~Employees who chose~~ to stay on the previous sick leave policy shall have the following: that eEmployee will be subject to the previous sick leave policy guidelines (see #3 below), will continue to accrue sick hours and (if they meet the requirements for PERSI retirement), that employee's sick leave balance will be converted to an HRA VEBA at the employee's retirement based on the Conversion Benefit for Qualified Retirees listed below.

2. Any employee who has over 940 hours of accrued sick leave under the previous sick leave policy can choose (only during December of 2017) to sell up to 96 hours of such accrued sick leave at 33% of the total number of accrued sick leave hours converted and can continue to accrue sick leave during the first year of the policy change. Any employee who has accrued sick leave over 1,040 hours under the previous policy and chooses to be governed by the new policy will lose all accrued sick leave in excess of 1,040 hours and can also choose to sell up to 96 hours of accrued sick leave at one-third (33%) in order to continue to accrue this first year of the policy change.

City of Idaho Falls Human Resources Policy XVIII410 – Vacations/Leave Practices

a. ~~Previous Sick Leave Policy~~

b. ~~Definition of Qualifying Illness. Regular Employees will be granted sick leave whenever they are incapacitated due to qualifying illness, non-occupational injury or enforced quarantine. The term "qualifying illness" means any illness, disability, physical or mental, or impairment of any kind, including disability due to pregnancy or childbirth, which (i) renders an employee substantially incapable of performing the essential functions of their job, or (ii) for which the healing process would be substantially impaired by the performance of such functions. Qualifying illness shall not include (i) physical or mental impairment voluntarily induced by the employee, including, but not limited to, impairment arising from illegal or immoral conduct, (ii) unjustified fighting, (iii) illness or injuries suffered in or arising from military service or other gainful employment, (iv) injuries suffered while on excused or educational leave, and (v) impairment due to use of any intoxicating beverage or any controlled substance.~~

c. ~~Serious Sickness in Family. Regular employees may be allowed leave with pay at their customary hourly rate on account of a serious illness of an emergency nature of a member of the employee's immediate family in accordance with the following provisions: Not to exceed three (3) workdays at any one time, or ten percent (10%) of accumulated sick leave, whichever is greater. Such leave is to be deducted from accumulated sick leave.~~

d. ~~Sickness In Family. Regular employees are allowed up to five (5) workdays with pay per calendar year for Sickness in Immediate Family. Such leave is not cumulative and will be deducted from accumulated sick leave.~~

e. ~~Death In Family. Regular employees may be allowed leave with pay at their base rate for a period not exceeding three (3) workdays, when authorized by the Department Director, for death in their immediate family. The Department Director may authorize two (2) additional workdays whenever, in the opinion of the Department Director the employee needs additional time to travel to and from their destination. Such additional travel time will be deducted from accumulated sick leave.~~

f.a. Conversion Benefit for Qualified Retirees. Conversion benefit is computed as follows: Actual time currently on books plus any additional accumulated time, minus sixty (60) working days for regular employees (four hundred eighty (480) hours or minus thirty (30) working shifts for Fire Fighters of ineligible time (i.e., time that could be paid at one hundred percent (100%) if taken when sick, minus any unrecorded time used); Forty percent (40%) of the balance of these hours multiplied by the hourly rate equals eligible dollar amount.

i. ~~First sixty (60) working days or thirty (30) shifts for Fire Fighters exempt.~~

Forty percent (40%) of all hours remaining over the deductible in 3.e.

ii.i. Example: 1000 hours – 480 hours = 520 hours; 40% of 520 = 208 eligible hours. 208 X hourly rate will be the amount put in to the employee's HRA VEBA

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City of Idaho Falls Human Resources Policy XVIII410 – Vacations/Leave Practices

XVII. HOLIDAYS

- A. Regular Employees who are not generally required to work on holidays, shall be paid their established wage for such holiday. A holiday ~~is considered to~~ will be eight (8) hours for full-time employees. Employees working less than full-time are eligible for a pro-rated paid leave on holidays based on the number of hours the employee is normally scheduled to work weekly.

- B. Twelve (12) annual holidays will be observed. Holidays are:

- New Year's Day,
- Martin Luther King, Jr. -Idaho Human Rights Day,
- President's Day,
- Memorial Day,
- Juneteenth,
- Fourth of July,
- Labor Day,
- Columbus Day,
- Veteran's Day,
- Thanksgiving Day,
- Day after Thanksgiving
- Christmas Day.

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No other holiday designated by the State will be observed unless specifically approved by the Council.

1. Whenever any holiday falls on Saturday, the preceding Friday shall be a holiday and whenever any holiday falls on Sunday, the following Monday shall be a holiday.

Provision for Idaho Falls Public Library employees: The Library will remain open the day after Thanksgiving and will close on the day before Christmas. If the day before Christmas falls on a Saturday or Sunday, the holiday will be rolled to a work day. The Monday preceding Christmas Day when the latter falls on Tuesday or the Friday following Christmas Day when the latter falls on a Thursday, or if no such holiday occurs during the year, then the Friday following Thanksgiving Day. Library personnel will celebrate the special holiday on the 24th of December. If December 24th falls on a Sunday, Library employees will be granted another day off during the Christmas week for the special holiday.

- C. Whenever a recognized holiday falls on an assigned day off within ~~an~~ a work week, the nearest working day will be declared a holiday.

XXI. BEREAVEMENT LEAVE

City of Idaho Falls Human Resources Policy XVIII410 – VacationsLeave Practices

A. Bereavement Leave for regular employees may be allowed at their base rate for a period not exceeding three (3) workdays, for a death in their immediate family. The department director may approve up to two (2) additional days of sick leave. An employee needing additional time off after the death of an immediate family member may request sick leave subject to FMLA eligibility and requirements.

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XXVIII. JURY DUTY AND OTHER REQUIRED APPEARANCES

A. Jury Duty.

1. If, during regular scheduled workdays, a regular employee is summoned for jury duty, they shall receive compensation for the hours off, but not to exceed the number of hours the employee would normally have worked on their scheduled shift. Any time paid for under this rule shall not be considered as time worked for the City and as such shall not be considered as time worked in computing any overtime pay.

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B. Other Required Appearances.

1. If, during regular scheduled work days, a regular employee must appear before a court, administrative tribunal or other quasi-judicial body as a witness in proceedings or actions in which the employee is not a named party or a party appearing in a representative capacity and in response to a subpoena or other direction by proper authority they shall receive their regular pay, but not to exceed the amount they would normally have received if they had worked their scheduled shift. Any time paid for under this rule, shall not be considered as time worked for the City and as such shall not be counted as time worked in computing any overtime pay. All off-duty appearances, occasioned in connection with official duties, and required by subpoena or other direction by proper authority, shall be paid at the rate of time and one-half (1½) the base hourly rate with two (2) hours and a maximum of hours commensurate with employee's normal shift.

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LEAVE OF ABSENCE WITHOUT PAY

1. Department Directors may grant a leave of absence without pay, provided the employee has no other leave benefits available. An employee must have prior approval from their Department Director to be on Leave of Absence Without Pay. The Mayor and Council must approve any request for more than fifteen (15) working days a calendar year and stipulate the effect upon the employee's eligibility for benefits and their continuous service period. If the employee fails to report to work within 3 days after exhausting any approved leave without pay, they shall be considered to have resigned.

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2. Department Director may grant a leave of absence without pay for an employee serving on military leave even if the employee has other leave benefits available.

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3. There shall be no change in benefits for an employee on leave without pay status for the fifteen (15) calendar days.

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City of Idaho Falls Human Resources Policy XVIII410 – VacationsLeave Practices

ADMINISTRATIVE LEAVE WITH PAY

- A. An employee may be placed on paid administrative leave for the following purposes:
1. Investigation, disciplinary, or organization needs.
 - i. Employees will be placed on administrative leave for no longer than is necessary for the department to determine the employee's status.
— A supervisor seeking to relieve an employee of work shall request approval of this leave in writing through the Human Resources Director or designee.
 2. Employees shall retain all rights of employment due to them and shall receive pay and benefits as if they had worked
- Before placing an employee on paid administrative leave, the Department Director and Human Resources Director must approve the action.

VOTING LEAVE

- A. Voting in a public election is an important civic duty and we encourage all of our eligible employees to vote. To help in this cause you can request up to two hours of paid leave to go vote in federal, state, and local general elections if your work schedule prevents you from voting. You are required to get approval for this leave from your supervisor. It is encouraged that you take this leave at the beginning or end of your scheduled work period or at a time designated by your supervisor.

UNAUTHORIZED LEAVE

- A. No employee may be absent from duty without permission of their supervisor.
- B. An employee absent for three (3) consecutive working days without notice and without sufficient reason shall be considered to have resigned.

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City of Idaho Falls Human Resources

Policy **XXII.420**

Family Medical Leave

Approved: **March 2022**

XXII. FAMILY MEDICAL LEAVE

- A. The City of Idaho Falls will comply with the Family and Medical Leave Act implementing Regulations as revised effective January 16, 2009. The City posts the mandatory FMLA Notice and upon hire provides all new employees with FMLA information as required by the U.S. Department of Labor (DOL). The function/purpose of this policy is to provide employees with a general description of their FMLA rights. In the event of any conflict between this policy and the applicable law, employees will be afforded all rights required by law. If employees have any questions, concerns, or disputes with this policy, they should contact the Director of Human Resources.
- B. General Provisions. Under this policy, the City of Idaho Falls will grant up to twelve (12) weeks (or up to 26 weeks of military caregiver leave to care for a covered service member with a serious injury or illness) during a 12-month period to eligible employees. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.
- C. Eligibility. To qualify to take/be eligible for leave under this policy-family or medical leave under this policy, the employee must meet all of the following conditions:
1. The employee must have worked for the City for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to or necessitated by service in the uniformed service/National Guard or Reserve military service obligations or when there is a written agreement, including a collective bargaining agreement, stating the employer's intention to rehire the employee after the service break. For eligibility purposes, an employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on leave during the week.
 2. The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave are not counted in determining the 1,250 hours eligibility test for an employee under FMLA.
- D. Type of Leave Covered/Reasons for Leave. To qualify as FMLA leave under this policy, the employee must be taking leave for one of the reasons listed below:
1. The birth of a child or placement of a child with the employee for adoption or foster care, and in order to care for that child.

City of Idaho Falls Human Resources Policy ~~XXII~~420 – Family Medical Leave

~~2. The placement of a child for adoption or foster care and to care for the newly placed child.~~

~~3-2. To care for a spouse, child or parent with a serious health condition (described below).~~

~~3. For a~~The serious health condition (described below) ~~of that makes~~ the employee unable to perform the essential functions of their job.

~~4. For any qualifying exigency arising out of the fact that a spouse, child, or parent is a military member on covered active duty or on call to covered active-duty status.~~

~~4-5. To care for a covered service member with a serious injury or illness.~~

~~a. An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee's position.~~

~~b. A serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involved inpatient care of continuing treatment by a health care provider. This can include conditions with short-term, chronic, long-term, or permanent period of incapacity, a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider.~~

~~c. This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition that would result in a period of three consecutive days of incapacity with the first visit to the health care provider within seven days of the onset of the incapacity and a second visit within 30 days of the incapacity would be considered a serious health condition. For chronic conditions requiring periodic health care visits for treatment, such visits must take place at least twice a year.~~

~~d. a. Family members as defined by the Act are as follows: a spouse, parent, a biological, adopted or foster child, a stepchild, or a legal ward. The child must be under 18 years of age, or incapable of self-care due to a mental or physical disability regardless of age.~~

~~e. Employees with questions about this FMLA policy or how it affects the City's sick leave policy should consult with Human Resources.~~

~~5- E. Qualifying exigency leave for families of a military members on covered active duty or on call to covered active duty status of the National Guard and Reserves when the covered military member is on active duty or called to active duty in support of a contingency operation.~~

~~a. An employee whose spouse, son, daughter or parent either has been notified of an impending call or order to active military duty or who is already on active duty may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up or service. The qualifying exigency must be one of the following: 1) short-notice~~

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City of Idaho Falls Human Resources Policy **XXII420** – Family Medical Leave

deployment, 2) military events and 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 that arise out of active duty, provided that the employer and employee agree, including agreement on timing and duration of the leave.

- b. The leave may commence as soon as the individual receives the call-up notice. (Son or daughter for this type of FMLA leave is defined the same as for child for other types of FMLA leave except that the person does not have to be a minor.) This type of leave would be counted toward the employee's 12-week maximum of FMLA leave in a 12-month period.

6. c. Military caregiver leave (also known as covered service member leave) to care for an ill or injured service member. This leave may extend to up to 26 weeks in a single 12-month period for an employee to care for a spouse, son, daughter, parent or next of kin covered service member with a serious illness or injury incurred in the line of duty on active duty. Next of kin is defined as the closest blood relative of the injured or recovering service member.

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E. F. Amount of Leave. An eligible employee can take up to 12 weeks for the FMLA circumstances (1) through (5) above under this policy during any 12-month period. The City will measure the 12-month period as a rolling 12-month period measured backward forward from the first date an employee uses any leave takes FMLA leave under this policy. Each time an employee takes leave, the City will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount the employee is entitled to take at that time. An eligible employee can take up to 26 weeks for the FMLA circumstance (6) above (military caregiver leave) during a single 12-month period. For this military caregiver leave, the City will measure the 12 month period as a rolling 12 month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

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F. G. If a husband and wife Eligible spouses who both work for the City and each wish to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the husband and wife may only take a combined total of 12 weeks of leave. Both may only take a combined total of 26 weeks of leave to care for a covered injured or ill service member (if each spouse is a parent, spouse, child, or next of kin of the service member). If a husband and wife both work for the City and each wishes to take leave to care for a covered injured or ill service member, the husband and wife may only take a combined total of 26 weeks of leave.

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G. H. Employee Status and Benefits During Leave. While an employee is on leave, the City will continue the employee's health, dental, and life insurance benefits during the leave period at the same level and under the same conditions as if the employee had continued to work;

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1. If the employee chooses not to return to work for reasons other than a continued serious health condition of the employee or the employee's family member or a circumstance

City of Idaho Falls Human Resources Policy **XXII420** – Family Medical Leave

beyond the employee's control, the City will require the employee to reimburse the City the amount it paid for the employee's health insurance premium during the leave period.

2. Under current City policy, some employees pay a portion of the health care premium. While on paid leave, the employer will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Payroll Department by the 12th day of each month. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. The employer will provide 15 days' notification prior to the employee's loss of coverage.
3. If the employee contributes to a life insurance or disability plan, the employer will continue making payroll deductions while the employee is on paid leave. While the employee is on unpaid leave, the employee may request continuation of such benefits and pay their portion of the premiums either in person or by mail. If the employee does not continue these payments, the employer may discontinue coverage during the leave.

H. I. Employee Status After Leave. An employee who takes leave under this policy may be asked to provide a fitness for duty (FFD) clearance from the health care provider. This requirement will be included in the employer's response to the FMLA request. Generally, an employee who takes FMLA leave will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. The position will be the same or one which is substantially similar in terms of pay, benefits and working conditions. The City may choose to exempt certain key employees from this requirement and not return them to the same or similar position.

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I. J. Use of Paid and Unpaid Leave. An employee who is taking FMLA leave because of the employee's own serious health condition, or the serious health condition of a family member must use all paid ~~vacation, personal or sick~~ leave prior to being eligible for unpaid leave.

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1. Disability leave for the birth of the child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave and will run concurrently with FMLA. For example, if an employer provides six weeks of pregnancy disability leave, the six weeks will be designated as FMLA leave and counted toward the employee's 12-week entitlement. The employee may then be required to substitute accrued (or earned) paid leave as appropriate before being eligible for unpaid leave for what remains of the 12-week entitlement. An employee who is taking leave for the adoption or foster care of a child must use all paid vacation, personal or family leave prior to being eligible for unpaid leave.
2. An employee who is using military FMLA leave for a qualifying exigency must use all paid vacation and personal leave prior to being eligible for unpaid leave. An employee using FMLA military caregiver leave must also use all paid vacation or sick leave (as long as the reason for the absence is covered by the City's sick leave policy) prior to being eligible for unpaid leave.

J. I. Intermittent Leave or a Reduced Work Schedule. The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the

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City of Idaho Falls Human Resources Policy **XXII420** – Family Medical Leave

year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of 12 workweeks (or 26 workweeks to care for an injured or ill service member over a 12-month period).

1. The City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances of when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth, or placement for adoption or foster care.
2. For the birth, adoption or foster care of a child, the City and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced hour schedule. Leave for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.
3. If the employee is taking leave for a serious health condition or because of the serious health condition of a family member, the employee should try to reach agreement with the City before taking intermittent leave or working a reduced hour schedule. If this is not possible, then the employee must prove that the use of the leave intermittently or by a reduced hour schedule is medically necessary.

K. Certification for the Employee's Serious Health Condition. The City will require certification for the employee's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the Department of Labor Certification of Health Care Provider for Employee's Serious Health Condition, (DOL form WH-380-E).

1. The City may directly contact the employee's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The City will not use the employee's direct supervisor for this contact. Before the City makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the City will obtain the employee's permission for clarification of individually identifiable health information.
2. The City may require a second opinion if it has reason to doubt the certification. The City will pay for the employee to get a certification from a second doctor, which the City will select. The City may deny FMLA leave to an employee who refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the City will require the opinion of a third doctor. The City and the employee will mutually select the third doctor, and the City will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

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City of Idaho Falls Human Resources Policy **XXII420** – Family Medical Leave

L. L. Certification for the Family Member's Serious Health Condition. The City will require certification for the family member's serious health condition. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification will be provided using the Department of Labor Certification of Health Care Provider for Family Member's Serious Health Condition, ~~(DOL form WH-380-F)~~.

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1. The City may directly contact the employee's family member's health care provider for verification or clarification purposes using a health care professional, an HR professional, leave administrator or management official. The City will not use the employee's direct supervisor for this contact. Before the City makes this direct contact with the health care provider, the employee will be given an opportunity to resolve any deficiencies in the medical certification. In compliance with HIPAA Medical Privacy Rules, the City will obtain the employee's family member's permission for clarification of individually identifiable health information.
2. The City may require a second opinion if it has reason to doubt the certification. The City will pay for the employee's family member to get a certification from a second doctor, which the City will select. The City may deny FMLA leave to an employee whose family member refuses to release relevant medical records to the health care provider designated to provide a second or third opinion. If necessary to resolve a conflict between the original certification and the second opinion, the City will require the opinion of a third doctor. The City and the employee will mutually select the third doctor, and the City will pay for the opinion. This third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

M. M. Certification of Qualifying Exigency for Military Family Leave. The City will require certification of the qualifying exigency for military family leave. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the DOL Certification of Qualifying Exigency for Military Family Leave, ~~(DOL form WH-384)~~.

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N. N. Certification for Serious Injury or Illness of Covered Service member for Military Family Leave. The City will require certification for the serious injury or illness of the covered service member. The employee must respond to such a request within 15 days of the request or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. This certification will be provided using the Department of Labor Certification for Serious Injury or Illness of Covered Service member, (DOL form WH-385).

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O. O. Recertification. The City may request recertification for the serious health condition of the employee or the employee's family member ~~no more frequently than every in less than~~ 30 days and only when circumstances described by the previous certifications have changed significantly, or if the employer receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of their leave. Otherwise, the City may request recertification for the serious health condition of the employee or the employee's family member every six months in

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City of Idaho Falls Human Resources Policy [XXII420](#) – Family Medical Leave

connection with an FMLA absence. The City may provide the employee's health care provider with the employee's attendance records and ask whether need for leave is consistent with the employee's serious health condition.

P. **P.** Procedure for Requesting FMLA Leave. All employees requesting FMLA leave must provide verbal or written notice of the need for the leave to the HR Department. The HR Department will notify the employee's department of the request for FMLA. Employees will be asked to complete an FMLA leave request form. Within five business days after the employee has provided this notice, the Department of Human Resources will complete and provide the employee with the Department of Labor Notice of Eligibility and Rights, [\(DOL form WH-381\)](#). When the need for the leave is foreseeable, the employee must provide the employer with at least 30 days' notice. When an employee becomes aware of a need for FMLA leave less than 30 days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA leave is not foreseeable, the employee must comply with the City's usual and customary notice and procedural requirements for requesting leave, absent unusual circumstances.

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Q. Designation of FMLA Leave. Within five (5) business days after the employee has submitted the appropriate certification form, the Department of Human Resources will complete and provide the employee with a written response to the employee's request for FMLA leave using the Department of Labor Designation Notice, [\(DOL form WH-382\)](#).

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R. Intent to Return to Work from FMLA Leave. On a basis that does not discriminate against employees on FMLA leave, the City may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

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City of Idaho Falls Human Resources

Policy **XXVII.430**

Military Leave

Approved: **March 2022**

XXVII. MILITARY LEAVE

- A. Purpose. The Uniformed Service Employment and Reemployment Rights Act of 1994 ("USERRA") prohibits employers from discriminating against employees who fulfill non career military obligations in the Uniformed Services and requires employers to provide a leave of absence within the parameters described below to allow employees to perform military obligations. The purpose of this Military Leave Policy is to provide military leave as required by law and to comply with the other relevant provisions of USERRA.
- B. Eligibility. This Military Leave Policy applies to all full-time and part-time employees of the City who are also members of one of the Uniformed Services.
- C. Definitions. For the purposes of this Military Leave Policy, the following definitions apply:
 1. "Benefit," "Benefit of Employment," "Rights and Benefits," or any variation of these—Any advantage, privilege, or gain (other than wages or salary for work performed) that accrues by reason of employment.
 2. "Calendar-Fiscal Year"—October 1 through September 30 of each year.
 3. "Military Service"—The performance of military duty on a voluntary or involuntary basis in a Uniformed Service.
 4. "Partial Pay"—Partial pay is the difference between the employee's regular salary and the employee's full-time military salary, excluding expenses, Basic Allowance for Substance (BAS), Basic Allowance for Housing (BAH), or combat pay where the employee's City salary is more than the employee's full-time military salary.
 5. "Seniority"—Longevity in employment together with any benefit(s) that accrue with or are determined by longevity.
 6. "Uniformed Service(s)"—The Armed Forces of the U.S. Army, Navy, Marine Corps, Air Force, and Coast Guard; the reserve components of the Armed Forces; the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or full-time National Guard duty; and any other category of service designated by the President of the United States in time of war or national emergency.
 7. "Working day(s)"—A working day for a City employee is comprised of:
 - a. an eight (8) hour day as outlined in "Hours of Work" in SECTION VII of this manual.
 - b. part-time employees will be evaluated on a case-by-case basis.

City of Idaho Falls Human Resources Policy ~~XXVII~~430-Military Leave

D. Requests for Military Leave: All requests for military leave shall comply with the following:

1. ~~To request temporary or extended military leave of absence, the employees shall submit a Military Leave Request Form to notify Human Resources. Written notice is preferred, but not required. Employees are encouraged to use the Military Leave Request Form available at the Human Resources department. under the law of this policy. Every employee requesting military leave shall notify their supervisor either verbally or in writing of the orders requiring military service as soon as they have knowledge of upcoming military service or as soon as practicable thereafter.~~
2. ~~While it is appropriate to ask for a copy of the employee's orders, the City will accept an employee's word, must be accepted if that is all they the employee can provide. Advance notice of military leave should be given as far in advance as is reasonable.~~
2. ~~Written documentation of service will shall be required before restoration. In general, the following documents will be accepted by the City have been determined by the Secretary of Labor to satisfy as proof of eligibility for reemployment: discharge papers, leave and earnings statements, school completion certificate, endorsed orders, or a letter from a proper military authority. However, The City will not reemployment may not be delayed reemployment if such documentation does not exist or is not readily available. The employee does not have to advise the City of thertheir intent to exercise their restoration rights prior to the ending date of their military duty. Although the employee should notify their supervisor of their plans to return as soon as possible, 5 CFR 353.205(c) providesrequires that employee submit an application for reemployment no later than ninety (-90) days for the employee to apply for reemploymentafter completing the employee period of military service. All military leave requests shall be accompanied by a copy of the order, directive, notice, or other documentation requiring absences from scheduled work. Employees shall complete the Military Leave Request Form.~~
3.
- 3.4. ~~An employee in a reserve program often has some discretion on dates for annual training exercises. The City may request that the employee select dates that will least interfere with the City's objectives or may lessen the impact of the employee's absence. If the employee has a choice, it shall be the employee's responsibility to discuss scheduling of the training with his/her supervisor and will be up to the military unit to accept agreed upon or recommended dates.~~
- 4.5. ~~An employee returning from military service retains all rights to reemployment and certain seniority entitlements, as provided for by USERRA and this Policy. The employee must report back to work or request reemployment pursuant to USERRA by contacting the Human Resources office and the employee's Department Director in advance of returning to work.~~

E. Benefits:

1. Continuation of insurance benefits is available in accordance with USERRA based on the length of leave and subject to the terms, conditions, and limitations of the applicable plans

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City of Idaho Falls Human Resources Policy ~~XXVII~~430-Military Leave

for which the employee is otherwise eligible. While the employee is on military leave, accrued non-seniority-based leave (such as vacation, sick leave, or holiday pay) will continue to accrue at the rate the employee was accruing when the employee was called to active duty.

2. The employee who is a member of the Uniformed Services and called to active duty can continue regular employee insurance benefits for thirty (30) calendar days for military service pursuant to this Policy. The City will pay the City's portion of the employee's insurance premium during such thirty (30) calendar days. The employee will pay the employee's portion of the insurance premium during those thirty (30) calendar days.
3. Should the employee's active duty continue longer than thirty (30) calendar days, the employee will pay the employee's portion of the insurance premium if they decide to remain on the City insurance. If the employee's City paycheck is not substantial enough to cover the cost of the insurance premiums or other automatic deductions the employee participates in, the employee may make arrangements to pay to the City those premiums.

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F. Leave(s) of Absence for Military Service Pay and Partial Pay:

1. An employee who is a member of the Uniformed Services will be granted up to fifteen (15) working days or one hundred twenty (120) hours of paid leave per ~~calendar~~fiscal year for days during which the employee is engaged in authorized training or duty ordered or authorized by the proper authority.
2. If leave(s) of absence for military service exceed the fifteen (15) working days or one hundred twenty (120) hours of paid military leave, an employee shall be permitted upon request to use any accrued vacation and/or compensatory time during military leave past the fifteen (15) working days or one hundred twenty (120) of paid military leave. The employee must provide a written request to their supervisor prior to the use of such time.
3. If leave(s) of absence for military service exceeds more than thirty (30) consecutive calendar days of military leave, then after the first thirty (30) day period of active duty, the City will pay to the employee partial pay during the remainder of active-duty service up to a maximum of two (2) years from the first day when partial pay for active duty began. Partial pay during this period will be paid on the same schedule that the employee would be paid if they were not on active duty. When the employee's military leave ends, all payments made during leave will be audited, and corrections will be made at that time if necessary. Corrections may require the employee to return overpayments.
4. An employee called for active duty shall, upon their return to City employment, receive credited service hours for regularly scheduled hours away from work while on federal active duty. In other words, there will be no break in the employee's City employment that may disrupt benefits that are based on continuous employment.

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City of Idaho Falls Human Resources

Policy 440

Safety and Workers Compensation

Purpose

The City of Idaho Falls (City) is committed to protecting the safety and health of our employees and improving productivity through accident and injury prevention. The City will strive to provide our employees with the safest possible work environment and the knowledge necessary to safely carry out their job duties. Safety efforts shall be ongoing and focus on continuous improvement.

Policy

Working safely is a responsibility shared by all employees.

Supervisor Responsibilities:

Managers and supervisors must maintain the safest possible working conditions by encouraging safe work practices and enforcing safety policies and procedures.

Management must enforce safety policies, establish procedures, and direct resources. Everyone has a role and responsibility in maintaining a safe working environment. The importance of safety shall be communicated to all levels on an ongoing basis.

Employee Responsibilities:

Employees are to perform their duties safely and adhere to all established safety rules, procedures, and work practices. First-level supervisors have the most influence on safety. They work directly with employees, observing employee behavior and work conditions, and they have the authority to address behaviors and conditions that may put employees at unnecessary risk of a work-related injury or illness.

Employees are encouraged to actively participate in City safety efforts. Participation from all levels of the City is essential and will benefit all employees, their families, and the public. As they take an active role in promoting safety, employees are encouraged to do their part to ensure their own safety and the safety of their coworkers.

If an employee is injured on duty the City of Idaho Falls provides Accident on Duty benefits for all employees, interns, or volunteers injured while on the job, unless otherwise excluded from coverage under state law.

City of Idaho Falls Human Resources Policy 440 Workers Compensation

The City of Idaho Falls provides workers' compensation coverage for all employees, interns and volunteers injured on the job, unless they are excluded from coverage under state law.

Procedures for reporting and responding to an accident on duty.

A. Responding to a workplace accident

- a. If an employee is injured on the job that employee and/or any other City employee or supervisor should immediately seek the medical attention appropriate for the injury including calling 911 when appropriate.
 - b. The care and treatment of an injured employee is the priority.
1. Reporting
 - a. If an employee is injured in the performance of their assigned duties, they must report such injury as soon as reasonably possible to their immediate Supervisor.
 - b. The Supervisor will immediately report each injury verbally to the Department Director and give all particulars such as:
 - 1. Time and place.
 - 2. Exact cause and circumstances of injury.
 - 3. Witnesses.
 - 4. Nature and location of injury.
 - 5. Name of attending physician.
 - c. The Supervisor shall also complete a Supervisor Accident Report. This report must be submitted to the Human Resources department as soon as reasonably practicable.
 - d. If an employee dies or incurs a disabling injury:
 - The supervisor must immediately contact the Human Resources Department.
 - The HR Department shall contact the Idaho Industrial Commission within 24 hours (or one business day) of being notified.
 - e. An employee injured on the job will be paid for the hours the employee was scheduled to work and missed on the day of the accident. In no event does the employee receive pay beyond their regular scheduled shift hours.
 2. Access to Medical Services/Approved Medical Provider
 - a. Initial medical care must go through the City's approved medical provider. A list of the City's approved medical providers can be found on flyers posted in all city facilities and/or from the Human Resources Office. Except in cases of life-or-limb-threatening injuries and/or after hours, an injured employee must seek initial medical care through this preferred provider. In cases of emergency and/or after-hours care, an injured employee may be treated at any appropriate medical facility. Follow-up visits must be through the City's designated provider unless authorized referrals arrangements have been made. In case of life- or limb-threatening injuries

City of Idaho Falls Human Resources Policy 440 Workers Compensation

and/or after hours, initial care may be provided at any appropriate medical facility with a follow up visit to the City's designated provider.

b. Care from a specialist must have a referral from the City's designated provider.

3. Wage Replacement Payments

a. An Employee with a medical release from work may receive Accident on Duty (AOD) and/or Total Temporary Disability (TTD) payments as defined by this policy. Once the claim has been deemed as compensable, the employee shall receive Accident on Duty (AOD) payments as follows:

- A Benefits Eligible Employee who sustains a workplace injury or illness that requires medical treatment shall receive full regular pay for the date of injury. The employee is expected to return to work the same day of the injury unless the treating physician provides a medical release from work.
- There is an initial five (5) day waiting period before Accident on Duty (AOD) payments will be made. If the employee is required to be off for fourteen (14) calendar days or more then the employee will be reimbursed for workdays missed during the initial five (5) calendar days off.
- The employee may, during the five (5) calendar day waiting period, elect to cover their absence by using accrued sick leave, vacation leave, compensatory leave, other paid leave that may be available by department, or unpaid leave if no other leave is available.
- A Benefits Eligible Employee receiving Accident on Duty payments will be placed on Family Medical Leave (FMLA). Accident on Duty (AOD) and FMLA will run concurrently.
- Accident on Duty (AOD) payments shall be limited to shall be limited to fifty (50) calendar days per occurrence.
- Once the claim has been deemed as compensable under Total Temporary Disability (TTD) a benefits eligible employee who has exhausted all Accident on Duty (AOD) benefits may be paid Total Temporary Disability (TTD) payments. Total Temporary Disability (TTD) benefits will be paid by the City's third-party administrator.
- A Benefits Eligible Employee who qualifies for Total Temporary Disability (TTD) payments will receive 67% of their base salary not including overtime, after the Accident on Duty Benefits have been exhausted, unless specifically exempt as defined by Idaho Code 72-1104.
- All Non-Benefits Eligible Employees may be paid Total Temporary Disability (TTD) payments by the City's third party administrator. Non-Benefits Eligible Employees do not qualify for Accident on Duty payments.

Wage Replacement Schedule

Medical Release from Work	Payments made by The City of Idaho Falls	Reference
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City of Idaho Falls Human Resources Policy 440 Workers Compensation

Day of Injury	Treated as a work day	Section 4. a. i.
Less than 5 days	No Benefit for scheduled workdays. May use accrued sick or vacation leave.	Section 4. a. ii.
1-14 days	All scheduled workdays EXCEPT those schedule workdays within the first 5 days. May use accrued sick or vacation leave for the first 5 days.	Section 4. a. ii.
15 days through 50 calendar days	All scheduled workdays including reimbursement for scheduled workdays within the first 5 days	Section 4. a. ii.
After 50 calendar days through return to work	TTD Payments made by Intermountain Claims	Section 4. a. v.

4. Time off does not need to be consecutive but must be confirmed by a doctor's report.
5. The treating medical provider must document time away from work following the date of injury where the employee is totally unable to work, or unable to work a full shift.
6. Return to work/ Full release to work. Upon completion of worker's compensation, a doctor must clear the employee with no restrictions and no follow up appointments for the worker's compensation claim to be closed.
7. The City of Idaho Falls authorizes a maximum of two (2) hours per medical appointment related to a compensable work injury and/or illness. Employees assigned to light duty are compensated at their regular rate of pay for hours worked.
8. Workers' compensation fraud, including the filing of a false claim for medical or disability compensation or the exaggeration of the severity of an injury, is a crime punishable by fines and confinement in a state prison. Any employee who becomes aware of a situation that may constitute workers' compensation fraud should report it to the Human Resources Department immediately.
9. Employees who have questions or disputes regarding Accident on Duty or Worker's Compensation benefits and payments should contact the Human Resources Department. Employees may also file a complaint the Idaho Industrial Commission.
10. Employees on Accident on Duty may continue existing City insurance coverage by paying the employee's portion of the total premium.



City of Idaho Falls Human Resources

Policy **XXV. 450**

Education

Approved: **March-2022**

XXV. — EDUCATION

A. Education Assistance:

1. Purpose: The Education Assistance Program shall be a concerted effort to invest and contribute to City of Idaho Falls Employees' education relative to their existing job position.
2. Policy: Education assistance is available for regular, full-time employees. Recognizing the constraints of budgetary resources, the amount approved for educational assistance shall be determined by each Department's Director. The employee's Department Director shall also evaluate whether a class/education program is relevant to the employee's current job position.
3. Requirements and Procedures: Regular full-time employees with at least one (1) year of service may be eligible to be reimbursed for tuition expenses incurred for classes that are work-related as determined by the employee's Department Director.
 - a. Education programs must be reviewed to determine relevance to their job and approved by the employee's Department Director prior to registration.
 - b. A final grade of "C" or better for the class must be achieved in order to receive reimbursement. The employee must fully complete a class and receive a final grade before reimbursement will be considered. Withdrawal from a class will not be reimbursed.
 - c. Transcripts and receipts must be submitted to the employee's Director following the completion of the course to receive reimbursement.

Employees are expected to schedule class attendance and the completion of study assignments outside of the employee's regular working hours. If it is necessary to schedule a class during normal working hours, the employee and his/her supervisor will mutually agree on a plan to make up the lost work time. It is expected that educational activities will not interfere with the employee's work, and unsatisfactory job performance during enrollment may result in forfeiture of educational assistance and termination of employment.

4. Taxable Benefit: tuition reimbursement will become a taxable benefit to the employee in accordance with IRS rules and regulations.

B. Education Leave:

Regular employees interested in further professional training applicable to City business may, with the consent of the Mayor and Council, obtain educational leave. Such leave is without pay. A single leave may not be for more than twelve (12) months. Employees will not be eligible to earn or receive any benefits of any kind during the education leave period. The absence will not be considered as part of the employee's continuous service.

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City of Idaho Falls Human Resources

Policy 500 XIII

Classification and Salary Schedule, Pay Grade, and Point Factoring

Approved: 2024 March 2022

XIII. CLASSIFICATION AND PAY GRADE POLICY/COMPENSATION

- A. Purpose of Policy. This policy applies to all classified regular employees of the City of Idaho Falls, as defined hereafter. The purpose of this policy is to encourage a systematic, uniform and equitable method of establishing salaries and wages paid to the classified regular employees of the City. Nothing herein is intended to establish any right to continued employment, to limit the reasons for which an employee may be discharged or to otherwise create any contractual right of the employees of the City.

- B. Employee Lists. The City Controller's Office shall maintain an up-to-date list record of the names of employees and their titles, salary schedule grade and step, classification and title classification anniversary step, anniversary date, and other data as may be required for the allocation of position and placement on the salary schedule plan administration. The Department of Human Resources shall be responsible for maintaining a list of position titles and classifications salary schedules, designating pay grade in which the each position title classifications have been allocated through point factoring. Point factoring is a method for position allocation based on various factors or qualifications required to do the job. These factors include knowledge, skills, Ability, Formal Training, Responsibilities, Difficulty, Work Environment, etc. and maintaining a pay grade and salary schedule which will designate the salary payable for the various grades and steps.

- B. Point factoring is a systematic job evaluation technique that assigns numerical values to specific job factors, allowing for a quantitative assessment of job worth within an organization. This method breaks down jobs into key components such as skills, responsibilities, and working conditions, providing a structured framework to evaluate and compare jobs objectively. It supports the development of equitable pay structures and helps the city ensure internal and external pay equity.

- C. Administration of the pay plan salary schedule, pay grades, and point factoring system. The following provisions shall govern the administration of the pay plan salary schedule and placement on the salary schedule.

1. Salary on Employment. Placement to any position in any pay grade shall normally be made at the first step for the pay grade. Higher step placement may be effectuated commensurate with the applicant's qualifications as determined by the Department Director and Director of Human Resources.
 - a. A person who was previously employed by the City of Idaho Falls and is rehired shall start in the pay grade and step level as any other new hire, unless the person's qualifications justify higher step level placement as determined by the Department Director and Director of Human Resources.

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**City of Idaho Falls Human Resources Policy XIII500-
Classification and Pay Grade Salary Schedule, Pay Grade, and Point
Factoring**

2. Salary step advancement and pay adjustments. Advancement to the next step in the salary schedule may be awarded to an employee upon a supervisory evaluation indicating adequate performance ~~and after completion of the necessary service requirement on their assigned anniversary date.~~ Department Directors have the option of holding an employee in a step level should the employee's work performance so dictate.
 - a. Pay adjustments shall be effective on ~~the first pay period following the employee's accumulation of the necessary service requirements assigned anniversary date.~~
 - b. The Personnel Action form ~~must is to be completed for any change to an employee's pay or status, sufficiently in advance to secure the required signatures and for Human Resources and Payroll to receive the approved Personnel Action form prior to the effective date.~~

Salary on Promotion. In no event shall the step level rate of pay be equal to or lower than the step level rate of pay prior to promotion. ~~The pay rate adjustment will be effective on the effective date of the promotion. The effective date of promotion becomes the new title classification anniversary date.~~

- 3.
- ~~4.~~ Salary on Demotion. An employee who is demoted to a lower job category classification shall be placed in the appropriate lower pay grade, and result in a reduction in pay as determined by the Department Director and the Director of Human Resources. ~~The pay rate adjustment will be effective on the date of the demotion. The effective date of demotion becomes the new title classification anniversary date.~~
- ~~4.~~
5. Salary on Transfer. An employee transferred from one position to another in a classification job category to which the same pay grade is applicable shall continue to receive the same ~~step level rate of pay~~ step level rate of pay, ~~and the effective date of the transfer becomes the new title classification anniversary date.~~ An employee transferred to a lower classification job category shall be placed in the appropriate pay grade and at a step level rate of pay which is equal to or less than the employee's step level rate of pay prior to the transfer, as determined by the Department Director and Director of Human Resources. ~~The pay rate adjustment will be effective on the date of transfer.~~
6. Salary on Position ~~Reclassification~~ regrading. An employee whose position is ~~reclassified~~ regarded by the Human Resource Department in collaboration with the Department Directors from one pay grade to another, shall continue to receive the same compensation until ~~he/she/they~~ reaches the next pay period after the effective date, at which time ~~he/she/they~~ shall be placed in the approved pay grade and step level. If the position is classified ~~regarded~~ to a lower classification job category the employee will remain at their current hourly rate until such time as the grade and step to which they are ~~reclassified~~ placed exceeds the current hourly rate at which time they will be eligible

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City of Idaho Falls Human Resources Policy XIII500-
Classification and Pay Grade Salary Schedule, Pay Grade, and Point
Factoring

to receive a pay increase. The pay rate adjustment will be effective on the date of regrading.

7. Job Descriptions. Every regular position of employment by the City of Idaho Falls shall have a job description that contains the title, supervisory responsibilities, descriptive information concerning essential duties and responsibilities, and minimum qualification requirements. As and when new positions of employment are created, or existing classifications are re-evaluated, the Department of Human Resources, with the assistance of, and in collaboration with, the appropriate Department Director shall cause a job description for that position of employment to be prepared. Each job description shall be classified graded and placed on the pay grade schedule using a point factoring rubric by the Human Resource Department in collaboration with the Department Directors and incorporated into the comprehensive salary plan.

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D. Contents of the classification job categories (Kinds and Levels) and pay grade schedule. The classification job categories (Kinds and Levels) plan shall include:

1. An outline of the classifications A list of job categories (Kinds and Levels) shall be arranged within the appropriate pay grade schedule.
2. Position descriptions for positions within the classified program, indicating the title and descriptive information concerning duties, responsibilities, and other employment requirements and standards in such form as the Department of Human Resources may prescribe. Job descriptions as described in number 8 above.

E. Positions exempt from the classified pay grade, the regular employee pay grade schedule Non-classified positions shall consist of the following:

1. Mayor and members of the City Council and other elected officials, and persons appointed to fill vacancies in these elected offices, Department Directors, City Treasurer, and others designated by the Department Director and approved by the Human Resources Director and the Mayor.
2. Department Directors.
3. Idaho Falls Power
4. 2. Golf Operations Managers.
5. 3. Persons employed to make or conduct a special inquiry, investigation, examination or installation, if the Mayor and City Council certifies that such employment is temporary, and that the work should not be performed by employees in the classified program.
6. 4. Employees covered by formal collective bargaining agreements that dictate a different compensation policy.
7. 5. Temporary employees.



City of Idaho Falls Human Resources
Policy 510 XIV.
Overtime, Comp-Time, and
Time-~~K~~keeping for Exempt Employees

Approved: 2024 March-2022

XIV. — OVERTIME, COMP-TIME, AND ~~TIME-KEEPING~~TIMEKEEPING FOR EXEMPT EMPLOYEES

- A. Overtime work and comp-time is work officially ordered or approved in excess of the work week of 40 hours and shall exclude paid leave and holidays~~benefit time~~.
1. Unscheduled overtime/comp-time or overtime/comp-time ordered to meet emergency work situations should be ordered and approved by the Department Director or manager with delegated authority.
 2. Scheduled overtime or comp-time, resulting in an extended work week consisting of the basic or regular work week plus scheduled overtime/comp-time, must have prior approval of the respective Department Director or manager with delegated authority.
 3. Employees shall not work overtime or comp-time of any kind without the approval of their Supervisor, Department Director or the Mayor.
- B. Overtime and comp-time will be paid to qualifying employees pursuant to the Fair Labor Standards Act and in accordance with the provisions below.
1. Overtime and comp-time will be computed in multiples of not less than fifteen (15) minutes.
 2. As defined by this policy, standby time shall mean time that an employee must be available to report to work in addition to the basic work week and overtime. "Available to report to work" means that an employee must be available to answer their cell phone, remain within fifty (50) miles of ~~the~~their work location-City, and, when called to report for work, must report to workplace as soon as possible. While an employee is on standby time, an employee may conduct personal business, provided that the employee remains available to report to work.
 3. Employees who are scheduled on standby time shall be guaranteed a minimum of two (2) hours pay at the base hourly rate per day Monday through Friday and three (3) hours pay at the base hourly rate per day Saturday and Sunday, plus time worked as described below. An employee scheduled on standby time for a seven (7) day period would receive a minimum of sixteen (16) hours pay at the straight time base hourly rate plus time worked as described below. Regularly scheduled hours do not count as standby time for pay purposes.
 4. The pay for any work performed on standby time shall be paid at the rate of one and one-half (1½) times the base hourly rate, and the hours worked during standby time shall be credited against the standby guarantee on an hour-for-hour exchange.

City of Idaho Falls Human Resources Policy 510 XIV
Overtime, Comp-Time, and
Time~~k~~-Keeping for Exempt Employee-

- C. Any employee required to take an emergency call out, except those on standby, shall be guaranteed two (2) hours at one and one-half (1½) times the base rate per call, unless two (2) calls fall within one (1) two (2) hour time period.

- D. Overtime and Time~~k~~-Keeping for Exempt Employees.

~~1.~~ Employees who are designated as Exempt in accordance with the Fair Labor Standards Act are ineligible for overtime and comp time.

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- ~~2.1.~~ For public accountability purposes, exempt employees shall take vacation time and sick time in half day (four one (1) hour (4) hours) or full day increments. Exempt employees must record any vacation, sick or other such leave whether paid or unpaid to ensure proper accrual and accounting of leave benefits. It is the employee's responsibility to sign or electronically sign their time record to certify the accuracy of all time recorded.

Commented [MK1]: While this is a legal practice, 29 CFR 541.710, it is my opinion that it waters down exempt status.

- ~~3.2.~~ The exempt employee's supervisor must approve flexible working schedules and other arrangements that differ from the standard workweek or working schedule.

- ~~4.3.~~ Exempt Employees (including Department Directors) who are directed to work emergency response during a disaster, disaster emergency, or emergency, officially declared by the Mayor, the Bonneville County Commissioners, the Governor, the President of the United States, or any other person or governmental entity authorized to declare such a disaster, disaster emergency, or emergency, shall be paid for hours worked over forty (40) hours a week at their regular hourly rate. "Emergency response" means work specifically performed to mitigate the impact of the declared emergency.

E. Time~~k~~-Keeping for Employees

1. Nonexempt employees must accurately record the time they begin and end their work and any sick, vacation, holidays, or other such leaves of absence whether paid or unpaid. The ~~d~~Department Director or designated manager will review and sign or electronically sign the employee's time record prior to being submitted to payroll for processing. In the event of an error in the time record, the employee will immediately report such error to their ~~d~~Department Director or designated manager. The ~~d~~Department Director or designated manager will report the error to payroll for investigation into the error.
2. Altering, falsifying, tampering with time records, recording time for another employee or failure to comply with this policy may result in disciplinary action, up to and including termination of employment.



City of Idaho Falls Human Resources
Policy 520
Clock Pattern Premium Pay
Approved: October 2024

CLOCK PATTERN PREMIUM PAY

- A. A clock pattern premium pay is an additional payment for work performed outside the hours established as the City's basic 7:00 AM to 7:00 PM workday. The City shall pay a clock pattern premium pay to nonexempt employees (excluding those under separate collective bargaining agreements) who work during the hours of 7:00 PM to 7:00 AM.

The clock pattern premium pay shall be added to any hours worked by an employee during the hours from 7:00 PM to 7:00 AM.

The rate of the clock pattern premium pay shall be paid per hour worked during the shift and shall be added to the employees' base hourly rate. The pay rate is listed on the current salary schedule.

Clock pattern premium pay compensation will not be added to any type of leave, holiday, or vacation hours.

Department Directors, in consultation with the Human Resources Department, have the ability to review clock pattern premium pay positions every 6 months.

City of Idaho Falls Human Resources
Policy XXXIII,
Special Provisions—Fire Department

Approved: March 2022

~~XXXIII. SPECIAL PROVISIONS—FIRE DEPARTMENT~~

~~This section sets forth special provisions for shift Fire Fighters assigned to an extraordinary tour of duty.~~

~~A. All shift Fire Fighters are to be paid for eighty-eight (88) hours holiday pay at their hourly rate for compensation for holidays worked during a one (1) year period, payable the second payday in November.~~

~~B. Unused vacation time to which a shift Fire fighter is entitled in any calendar year may be used by him/her in any subsequent calendar year; provided, however, no shift Fire Fighter may use more paid vacation time in any calendar year than the amount of their annual entitlement as set forth in the Bargaining Contract, unless the Fire Chief shall determine that such extended vacation will not curtail normal working schedules; and provided further, no shift Fire Fighter may accumulate more than twenty-six (26) shifts of unused paid vacation. A shift Fire Fighter may, however, use accumulated vacation time to extend Sick leave and Death in Family benefits.~~

~~C. The minimum charge for vacation leave is one (1) hour and additional leave is charged in multiples of one (1) hour. Absences for shorter periods may not be accumulated from day to day for the purpose of charging units of hours. (For example, an absence from work for one and one-half (1-1/2) hours before the close of business one day and absence one and one-half (1-1/2) hours the following morning may not be combined to make a total charge of three (3) hours. In such case, two (2) hours will be charged for each day.) A total of fifty-six (56) hours constitutes a calendar week.~~

~~D. Shift Fire fighters will accumulate sick leave at a rate of one-half (1/2) shift for each complete month of service with unlimited accumulation.~~

~~1. Occupational Injury benefits as outlined in paragraph XX, Item D, shall be used prior to sick leave benefits. Benefits under Occupational Injury shall be limited to fifty (50) calendar days or a period equal to accumulated eligibility under sick leave up to sixty-five (65) working shifts, whichever is the greater. Additional leave beyond sixty-five (65) working shifts for Occupational Injury will be charged against employee's accumulated sick leave.~~

~~2. The provisions of Chapter XVII, Paragraphs A, B, C, D, E, F, and G, and Chapters XX, concerning Sick leave and Occupational Injury shall be applicable to all shift fire fighters.~~

~~3. The minimum charge for sick leave is one-half (1/2) hour and additional sick leave is charged in multiples of one-half (1/2) hour. Absences for shorter periods may not be accumulated from day to day for the purpose of charging units of hours.~~

City of Idaho Falls Human Resources Policy XXXIII

Special Provisions – Fire Department

E. ~~Shift fire fighters may be granted leave with pay at their base rate for a period not exceeding forty-eight (48) shift hours, when authorized by the Fire Chief, for deaths in immediate family. The Fire Chief may authorize twenty-four (24) additional shift hours travel time when they deem it necessary for the employee to reach their destination and return. Such additional travel time will be deducted from accumulative sick leave.~~

F. ~~Overtime will be paid for hours worked in excess of the administrative work week as defined by the Fire Department and in compliance with the FLSA. Rates will be based on total scheduled annual hours in ratio to annual salary.~~

G.A. ~~Shift Fire Fighters may be allowed leave with pay at their base rate on account of a serious illness of an emergency nature of a member of employee's immediate family in accordance with the following provision: not to exceed two (2) scheduled work shifts at any one time, or ten percent (10%) of accumulated sick leave, whichever is greater. Such leave is to be deducted from accumulated sick leave.~~

Legal, Airport and Police Departments

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 9, CHAPTER 4, SECTION 9, PERMITTING ON-STREET PARKING ALONG INTERNATIONAL WAY PROVIDED THAT NO OVERNIGHT PARKING IS PERMITTED, AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

WHEREAS, pursuant to the governing authority granted by the Idaho Constitution, including Article XII § 2; Idaho Code §§ 53-301, 50-314; and 40-104; the City has authority to regulate stopping, standing, and parking of vehicles in the public streets within the City's geographic limits to promote public safety and welfare; and

WHEREAS, on October 25, 2001, the Council adopted Ordinance Number 2432, which prohibited motor vehicle parking on public streets near and within the Idaho Falls Airport, including International Way; and

WHEREAS, the Council has observed and finds that there is a current public need to permit motor vehicle parking on International Way, as articulated by this ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO THAT:

SECTION 1. Title 9, Chapter 4, Section 9 of the City Code of the City of Idaho Falls, Idaho, is hereby amended as follows:

9-4-9: PARKING AT AIRPORT:

(A) No Parking at Any Time - Any person who parks or allows a vehicle to be parked at any time of the day or night in the following areas, shall be guilty of an infraction, to-wit:

~~(1) — International Way.~~

~~(2)~~(1) That portion of North Skyline Drive located north of International Way.

~~(3)~~(2) That portion of Borah Street located north of International Way.

~~(4)~~(3) That portion of Foote Drive located north of International Way.

~~(5)~~(4) Any ramp, runway, taxiway or area within the Idaho Falls Regional Airport where signs prohibiting such parking have been posted, except as expressly authorized by the Director of Aviation.

Notwithstanding the foregoing, the Council may designate areas within or upon such streets where parking may be allowed, provided signs allowing such parking are prominently displayed.

(B) No Overnight Parking - Any person who parks or allows a vehicle to be parked between the hours of 1:00 AM to 5:00 AM on International Way, shall be guilty of an infraction.

(C) No Unattended or Prolonged Parking at Airport Entrance - Any person who parks a motor vehicle

(1) unattended for any period of time; or any person who parks a motor vehicle or

(2) for a period of time greater than the minimum amount of time to load or unload passengers and their luggage;

within the passenger loading and unloading zone as designated by visible signs at the entrance to the Idaho Falls Regional Airport, shall be guilty of an infraction punishable in an amount set from time to time by Resolution of the Council, then the minimum penalty shall be the sum of \$25.00

SECTION 2. Savings and Severability Clause. The provisions and parts of this Ordinance are intended to be severable. If any section, sentence, clause, or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause, or phrase of this Ordinance.

SECTION 3. Codification Clause. The Clerk is instructed to immediately forward this Ordinance to the codifier of the official municipal code for proper revision of the Code.

SECTION 4. Publication and Effective Date. This Ordinance, or a summary thereof in compliance with Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this day of _____, 2024.

ATTEST:

CITY OF IDAHO FALLS, IDAHO

CORRIN WILDE, CITY CLERK

REBECCA L. NOAH CASPER, Ph.D., MAYOR

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, CORRIN WILDE, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO
HEREBY CERTIFY:

That the above and foregoing is a full, true and correct copy of the Ordinance entitled, “AN
ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL
CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 9, CHAPTER 4,
SECTION 9, PERMITTING ON-STREET PARKING ALONG INTERNATIONAL
WAY PROVIDED THAT NO OVERNIGHT PARKING IS PERMITTED, AND
PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY,
AND ESTABLISHING EFFECTIVE DATE.”

CORRIN WILDE, CITY CLERK

(SEAL)

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO; AMENDING TITLE 9, CHAPTER 4, SECTION 9, PERMITTING ON-STREET PARKING ALONG INTERNATIONAL WAY, AND PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY, AND ESTABLISHING EFFECTIVE DATE.

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- (1) unattended for any period of time; or any person who parks a motor vehicle or**
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PASSED by the City Council and APPROVED by the Mayor of the City of Idaho Falls, Idaho, this day of _____, 2024.

ATTEST:

CITY OF IDAHO FALLS, IDAHO

CORRIN WILDE, CITY CLERK

REBECCA L. NOAH CASPER, Ph.D., MAYOR

(SEAL)

STATE OF IDAHO)
) ss:
County of Bonneville)

I, CORRIN WILDE, CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO, DO
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WAY PROVIDED THAT NO OVERNIGHT PARKING IS PERMITTED, AND
PROVIDING SEVERABILITY, CODIFICATION, PUBLICATION BY SUMMARY,
AND ESTABLISHING EFFECTIVE DATE.”

CORRIN WILDE, CITY CLERK

(SEAL)



MEMORANDUM

TO: Honorable Mayor and Council

FROM: Wade Sanner, Community Development Services Director

DATE: December 4, 2024

RE: December 3, 2024, Planning Commission Action

Planning Commission took the following action during the December 3, 2024, meeting.

1. **PLT24-052: FINAL PLAT for Ivywood Division No. 8, S ½ of the NW ¼ of Section 12, Township 1 North, Range 37 East. Located north of W 81st South, east of S 15th W, south of Montezuma Street, west of S 9th W.** On December 3, 2024, the Planning and Zoning Commission unanimously voted to recommend approval of the final plat to the Mayor and City Council as presented.
2. **PLT24-054: FINAL PLAT for Park Place Division No. 8, SE ¼ of Section 1, Township 1 North, Range 37 East. Located north of Brigham Drive, east of the Butte Arm Canal, south of W 49th S, west of the Gustafson Canal.** On December 3, 2024, the Planning and Zoning Commission unanimously voted to recommend approval of the final plat to the Mayor and City Council as presented.
3. **PLT24-051: FINAL PLAT for River Hollow at Sage Lakes Division No. 1, SW ¼ of Section 30, Township 3 North, Range 38 East. Located north of E 65th N, east of N 5th W, south of Commons Road, west of N 5th E.** On December 3, 2024, the Planning and Zoning Commission unanimously voted to recommend approval of the final plat to the Mayor and City Council as presented.
4. **PLT24-055: FINAL PLAT for Aspen Meadows Division No. 2, NW ¼ of Section 32, Township 3 North, Range 38 East. Located north of E 49th S, east of N 5th E, south of E 65th N, west of Derek Lane.** On December 3, 2024, the Planning and Zoning Commission unanimously voted to recommend approval of the final plat to the Mayor and City Council as presented.
5. **PLAT22-038: FINAL PLAT for Snake River West Division No. 1, SW ¼ of Section 24, Township 2 North, Range 37 East. Located north of the Porter Canal, east of Pioneer Road, south of Interstate 15, west of Snake River Parkway.** On December 3, 2024, the Planning and Zoning Commission unanimously voted to recommend approval of the final plat to the Mayor and City Council as presented.

RECOMMENDED COUNCIL ACTION: To receive recommendation(s) from the Planning and Zoning Commission pursuant to the Local Land Use Planning Act (LLUPA).