

RESOLUTION 133

RESOLUTION APPROVING AMENDMENTS TO THE PERSONNEL RULES  
AND REGULATIONS FOR THE CITY OF CHESTERFIELD

WHEREAS, the City of Chesterfield passed Ordinance 492 approving the Personnel Rules and Regulations dated August 13, 1990; and

WHEREAS, said Ordinance provides that amendments to the Rules and Regulations may be incorporated into the Ordinance upon approval.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

That the Personnel Rules and Regulations as adopted in Ordinance 492 dated August 13, 1990 are hereby amended by the Amendments as set out on Attachment "A" which are attached hereto and incorporated herein by reference.

The City Administrator is directed to incorporate the amended rules into the City of Chesterfield Personnel Rules and Regulations.

Passed and approved this 19<sup>TH</sup> day of JULY, 1993.

ATTEST:

MAYOR

Martha L. DeMay  
CITY CLERK

Jack Leonard

ATTACHMENT A

Chapter III, Ethics, Standards of Conduct, and Work Guidelines

Section 1.(T) Guidelines for Standards of Conduct

No City employee shall accept outside employment, including establishment of a self-employed incorporated business, without making a written declaration to his or her Department Director, the Personnel Department and Finance Department. Each change in employment shall require a separate declaration. Such declaration shall be necessary so as to avoid any potential conflict of interest.

Outside employment is prohibited during those hours when an employee is being paid by the City for any time scheduled to work or to receive training, sick leave, duty disability leave or non-duty disability leave.

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Section 9. Dress Code

Although there is no official City-wide dress code, some departments do have dress regulations. Employees should consult their supervisor. Employees are expected to wear clothing appropriate to their job and work site. All clothing and appearance should be neat, clean, in good business taste and not constitute a safety hazard. Employees who are not dressed appropriately for work may be sent home by a supervisor without pay after an oral or written reprimand has been previously given by a supervisor. Management employees are expected to set an example by meeting or exceeding all standards for appropriate dress.

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Section 14. Computer System

The City's computer system is for official City business; personal use may be allowed before and after working hours according to Section 1(R) of these same guidelines. Personal use of any of the City's software outside the City of Chesterfield is prohibited. The City's software may only be used on stations within the City's network. The City's license agreements prohibit renting, leasing, or otherwise transferring or assigning the right to use City programs to any other party.

Technologically, the City management has the ability to override

passwords and access all software applications in the computer system.

As a general rule, the City does not access information in an employee's files. However, the City reserves all rights to access such information, if deemed necessary and appropriate. Access requires authorization from the City Administrator.

All employees are urged to use passwords and to routinely change them to maintain confidentiality.

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#### Section 15. Telephone Usage and Mail

All telephone calls and mail directed to the City should be business or professionally-related. Employees are discouraged from using the City's telephone system and City addresses for personal business.

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### Chapter IV, Recruitment and Selection

#### Section 2.(E) Recruitment Process

AIDS Policy - Acquired Immune Deficiency Syndrome (AIDS) is a serious life-threatening condition that is not transmissible by casual contact. The best scientific evidence indicates that AIDS is caused by a virus known as HTLV III, which is transmitted through the exchange of blood or semen by infected sexual partners, contaminated needles, contaminated blood, or by infected mothers to their infants.

Medical knowledge about AIDS is developing, and thus is incomplete. Infection with the HTLV III virus takes a multiplicity of forms, some disabling and some not, varying not only from individual to individual, but also from one phase to another within the same individual. From what is known today, AIDS reduces the body's immune response, leaving the infected person vulnerable to life-threatening infections and malignancies.

In responding to the knowledge that an applicant or employee has been infected with the AIDS virus, presence of the AIDS antibody with symptoms of AIDS or presence of an AIDS-Related Complex (ARC), the City will be guided by its commitment to the protection of the individual's rights of privacy and confidentiality and by due regard for public health interests.

The City considers AIDS to be a disabling condition. Federal guidelines (Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990) define a disabled individual as one who has a physical or mental impairment that substantially limits one or more of such person's major life activities, has a record of such impairment, or is regarded as having such impairment. An individual who has been diagnosed with AIDS or AIDS-related complex will be treated similarly to any other individual who is disabled.

The City will not deny employment to the most qualified individual who can meet the bona fide physical requirements of a position and who does not present an immediate and real risk to the health or safety of others.

In general, the City will not discharge or demote an employee that is physically and mentally capable of satisfactorily performing his job in a manner that presents no real threat to the safety of the public, merely because that individual has AIDS or a related condition. The City will attempt to reasonably accommodate the workplace limitations of an employee who is infected with the AIDS virus, just as it will reasonably accommodate the workplace limitations of any other disabled individual.

Employees with AIDS or ARC, to the extent that they are eligible, are entitled to the same coverage under all City policies, programs and benefits.

No employees will be tested for AIDS unless an employee has been exposed to infected blood in the workplace, poses a public health danger or is unable to perform his job.

Employee medical records are confidential as provided for in Chapter II, Section 9 and no medical information concerning employees is revealed without their consent except for emergency health reasons.

Due to the developing nature of scientific knowledge about this disease, it is anticipated that the City will update this policy as necessary.

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Section 2.(F) Screening Methods - the screening process of applicants shall include but not be limited to any combination of written application, oral interviews, pre-employment tests (physical agility-dexterity and written assessments), assessment centers, performance evaluations, a background and criminal record check, driving record check, psychological testing (behavioral

traits only), and drug testing. Medical examinations and workers compensation history reporting may only be performed post-offer to determine if an employee can perform the essential or bona fide functions of a position or if the individual presents a hazard to himself or others. Reasonable accommodation shall be required for any disabled applicant to assist him in performing the skill level required for a position, unless it creates an undue hardship.

"Undue hardship" shall be defined as requiring significant difficulty or expense. All methods of recruitment and testing shall be determined as appropriate for each recruited position by the Department Head in consultation with the Personnel Director (see Chapter X, Drug and Alcohol Screening Policy).

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Section 2 (G)(2) Disqualification - the Personnel Director may remove from further consideration the application of an applicant where:

2. The applicant after an offer of employment and the administration of a medical examination and a review of workers compensation history, is found disabled or inhibited to an extent which would render the individual unable to perform the essential functions or bona fide occupational requirements of the position or the individual presents a hazard to himself or others. Reasonable accommodation shall be required for any disabled applicant to assist him in performing the skill level required for a position, unless it creates an undue hardship. "Undue hardship" shall be defined as requiring significant difficulty or expense;

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Section 6. Probationary Period

A. Purpose - The probationary period is an integral part of the appointment process. It shall be utilized to observe closely an employee's work, to secure the most effective adjustment of a new or promoted employee to his position, and to reject an employee whose performance does not meet required work standards.

B. Duration - The initial probationary period shall be twelve (12) months. The probationary period may be extended by the City Administrator upon the recommendation of the Department Head or supervisor and Personnel Director. Such an extension of the probationary period for a period of not more than ninety (90) days is at the discretion of the Department Head or supervisor and must be based on the employee's job-related performance evaluation.

C. Evaluation of Performance - At least two (2) performance evaluation reports shall be submitted by the Department Head to the City Administrator during the probationary period employee - one at the end of the sixth month of service and one prior to the completion of twelve (12) months of service.

D. Dismissal of New Employees During the Probationary Period - The City Administrator may, with or without the recommendation of the Personnel Director and Department Head, terminate a new employee with or without cause during the probationary period.

E. Dismissal of Promoted Employees During the Probationary Period - The City Administrator may, with or without the recommendation of the Personnel Director and Department Head, either terminate a promoted employee or demote a promoted employee back to his previous position during the probationary period depending upon the availability of a position.

F. Dismissals - Dismissals shall follow the procedure outlined in Chapter VIII, Section 2.F.

G. Appeals - Any new or promoted employee terminated during the probationary period cannot appeal such action.

Section 7. Promotions

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D. Probationary Period - promoted employees shall complete a probationary period according to the provisions outlined in this Chapter, Section 6.

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**Chapter V, Benefit Plans and Other Services**

Section 1. Medical Plan

.....same paragraph except for last two sentences. New employees and dependents are eligible the first day of the month following the first day of employment. Employees can only add new dependents (i.e., new spouse or new child) within thirty-one (31) days of acquiring such dependent, or during the annual open enrollment period, prior to September 1 each year.

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Section 3. Visual Plan

All full-time employees are eligible to participate in any vision plans offered by the City. The vision plans are optional for employees and dependents, since the City pays no portion of any vision plans. Employees are encouraged to read all brochures carefully to determine the specific dollar pricing for various services. Eye examination costs should be compared to any benefit provided under the City's medical plan.

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(Renumbered) Section 4. Section 125 Benefits

(Renumbered) Section 5. Life Insurance

(Renumbered) Section 6. Long-term Disability Insurance

(Renumbered) Section 7. Deferred Compensation (457) Plan

(Renumbered) Section 8. Retirement Plan

(Renumbered) Section 9. Credit Union

(Renumbered) Section 10. ACH Direct Deposit of Payroll Check

(Renumbered) Section 11. Savings Bond Program

(Renumbered) Section 12. Employee Assistance Program

(Renumbered) Section 13. Uniforms

(Renumbered) Section 14. Travel Service

The City has a designated travel agent. The company has extended services to all full-time employees for their private travel at no cost. The agent attempts to get the lowest airfares, rental car and hotel discounts and travel insurance for employees. The City assumes no liability for the travel service and its activities.

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(Renumbered) Section 15. Education Benefit Program

A. ....

Eligibility - After six (6) months of continuous service from date of hire, every full-time employee shall be entitled to participate

in the Education Benefit Program, provided he or she maintains a minimum performance rating of 3.

The employee must declare all sources and amounts of tuition assistance for a course; the City will then reimburse the allowable percentage subject to reduction only if the total of all sources and amounts exceed 100% of the tuition expense.

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C. Types of Eligible Courses - The education benefit program includes the following types of courses:

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1. Courses from accredited institutions that are directly job-related or career enhancing in content. These courses include technical school courses, police science courses and other specialized courses which will benefit the employee in performing City duties. Courses shall be considered irrespective of the degree being sought. Courses relating to hobbies, games and sports will not be reimbursed under any circumstances.

2. Courses outside an employee's field of employment but which are related to job positions in other areas of the City government will also be considered based upon the employee's career development and job opportunities in other divisions or departments and whether or not the courses are related to a reasonably predictable future assignment.

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D. Eligible Costs - For those courses in an accredited institution that are approved, the City will reimburse 90% of tuition fees for a grade of "A", 75% of tuition fees for a grade of "B", and 60% of tuition fees for a grade of "C". No reimbursement will be provided for grades lower than a "C". The tuition reimbursement may not exceed 90%, 75% or 60% of the current credit hour cost at the University of Missouri-St. Louis as established for the Freshman/Sophomore level, Junior/Senior level, or Masters level. The City will not cover PhD course work. Tuition reimbursement is also limited to 5 courses per calendar year.

Employees desiring to enroll in correspondence groups, seminars and training programs shall submit their requests to their Department Head or supervisor for consideration in their department's annual budget process. Amount and level of funding shall be determined in the budget review.



The City will pay up to a maximum of \$1,000 per year per employee in reimbursed tuition costs for all approved courses in accredited institutions. The total cost of all courses approved for all employees by the City may not exceed the annual budgeted amount. Priority of courses shall be established by the Personnel Director and City Administrator, if more requests are received than the budgeted amount.

The decision of the City Administrator is final as to whether or not a proposed course is job-related or career enhancing in content.

E. Method of Payment - Tuition is paid by the City directly to the employee upon receipt of the employee's grades in the course and a receipt of the actual fees paid.

Evidence of course completion shall be submitted within thirty (30) days of receiving the course rating.

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G. Application Process - Any full-time employee desiring the education benefit must complete an application form. Applications are available from the Personnel Department. The application shall be filed by the employee with his Department Head for approval and forwarded for approval by the Personnel Director and City Administrator at least 2 weeks prior to enrollment.

Courses must be scheduled outside of working hours. The City may provide exceptions due to schedule conflicts and the immediate and highly desirable benefit that completion of the course will bring to the City; however, this would be an unusual exception and all attempts shall have been made to enroll in the course outside of working hours.

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I. Tax Treatment - Employees should review the tax laws on an annual basis to determine whether or not educational benefits may or may not be subject to taxation.

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(Renumbered) Section 16. Wellness Program

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Chapter VI, Leaves of Absence

Section 1. Holiday Leave

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C. Holidays Observed - The following holidays shall be observed annually by the City.

1. New Year's Day
2. Martin Luther King Day
3. Presidents Day
4. Memorial Day
5. Independence Day
6. Labor Day
7. Thanksgiving Day
8. Day After Thanksgiving Day
9. Christmas Eve (one-half day only)
10. Christmas Day
11. Personal Holiday (may not be accumulated from year-to-year)

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~~Section 2. Vacation Leave~~

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*HELD - REFERRED TO  
FTA 8887 3/20/93*

~~B. Rate of Earnings~~

~~..... same text except chart is revised as follows:~~

<u>Length of Continuous Service</u>	<u>Total Vacation Days/Hours Per Year After Observance of The Anniversary Service Date</u>
0 - 4.99 Years	10 Days / 80 Hours
5 - 9.99 Years	15 Days / 120 Hours
10 - 19.99 Years	20 Days / 160 Hours
20 + Years	25 Days / 200 Hours

~~C. Maximum Accrual - Vacation leave shall be allowed to accumulate to a maximum of thirty-five (35) days or two-hundred and eighty (280) hours. Exceptions to the maximum accrual restriction may only be made by the Finance and Administration Committee.~~

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## Section 12. Voting Leave

As provided by State law, any employee is entitled to be absent from work with the City, for a period of 3 hours between the time of opening and the time of closing the polls to vote. Any such absence shall not be reason for the discharge of or the threat to discharge any person from employment. Such employee, if he votes, shall not, because of an absence, be liable to any penalty or discipline, nor shall any deduction be made on account of the absence from usual salary or wages.

The request for such leave of absence, however, must be made prior to the election day, and the leave shall not apply to an employee on the day of election if there are 3 successive hours while the polls are open in which an employee can vote and is not working for the City.

An employee's supervisor may also specify any 3 hours between the time of opening and closing the polls during which the employee may be absent.

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## Chapter VIII, Disciplinary Procedures

### Section 2 (F) Dismissal

5th paragraph....

Prior to the final decision to dismiss any employee, the employee will be given:

1. Oral or written notice of the charges; and
2. An explanation of the basis of the City's charges; and
3. An opportunity to present his explanation of the matter.

At any time during the probationary period, the City Administrator, with or without the recommendation of the Personnel Director and Department Head, may dismiss an employee with or without cause.