

RESOLUTION NO. 1855

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SALISBURY
TO MODIFY THE EMPLOYEE HANDBOOK.**

WHEREAS; City of Salisbury has an Employee Handbook; and

WHEREAS, the Human Resources Division of the Internal Services Department has reviewed the Employee Handbook; and

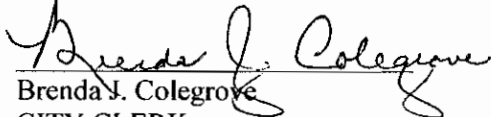
WHEREAS, the Human Resources Division recommends making changes to the Employee Handbook to meet the needs of the City and its employees; and


WHEREAS, the recommended changes have been discussed with the Mayor, each of the Department Directors and the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Salisbury, Maryland to amend the Employee Handbook as shown on Attachments A through F with deletions struck through and additions underlined and italicized.

THE ABOVE RESOLUTION was introduced and read and passed at the regular meeting of the Council of the City of Salisbury held on this 9th day of November, 2009, and is to become effective immediately upon adoption.

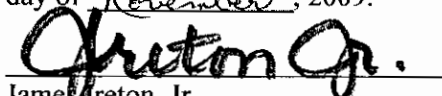
ATTEST:


Brenda J. Colegrove
CITY CLERK


Louise Smith
CITY COUNCIL PRESIDENT

APPROVED by me this 10th

day of November, 2009.


James Ireton, Jr.
MAYOR, City of Salisbury

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CHAPTER 4

EMPLOYMENT BENEFITS0401 About Your Benefits

The City of Salisbury provides an excellent employment benefit package for regular full-time employees. Briefly, qualified employees of the City of Salisbury enjoy the following benefits:

- Health Insurance, incl. Major Medical, Prescription Drugs, Dental, Vision
- State of Maryland Retirement Benefits
- Deferred Compensation Program
- Supplemental Insurance, incl. Accident, Cancer, Specified Health, Dental, Vision Hospitalization and Short Term Disability
- Flexible Spending Accounts (medical and dependant care)
- Credit Union
- Blood Bank Participation
- Life Insurance
- Free Parking
- Paid Leave

Most of these employee benefit programs are provided through insurance carriers or various State agencies. For each benefit plan there is a formal plan document which describes all the details, qualifications and exclusions applicable to the particular plan. These documents are readily available upon request. **In all matters, the provisions of the plan documents supersede any description contained in this Employee Handbook** because it is impossible, in the format of this Handbook, to fully describe all provisions of each plan. It is hoped, however, that this Employee Handbook gives you some background sufficient for a general understanding of these valuable benefits. Some of the above-referred benefits may require the Employee to pay part or all of the cost. Benefit changes may be made at the time of employment, open enrollment or at a qualifying event as defined by the Regulations issued by the Department of Treasury for Section 125 Plans (birth or adoption of a child, marriage, divorce, etc.).

0402 Health Insurance

The City of Salisbury currently provides group health insurance coverage for Regular Full-time City employees. This insurance coverage is purchased through a private health insurance carrier and includes Medical, Dental, Vision, and Prescription Drugs. The details of the plan and coverage are readily available in the Human Resources Department.

Regular Full-time City employees are eligible to participate in the plan on the first day of the month following the completion of at least 30 days of employment. It is the responsibility of the employee to complete all necessary forms for the enrollment process and to keep all personal information current. The City pays 100% of the premium for the individual employee and 75% for qualified dependents.

A. Pre-Tax Deduction

As an additional benefit to City employees, the deduction for Health Insurance coverage is paid through the City's flexible benefit plan. The plan allows City employees to pay for coverage through pre-tax dollars.

0405 Deferred Compensation Program

All regular full-time City employees are eligible to enroll in the ICMA Retirement Corporation Deferred Compensation Plan through payroll deductions. This plan allows participants the opportunity to defer income. Information regarding this plan and the qualifications for participation are available from the Human Resources Department.

0406 Supplemental Insurance

All regular full-time employees are eligible to enroll in a variety of supplemental insurance policies offered by the City of Salisbury. Accident, Cancer, Specified Health, Hospitalization, Short Term Disability, Dental and Vision Plans are offered. The costs of these plans are completely covered at the expense of the employee.

0407 Flexible Spending Accounts

All regular full-time City employees are eligible to enroll in Flexible Spending Account Plans. Medical FSA and Dependant Care FSA plans are offered. The Medical FSA is limited to \$2500 tax deferred pay and the Dependant Care FSA is limited to \$5000 tax deferred pay each plan year.

0408 Credit Union

All full-time City employees and their immediate families are eligible to join the Maryland State Employees Credit Union. Employees may make loan repayment deductions directly from their payroll checks. For more information, contact the Department of Finance Payroll Section.

0409 Blood Bank

The City of Salisbury participates as a member of the Blood Bank of the Eastern Shore, Inc. Enrollment fees are paid for each regular full-time employee who joins the Blood Bank. Each employee member is obligated to donate a pint of blood when notified; have someone else donate blood on the employee's behalf; or pay a fee. For obvious reasons, the donation of blood is preferred and appreciated. Your membership will guarantee unlimited amounts of blood for you and your dependents should the need arise. The City strongly encourages all employees to join the Blood Bank and donate regularly.

0410 Parking

The City of Salisbury provides free parking in assigned lots for full-time employees during duty hours. Employees are expected to park in the appropriate lots. Please be mindful not to damage the vehicles of coworkers. City employees are not permitted to use, and are subject to disciplinary measures for use of, the metered spaces in Lot No.9 for their personal vehicles during working hours. This lot is intended for citizens doing business with government offices.

0506 Jury Duty Leave

A regular full-time employee will be granted leave with pay for a period up to fifteen days per fiscal year for jury duty. The employee will be paid the employee's regular salary. Employees are expected to provide notice of jury duty as soon as the employee is notified by the court. In extraordinary circumstances, jury duty may be continued by the decision of the Mayor.

0507 Other Leave Provisions

- A. Up to one full day's leave, known as a Recognition Day, will be issued at the beginning of the fiscal year for any employee who has used no Sick Leave days during the prior fiscal year (See Section 0504). A Recognition Day cannot be carried over to the next fiscal year.
- B. Up to one full day's Personal Leave will be issued at the beginning of the fiscal year to each regular full-time employee to take at the employee's request, provided approval is granted by the employee's supervisor. In order to be granted Personal Leave, the employee must have been employed by the City for a least one (1) year. Personal Leave cannot be carried over to the next fiscal year.

0508 Military Leave for Active Duty

In the event that a regular full-time employee is either inducted into the Armed Forces of the United States or is called up to active duty as a member of the U.S. Armed Forces Reserves or the National Guard, the following policy will govern the employee's pay and benefits while on such active duty status:

- A. Upon presentation of orders and the establishment of an effective date for the leave of absence, an employee is placed in Leave Without Pay status.
- B. The employee's status is frozen relative to all benefits, with the exception of Health Care and Life insurance premiums which shall continue under the same terms and conditions as if the employee remained an active employee. If the employee is now paying a percentage of the premium, the employee must make arrangements to continue to pay the percentage of the premium.
- C. Any accumulations of leave or compensatory time will remain in place, or the employee may choose to receive pay for any accrued annual or personal leave. The leave of absence will not be considered time worked for purposes of determining benefits that accrue on the basis of employment, such as Sick Leave and Annual Leave.
- D. The employee is given job retention rights after active duty, subject to physical and psychological ability to perform, to the employee's former position or one of comparable status. To exercise reinstatement the employee must report within 90 days of release from active duty.
- E. The employee shall be granted all across-the-board increases realized during absence.
- F. If the employee's total military pay is less than the pay as an active city government employee, the employee shall be entitled to the difference in pay between total military pay and the city pay. The employee must document this difference by the presentation of military pay stub to the City's payroll clerk.

0509 Military Leave for Training

A regular full-time employee, who is a member of the Armed Forces Reserves, shall be eligible for Military Leave for Training benefits not to exceed fifteen working days each calendar year. The employee may elect to do one of the following: (1) take annual leave, or (2) receive the difference between his City pay and military compensation, if his City salary is greater. All other City benefits will accrue during this period. If the employee elects to receive the difference between his City pay and military compensation, payment will be made to the employee on the first regular pay day following

return to employment. Application for Military Leave for Training purposes shall be made immediately

upon receipt of official notification. While the City will allow employees, who are scheduled to work weekends, time off to attend weekend reserve drills, paid Military Leave is not intended for monthly weekend drills and may not be used for that purpose.

0510 Bereavement Leave

In the event of the death of an immediate family member (spouse, child, step-child, parent, step-parent, mother-in-law, father-in-law, brother, sister, grandparent or grandchild) an employee will be granted up to three paid days of leave. Leave will only be paid as reimbursement for actual lost work days. In the event of the death of a relative (uncle, aunt, nephew, first cousin, sister-in-law, brother-in-law) other than a member of the immediate family, employees will be allowed one day absence with pay to attend the funeral on a work day.

0511 Leave Without Pay

- A. Occasionally, employees may seek a leave of absence under circumstances which do not otherwise qualify for leave under the other sections described in this Employee Handbook. The provision of unpaid leave under these circumstances is discretionary with the Department Head.
- B. By example, this Section 0511 applies to employees who are ineligible for Family & Medical Leave coverage (for example, employees who have not been employed for a sufficient period or who have failed to work sufficient hours to qualify), employees who have exhausted their available Family and Medical Leave coverage, or employees who have encountered family emergencies not otherwise described in this Employee Handbook. Each request for leave should be addressed to the Department Head in writing with the following information provided:
 1. The purpose for which the leave is requested;
 2. The length of time the employee seeks leave;
 3. The effect the leave will have on the ability of the Department to carry out its responsibilities; and
 4. The employee's position and length of service.
- C. A Department Head may approve an unpaid leave for up to ninety calendar days. It is within the discretion of the Department Head to extend a leave, to require regular reports from the employee during the leave period, or to require the employee's use of all other available leave which the employee may have accrued.

0909 Disciplinary Grievance Review Board.


- A. Time Limits. The Disciplinary Grievance Review Board shall be notified and meet within fifteen (15) working days after the Director of Internal Services has accepted the disciplinary grievance pursuant to Section 0908F, unless extended by mutual agreement.
- B. Board Membership. The Board shall consist of three members, consisting of two department heads and one employee of similar grade (i.e. at the same grade, or one grade higher or lower) as the grievant. The department head for the department in which the grievant is employed may not serve on the Board. The chairperson of the Board shall be a department head selected by the City Administrator. The second department head member of the Board shall be selected by the employee. The employee member of the Board will be selected by the chairperson of the Board, but the employee may not be employed in the department of either the grievant or of any department head serving on the Board.
- C. Administrative. A representative from the Human Resources Department, assisted by a stenographer or by electronic recording device, shall act as the Secretary to the Board.

0910 Hearing.

The Secretary shall provide a copy of the disciplinary grievance case file to each member of the Board, to management, and to the grievant. The chairperson will open the hearing before a full Board by briefly summarizing the employee's disciplinary grievance and the relief sought.

- A. Closed Hearing. Disciplinary grievance hearings will be closed.
- B. Recording. The Disciplinary Grievance hearing shall be recorded by or at the direction of a representative from the Human Resources Department. This record, along with the findings of the Board, and all exhibits introduced, shall be preserved for not less than three (3) years.
- C. First Finding. The Board shall verify that the disciplinary grievance was submitted within the allowed time limit and that the complaint is a grievable matter.
- D. Witnesses. All persons called before the Board will be sworn prior to providing information. The City shall make available any City employee requested to appear as a witness provided that such witness can be expected to contribute materially to the issues in the case, and further provided, that the appearance of witnesses may be staggered consistent with the manpower needs of the City. *If a City employee is requested to be a witness and does not appear, the employee may be subject to discipline for insubordination.* Provided that a written request is made at least five (5) days in advance of the hearing, the employee may request production of documents provided the documents requested are both material to the issues in the case and are documents which the employee would be entitled to obtain under the Maryland Public Information Act.
- E. Grievant. The Board shall allow the aggrieved employee to restate their disciplinary grievance, if they so desire, to present additional information relevant to the disciplinary grievance, and to call any witness who can be expected to contribute materially to the issue. The grievant may be represented by any person of their choice (at the grievant's expense if other than an employee in the City service), if such person so consents, excluding members of the Board, the grievant's department head, the Director of Internal Services or member of the Human Resources Department, the City solicitor or any assistant City solicitor.

Memo

To: John R. Pick, City Administrator
From: Pamela B. Oland, Director of Internal Services 
Date: October 13, 2009
Re: Employee Handbook Updates/Changes

As discussed at the October 19, 2009 Council Work Session, management is recommending several updates and/or changes to the employee handbook. Attached please find a resolution with those changes. Each change is underlined and in italics in the attachments. Each attachment addresses a different change to the handbook and the issues are as follows:

1. Attachment A – Updates the Table of Contents to reflect updated page numbers.
2. Attachment B – Added language to the employment benefits section to reflect the current offering of flexible spending accounts as well as an employee's the ability to purchase supplemental insurance. Additionally, language has been added to address when benefit changes may be made.
3. Attachment C – Describes the supplemental insurance and flexible spending account benefits.
4. Attachment D – This change clarifies the City's position regarding military pay. The City will pay the difference between "total" military pay and the City's pay, not base pay. Military pay has a base pay and then there are additional payments for deployment and other reasons. With out the words total, the City could be paying an employee additional pay, even though with "total" military pay they are earning more than their City wages.
5. Attachment E – This change is a correction to the bereavement leave section to allow bereavement pay for the death of a child.
6. Attachment F – This update makes it clear that if an employee is called as a witness for a grievance hearing that they must appear or they can themselves be subject to disciplinary action.

If you have any questions regarding these items, please let me know.