RESOLUTION NO. 2014-248

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF ROCKLIN RESCINDING RESOLUTION NUMBER 82-131 AND
APPROVING THE CITY OF ROCKLIN PERSONNEL RULES

The City Council of the City of Rocklin does resolve as follows:

Section 1. Resolution No. 82-131 is hereby rescinded.

Section 2. The City Council of the City of Rocklin hereby approves the Personnel Rules in the form attached hereto as Exhibit A and by this reference incorporated herein.

PASSED AND ADOPTED this 12th day of November 12, 2014, by the following vote:

AYES:	Councilmembers:	Magnuson, Ruslin, Butler, Janda, Yuill
NOES:	Councilmembers:	None
ABSENT:	Councilmembers:	None
ABSTAIN:	Councilmembers:	None

Scott Yuill, Mayor

ATTEST:

Barbara Ivanusich, City Clerk

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EXHIBIT A

Personnel Rules

City of ROCKLIN CALIFORNIA

A Family Community

Personnel Rules

TABLE OF CONTENTS

SECTION 1 INTRODUCTION 2

1-01 VISION STATEMENT 2
1-02 VISION PRINCIPLES 2
1-03 CITY OF ROCKLIN GOVERNMENT 2
1-04 POLICY IMPLEMENTATION 3

SECTION 2 EMPLOYMENT PRACTICES 4

2-01 RECRUITMENT 4
2-02 EMPLOYMENT CLASSIFICATIONS 8
2-03 EMPLOYEE PERFORMANCE EVALUATIONS 11
2-04 EMPLOYEE REDUCTION IN FORCE (RIF) 12

SECTION 3 COMPENSATION 16

3-01 COMPENSATION 16

SECTION 4 EMPLOYEE CONDUCT 18

4-01 EMPLOYEE CODE OF CONDUCT 18
4-02 EMPLOYEE DISCIPLINE 20
4-03 EMPLOYEE GRIEVANCE PROCEDURES 26

SECTION 5 GENERAL EMPLOYMENT MATTERS 30

5-01 HOURS OF WORK 30
5-02 EMPLOYMENT MATTERS 31

SECTION 1 INTRODUCTION

1-01 VISION STATEMENT

1-01 (1) The City of Rocklin Vision Statement:

To become a city that provides its citizens with exceptional quality of life while maintaining its small town sense of community.

1-02 VISION PRINCIPLES

1-02 (1) City of Rocklin Vision Principles:

- Rocklin views the safety of its citizens as vital and places a priority on public safety and emergency response
- Rocklin values education and its benefits to the community and is an active partner and supporter of community schools
- Rocklin is a community of neighborhoods; each unique and essential in preserving and promoting a diverse and welcoming community
- Rocklin emphasizes citizen engagement and views it as the cornerstone for community decision making
- Rocklin strives to be a sustainable community, both economically and environmentally
- Rocklin celebrates and builds on its rich history by protecting natural and cultural resources
- Rocklin values community recreation programs and a park system serving all residents

1-03 CITY OF ROCKLIN GOVERNMENT

1-03 (1) The City of Rocklin operates under a Council-Manager form of government. Hence, it is governed by a five-member Council comprised of five elected Council Members which includes a Mayor and Vice Mayor which are elected by the City Council each year. The City Manager is

hired by the City Council to manage all day to day operations of the City. The City Manager is the Chief Executive Officer (CEO) of the City.

1-04 POLICY IMPLEMENTATION

1-04 (1) The information contained in these Personnel Rules is to give employees a better understanding of the responsibilities and obligations of employment with the City. Employees shall be required to read, understand, and comply with all provisions of these rules. Where an applicable Memorandum of Understanding between the City and a recognized employee organization contains provisions that are inconsistent with any of these Rules, the language contained in the Memorandum of Understanding shall govern. These Rules supersede any prior rules and regulations and may be changed only upon approval of the City Council.

1-04 (2) The City of Rocklin reserves the right to revise, supplement, or rescind any policy or portion of a policy from time to time as deemed necessary by the City Manager. Whenever such amendments affect the wages, hours or other terms or conditions of employment, they shall be subject to the meet and confer process as required by law. A complete copy of the Personnel Rules is located on file within the Office of Human Resources and available online to all employees.

1-04 (3) In addition to the policies and procedures contained in this manual, employees are responsible for understanding and abiding by policies and procedures of their department and/or division.

1-04 (4) The City Council and/or the City Manager may implement administrative policies that shall be supplemental to these Rules. In the event of an emergency, any part or all of these Rules may be superseded by order of the City Manager and such suspension shall remain in effect until the City Manager's order is withdrawn.

SECTION 2 EMPLOYMENT PRACTICES

2-01 RECRUITMENT

2-01 (1) General Policy –The City of Rocklin desires to fill all positions with the most suitable applicant. Further, it is the intent of the City to consider qualified in-house applicants when appropriate.

a. Anti-Nepotism- The City of Rocklin prohibits any person holding any position to appoint, vote for the appointment of, directly supervise, or be directly supervised by their father, mother, husband, wife, son, daughter, brother, sister, grandparents, uncle, aunt, nephew, niece, first cousin, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law. Volunteers providing services to the City are excluded from this provision.

b. Employment of Minors- It is the policy of the City of Rocklin that no one under the age of sixteen (16) shall be hired or allowed to volunteer for any position.

2-01 (2) Equal Employment Opportunity-The City of Rocklin is an "Equal Opportunity Employer" and selects, hires, promotes, and compensates employees without regard to race, color, religion, gender, national origin, ancestry, citizenship, pregnancy, age, marital status, physical or mental disability, medical condition, sexual orientation, or any other basis protected by law. The City evaluates applicants for employment or candidates for promotion based upon their knowledge, skills, abilities, experience, education, and potential for job performance consistent with the position.

2-01 (3) General Qualifications of Employees- All candidates for employment and employees shall possess the general qualifications of integrity, honesty, sobriety, dependability, thoroughness, accuracy, good judgment, initiative, resourcefulness, courtesy, ability to work cooperatively with others, willingness to assume the responsibilities of and to conform to the conditions of work characteristics of the employment, and meet the physical requirements necessary to safely and effectively perform the assigned duties. Where the position requires the driving of an automobile, the employee must have a valid California Driver's License, a good driving record, be insurable, and demonstrate the ability to drive an automobile or other vehicle safely. The aforementioned general

qualifications shall be deemed to be part of the employment standards of each class specification and need not be specifically set forth therein.

2-01 (4) Job Postings- In general, notices of all job openings are posted, although the City of Rocklin reserves its discretionary right to not post a particular opening. Job openings may be posted in the following locations:

- Internet
- Bulletin boards
- Trade journals, magazines and newspapers
- Schools
- Any other source that is in the best interest of the organization

2-01 (5) Application Requirements- In general, the following application process is followed for all job postings. City employees are encouraged to apply for all posted positions that they are interested in.

a. All applicants for employment with the City of Rocklin are required to comply with the specific application process for each position, and shall complete a City employment application. Resumes may accompany City employment applications, but may not substitute for the employment application unless stated in the application process. The applications must be submitted to the Human Resources Division by the closing date and time of the recruitment, or they will not be accepted.

b. The City accepts applications from all interested parties and evaluates applicants based upon job related criteria.

c. Falsification of any information required in the application process is grounds for immediate disqualification from the recruitment, or termination if discovered after an appointment has been made.

2-01 (6) Selection Procedures

a. Skill Based Testing- Job applicants may be required to take examinations which the City deems necessary for a specific position. Examinations may consist of one or a combination of the following types of exams: written, oral, performance, and training and experience questionnaires.

b. Job Offer Requirements-Once a candidate is selected and a conditional offer has been approved by Human Resources, and signed by the candidate, the candidate may be required to submit to a background check, drug/alcohol screening, and a driver's license check if required.

c. Veteran's Preference-Eligible veterans and their spouses shall be given preference in the hiring process in accordance with State and Federal laws. The City employment application shall have a section to claim veteran's preference.

2-01 (7) City Manager Authority-Appointments-All appointments in the classified service shall be based upon merit and fitness. Appointments shall be made by transfer, reinstatement, demotion, reemployment, promotion or from eligible candidates on an appropriate employment list, if available. The type or types of appointments utilized shall be in the best interest of the city as determined by the City Manager. In the absence of persons eligible for appointment in these ways provisional, temporary, emergency, or other types of appointments may be authorized by the City Manager in accordance with these rules and in compliance with any MOU provisions.

a. Acting Positions- The City Manager or designee may appoint acting positions on a temporary basis.

b. Temporary or As-Needed Positions-The City Manager or designee may establish temporary or as-needed positions that are not provided for in the position and salary plans. The salaries established for such positions shall not exceed the hourly rate of pay set forth in the salary plan for regular employees with comparable qualifications or duties.

c. Public Service Employment-When deemed advantageous to the work of the City, the City Manager may, upon approval of the City Council, establish public service positions to be funded under Federal or State employment programs. It shall be understood both by the City and the participants that employment shall continue only so long as funding is provided, Federal and State regulations are complied with, and work performance is satisfactory. No guarantee of employment is to be implied. Participants in public service programs may be appointed by the City Manager or

designee to fill an existing or newly created position for which the public service participants possess the necessary qualifications, if they have been working in that class title for at least six months duration, and receive the recommendation of their supervisor.

d. Lateral Transfer-The City Manager or designee may fill any vacancy or newly created position by appointment of a lateral transfer, if the employee meets the minimum qualifications for the job. The employee determined to be the most qualified for the position will be selected.

e. Re-employment- The City Manager or designee may fill any vacancy or newly created position by re-employment, if the employee left in good standing and within the past twelve (12) months. If the employee is reemployed in the same classification he or she formerly held, the employee may be employed at the step in the salary schedule held at the time of resignation. No credit shall be given for unused sick leave accrued prior to termination, and the employee shall accrue vacation at the same rate as a new employee without consideration of prior service. The anniversary date for vacation leave accrual purposes shall be the date of re-employment. The anniversary date for any step increase shall be the first day of the payroll period after the employee has completed twelve (12) months of continuous employment from the time of re-employment.

f. Reserve Employees- The City Manager or designee may appoint reserve employees on an on-call/part time paid basis to provide services to the City, i.e. Reserve Police Officers.

g. Volunteers- The City may utilize volunteers for the delivery of City services. The use of volunteers shall be subject to approval by the City Manager or designee. Volunteers shall not be eligible for salaries, benefits or other compensation unless specifically provided for by Resolution of the City Council. Subject to approval by the City Manager, necessary equipment or uniforms and reimbursement for approved actual expenses and mileage may be provided.

Subject to approval by the City Manager, employees may volunteer to provide services to the City outside their normal duties, provided they are not performing the same or similar duties for which they or

any other City employee are normally compensated and the responsibilities are occasional and sporadic. Employees engaging in such volunteer assignments shall not be entitled to compensation. Volunteers may be separated from City service at any time without cause and without right of appeal.

2-02 EMPLOYMENT CLASSIFICATIONS

2-02 (1) Classification Plan- The City Manager shall recommend a classification plan to the City Council and shall recommend modifications as needed. The classification plan shall consist of class specifications which will include the title, description of duties and responsibilities, and the employment standards required of applicants for employment. The classification plan shall be developed so that all positions substantially similar with respect to duties, responsibilities and employment standards are included in the same class, and the same pay ranges are applied fairly to all positions in the same class.

Employees may submit a request for review of their job duties, responsibilities, and employment standards to their immediate supervisor. The request shall set forth the reasons justifying the review, and after the review is completed by Human Resources, the employee and the supervisor will be notified of the outcome by the Human Resources Office.

2-02 (2) Employment Status:

a. Full-Time Position-An employee hired to work a minimum of forty (40) hours per week or applicable full-time work schedule, and eligible for City benefits.

b. Full-Time/At-Will-An employee hired under contract to work a minimum of forty (40) hours per week or applicable full-time work schedule, eligible for City benefits, and the employee or the City may end the relationship at any time, with or without cause or explanation. Some Personnel Rules do not apply to at-will employees.

c. Full-Time 10 Month- An employee hired to work forty (40) hours per week, or 1,720 hours per year, with nine (9) weeks off during the summer. Sick leave and vacation rates will be based on the actual hours worked, and salary will be pro-rated throughout the year in order that employees will receive a paycheck during the summer months.

d. Full-Time Seasonal-An employee hired up to forty (40) hours per week for a period not to exceed eighty (80) calendar days. Full-time seasonal employees are not eligible for City benefits.

e. Part-Time Regular/Benefits-An employee hired to work less than thirty (30) hours per week year-round, and is eligible for reduced City benefits.

f. Part-Time Seasonal-An employee hired to work less than thirty (30) hours per week, a maximum of 990 hours during the fiscal year, and is not eligible for City benefits.

g. Reserve-Any person who is on-call/to provide services to the City, i.e., Reserve Police Officers.

h. Volunteer-Any person who donates service without pay or other compensation.

- City Departments utilizing volunteers shall provide required volunteer information to the Human Resources Division, prior to the rendering of any volunteer services, to insure worker's compensation and liability coverage.

- All volunteers shall sign the City of Rocklin Volunteer Agreement before volunteering their services to the City.

2-02 (3) Employment Classification-In accordance with the Fair Labor Standards Act (FLSA), employees shall be classified as either exempt or non-exempt with respect to eligibility for payment of overtime.

a. Exempt employees are those in managerial, administrative, or professional positions as prescribed by the Fair Labor Standards Act (FLSA) and do not receive overtime hours worked in excess of a forty (40) hour work week or other applicable work period.

b. All other FLSA covered employees are paid overtime for hours worked in excess of a forty (40) hour work week or other applicable work period.

2-02 (4) Probation:

a. Probationary Period-Each employee, upon his/her initial hiring, rehiring, or promotion to a higher classification shall fulfill a probationary period. During the probationary period employees shall be considered probationary employees. The probationary period shall be an integral part of the selection process and shall be utilized as an opportunity to observe the employee's work, to provide training, and to assist the employee in adjusting to the new position. Any employee whose work performance, adaptation, or personal conduct fails to meet the required standards will be released from employment during the probationary period. If a promoted employee does not successfully complete the probationary period in the classification to which he/she was appointed, the employee shall be reduced to the classification in which he or she previously held and completed a probationary period, unless the reason for releasing the employee during the promotional probationary period would have been sufficient to cause dismissal from the former position as well.

b. Duration-All employees shall serve an initial probationary employment period of twelve (12) months of continuous service, upon employment or re-employment. Upon promotion to a higher classification, the probationary period shall be either six (6) months or twelve (12) months depending on the classification of continuous employment in the higher class.

c. Interruption in Service-Any interruption of service during an employee's probationary period shall not be counted as part of the probationary period.

d. Extensions-Probationary periods may be extended beyond the initial probationary period as authorized by the Department Head or designee. Probation extensions shall be documented and notice given to the employee prior to the conclusion of the original probationary period. Extensions may not exceed twelve (12) months.

A probationary period may also be extended due to a prolonged absence of the employee. A prolonged absence shall be defined for this section as a minimum of thirty (30) calendar days. The extension of the probationary period will not exceed the length of the absence.

2-03 EMPLOYEE PERFORMANCE EVALUATIONS

2-03 (1) The purpose of the performance evaluation is to document communication between the employee and his/her supervisor to develop City and personal performance goals, objectives and priorities, and to evaluate the employee's performance in accomplishing these stated goals. Additionally, the performance evaluation provides an opportunity to identify individual strengths and weaknesses and to develop training plans to assist the employee in improving their overall performance.

2-03 (2) Designated managers shall conduct performance evaluations of full-time employees to assist employees in performing their job duties.

2-03 (3) All performance evaluations will be prepared on City-issued evaluation forms which may include a narrative attachment and/or a career development worksheet. Copies of annual performance evaluations are placed in the employee's personnel file which is kept in the Human Resources Division. Each employee will receive a copy of their annual performance evaluation. Prior to placement in the file the employee shall sign the form, and the employee has the right to file a written statement and/or a rebuttal to be attached to the performance evaluation and placed in the personnel file. Such statements must be filed with the evaluator within five (5) working days of receiving the evaluation.

2-03 (4) Performance evaluations shall be prepared annually for all full-time employees. Additional performance evaluations may be made at any time deemed appropriate by the supervisor. Performance evaluations for probationary employees will be prepared at periodic intervals during the probationary period.

2-04 EMPLOYEE REDUCTION IN FORCE (RIF)

2-04 (1) The City may undertake a reduction in force for any or all of the following reasons: lack of work, lack of funds, a material change in duties or organization, in the interests of economy, or for any other good cause. The need to reduce the City's work force, or to alter or change its staff organization plan, or to discontinue any program or programs is within the sole and exclusive discretion of the City. The City Manager shall consider implementation of alternate cost saving measures prior to implementing a layoff. If it becomes necessary to reduce the City's staff, the City Manager shall analyze the status of the City's funding resources and the remaining work which must be accomplished. The City Manager shall define the work to be performed and the organizational structure necessary to accomplish the City's work program. The City Manager shall identify employees for layoff utilizing the system as described below:

2-04 (2) Order of Layoff:

Employees within the same classification shall be laid off as follows:

a. All temporary employees shall be laid off in an order determined by the City Manager before any probationary employees.

b. All part-time probationary employees shall be laid off in an order determined by the City Manager, before any full-time probationary employees.

c. All probationary employees shall be laid off in an order determined by the City Manager before any regular employees.

d. All part-time regular employees shall be laid off in an order determined by the City Manager before any full-time regular employee.

e. When it becomes necessary to reduce the force in any department by layoff of regular full-time employees, seniority and the ability to perform the work shall be the determining factors.

2-04 (3) Seniority:

a. Seniority will be determined by the length of continuous service in the affected classification. Approved leaves taken in accordance with

FMLA/CFRA regulations and layoffs of less than one year shall not constitute a break or interruption in service for purposes of determining continuous service. Seniority shall not include any time an employee was not working due to disciplinary reasons (i.e. suspension), or not actually in City employment due to his/her voluntary or involuntary termination, retirement, or layoff which exceeds twelve (12) months. Seniority shall be adjusted for approved leaves of absences of more than thirty (30) days commensurate with the length of the leave(s) of absence.

b. If due to a previous layoff/reduction in force an employee was displaced (bumped) from a higher level class in the same class family, length of continuous service for the purpose of calculating seniority shall include the total of the following:

- Time served in the classification with the identical title, or the same classification which has been re-titled
- All time served in the higher classification in the same class family
- All time served in the affected classification from bumping date forward

2-04 (4) <u>Performance:</u>

For the purpose of applying this section only, performance shall be determined by the overall rating on the employee's most recent annual or probationary evaluation. In order for performance to be considered the evaluation must be submitted between thirty (30) days and eighteen (18) months prior to the issuance of a layoff notice. Layoffs shall be made by classification in accordance with the following procedure and in the following order.

a. All employees within a classification impacted by layoff that have an overall rating of either "meets expectations" or "fails to meet expectations" on their latest evaluation shall be laid off before any employee in the same classification whose overall rating is "exceeds expectations". All employees within a classification impacted by layoff that have an overall rating of "fails to meet expectations" on their latest evaluation shall be laid off before any employee in the same classification whose overall rating is "meets expectations".

b. Whenever employees within a classification impacted by a layoff have the same overall rating on their last annual or final probationary evaluation, the layoffs shall

be determined by the City Manager based on his/her assessment of the affected employee's overall ability and willingness to perform.

2-04 (5) Bumping Rights:

a. Employees notified of a pending layoff shall have bumping rights to a lower class which they previously occupied, and for which they meet the minimum qualifications. If an employee should elect to exercise his/her bumping rights as provided herein then such employee shall be compared against all employees within the said lower classification in accordance with the foregoing methodology, giving proper weight to the factors of performance and seniority. In order to exercise their bumping rights, an employee must submit their request to bump in writing to Human Resources within five (5) working days of receipt of the layoff notice.

b. Employees bumping to a lower class shall be placed at the salary step representing the least loss of pay. In no case shall the salary be above that received in the class from which the employee was laid off. The salary anniversary date of the employee shall not change.

c. Employee bumping to a lower class shall serve a probationary period unless they have previously successfully completed a probationary period in that classification.

2-04 (6) Notice of Layoff:

Regular employees shall be notified of layoff at least ten (10) working days in advance of the effective date of the layoff. The notice shall either be handed to the employee or delivered by certified mail to the latest address the employee provided to the City. Proof of service shall be accomplished by certified mail or declaration of personal delivery.

All other employees may be released from their assignment with a twenty-four (24) hour notice.

2-04 (7) Re-employment:

a. In the event of a layoff, the City shall maintain a re-employment list for each class impacted by layoff for a period of twenty-four (24)

months. Re-employment shall be per class based on performance and total City seniority. No new hires in any class where layoffs occurred will be made until the re-employment list is exhausted.

b. Laid off employees, who are offered and refuse re-employment; who do not respond to a notice of re-employment; or who do not report for work within fourteen (14) calendar days of notice of re-employment shall be removed from the re-employment list and shall be deemed to have waived all rights to re-employment. Notice of re-employment shall be served on the employee by certified mail at the latest address listed in City personnel records. It's the employee's responsibility to inform Human Resources of any address changes they have after layoff. The notice shall be deemed served two (2) calendar days following the date it was mailed.

c. Upon re-employment from layoff, prior service will be counted for purposes of accruing sick leave, vacation and seniority for determining probationary status and merit salary increases. Unused sick leave shall be reinstated upon the re-employment of the employee.

SECTION 3 COMPENSATION

3-01 COMPENSATION

3-01 (1) Compensation Principles-The City of Rocklin is committed to maintaining fiscal integrity and high standards of accountability to the public in the expenditure of funds provided by taxpayers. Accordingly, the City establishes its compensation system in accordance with the principles of public accountability.

3-01 (2) Compensation Plan-The City assigns classifications to a salary range as established by the City's compensation plan. The compensation plan reflects internal and external equities, based upon duties, responsibilities, employment standards, and market comparisons. In recommending salary ranges, the City Manager shall take into consideration the rates for comparable classifications in comparable cities and counties in Placer County and the Sacramento area. The City Council shall approve by resolution the salary ranges, benefits and working conditions to apply to all positions as part of the budget process each year.

3-01 (3) Compensation Plan Review-On a periodic basis Human Resources shall survey benchmark classifications. Survey results shall be considered as one of the pieces of information used as a guideline in establishing or modifying compensation for a particular position or classification. The City will determine whether any modifications are necessary due to changes to positions or classifications, including changes to exempt or non-exempt status, resulting from the periodic review of the Classification Plan. Any modifications to the Compensation Plan shall be proposed to the City Council for adoption.

3-01 (4) Compensation Upon Appointment-The City Manager shall fill all vacancies from among those qualified by examination, lateral transfer, or re-employment. Appointments may be made at any step in the salary range for each classification. Offers of employment at a step higher than the entry step must be pre-approved by the City Manager.

3-01 (5) Anniversary Date-The anniversary date for employees appointed at any step of the salary range of a given classification shall be the first day of the payroll period during which the employee has completed twelve (12) months of continuous employment.

3-01 (6) Step Increases-After working twelve (12) continuous months at a given step, and demonstrating competence at the current step, an employee may advance to the next step in the salary range with the approval of the respective Department Head. A step increase can be delayed indefinitely if the employee is not performing up to standards at their current step. When a step increase is ultimately awarded it will not be retroactive and the employee's anniversary date will be reset to the date the step increase is effective.

3-01 (7) Salary Upon Promotion-Upon promotion an employee shall be placed at the step in the new salary range that provides a minimum salary increase of 5% of their base compensation unless such increase exceeds the maximum of the salary range for the new position. In that case, the employee will be placed at the top step of the new salary range. Promotions shall become effective at the beginning of a pay period.

3-01 (8) Salary Upon Transfer-An employee may transfer into another position within a different classification, so long as they meet the minimum qualifications of said classification, and the top steps of the salary ranges for both classifications are less than five percent (5%) apart. Upon transfer the employee will be placed at the step closest to their current step but not more than five percent (5%) of their current base pay.

3-01 (9) Salary Upon Demotion-The salary of an employee who is demoted for cause to a position in a classification allocated to a lower salary range than the employee's current classification shall be reduced to a step in the salary range for the classification to which the employee has been demoted. The Department Head, with the approval of the City Manager and Human Resources shall determine the step within the range on which the demoted employee will be placed.

An employee who voluntarily demotes or who demotes pursuant to a lay-off shall be placed at the step in the salary range closest to, but not higher than their current salary. The effective date of demotion shall establish the employee's new salary anniversary date.

3-01 (10) Salary Upon Reclassification-An employee whose position is reclassified to a job classification with a higher salary range must meet the qualifications and requirements of the position with the higher salary range, and will be compensated at the closest step within the new salary range that will provide a minimum increase of five percent (5%).

An employee whose position is reclassified to a job classification with a lower salary range must meet the qualifications and requirements of the position with the lower salary range and will be compensated as follows:

- He or she will retain their current salary if it's the same as a step within the salary range as the new classification.
- Shall be placed at the closest step within the salary range of the new classification that approximates but is not higher than the current salary.
- Be assigned a Y-rate designation to hold the employee at the current salary, without increases, until such time the salary range for the new classification is the same or above the amount of their Y-rated salary.

SECTION 4 EMPLOYEE CONDUCT

4-01 Employee Code of Conduct

4-01 (1) Professionalism-The City of Rocklin is a public entity whose purpose, among others, is to provide professional services to its citizens. Our employees must adhere to high standards of public service that emphasize professionalism and courtesy. City employees shall conduct themselves in a way that will bring trust and respect to themselves and the City.

4-01 (2) Confidentiality-Employees shall be honest in word and conduct and never use their position to benefit themselves personally, or another party, through the disclosure of or by acting on confidential information, award of work, procurement of supplies, or use of City facilities, equipment, or resources. Employees shall not disclose confidential information under any circumstances.

4-01 (3) Appearance- To maintain a professional atmosphere and appearance, all employees, including those who wear uniforms, are expected to maintain the following minimum standards:

a. Employees must maintain a high standard of personal hygiene. Employees must appear neat and clean and have no offensive odors. An employee's hair must be clean and groomed.

b. Employees must wear clothing appropriate to their employment. Appropriateness may vary, depending upon the nature of work performed, safety concerns, and the degree of public contact.

c. Employees must wear clothing that is clean and neat, and not torn or frayed. Employees must avoid clothing that is unduly revealing, immodest, or otherwise inappropriate for a professional office setting or other work environment.

4-01 (4) Personal Use of City Property-No employee of the City shall allow any non-City personnel to rent, borrow, or use City property without prior authorization of the City Council or the City Manager.

4-01 (5) Outside Activities- City employees shall not use City owned property or work time in support of outside interests and activities.

4-01 (6) Political Activity-City employees shall not use City owned property, work time, or influence of position while engaging in any political activity.

4-01 (7) Off-Duty/Outside Employment

a. No employee shall accept any employment during off-duty hours either within or outside the City unless the prospective employer provides proof of general liability and workers compensation coverage, and the employment will not create a conflict of interest nor be incompatible with the employment with the City.

b. Individuals who are self-employed on off-duty hours shall be exempt from the requirement to show proof of workers compensation or general liability insurance, but will be expected to provide notification as specified below, so that a determination can be made whether or not the self-employment will create a conflict of interest or be incompatible with the employment of the City.

c. Any employee considering outside employment shall submit a notice and the required documentation to their Department Head or his/her designee, who will determine whether the off-duty employment constitutes a conflict of interest or is incompatible with employment with the City.

d. If the Department Head or his/her designee finds no conflict or incompatibility in the employee's request, the Department Head or his/her designee may approve the request. The Department Head or his/her designee shall render a decision within ten (10) calendar days.

4-01 (8) Resignation: Employees should notify their supervisor and Human Resources in writing, at least two (2) weeks prior to leaving, and complete the City's resignation form. Any resignation submitted is final and may not be withdrawn without consent of the City Manager. Any employee who has submitted a resignation must work at least one (1) regularly scheduled day after a holiday in order to be paid for that holiday.

4-01 (9) Absence Without Leave as Automatic Resignation, Notice, Reinstatement: Absence Without Leave, whether voluntary or involuntary, for three (3) consecutive working days is an automatic resignation from employment as of the last day on which the employee worked.

A person may, within ten (10) calendar days of the effective date of such separation, file a written request with the City Manager for reinstatement. Reinstatement may be granted only if the person makes a satisfactory explanation to the City Manager as to the cause of absence and failure to obtain leave, and the City Manager finds that they are ready, able and willing to resume the discharge of the duties of the position, and provided that the person receives a favorable recommendation for reinstatement from the respective department head. Any employee so reinstated shall not be paid salary or receive benefits for the period of the absence or separation, or for any portion thereof.

4-02 EMPLOYEE DISCIPLINE

4-02 (1) General Policy- Disciplinary procedures do not apply to probationary or at-will employees. It is the responsibility of all employees to observe rules of conduct necessary for the proper operation of City government. The purpose of disciplinary action is to correct deficiencies in employee performance, to seek improvement to meet appropriate standards, and/or to correct for violation of City policies. The disciplinary process outlined below has been established to provide general guidelines for a

fair method for disciplining employees. Performance appraisals, performance improvement plans, and non-punitive constructive disciplinary actions which are designed to assist an employee to improve his/her performance are excluded from the procedural rights specified in this Section. Employees who hold non-probationary appointments, and are not at-will, shall not be disciplined without cause. Probationary and at-will employees are subject to termination without cause.

4-02 (2) Grounds for Disciplinary Action- Good cause for disciplinary action exists not only when there has been an improper act or omission by an employee in the employee's official capacity, but when any conduct by an employee brings discredit to the City, affects the employee's ability to perform his/her duties, causes other employees not to be able to perform their duties, or involves any improper use of the employee's position for personal advantage or the advantage of others. Good cause may include non-disciplinary reasons such as, the employee's unwillingness or inability, due to mental or physical disability, to perform the duties of the position for an indefinite period. The type of disciplinary action shall depend on the seriousness of the offense and the relevant employment history of the employee. Causes for disciplinary action against an employee may include, but shall not be limited to, the following:

- Misstatements or omissions of fact in completion of the employment application or to secure appointment to a position with the City;
- Furnishing knowingly false information in the course of the employee's duties and responsibilities;
- Inefficiency, incompetence, carelessness, or negligence in the performance of duties;
- Violation of safety rules;
- Violation of any of these personnel rules and regulations, department rules and regulations, City policies, ordinances or resolutions;
- Inattention to duty;
- Tardiness or overstaying lunch periods;
- Being under the influence of an intoxicating beverage or non-prescription drug or prescription drugs not authorized by the employee's physician, while on duty or on City property;
- Disobedience to proper authority, refusal or failure to perform assigned work, to comply with a lawful order, or to accept a reasonable and proper assignment from an authorized supervisor;

- Any violation of the City's Discrimination, Harassment, or Retaliation Policies;
- Unauthorized soliciting on City property;
- Unauthorized absence without leave; failure to report after leave of absence has expired or after a requested leave of absence has been disapproved, revoked, or cancelled, or any unauthorized absence from work;
- Conviction of a felony, or a misdemeanor involving moral turpitude, or a violation of a federal, state, or local law which negatively impacts the employee's ability to perform his/her job or brings discredit to the City. (For purposes of this section, a misdemeanor conviction does not include a conviction based on a plea of nolo contrendere);
- Discourteous or offensive treatment of the public or other employees;
- Falsifying any City document or record;
- Misuse of City property; improper or unauthorized use of City equipment or supplies; damage to or negligence in the care and handling of City property;
- Fighting, assault and/or battery;
- Working overtime without authorization;
- Theft or sabotage of City property;
- Sleeping on the job, except as specifically authorized for twenty-four (24) hour duty personnel;
- Accepting bribes or kickbacks;
- Gambling on the job;
- Engaging in outside employment which conflicts with an employee's responsibilities;
- Intimidation or interference with the rights of any employee;
- Outside work or any other activity or conduct which creates a conflict of interest with City work, which causes discredit to the City, negatively impacts the effective performance of City functions or is not compatible with good public service or interests of the City service;
- Abusive or intemperate language toward or in the presence of others in the work place;
- Failure to obtain and/or minimum qualifications for a position, including licenses or certificates;
- Any other conduct of equal gravity to the reasons enumerated above as determined by the City.

4-02 (3) Types of Discipline -. Any authorized supervisory employee may propose disciplinary action for cause against an employee under his/her supervision in accordance with the procedures outlined in these Rules. In general, the City shall adhere to the principles of progressive discipline.

4-02 (4) Counseling-Counseling is not considered discipline. The two types of counseling are defined below.

a. Verbal Counseling: An opportunity to communicate in a non-punitive fashion that a problem is perceived and that the supervisor is available to help solve it. This action is not appealable.

b. Documented Counseling: To communicate to the employee in writing that a repeat action may result in discipline. A copy of this counseling is given to the employee and one copy is filed in the supervisor's working file until the employee's next performance evaluation, where such counseling may be noted and then removed from the supervisor's file and destroyed. This action is not appealable.

4-02 (5) **Formal Disciplinary Actions**

a. Written Reprimand: A written communication to the employee that an offense has been committed. This action can be discussed with the Department Head or his/her designee if so requested by the employee. The Department Head or his/her designee may uphold or modify the reprimand. A copy of this reprimand is given to the employee and one copy is filed in the employee's personnel file. This action is not appealable.

b. Short-Term Suspension: A suspension without pay for one shift or less may be imposed by the Department Head or his/her designee, with notification to the Human Resources Manager, for disciplinary purposes, without application of Skelly procedures. The employee's opportunity to respond to the charges will be accomplished at the time the suspension is imposed or an employee may, within seven days of his/her receipt of notice of

discipline, request a response meeting with the Department Head or his/her designee.

c. Suspension Without Pay for Two (2) or More Shifts, Demotion, or Reduction in Pay: These are serious disciplinary actions and are subject to the Skelly procedures below.

d. Dismissal for Cause: The final step in the progressive disciplinary process.

4-02 (6) Although one or more of these steps may be taken in connection with a particular employee, no formal order or system is necessary. The City reserves the right to deviate from this policy when it feels that circumstances warrant such a deviation. The severity of the action depends on the nature of the offense and an employee's record, and may range from verbal counseling to immediate dismissal.

4-02 (7) An employee serving an initial probationary period may be discharged without application of the disciplinary process and with no rights of appeal.

4-02 (8) Pre-Disciplinary Hearing/Skelly Process:

a. The following disciplinary actions will be covered under this section when requested by the employee or his/her representative: suspension without pay (other than short-term suspension), reduction in pay, demotion, or dismissal.

b. The employee shall be provided notice of the proposed discipline.

c. Within ten (10) working days of the notice of proposed discipline, the employee or his/her representative may file a request for a Skelly meeting.

d. The Skelly Officer shall schedule a pre-disciplinary response meeting with the employee and his/her representative, if any, within ten (10) working days of the receipt of the request for meeting.

e. The Skelly Officer shall conduct the meeting and shall render a decision upholding, modifying, or overturning the proposed action, within ten (10) working days of the date of the Skelly meeting.

Appeal Process:

a. Once a decision has been reached by the Skelly Officer that discipline is appropriate, the discipline will be imposed. The employee may appeal the decision to advisory arbitration by filing a Notice of Request for Advisory Arbitration with the Human Resources Division. The appeal shall contain a full discussion of the reasons which the employee is asserting as justification of the appeal. The request must be received by the Human Resources Division within ten (10) working days after the employee received the final order of disciplinary action.

b. Within thirty (30) days of filing the Notice of Request for Advisory Arbitration, the appealing party will obtain from the State Mediation and Conciliation Service (SMCS) a list of seven (7) arbitrators. The selection of the arbitrator from the list shall occur by each party alternatively striking names from the list, with the appealing party striking the first name. The appealing party shall notify SMCS of the arbitrator scheduled.

c. The arbitrator shall conduct an evidentiary hearing in accordance with the American Arbitration Association Voluntary Arbitration Rules. The decision of the arbitrator shall be advisory only. The arbitrator's fees and costs shall be borne equally by the parties. The costs of the arbitrator's transcript, if jointly requested, shall also be borne equally by the parties. All other expenses incurred by either party in the preparation or presentation of its case are to be borne solely by the party incurring the expense. For purposes of this section, the parties shall be considered as the City of Rocklin and the Union, or if a grievant is representing himself or herself, the City of Rocklin and the grievant.

d. The arbitrator shall prepare a written advisory decision which shall include a statement of the decision, the facts upon which it was based, and a full description of the remedies or corrections suggested. The arbitrator's decision shall be sealed and filed with the City Manager and appealing party. The City Manager may adopt the advisory decision and order its implementation, may modify and implement the decision and any remedies or corrections suggested, or may reject the decision. The City Manager will provide a copy of the arbitrator's decision to the

appealing party with the City Manager's decision within ten (10) working days of receipt of the arbitrator's decision.

4-03 EMPLOYEE GRIEVANCE PROCEDURES FOR NON-DISCIPLINARY MATTERS

4-03 (1) General Policy- In the absence of an applicable Memorandum of Understanding, this grievance procedure shall apply. This procedure is intended to ensure that every reasonable effort will be made to resolve problems as near as possible to the point of origin.

4-03 (2) Definition-Subject to the exclusions listed in this rule, a grievance is defined as any dispute involving the interpretation, application, or alleged violation of 1) the specific express terms of a current Memorandum of Understanding (MOU), between the City and a recognized employee organization, or 2) a specific term of these rules.

4-03 (3) Eligibility-Only full-time employees in non-probationary appointments who are adversely affected by an act or omission of the City are eligible to file a grievance.

4-03 (4) Exclusions-The following matters are excluded from the definition of a "grievance":

a. Requests for changes in wages, hours, or working conditions;
b. The content of employee evaluations or performance reviews, except those that result in a loss of benefits to the employee;
c. Challenges to reclassification, layoff, transfer, denial of reinstatement;
d. Challenges to examinations or appointment to positions;
e. Challenges to this grievance procedure;
f. Disciplinary Actions

4-03 (5) Group Grievances-In the event more than one employee is directly involved with an issue, they may, at any step in the grievance procedure, name one of their members to carry the grievance through the procedure as a group grievance and be represented by that employee organization which has been recognized by the City for that representation unit to which their classification(s) is/are assigned. In a group grievance, that named employee directly concerned shall be personally present at all stages.

4-03 (6) Grievance Process- It is the City's intent to deal with and settle complaints and grievances informally and at the nearest practical organizational level and as promptly and fairly as possible. Whenever feasible, complaints and grievances will be handled during the regularly scheduled working hours of the parties involved.

The grievance procedure shall consist of the following steps:

Informal Level-Within ten (10) working days from the event giving rise to a grievance, or from the date the employee could reasonably have been expected to have had knowledge of such event, the grievant shall orally discuss the grievance with his/her immediate supervisor. A supervisor shall have seven (7) working days to give an answer to the employee.

Step One-Formal Level-If a grievant is not satisfied with the resolution proposed at the informal level, he/she may within five (5) working days of the receipt of such answer file a formal written grievance with his/her immediate supervisor which contains a statement describing the grievance, the section of the Rules, Regulations, Benefits, or Policies allegedly violated, and the remedy requested. The grievance shall be signed and dated by the grievant(s). The supervisor shall, within five (5) working days thereafter, give a written response to the grievant. Upon completion of Step One an employee whose immediate supervisor is the Department Head will be deemed to have completed Step Two and be eligible to proceed to Step Three.

Step Two-Formal Level-If the grievant is not satisfied with the written response from the supervisor at Step One, he/she may within five (5) working days from the receipt of such response file a written appeal to their Department Head which contains a statement describing the grievance, the section of the of the Rules, Regulations, Benefits, or Policies allegedly violated, the supervisor's response, why they are not satisfied with the supervisor's response, and the remedy requested. Within ten (10) working days of the receipt of the written appeal, the Department Head or his/her designee shall complete an investigation of the grievance, which may include a meeting with the concerned parties, and give a written response to the grievant.

Step Three-Formal Level-If the grievant is not satisfied with the written response from the Department Head at Step Two, the grievant may, within five (5) working days from the receipt of such answer file a written appeal to the City Manager which contains a statement describing the

grievance, the section of the Rules, Regulations, Benefits, or Policies allegedly violated, the Department Heads response, why they are not satisfied with the Department Heads response, and the remedy requested. Within fifteen (15) working days of receipt of the written appeal, the City Manager or his/her designee, shall investigate the grievance, which shall include a meeting with the concerned parties, and give a written response to the grievant. The City Manager's decision shall be final and binding.

4-03 (7) General Provisions:

a. A grievant may withdraw a grievance at any level or at any time in the process by making notification in writing to the Human Resources Manager.

b. If a grievant fails to carry his/her grievance forward to the next level within the prescribed time period, the grievance shall be considered settled based upon the decision rendered at the most recent step completed.

c. If a supervisor or manager fails to respond with an answer within the given time period, the grievant may proceed to the next higher level.

d. The grievant may be represented by a person of his/her choice at any formal level of this procedure. The grievant shall be personally present at all stages of the grievance.

e. Time limits and formal levels may be waived by mutual written consent of the parties.

f. Notice is deemed given by deposit in the U.S. Mail, postage paid, to the last known address of the addressee, or by personal delivery.

g. Proof of service shall be accomplished by certified mail or declaration of personal delivery.

h. All employees shall be free from retaliation or reprisal in any form resulting from use of these grievance procedures.

i. All materials pertaining to employee grievances shall be confidential between the employee and his/her representative, appropriate

supervisory personnel, other directly involved employee(s), and appropriate City management personnel. Records of grievance complaints and supporting documents shall be maintained in the Human Resources office separately from the employee's personnel files.

j. At all stages in the formal process, a written appeal must contain the original written grievance, the supervisor's response, the response from each succeeding level, and a statement explaining why the grievant is not satisfied with the response.

SECTION 5 GENERAL EMPLOYMENT MATTERS

5-01 HOURS OF WORK

5-01 (1) Workweek

a. The workweek for City employees shall begin at 12:01 AM on Saturday and end at 12:00 midnight on the following Friday.

5-01 (2) Work Schedule

a. Regular full-time employees will typically be scheduled to work five (5) consecutive eight (8) hour days for a total of forty (40) hours per week. Exceptions to this schedule can be established by the City.

b. Depending upon operational needs of the department or division to which the employee is assigned, the hours of work may be scheduled during the day shift (between 6 a.m. to 6 p.m.) or the night shift (between 6 p.m. to 6 a.m.).

c. Employees may request an Alternate Work Schedule (i.e., 4/10, 9/80 schedules) by completing an Alternate Work Schedule Request Form. Approval of an alternate work schedule shall be on a case-by-case basis and at the sole discretion of the City, and may be rescinded by the City.

5-01 (3) Work Shift or Work Schedule Change

a. In the event the City intends to make a permanent change to an employee's assigned shift or work schedule, the City will provide the employee with written notice at least one pay period in advance of the date of change.

b. In the event the City intends to make a temporary change of thirty (30) to sixty (60) days, the City will provide the employee with

written notice at least ten (10) working days in advance of the date of change.

c. In the event the City intends to make a temporary change of less than thirty (30) days, the City will provide the employee with written notice at least five (5) working days in advance of the date of change.

d. The timeline for implementation of work shift or work schedule changes after receipt of written notice requirement can be waived if mutually agreed upon in writing by the affected employee(s) and the City.

e. Any changes to Alternate Work Schedules (i.e., 4/10 schedules) are at the sole discretion of the City and the timelines outlined in the Alternate Work Schedule Request Form shall be followed.

5-02 EMPLOYMENT MATTERS

5-02 (1) Meal and Rest Periods-Employees typically receive a thirty (30) to sixty (60) minute meal period that shall not be compensated. During the meal period, the employee shall be relieved of duties. Meal periods may not be used to shorten the workday. Employees shall have a fifteen (15) minute rest period for each four (4) consecutive hours of work. The rest period may be interrupted or cancelled if necessary to complete work and shall be compensated time. The rest periods shall not be combined or used to shorten the workday.

5-02 (2) Payroll-All employees are paid bi-weekly. Each paycheck will include earnings for all work performed through the end of the previous payroll period or applicable work period. Employees shall receive payroll checks every other Friday.

a. Employees and supervisors are responsible for accurately recording and reporting time worked on their timesheets. The employee and supervisor's signature on the timesheet indicates the time reported is true and complete to the best of their knowledge.

b. Employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in City approved programs. Employees should review any discrepancies in payroll deductions with Human Resources.

c. Upon receipt of a valid garnishment, the City shall withhold wages from an employee's paycheck. The City shall continue to withhold the garnished wages until the court indicates satisfaction of the indebtedness.

5-02 (3) Use of Private Cars-Employees may utilize private cars for City business when authorized by the Department Head or his/her designee. Such employees shall carry sufficient public liability and property damage insurance at least equal to the requirements of the financial responsibility laws of the State of California, Vehicle Code Section 16430. Employees shall be reimbursed for all miles traveled in the conduct of City business at the rate adopted based on the standard mileage rate for business use of a vehicle as posted by the United States Internal Revenue Service.

5-02 (4) Court Time-When any employee is required to attend court on his/her scheduled time off for the purposes of testifying on behalf of the City, the employee shall be compensated at the rate of one and one-half (1-1/2) times his normal pay. Any employee so attending court under the above circumstances shall receive a minimum of two (2) hours of compensation time. Time shall be measured starting from the employee's designated place of duty and ending at the employee's place of duty. Compensation shall not include travel to and from home.

5-02 (5) Temporary Position Benefits-All City employees holding temporary positions are eligible for the following benefits: Worker's Compensation and Unemployment Insurance.

5-02 (6) Receiving Gifts- No employee shall accept or receive any benefit from any gift, gratuity, or service of any kind from any one source, which may be directly or indirectly offered as a result, or in anticipation, of an employee's position or performance of duties with the city, in excess of an annual cumulative value which would constitute a conflict of interest requiring disqualification pursuant to the Political Reform Act. An employee who receives any gift, gratuity, or service of any kind of a value in excess of 50 percent of the amount which must be reported as a gift pursuant to the Political Reform Act (which is currently $50), shall, within three days of receipt, report in writing to the employee's department head the donor, gift, value and the date the gift was received.

5-02 (7) Reporting Requirements- The reporting requirements imposed by this section are in addition to and not a substitute for any requirements imposed pursuant to the Political Reform Act or other applicable law. The provisions of this section apply to all employees, regardless of whether they are designated employees pursuant to the Political Reform Act or other applicable law.