ABOUT THIS HANDBOOK/DISCLAIMER

The employee handbook describes guidelines, rules, policies, and ordinances and is provided to help employees find answers to questions they may have regarding their employment with Lexington-Fayette Urban County Government (“LFUCG”, “urban county government”, “city of Lexington”, or “city”). Please take the necessary time to read it.

We do not expect this handbook to answer all questions. Ordinances, collective bargaining agreements, CAO policies, supervisors, and human resources also serve as major sources of information. If you have any questions about the contents of this handbook or about other matters concerning your employment, you are encouraged to ask your supervisor. If your supervisor is unable to answer your question, you are encouraged to contact human resources during normal business hours.

This handbook and any other verbal or written communication by a management representative, is not and should not be considered an agreement, contract of employment (expressed or implied), or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever.

Separate city documents, such as summary of benefit plan descriptions, cover many matters described in this handbook. These city documents are always controlling over any statement made in this handbook or by any member of management.

This handbook states only general city guidelines. The city may at any time in its sole discretion, modify or vary from anything stated in this handbook, with or without notice.

Nothing contained herein shall be construed to deprive the civil service commission of any of its authority or jurisdiction, nor will any provision of these rules modify, change, or repeal any collective bargaining agreement between the city and any collective bargaining unit as authorized by state law.

This handbook supersedes all prior handbooks and is subject to change. The provisions of any rule contained in this handbook will not supersede the provisions of any applicable federal, state, or local law. If a conflict exists, the applicable law will prevail. Should any part of these rules be found to be illegal and unenforceable, all other parts of the rules will remain in full force and effect.

Human resources offices are located on the eighth (8th) floor of the Government Center (“city hall”). Office hours are Monday through Friday, 8 a.m. until 5 p.m. The mailing address and contact information are provided below.

City of Lexington
Human Resources
200 E. Main St., 8th Floor
Lexington, Ky., 40507

Phone: (859) 258-3030
Fax: (859) 258-3059
Email: HR-CUSTOMERSERVICE@LEXINGTONKY.GOV
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DEFINITIONS

There are many terms used throughout this handbook. For your convenience, the following definitions are provided for frequently used terms. These definitions apply unless the context requires otherwise.

1. **Appointing authority** means, for employees in the office of the urban county council, the urban county council; for classified civil service employees, the mayor; and, for the unclassified civil service, the person or persons having the authority to make or recommend appointments as specified in Articles II and III of the urban county government's code of ordinances, chapter 22, but does not include any ratifying authority entitled to approve appointments.

2. **CAO** means Chief Administrative Officer.

3. **Charter** means the Lexington-Fayette Urban County Government charter.

4. **Class** means one (1) or more positions sufficiently similar with respect to duties and responsibilities that (a) the same descriptive title may be used with clarity to designate each position allocated to the class, (b) the same general qualifications are needed for the performance of the duties of the same class, (c) the same tests of fitness may be used to recruit employees, and (d) the same schedule to pay may be applied with equity to all positions in the class under the same or substantially the same employment conditions.

5. **Classification** means the grouping of positions based on duties performed and responsibilities; requirements as to education, knowledge, experience, and ability; tests of fitness; ranges of pay; and, title description.


7. **Commission** means the civil service commission as established under Kentucky Revised Statute (KRS) 67A.230.

8. **Council** means the urban county council.

9. **Director** means the director of human resources.

10. **Executive unit** means a division, department, or office of the urban county government, as the context of the section indicates.

11. **First day of the fiscal year**, for purposes of salary and benefit matters unless the context dictates otherwise, shall mean the first day of the pay period for which pay is received on or after July 1 of the new fiscal year.

12. **Intranet** means the city's internal-only website.

13. **Ordinance(s)** mean the Lexington-Fayette Urban County Government’s code of ordinances.

14. **Permanent Appointment** means the official process by which a probationary employee gains permanent classified civil service status.

15. **Permanent Employee** means an employee who has worked for the city for more than six (6) months in a classified civil service position.

16. **Probation/Probationary Period** means the first six (6) months that an employee works in a classified civil service position.

17. **Probationary Employee** refers to an employee who has worked for the city in a classified civil service position for less than six (6) months.

18. **Statute(s)** means the Kentucky Revised Statutes (KRS).
19. *Supervisor* means the director of the division in which a position is assigned; in the case of a position *not* assigned to a division but to a department, the commissioner of its department; in the case of either (a) directors of the divisions within the office of the chief administrative officer or (b) a position in the office of the chief administrative officer, the chief administrative officer; in the case of a position in the office of the mayor, the mayor; or, in the case of a position that is *not* directly under a division director, a department commissioner, the chief administrative officer, or the mayor, the supervisor is the urban county government officer or employee responsible for assigning the duties and overseeing the performance of the position.
ORGANIZATIONAL STRUCTURE, SYSTEM AND POSITIONS

The city of Lexington was founded in 1775. Fayette County was founded in 1780. By 1970, Lexington's population of more than 100,000 had qualified it as a “first-class” city and various city leaders seriously began to consider merging the city and county governments as an alternative to the first-class city designation.

In order to facilitate the operation of local government, to prevent duplication of services, and to promote efficient and economical management of the affairs of local government, the voters in any county except a county containing a city of the first class may merge all units of city and county government into an urban-county form of government. Such merger shall take place only after compliance with the procedures set forth in KRS 67A.020 - KRS 67A.010

The merger of the Lexington and Fayette County governments was the result of almost four (4) years of planning. In 1971, after a well-publicized citizen petition drive, the City Commission and County Fiscal Court appointed a Merger Commission. In an election held on Nov. 7, 1972, more than seventy (70) percent of voters approved what is now the Charter of the Lexington-Fayette Urban County Government (“Merged Government Charter” or “Charter”); the citizens accepted the merger commission’s proposed Merged Government Charter by an overwhelming margin. On Jan. 1, 1974, the city of Lexington and Fayette County became the first Kentucky communities to consolidate city and county governments into a single system.

ELECTED OFFICIALS

MAYOR

Fayette County elects its mayor on a nonpartisan basis every four (4) years. The mayor may serve up to three (3) consecutive terms. As chief executive of the city, the mayor supervises, administers, and controls all departments of the government. The mayor is the appointing authority for classified civil service employees; and, except for employees in the office of the urban county council, unclassified civil service employees; and, subject to confirmation by the city council, the chief administrative officer, commissioners of all executive departments, and members of boards and commissions. The mayor presides over all council meetings, but generally votes only to break a tie. Each year the mayor presents a report on the State of the City and submits a budget to the council. The mayor may veto ordinances and resolutions adopted by the council subject to override by a three-fifths (3/5ths) vote.

URBAN COUNTY COUNCIL

The urban county council (“council” or “city council”) is the legislative branch for the city. Fayette County elects twelve (12) councilmembers on a nonpartisan basis to represent the districts in which they reside. These “district” councilmembers serve two (2) year terms and may serve up to six (6) consecutive terms. Fayette County also elects three (3) additional councilmembers on a nonpartisan basis to represent all districts. These “at-large” councilmembers serve four (4) year terms and may serve up to three (3)
consecutive terms. The at-large councilmember receiving the largest number of votes also serves as vice mayor. In the absence of the mayor, the vice mayor presides over the council.

The fifteen (15)-member council takes official action through the adoption of ordinances and resolutions. Council adopts budgets for the operation of the city and has the power to levy taxes subject to the limitations of the charter and the laws of the Commonwealth of Kentucky. All meetings are open to the public unless exempt under the Kentucky Open Meetings Law.
CIVIL SERVICE SYSTEM

All positions in the city are grouped into classes for the purpose of including in each class those positions sufficiently similar in respect to their duties and responsibilities so that substantially similar requirements as to training, experience, knowledge, skill, personal qualities, and the same rates of compensation may be applicable thereto.

The director of human resources, under the direction of the chief administrative officer, periodically reviews the positions in the civil service system and recommends to the urban county council the reclassification of positions from one class to another class, or the reallocation of positions from one pay grade to another pay grade, whenever the director determines (subject to review by the commission for classified civil service positions) that the classification or pay grade is no longer consistent with the actual work performed.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-02 – ADOPTION AND AMENDMENT OF THE PLAN.
CODE OF ORDINANCES, SEC. 22-02 – ADOPTION AND AMENDMENT OF THE PLAN.
CODE OF ORDINANCES, SEC. 23-02 – ADOPTION AND AMENDMENT OF THE PLAN.
CAO POLICY 17: STANDARD OPERATING PROCEDURES FOR POSITION STUDIES

CLASSIFIED CIVIL SERVICE POSITIONS

Unless otherwise provided by law, all city positions are in the classified civil service. After successful completion of a six (6) month probationary period, no employee in the classified civil service will be reprimanded, suspended, dismissed, or reduced in grade or pay for any reason except inefficiency, misconduct, insubordination, or violation of law involving moral turpitude. Any classified civil service employee may appeal such actions to the civil service commission. Other benefits are provided in sections 21-31 through 21-42 in the code of ordinances.

CIVIL SERVICE COMMISSION

A five (5)-member civil service commission ("commission") advises and helps human resources on all matters pertaining to the management and administration of the Classified Civil Service System ("classified civil service"). The commission officially certifies lists of qualified candidates eligible for positions in the classified civil service, before submission to the appointing authority. This body also hears disciplinary appeals filed by classified civil service employees and determines dismissal from the classified civil service.

REFERENCE:
CHARTER, SECTION 9.02 – THE CLASSIFIED CIVIL SERVICE.
KRS 067A.230 CIVIL SERVICE COMMISSION – MEMBERSHIP – TERMS – RULE-MAKING AND ENFORCEMENT POWERS.
CODE OF ORDINANCES, CHAPTER 21 – COMPREHENSIVE PLAN FOR CLASSIFIED CIVIL SERVICE SYSTEM.

UNCLASSIFIED CIVIL SERVICE POSITIONS

By charter, unclassified civil service positions are exempted from the classified civil service. They include (a) elected officials and persons appointed to fill vacancies in elective offices, (b) the chief administrative officer, (c) department commissioners of all executive departments, (c) temporary, seasonal, or part-time
employees, and (d) all persons employed to conduct special inquiries, investigations, or studies for the city.

Temporary positions are established for a fixed, definite period and in no case for an indefinite period. They include seasonal positions and positions for the conduct of special inquiries, investigations, or studies for the city. Except as otherwise provided by law, any individual holding a position in the unclassified civil service shall serve at the pleasure of the respective appointing authority.

With regard to benefits for unclassified civil service employees, full-time, unclassified civil service positions (with the exception of seasonal employees) are eligible for the benefits provided in sections 21-31 through 21-42 in the code of ordinances for classified civil service employees. Part-time employees, who qualify under applicable federal, state, or local law, and consistent with the eligibility provision of the specified benefit plan document, may participate in the group health insurance approved by council. The cost associated with this participation shall be made by payroll deduction and any premiums due shall be paid by the employee.

REFERENCE:
CHARTER, SECTION 9.02 – THE CLASSIFIED CIVIL SERVICE.
KRS 067A 210 DEFINITIONS.
CODE OF ORDINANCES, CHAPTER 22 – UNCLASSIFIED CIVIL SERVICE.
CODE OF ORDINANCES, SEC. 22-56. – TEMPORARY POSITIONS.
CODE OF ORDINANCES, SEC. 22-57. – PART-TIME POSITIONS.
CODE OF ORDINANCES, SEC. 22-59. – BENEFITS.

INTERNSHIPS

Unpaid internships, where the intern volunteers without expectation of compensation, are generally permissible. However, the Fair Labor Standards Act’s minimum wage and overtime provisions apply to the intern if an employment relationship is formed.

REQUIREMENTS

A proposed internship must meet all of the seven qualifying factors below.

1. The internship, even though it includes actual operation of the facilities of the employer, is similar to training which would be given in an educational environment;
2. The internship experience is for the benefit of the intern;
3. The intern does not displace regular employees, but works under close supervision of existing staff;
4. The employer that provides the training derives no immediate advantage from the activities of the intern; and on occasion its operations may actually be impeded;
5. The intern is not necessarily entitled to a job at the conclusion of the internship;
6. The employer and the intern understand that the intern is not entitled to wages for the time spent in the internship; and,
7. Internships should last for 6 months or less, and for no more than eight hours a day. Hours spent should not exceed a normal school schedule.

PREPARE FOR INTERNSHIP
Unpaid internships may be available on a limited basis each semester. All activities engaged in by interns should be related to a college course/program. Interns must submit application with the City of Lexington via online process. To be eligible, interns must be enrolled in an accredited college, university, or post-secondary educational institution. The intern must be at least 18 years of age and may be subject to criminal background and reference checks as well as required to execute a confidentiality/non-disclosure agreement.

Departments that would like an intern for the semester shall notify the Deputy Director of Human Resources, with the following information.

1. Payroll coordinator name and contact information;
2. Employee responsible for supervision, training, and evaluation of the intern;
3. Start date and end date;
4. Assigned duties of interns including details to establish compliance with FLSA;
5. Number of interns;
6. Desired academic field or degree program; and,
7. Any other educational requirements.

Human Resources will post a general job description for interns. Applications and resumes will be screened and forwarded to the requesting departments.

**SWORN POSITIONS**

Sworn positions in Community Corrections, Fire and Emergency Services, and the Lexington Police Department are subject to the terms of their respective collective bargaining agreements. Members shall refer to their respective agreements.
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COMPENSATION

RATE OF PAY

Human resources is responsible for developing salary offers and in this regard, studies pay rates from both an internal and external equity perspective. The rate of pay for a new classified or unclassified civil service employee with no equivalent and relevant level of experience and education in excess of the classification’s minimum requirements will be the entry rate of the pay grade to which the job classification is assigned.

The rate of pay for new employees, whose experience and education can be verified, may be placed in the range according to their experience, education, and other criteria consistent with procedures set forth for salary calculation methodology within the classification and compensation system.

The appointing authority may recommend, and the urban county council may approve, a rate of pay above the recommended rate when it is found to be difficult to recruit qualified persons at the recommended rate of pay or in recognition of the experience or exceptional qualifications of a candidate.

The compensation for unclassified civil service positions that are not assigned a pay grade shall be as provided by ordinance or budget.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-26. – ENTRANCE RATES.
CODE OF ORDINANCES, SEC. 22-23. – ENTRANCE RATES.

HOURS OF WORK

Forty (40) hours of work per week will constitute a full-time workweek for all positions in the classified and unclassified civil service. Urban County government offices are normally open for business from 8 a.m. to 5 p.m., Monday through Friday.

Each employee is assigned a work schedule and is expected to begin and end work according to the schedule. Generally, if employees are over six (6) minutes late, they are considered tardy. An employee’s assigned schedule may be outside of normal business hours depending on the requirements of the position. To accommodate the needs of our city, changes to individual work schedules on either a short-term or a long-term basis may be required. Employees will be provided meal breaks and rest periods as required by law.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-19. – HOURS OF WORK.

BREAKS AND REST PERIODS

MEAL BREAKS

Employees shall be provided a reasonable period of at least thirty (30) minutes for meal breaks as close to the middle of their scheduled work shifts as possible. In no case will employees be required to take a meal break sooner than three (3) hours or later than five (5) hours after their work shift commences.
Meal breaks are *without* pay. Employees should contact their supervisors for scheduling meal breaks.

**LUNCH ON THE RUN**

"Lunch on the run" status is voluntary and shall meet the requirements of CAO Policy 6: *Flextime*. Lunch on the run shall not be a permanent schedule unless required by an employee’s position and job duties.

**REST PERIODS**

Employees shall be provided a rest period of at least ten (10) minutes during each four (4) hours the employees work. These rest periods are in addition to their regularly scheduled meal breaks. Rest periods are paid time. Employees should contact their supervisors for scheduling rest periods.

**LACTATION BREAKS**

The purpose of this policy is to provide nursing mothers who are employees of the city with a private place and reasonable break time to express breast milk for nursing children for up to one (1) year after the birth. However, this policy does not prohibit division directors from extending the provision of reasonable and flexible break times each day for this activity for a period longer than one (1) year after the birth of a child.

Before returning to work after the birth of a child, a nursing mother who intends to take lactation breaks shall contact her supervisor to provide notice of such intent and to request an area to express breast milk in the workplace during normal business hours. The break time if possible, shall run concurrently with rest periods and meal breaks already provided to the employee. If the break time *cannot* run concurrently with rest periods and meal breaks already provided, or if additional time is needed, the employee may use available leave time. If leave time is unavailable, then additional time may be considered as leave *without* pay (LWOP) or the supervisor may allow the employee to make up the additional time. In the case of non-exempt employees, time shall be made up within the same workweek. For more information, refer to CAO Policy 51: *Lactation Policy*.

**REFERENCE:**
Department of Labor
KRS 337.355 LUNCH PERIOD REQUIREMENTS.
KRS 337.365 REST PERIODS FOR EMPLOYEES.
CAO POLICY 06: FLEX-TIME POLICY
CAO POLICY 51: LACTATION POLICY
TIMEKEEPING PROCEDURES

Employees are expected to record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason, on forms as prescribed by management. Altering, falsifying, or tampering with time records is prohibited and subjects the employee to discipline up to and including dismissal and in accordance with the uniform disciplinary code. Non-exempt employees may not work outside their approved schedule, unless approved by their supervisor. It is the employee's responsibility to submit time records to certify the accuracy of all time recorded. Any discrepancies in the time record should be reported immediately to the employee's supervisor, who will help facilitate the correction of any errors.

OVERTIME

All positions are categorized as either non-exempt or exempt for purposes of wage and hour laws. Employees in positions categorized as non-exempt receive pay at one-and-one-half (1.5) times their hourly rate for any hours worked in excess of forty (40) during any given workweek. Leave time will not count as hours worked for purposes of computing overtime earned in a week.

"Employees in positions categorized as exempt do not receive overtime pay; however, the city has a compensatory time leave program for such employees that grants leave time for hours worked in excess of forty (40) hours per week. The employee will be informed of these categories upon hire and upon any subsequent changes.

Supervisors are responsible for monitoring operational needs and requesting overtime work if it is necessary. In this regard, every effort will be made to provide employees with adequate advance notice in such situations.

For the purpose of calculating overtime for non-exempt employees whose work shift starts one day and ends on another, time will be credited to the day on which the shift started up to 12 p.m. on Monday. The city does not provide non-exempt employees the option of accruing compensatory time in lieu of overtime payment. Employees may work overtime only with prior management authorization.

REFERENCE:
29 CFR CHAPTER V – WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR
CODE OF ORDINANCES, SEC. 21-28. – OVERTIME.
CODE OF ORDINANCES, SEC. 21-37.1. - COMPENSATORY TIME LEAVE PROGRAM.

COMPENSATORY TIME (CMPTK)

In accordance with section 21-37.1 in the urban county government's code of ordinances, employees exempted from overtime payments as allowed by the Fair Labor Standards Act exemption requirements may accumulate six (6) minutes of compensatory (“comp”) time for every six (6) minutes worked over forty (40) hours in the workweek. Leave time will not count as hours worked for purposes of computing comp time earned in a week, with the exception of holiday leave. Employees may accumulate up to eighty (80) hours of comp time and may use accumulated comp time in six (6) minute increments.

- No employee will be paid for accumulated comp time upon separation from city employment.
- Comp time may only be accrued and utilized upon the supervisor's prior approval.
Once maximum accumulations have been reached, employees who work over forty (40) hours in the workweek shall continue to report actual hours worked, but time worked in excess of their regular hours will not be credited as comp time. Once comp time drops below eighty (80) hours, only hours worked after the reduction will be credited as comp time. Comp time balances will be posted on pay stubs at the end of each pay period; and, in no event will any comp time hours be credited retroactively.

Non-exempt employees are not eligible to receive comp time in lieu of overtime pay.

REFERENCE:
29 CFR CHAPTER V – WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR
CODE OF ORDINANCES, SEC. 21-37.1. – COMPENSATORY TIME LEAVE PROGRAM.
TRAVEL TIME

Employees who travel on official city business will be compensated for time spent traveling relative to such business (except for meal periods) during any given week, including weekends. Please consult CAO Policy 4: Travel Policy and Procedures for the complete policy on travel.

REFERENCE:
29 CFR CHAPTER V – WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR
CAO POLICY 04: TRAVEL POLICY AND PROCEDURES

FLEX-TIME

This policy is designed to benefit the public by making a variety of local government services available on an expanded-hours basis. Flextime scheduling is not possible within every work unit of local government, and in some cases may not be appropriate. The granting of a flextime schedule is completely within the discretion of division/department management and is not an entitlement.

City employees who may benefit from greater flexibility in their daily work schedules may refer to CAO Policy 6: Flex-Time Policy for more information and for the Employee Flex-Time Agreement Form.

REFERENCE:
CAO POLICY 06: FLEX-TIME POLICY

YOUR PAYCHECK

It is the city’s policy and practice to compensate employees accurately and in compliance with all applicable laws. To ensure proper payment and that no improper deductions are made, employees are expected to review pay stubs promptly to identify and report any errors.

All employees are paid bi-weekly for all the time worked during the past pay period. Payroll stubs itemize deductions made from gross earnings. By law, the city is required to make deductions for Social Security, federal income tax, and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Payroll stubs will also differentiate between regular pay received and overtime pay received.

If there is an error in employees’ pay, the employees should bring the matter to the attention of their supervisor immediately so the city can resolve the issue in a timely manner.

DIRECT DEPOSIT

The city strongly encourages employees to use direct deposit. Employees may sign up for direct deposit using PeopleSoft Self-Service, or they may obtain a copy of the direct deposit authorization form from the intranet or from the payroll manager in accounting.
SALARY SUPPLEMENTS

24-HOUR STANDBY STATUS

*Classified* civil service employees in Computer Services, the Lexington Police Department, Fire and Emergency Services, Community Corrections, and Enterprise Solutions who are *exempted* from statutory overtime requirements shall receive additional compensation at a rate as approved by ordinance for any pay period during which said employees are required to be on twenty-four (24) hour standby status for the emergency servicing of computer equipment.

By July 1 of each fiscal year, each affected division shall submit to the director of human resources a listing of employees and the specific pay periods they will be required to serve on the twenty-four (24) hour standby status.

COMMERCIAL DRIVER’S LICENSE

*Classified* civil service employees required by their job duties to hold a Commercial Driver’s License (CDL) shall receive additional compensation at a rate as approved by ordinance so long as they hold a position requiring the CDL. This supplement reflects the additional responsibility and scrutiny required to qualify for and maintain the CDL.

ON-CALL AND CALL-BACK

Any *classified* civil service employee who is officially designated as on-call shall receive additional compensation at a rate as approved by ordinance.

Any on-call employees who are called back to work shall be compensated for a minimum of two (2) hours. See *On-Call/Call-Back Policy* in this handbook for more information.

HIGH-RISK POSITIONS

The director of human resources may, with the approval of the chief administrative officer and subject to sufficient funding, authorize a salary supplement as approved by ordinance to *full-time non*-sworn employees under the following terms and conditions.

A *full-time non*-sworn employee shall be deemed to be in a high-risk position when cumulatively, the majority of the employee’s work and duties are performed under conditions that could result in serious illness, severe personal injury, or a substantial endangerment to health when exposed to minimally controllable or hazardous conditions, notwithstanding preventative efforts such as training, skills, abilities, protective equipment, or engineered controls as required by OSHA.

The director of human resources, after desk audits of positions identified as having high physical demands or hazardous working conditions in the current position classification system, shall identify those employees whose positions qualify them for the high-risk job pay-supplement.
The directors of the divisions in which these positions are identified shall be responsible for tracking employees in positions that qualify for this supplement.

Employees in positions that qualify for this supplement do \emph{not} qualify for hazardous duty retirement.

\textbf{REFERENCE:}

\texttt{CODE OF ORDINANCES, SEC. 21-27 – COMPUTATION OF SALARIES,}

\texttt{CAO POLICY 31: ON CALL AND CALL BACK POLICY}
ON-CALL/CALL-BACK POLICY

Some employees by the nature of their jobs are eligible for on-call and/or callback pay. Generally, this policy applies to all employees except those employees whose positions require emergency response on a daily basis (e.g. public safety employees, commissioners, division directors, and other managers).

The following are some definitions pursuant to this policy.

1. At work – Employees are at work when they have arrived at their normal work area, their designated work area, or to an area where they pick up an urban county government vehicle, and begin to perform work.

2. On-duty, away from work – Employees are on-duty, away from the workplace when they are required to wait at a particular location or by a telephone, where their freedom is restricted to a very limited area, and they are unable to conduct personal business. These hours constitute hours worked.

3. On-call – Employees are on-call when they are away from their normal work area and are not performing work-related duties. They have been designated to respond under certain conditions, or they have been issued a mobile/cellular phone, beeper, or radio to which they shall respond if called. Generally, these employees are free to conduct personal business and engage in normal off-duty activities within the general geographic area in which they live and within the designated response radius. These hours do not constitute hours worked.

4. Callback – Due to emergencies or other unforeseen conditions, all employees are subject to call back to work whether or not they have been designated as on-call. Employees who are able to return to work shall be compensated for all hours worked, beginning at the time they leave for work, with pay (for non-exempt employees) or applicable comp time (for exempt employees). These employees are considered off-duty unless an employee is called and is able to return to work.

5. Off-duty – Employees are completely off-duty and are not subject to any provisions of this policy when they have completed their normal workday and they are released from work without any specific direction requiring them to respond to any after work emergency.

Employees who are designated to be on-call shall be the first persons contacted to respond to urban county government emergencies or other situations requiring their presence at work. Other employees may be contacted and required to return to work in order to meet the needs of the urban county government.

Employees who are called back to work during non-scheduled work hours shall be compensated for a minimum of two (2) hours with pay in the case of non-exempt employees or with comp-time, in the case of exempt employees. Travel time in response to the callback is considered work time and is included in the minimum two (2) hours provided by this policy. Employees may refer to CAO Policy 31: On-Call and Call-Back Policy for complete details.

REFERENCE:
CAO POLICY 31: ON CALL AND CALL BACK POLICY
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INCLEMENT WEATHER POLICY (WTHR)

The decision to delay, dismiss early, or cancel all or any part of a workday for city employees due to inclement weather shall be made by the mayor, or in the absence of the mayor, the chief administrative officer (CAO).

The following are some definitions pursuant to this policy.

1. **Delay/Early Dismissal** – Government offices are officially "open" for regularly scheduled hours. The work delay and early dismissal are treated as a grace period for non-emergency employees to report to work or leave work early. Emergency personnel are to report and remain on duty in accordance with regularly scheduled hours, regardless of the work delay or early dismissal, to provide for continuity of government functions and services to the public, unless otherwise released by the mayor or CAO.

2. **Cancellation** – In instances where all or any part of the workday is canceled, government offices are officially "closed", with the exception of the critical emergency functions related to relief of the inclement weather or related emergencies. Only "emergency personnel" required to discharge these functions are required to report to work.

3. **Emergency Personnel** – As defined and identified within each department or division, are personnel expected to report to work or remain on duty regardless of any inclement weather-related decision affecting the work schedule of other government employees, unless released by the mayor or CAO.

4. **Non-Emergency Personnel** – Personnel expected to report to work or remain on duty only as provided under the terms of delay, early dismissal, or cancellation of work as prescribed by the mayor or CAO.

INCLEMENT WEATHER-RELATED DECISIONS

Prior to the beginning of the regularly scheduled workday (Monday – Friday, 8 a.m. – 5 p.m.) a decision to delay or cancel work will be made by 5:30 a.m., and notice given for public broadcast to all print, radio, and TV media.

For work delay or cancellation prior to the beginning of scheduled work shifts other than Monday – Friday, 8 a.m. – 5 p.m., notice will be given for public broadcast to all print, radio, and TV media approximately one-and-one-half (1.5) hours prior to the beginning of the scheduled shift.

Any early dismissal or work cancellation after the beginning of a regularly scheduled workday will be communicated directly from the mayor or CAO to department commissioners, division directors, or other appropriate supervisory personnel if during other than the regularly scheduled Monday – Friday, 8 a.m. – 5 p.m. workday.

ACCOUNTING OF EMPLOYEE WORK TIME

There are many essential government functions and services that are expected to continue to operate during inclement weather conditions. If the mayor or CAO declares an inclement weather-related work delay, early dismissal, or cancellation, compensation for employees will be calculated as follows:

**NON-EMERGENCY PERSONNEL**
Non-emergency personnel not required to work during a work delay, early dismissal, or cancellation will receive pay for their normal daily schedule at the employee’s normal rate of pay. Employees should report all hours actually worked for the day on time cards and use pay code WTHR for any hours of the day covered by a delay, early dismissal, or cancellation of work to offset the number of hours worked in the normal daily schedule. The total number of WTHR hours cannot exceed the number of hours in the scheduled workday. Any employees who do not report to work for the day will be required to charge such absences to appropriate accumulated leave time or if necessary, leave without pay for that portion of the day not covered by WTHR time.

EMERGENCY PERSONNEL

Emergency personnel who are required to work during a work delay, early dismissal, or cancellation will, in addition to compensation for actual hours worked (including overtime, if eligible), be allowed comparable time off from work with approval of the employees’ supervisor, for their normal scheduled daily hours, within the six (6) month period following the work delay, early dismissal, or cancellation. However, in no event shall time off be authorized in such a manner as will result in the payment of overtime compensation. For more information, refer to CAO Policy 14: Inclement Weather Policy.

REFERENCE:
CAO POLICY 14: INCLEMENT WEATHER POLICY
BUSINESS EXPENSE REIMBURSEMENT

Employees will be reimbursed for reasonable approved expenses incurred in the course of business. They may include air travel, hotels, motels, meals, cab fare, rental vehicles, or gas and car mileage for personal vehicles. All expenses incurred should be submitted to the employee’s supervisor along with the receipts in a timely manner.

Employees are expected to exercise restraint and good judgment when incurring expenses. Employees should contact their supervisor in advance if they have any questions about whether an expense will be reimbursed. Receipts are required for most travel expenditures. For more information, refer to CAO Policy 4: Travel Policy and Procedures; and, CAO Policy 16: Policies and Procedures for Mileage Reimbursement for Business Use of Employee’s Personal Vehicle.

Reference:
CAO POLICY 04: TRAVEL POLICY AND PROCEDURES
CAO POLICY 16: POLICIES AND PROCEDURES FOR MILEAGE REIMBURSEMENT FOR BUSINESS USE OF EMPLOYEE’S PERSONAL VEHICLE
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HEALTH AND WELLNESS BENEFITS

In addition to good working conditions and competitive pay, it is the city's policy to provide a combination of core and supplemental benefits to all eligible employees. In keeping with this goal, each benefit has been carefully designed to meet the needs of our diverse employee population. These benefits include time-off benefits, such as vacations and holidays, as well as health insurance and other benefits.

From time to time, the city establishes other incentives to encourage wellness. Examples include the opportunity to earn points that could be exchanged for a variety of items including cash, merchandise, gift cards, and travel; free immunizations; free lunch-and-learns on health- and wellness-related topics; on-site weight management and fitness programs; and, a generous subsidy for employee-participation in the city's *Farm to Table*, Community Supported Agriculture (CSA) initiative. Wellness incentives are announced through payroll coordinators and on the intranet.

The next few pages contain a brief outline of the health and wellness benefits the city provides employees and their families. Please keep in mind, the information presented here is intended to serve only as a guideline. Our most up-to-date benefits information can be found on the city employees’ Benefit Center website ([www.lexingtonky.gov/benefits](http://www.lexingtonky.gov/benefits)). This site provides employees with an efficient way to obtain information and answers to questions regarding the city's employee benefit plans on a 24/7 basis. Please refer to the summary plan descriptions or certificate of insurance booklet for detailed information.

While the city intends to maintain these employee benefits, it reserves the absolute right to modify, amend, or terminate these benefits at any time and for any reason.

If employees have any questions regarding benefits, they should contact human resources, benefits section at (859) 258-3030.

**DR. SAMUEL BROWN HEALTH CENTER**

The Dr. Samuel Brown Health Center’s mission is to deliver quality care and to partner with the patient to obtain wellness. The health center provides a variety of health and wellness services to help employees and family members ages two (2) and older who are enrolled in the city's health insurance plans achieve and maintain good health. The center is a ZERO-COST alternative to office visit co-pays and deductibles (certain lab costs will be extra). Walk-ins are not allowed. For center hours, or to schedule an appointment, call (859) 425-2555; or, go online to [www.marathon-health.com/myphr](http://www.marathon-health.com/myphr).

Dr. Samuel Brown Health Center  
100 Trade Street, Suite 155  
Lexington, Kentucky 40511

**CITY EMPLOYEE PHARMACY**

The City Employee Pharmacy is available to all employees and family members who are enrolled in the city's health insurance plans, and the pharmacy will fill a prescription from any healthcare provider authorized to prescribe in the Commonwealth of Kentucky. The pharmacy offers delivery service to city hall at no cost to the employee.

Those not enrolled in the city's health insurance plans can still use the pharmacy for savings on over-the-counter (not prescribed) medications. For pharmacy hours and information on filling a prescription, call (859) 367-4990 or go online to [www.lexingtonky.gov/benefits](http://www.lexingtonky.gov/benefits).
City Employee Pharmacy
100 Trade Street, Suite 155
Lexington, Kentucky 40511

Fax: (859) 367-4993
**CREDIT UNION MEMBERSHIP**

Employees of the city and their family members are eligible for membership with [METRO EMPLOYEES CREDIT UNION](https://www.metroemployeescreditunion.com). For more information, contact MECU at (859) 258-3990.

**DISCOUNTED GYM MEMBERSHIP**

The city promotes physical fitness and wellness throughout the government. In this regard, the city offers to all city employees the opportunity for a gym membership with the YMCA at substantially reduced rates. Further details can be found on the city's *Benefit Center* website [WWW.LEXINGTONKY.GOV/BENEFITS](https://www.lexingtonky.gov/benefits).

**EMPLOYEE ASSISTANCE PROGRAM**

The city provides an employee assistance program for employees, their spouses, qualified adults (per CAO Policy 46), and their dependents. This program offers qualified counselors to help people effectively deal with problems or crises that sometimes occur in daily living. These EAP services are free to employees, their spouses, qualified adults, and dependents; and, we encourage employees to take advantage of these services if the need ever arises.

Voluntary use of the EAP is strictly confidential. The city’s EAP service providers are committed to making sure employees’ personal information is *NOT* shared with their employers.

**SELF-REFERRAL**

May be used when changes/problems are noticed in the employee’s workplace performance or behavior, but the changes/problems may not be sufficient to warrant disciplinary action. The employee can self-refer at the suggestion of the LFUCG or without LFUCG’s suggestion or knowledge.

**Possible indicators**

- Lack of concentration, forgetful; poor eating, tiredness, poor health; isolation from colleagues at work; poor judgment (decline from standards); agitation, overt anxiety, overreactions; unhappiness, dissatisfaction, irritability; indecisiveness, self-doubt; loss of interest and pleasure at work; compulsive attention to trivial details; or, brief difficulty with focus, team work, or productivity.

**What to do?** Give the employee an EAP card or advise them of the EAP contact information.

Employees may/may not choose to schedule their own appointment.

**MANDATORY REFERRAL**

May be used when there is a serious policy violation, a question of safety for employees or others, or the employee is at risk for termination due to performance problems.

**Possible indicators**
Poor judgment, lack of concentration, indecisiveness, or decreased problem solving that is potentially dangerous to self, other employees, or citizens; emotional reactions that render the employee unable to perform work tasks; failure to bring behavior under control when directed to do so; emotional/behavioral outbursts; suicide threats (covert or overt); disorganized, delusional, irrational thought patterns; refusal to take responsibility for actions; or, threats against coworkers or management.

What to do? Call HR at (859) 258-3030 to request a mandatory referral.

DECIDING ON LEVEL OF REFERRAL

Consider the adverse effects of the problem on the following.

1. Productivity (individual or group)
2. Employee/group morale
3. Safety
   a. Is the employee in a safety-sensitive position?
   b. What are the consequences of ongoing mistakes and errors in judgment?
   c. Are there concerns about personal safety or the safety of others?

Consider the long-term impact on both the employee and the workgroup when choosing the level of referral.

WHEN TO CALL HR, 258-3048

1. Request a mandatory referral.
2. Consult with HR if you are in doubt about the proper level of referral.

For more information or for confidential help, call the city’s EAP provider listed on the city’s Benefit Center website [WWW.LEXINGTONKY.GOV/BENEFITS](http://WWW.LEXINGTONKY.GOV/BENEFITS).
HEALTH INSURANCE

*Full-time* employees (except seasonal employees, unless such employees otherwise qualify under federal or state laws) may participate in the city’s insurance programs. Under these plans, eligible employees will receive comprehensive health and other insurance coverage for themselves and their families, as well as other benefits.

*Part-time* employees who qualify under applicable federal or state law will be eligible to participate in any health insurance approved by the urban county council. The cost associated with this participation shall be made by payroll deduction, and any premiums shall be paid by the employee.

Upon becoming eligible to participate in these plans, employees should refer to the summary plan descriptions (SPDs) describing the benefits in detail. Further details can be found on the city’s Benefit Center website [WWW.LEXINGTONKY.GOV/BENEFITS](http://WWW.LEXINGTONKY.GOV/BENEFITS).

RETIREMENT PLANS

COUNTY EMPLOYEES RETIREMENT SYSTEM (CERS)

*Full-time* employees participate in Kentucky Retirement Systems’ *County Employees Retirement System* (CERS). Plan participants make pre-tax contributions to the CERS pension fund and the city’s legislative body contributes city revenues to the fund. For more information, contact [KENTUCKY RETIREMENT SYSTEMS](http://KENTUCKY RETIREMENT SYSTEMS) 8 a.m. – 4:30 p.m. Monday – Friday.

Kentucky Retirement Systems
1260 Louisville Rd
Frankfort, Ky., 40601

Phone: (800) 928-4646 (Toll-Free) or (502) 696-8800 (Frankfort)
Fax: (502) 696-8822

Email: [KRS.MAIL@KYRET.KY.GOV](mailto:KRS.MAIL@KYRET.KY.GOV)

POLICE AND FIREFIGHTER RETIREMENT FUND (PFRF)

The Police and Firefighter Retirement Fund (PFRF) is a retirement and benefit fund for sworn members of the Lexington Police Department and Fire & Emergency Services. The provisions of the PFRF are established by state law (KRS 67A.360 – 67A.690). The statutes should be consulted for detailed information or contact the Police and Firefighter's Retirement Fund office 8 a.m. – 5 p.m., Monday – Friday.

Police and Firefighter's Retirement Fund
200 E. Main St.
Lexington, Ky., 40507

Phone: (859) 258-3539
Fax: (859) 425-2050
OTHER DEFERRED INCOME ACCOUNTS

Other deferred income accounts (such as 401K and 457 plans) are available. Details can be found on the city’s Benefit Center website WWW.LEXINGTONKY.GOV/BENEFITS.

REFERENCE:
KRS 067A.360 – 067A.690: POLICE AND FIREFIGHTERS’ RETIREMENT AND BENEFIT FUND.
KRS 090.400 PENSION FUND IN CITIES -- COVERAGE PROVIDED IN COUNTY EMPLOYEES RETIREMENT SYSTEM AFTER AUGUST 1, 1988 -- REPEAL OF ORDINANCES ESTABLISHED FOR CREATION OR MAINTENANCE OF PENSION FUND -- LIQUIDATION AND DISTRIBUTION OF RESIDUAL ASSETS -- REPORT.
CODE OF ORDINANCES, CHAPTER 06 – EMPLOYEES AND PENSIONS
SICK LEAVE TRANSFER PROGRAM

Classified and unclassified civil service employees with more than six (6) months of employment may transfer unused accrued sick leave hours to another eligible employee experiencing a disabling illness or injury or a death in the immediate family.

The following definitions will apply to this section.

1. **Employee** means a classified civil service or unclassified civil service employee with more than six (6) months employment.
2. **Recipient** means an employee who is eligible to receive sick leave benefits under this program.
3. **Donor** means an employee who meets the requirements to transfer leave under this program.
4. **Disabling illness or injury** means a medically certified illness or injury of an employee or an employee’s family member, which will result in the employee being absent from duty for at least ten (10) consecutive working days, for which the employee does not have available paid leave and which may result in the employee incurring a substantial loss of income.
   a. “Disabling illness or injury” does not include self-inflicted injuries, job related illnesses or injuries covered by workers’ compensation, illnesses or injuries covered by automobile insurance benefits, and illnesses or injuries suffered because of secondary employment.
5. **Family member** means a parent or stepparent, spouse, child (including step or adopted children), grandparent, spouse’s parent, spouse’s grandparent, qualified adult as defined in CAO Policy 46, any relative for whom an employee is legally responsible, or relatives who are residing with and are under the care of an employee during the relative’s disabling illness or injury.

A donor wishing to transfer unused accrued sick leave to a qualified recipient shall file the **sick leave sharing donation form** with human resources requesting that a specified number of hours of accrued sick leave be transferred to another eligible named employee. Only employees with a sick leave balance of over 160 hours are eligible to be donors. In addition, an employee’s requested transfer of sick leave may not result in donor’s sick leave balance dropping below 160 hours.

A recipient shall complete the **sick leave sharing application** and submit the application to human resources; and, the recipient shall have exhausted all available paid leave, including sick leave, vacation, holiday, and compensatory time.

- The minimum number of sick leave hours that an employee may transfer to another employee is eight (8).

Once the proper documentation has been submitted by both the proposed recipient and donor employees, human resources will, within five (5) days of receipt, review the documentation and notify the donor and recipient in writing if they meet the eligibility requirements of this program. If so, the recipient will be entitled to use the transferred sick leave under this program.

- **Sick Leave Transfer Program** benefits to an employee on maternity/paternity leave will be available only if the employee’s newborn child suffers from a serious medical condition that requires an extended leave of absence.

Transferred sick leave will be paid at the recipient's regular rate of pay and on the government's regular pay periods.
Transferred sick leave may only be used by a recipient while they, or a family member, are experiencing a disabling illness or injury. It is the responsibility of the recipient employees to notify human resources in writing within five (5) days from the date that their disabling injury or illness no longer exists. In the event of recipients’ death or retirement, or if their employment is terminated, the recipients are no longer eligible to receive sick leave transfer benefits.

While receiving sick leave transfer benefits, a recipient employee will accrue sick and vacation leave. A paid holiday occurring during an approved benefit period will be paid as a holiday, and not paid as transferred sick leave.

- An employee receiving sick leave transfer benefits shall comply with the provisions of the sick leave policy.
- Any sick leave transfer benefits received under this program will run concurrently with all other leaves of absence.
- Once sick leave has been transferred under this program, it cannot be restored to the donor for any reason.

No employee will directly or indirectly intimidate, threaten, or coerce; or, attempt to intimidate, threaten or coerce any other employee for the purpose of interfering with that employee’s right to participate in this program, including the donation, receipt, or use of transferred sick leave. For the purposes of this section, “intimidate, threaten, or coerce” includes but is not limited to the promise to confer or conferring any benefit related to employment or affecting or threatening to affect any reprisal against any other employee.

REFERENCE:  
CODE OF ORDINANCES, SEC. 21-37.2. – SICK LEAVE TRANSFER PROGRAM.
PAID & UNPAID TIME-OFF BENEFITS

Employees who are out of the office using paid leave categories will continue to receive monthly sick and vacation accruals. They will continue to be paid for designated holidays, and the bi-weekly flex credits will continue to be applied. However, employees on disability leave for ninety-one (91) or more days will not receive monthly sick and vacation accruals, as shown in the table below.

<table>
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<th>Paid leave categories</th>
<th>Pay Code</th>
<th>Do I accrue Sick &amp; Vacation?</th>
<th>Do I accrue Holiday?</th>
<th>Do I get the Flex credits?</th>
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<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Disability leave &lt; /=90 days</td>
<td>WCOMP</td>
<td>X</td>
<td>Paid - not accrued</td>
<td>X</td>
</tr>
<tr>
<td>Disability leave 91+ days</td>
<td>WCOMP</td>
<td>X</td>
<td>Paid - not accrued</td>
<td>X</td>
</tr>
</tbody>
</table>

Employees who are out of the office on unpaid family medical leave (FMLA) or extended military leave (MILNP) for military leave 21+ days, will continue to receive sick, vacation, and holiday accruals; and, the bi-weekly flex credits will continue to be applied as shown in the table below.

<table>
<thead>
<tr>
<th>Unpaid leave categories</th>
<th>Pay Code</th>
<th>Do I accrue Sick &amp; Vacation?</th>
<th>Do I accrue Holiday?</th>
<th>Do I get the Flex credits?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family medical leave</td>
<td>FMLA</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Military leave 21+ days</td>
<td>MILNP</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Absent without leave 4+ hours</td>
<td>AWOL</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Administrative leave</td>
<td>ADMIN</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Council leave</td>
<td>CNCL</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Suspension 4+ hours</td>
<td>SUSWTO</td>
<td>X</td>
<td>Not paid or accrued</td>
<td>X</td>
</tr>
</tbody>
</table>

An employee who is absent without leave (AWOL) for four (4) or more hours will continue to receive their flex credits; however, employees who utilize administrative leave (ADMIN) or council leave (CNCL) for an entire pay period will not continue to receive monthly sick and vacation accruals, they will not continue to be paid for designated holidays, and the bi-weekly flex credits will no longer be applied.
VACATION (VAC)

Classified civil service employees, probationary employees, and full-time unclassified civil service employees (with the exception of seasonal employees) earn ten (10) hours of vacation leave per fully completed calendar month during their first ten (10) years of service. After ten (10) years of service, these employees accumulate fourteen (14) hours of vacation leave per fully completed calendar month of service. However, a new full-time employee (with the exception of seasonal employees) whose employment date is after the first of the month shall earn two-and-one-half (2.5) hours of vacation leave for each one (1) full week of service during the first month of employment not to exceed ten (10) hours. Thereafter, vacation accrual shall be as stated above.

Part-time employees who have worked for the city for twenty-four (24) continuous months will earn vacation leave at a rate of five (5) hours per month.

Vacation leave will be credited on the first paycheck of each month for the prior month (e.g. first paycheck in June for the month of May).

VACATION USAGE

Vacation may be used only in six (6) or more minute increments and only upon the supervisor's approval of the prior written request of the employee; however, verbal approval may be accepted for unexpected circumstances. Vacation leave will not be granted in excess of vacation credit earned by service prior to the starting date of leave. It will be scheduled with regard to operating requirements, seniority of the employee, and as much as possible, with the written request of the employee. No refund of vacation time will be allowed for illness incurred while on vacation leave. Vacation leave cannot be transferred from one (1) employee to another.

Classified civil service employees will earn vacation leave during their probationary periods, but will not be authorized to use it until they complete their probation; provided however, that the following probationary employees may use vacation leave.

1. Those with immediate prior city service and no break in service.
2. Those who exhaust sick leave and who can provide a doctor's excuse substantiating the need for leave.
3. Those who are appointed to new positions during their probationary periods after six (6) months of city service so long as the supervisor certifies to the director that the employee's service is satisfactory.

VACATION CARRY FORWARD

Full-time employees may carry over up to 168 hours of vacation leave into the next calendar year. Any vacation hours accumulated in excess of 168 hours will be lost at the beginning of the next calendar year.

The chief administrative officer (CAO) may upon request, extend the deadline for vacation carryover to the end of a fiscal year. Said extension shall only be granted in cases where employees are unable to use their leave time due to weather, work demands, or other extenuating circumstances as determined by the CAO. Approved extensions shall be submitted in writing to accounting with a copy sent to the CAO. An
employee who is granted an extension but separates from service prior to the end of the fiscal year shall
be paid for no more than 168 hours plus any hours of vacation leave accrued during the extension period
(January 1 - June 30).

Partial-time employees may not carry over vacation from one (1) calendar year to the next.

VACATION PAYOUT

Upon separation from service, full-time employees will be paid for accumulated vacation leave at their
current hourly rate. An employee who is granted an extension (to the deadline for vacation carryover) but
separates from service prior to the end of the fiscal year shall be paid for no more than 168 hours plus
any hours of vacation leave accrued during the extension period (January 1 - June 30).

Partial-time employees will not be paid for any accumulated vacation at the time of separation from
government service.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-33. – VACATION LEAVE.
CODE OF ORDINANCES, SEC. 22-59. – BENEFITS.
SICK LEAVE (SICK)

*Classified* civil service employees, probationary employees, and *full-time* unclassified civil service employees (with the exception of seasonal employees) earn ten (10) hours of sick leave for each fully completed calendar month of service. *However,* a new *full-time* employee (with the exception of seasonal employees) whose employment date is after the first of the month shall earn two-and-one-half (2.5) hours of sick leave for each full week of service during the first month of employment *not* to exceed ten (10) hours. Thereafter, sick leave accrual shall be as stated above.

*Part-time* employees who have worked for the city for twenty-four (24) continuous months will earn sick leave at a rate of five (5) hours per month.

Sick leave will be credited on the first paycheck of each month for the prior month (e.g. first paycheck in June for the month of May).

SICK LEAVE USAGE

Employees may use accumulated sick leave in six (6) or more minute increments when they are incapacitated due to illness or injury, when they are quarantined, and for doctor’s appointments.

Employees may also use up to three (3) days of sick leave in the case of death in the employees’ *immediate* family, but *only* after bereavement leave is exhausted. Employees may also utilize sick leave in the event of serious illness of parents, spouses, children, grandparents, spouse's parents and grandparents, qualified adults (per CAO Policy 46), any relative for whom employees are legally responsible, or relatives who are residing with and are under the care of employees during the relative’s prolonged illness or incapacitation.

If employees will be out of work due to illness, they are expected to call in and notify their supervisor as early as possible, but *no* later than the start of the workday. If the sick leave absence lasts more than three (3) days, or an employee’s supervisor suspects abuse of sick leave, the supervisor or division director may require the employee to obtain written medical documentation periodically and again when the employee returns to work.

All foreseeable leave for such purposes will require specific prior approval of the supervisor and, *except* in extenuating circumstances, sick leave will be requested prior to the beginning of the work shift on the day of the absence.

SICK LEAVE CARRY FORWARD

*Full-time* employees may carry over up to 600 hours of sick leave into the next calendar year. *Part-time* employees may carry over up to forty (40) hours of sick leave into the next calendar year.

SICK LEAVE PAYOUT

*Full-time* employees will be compensated for all accumulated sick leave in a lump sum payment at their current hourly rate of pay under the following circumstances.
1. Any sick leave hours accumulated in excess of 600 hours will be paid at the end of the calendar year.
2. Upon service retirement.
3. Upon resignation from city service for any reason, including disability retirement, after a minimum of twenty (20) years of continuous service with the city.
4. Upon retirement under social security after completion of five (5) years of service with the city.
5. Upon death.

Prior to their retirement date, or date of withdrawal from service (except termination), employees eligible to receive a lump sum payout may elect to pay into any deferred income account the value of the vacation, holiday, and sick leave payouts they are entitled to receive and pursuant to the rules, if any, of the deferred income accounts and the Internal Revenue Service. Employees shall notify accounting at least four (4) weeks prior to the date of their retirement date or withdrawal from service if they wish to exercise this option. Additionally, employees who would like to defer and do not already have a deferred income account established will need to establish an account by meeting with a city benefits representative the calendar month prior to the employees’ retirement date.

Part-time employees will not be paid for any accumulated sick leave at the time of separation from government service.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-34. – SICK LEAVE.
CODE OF ORDINANCES, SEC. 21-36. – PAYMENT OF ACCUMULATED SICK LEAVE UPON RETIREMENT OR DEATH.
CODE OF ORDINANCES, SEC. 21-36.1. – LUMP SUM PAYOUT.
CODE OF ORDINANCES, SEC. 22-59. – BENEFITS.
HOLIDAYS (HOL)

*Full-time* employees will be paid for the following holidays.

<table>
<thead>
<tr>
<th>Holiday</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Year's Day</td>
<td></td>
</tr>
<tr>
<td>Thanksgiving Day</td>
<td></td>
</tr>
<tr>
<td>Dr. Martin Luther King, Jr. Day</td>
<td></td>
</tr>
<tr>
<td>President's Day</td>
<td></td>
</tr>
<tr>
<td>Memorial Day</td>
<td></td>
</tr>
<tr>
<td>Independence Day</td>
<td></td>
</tr>
<tr>
<td>Labor Day</td>
<td></td>
</tr>
<tr>
<td>Day after Thanksgiving</td>
<td></td>
</tr>
<tr>
<td>Christmas Eve</td>
<td></td>
</tr>
<tr>
<td>Christmas Day</td>
<td></td>
</tr>
<tr>
<td>Two (2) Swing Holidays</td>
<td></td>
</tr>
</tbody>
</table>

When any holiday listed above (excluding swing holidays) falls on a Saturday or Sunday, the preceding Friday or following Monday may be designated as a holiday by a proclamation from the mayor.

Employees required to work on an observed holiday will be compensated by equal time off that may be taken later upon approval by the division director.

In the event that a supervisor certifies and the chief administrative officer approves, employees required to work on holiday(s) because of the continuous nature of the operation or scheduling difficulties will be paid *in addition to their holiday pay* for all time worked on the holiday, at their respective current hourly rate. Accordingly, supervisors with standing approval to work who allow their employees to use holiday pay code (HOL) shall maintain a copy of such approval in the event of a policy compliance audit.

Comment: For payroll purposes, a *non-exempt* employee who works on the designated holiday and additionally uses the holiday pay code (HOL) will receive straight time for the hours worked and straight time for holiday hours reported. An *exempt* employee who works the holiday and chooses to additionally use the holiday pay code (HOL), will receive regular pay for all hours worked and comp time for all hours reported in excess of forty (40).

SWING HOLIDAYS (HOL)

At the beginning of each calendar year, each *full-time* employee is granted sixteen (16) hours of swing holiday leave. Swing holiday leave may be used *only* in six (6) or more minute increments and *only* upon the supervisor's approval of a prior written request from the employee; however, verbal approval may be accepted for unexpected circumstances. Holiday pay is *not* considered as time worked for purposes of computing eligibility for overtime compensation.

HOLIDAY CARRY FORWARD

Employees may *not* carry forward more than eighty (80) hours of holiday leave past January 1 of any calendar year or the end of the pay period that includes January 1, whichever is later.

HOLIDAY PAYOUT

Upon separation from service, employees will be paid for accumulated holiday leave at their current hourly rate.
REFERENCE:
CODE OF ORDINANCES, SEC. 21-38. – HOLIDAYS AND HOLIDAY COMPENSATION.
BLOOD DONATION (BLOOD)

Pursuant to the urban county government’s code of ordinances, section 21-37.g., employees may receive up to four (4) hours of leave with pay to donate blood at any licensed blood center certified by the Food and Drug Administration, during the employee’s work hours.

- No leave time will be granted to employees who donate on their own time, including lunch times.
- Employees shall obtain approval for leave prior to the donation and shall submit verification of blood donation or deferral upon their return to work.
- Employees deferred from donation will not be charged for the time used in attempting to donate, but will not receive the four (4) hours leave time granted to those who donate.

There is no limitation on the number of times an employee may donate blood; however, blood centers usually limit donations to six (6) times per year.

REFERENCE:

COMMUNITY PROJECTS (CMNTY)

Each calendar year, a supervisor may authorize up to four (4) hours of leave with pay per employee for participation in community projects, which are not directly work-related. Such projects include but are not limited to the following: (a) canvassing for donations to recognized charitable organizations, (b) participation of parents and guardians in school events, or (c) participation in and organization of authorized community events, which contribute to the support and enhancement of good citizenship.

Prior to the granting of leave by a supervisor, the event or program for which the leave is requested shall be approved in writing, and a copy of the request shall be forwarded to the director of human resources.

Community projects leave cannot be accumulated and unused time will not be paid-out upon resignation, retirement, or termination. Such leave may not be used in lieu of vacation leave.

REFERENCE:

CITY MENTORS PROGRAM (MENT OR ZMENT)

Lexington’s Partners for Youth, a non-profit organization, has teamed up with several other non-profit organizations across the city to sponsor the City Mentors Program. This program provides full-time classified and unclassified civil service employees the opportunity to mentor local youth during work hours (up to two (2) hours per week) for one (1) year without having to use personal leave. Employees interested in applying for this program shall complete a PRE-APPLICATION for the program or contact Partners for Youth at (859) 258-3119.

REFERENCE:
WWW.PARTNERS4YOUTH.ORG
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JURY DUTY (JURY)

The city realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. Pursuant to the code of ordinances, section 21-37.e., all employees will be allowed time off with pay—not to exceed three (3) calendar months in any one (1) calendar year—to perform such civic service as required by law. Employees are expected to provide a copy of the summons to their supervisor along with a written request for jury duty leave.

Employees on jury duty leave will report for work when excused by the court for part of a day or for one (1) or more whole days. Failure to report for work when excused by the court will result in termination of paid jury duty leave and may expose the employee to disciplinary action. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

Time served on jury duty will not be considered hours worked for purposes of computing overtime pursuant to the urban county government's code of ordinances, section 21-28.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-28. – OVERTIME.

VOTING (VOTE)

All full-time employees who are scheduled to work when the polls are open on an election day are entitled to take one (1) hour off with pay to vote. This hour may be taken in the morning, noon, or the afternoon, and should be coordinated through the division director or immediate supervisor. Each employee is encouraged to exercise their right to vote, which is the primary reason they are given this hour.

Request for the hour must be made in advance, per departmental or divisional policies. State law provides that an employee can take up to four (4) hours of leave without pay to vote. Employees wishing to take up to three (3) more hours of paid leave, such as holiday, vacation, or comp time, can do so with proper notice to their supervisors.

Because voting leave is a leave category, it does not count as hours worked for the purposes of calculating compensatory time and overtime pay.

REFERENCE:
KRS 118.035 HOURS POLLS TO BE OPEN -- EMPLOYEES TO BE ALLOWED TIME OFF TO VOTE, TO APPLY FOR OR EXECUTE ABSENTEE BALLOT, AND TO SERVE OR TRAIN TO BE ELECTION OFFICER.

MILITARY SERVICE (MILLV AND MILNP)

You are entitled to all military leave provided by 38 U.S.C. § 4301 ET SEQ, which shall be given in accordance with USERRA. Once you are granted military leave, you are not guaranteed the same job assignment when your leave period is over. If you are not reemployed in the same job, you will be reemployed in a job of similar status, provided you meet all state and federal requirements.

If you are a full-time employee and are a member of a reserve component of the Armed Forces of the United States, you will be entitled to reservist military leave with pay as provided by KENTUCKY REvised STATUTES (KRS) 61.394 AND 61.396, and the leave will be in addition to your regular vacation leave time. Full time employees receive 10 paid working days off (80 hours except for sworn employees within the
Division of Fire and Emergency Services) for military leave per year for reserve or active duty. The leave is now granted on the Federal Governments fiscal year, which is October 1 to September 30 each year.

REFERENCE:
TITLE 38, UNITED STATES CODE, CHAPTER 43 – EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES
KRS 61.394 STATE EMPLOYEES’ LEAVE OF ABSENCE – PAY – UNUSED MILITARY LEAVE.
KRS 61.396 EMPLOYEES OF POLITICAL SUBDIVISIONS ELIGIBLE.
CODE OF ORDINANCES, SEC. 21-40. – RESERVIST MILITARY SERVICE LEAVE.
CODE OF ORDINANCES, SEC. 21-41. – REGULAR MILITARY SERVICE LEAVE.
FAMILY AND MEDICAL LEAVE (FMLA)

The FMLA entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to twelve to twenty-six workweeks of leave in a calendar year, as posted within each division and in APPENDIX A of this handbook.

All employees are required to follow the usual and customary call-in procedures for reporting an absence. When an employee has been off work more than three (3) consecutive calendar days, other than for scheduled vacation or holiday, the employee should complete the REQUEST FOR FAMILY MEDICAL LEAVE FORM, which can be obtained from the intranet, the employee’s payroll coordinator, or from human resources.

When an employee requests FMLA leave, or when the employee’s division or department acquires knowledge that an employee’s leave may be for an FMLA-qualifying reason, the division or department representative must notify HUMAN RESOURCES. The FMLA administrator will notify the employee of the employee’s eligibility to take FMLA leave within five (5) business days, absent extenuating circumstances.

In all cases, the employee must provide notice of the need for Family Medical Leave no later than two (2) business days of return to work from leave. If an employee does not comply with the employer’s usual notice and procedural requirements, and no unusual circumstances justify the failure to comply, FMLA-protected leave may be delayed or denied.

REFERENCE:
29 CFR PART 825

ADOPTION

Employees are entitled to an unpaid leave of absence of up to six (6) weeks to adopt a child under age seven (7).

- Advance written notice is required.
- The city may require verification of adoption.
- Leave runs concurrently with any other leave provided by the city, including but not limited to FMLA leave.
- Employees may use accrued time off for this purpose.

REFERENCE:
KRS 337.015 LEAVE OF ABSENCE FOR EMPLOYEE TO RECEIVE ADOPTIVE CHILD.

BEREAVEMENT/FUNERAL (FNRLV)

The city knows the death of a family member is a time when employees wish to be with their families. Full-time employees who lose an immediate relative will be allowed paid time off of up to three (3) days to help attend to their obligations and commitments. For the purposes of this policy, immediate relatives include an employee’s spouse, child, foster child, parent/legal guardian, brother/sister, half-sibling, grandchild, grandparent, great-grandparent (includes "in-law" and "step" relationships), and qualified adult (per CAO Policy 46).
Full-time employees who lose an extended relative will be allowed paid time off of up to one (1) day to help attend to their obligations and commitments. For the purposes of this policy, extended relatives include an employee’s aunt, uncle, first cousin, niece, or nephew (does not include those of “in-laws” or "step" relationships).

If bereavement leave has been exhausted and employees need additional time away from work, they may request to use up to three (3) days of sick leave.

Employees shall inform their supervisors prior to commencing bereavement leave. In administering this policy, the city may require verification of death.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-35 - FUNERAL LEAVE.
CAO POLICY 46: QUALIFIED ADULT BENEFITS
PERSONAL LEAVE OF ABSENCE (ADMIN, CNCL)

If a classified civil service employee is ineligible for any other paid leave, the city under certain circumstances may grant a personal leave of absence without pay. The decision to grant leave time is at the sole discretion of management. After an employee utilizes an unpaid leave category (except for FMLA leave) for an entire pay period, the employee will not earn vacation or sick days for the month; and, the flex credits will not be applied to the employee’s cost of benefits for the month. Health insurance coverage will continue during the leave if employees submit their monthly premium payments to the city in a timely manner, subject to the terms of the plan documents.

Upon completion of the personal leave of absence, the city will attempt to return employees to their original job or a similar position, subject to prevailing government-business considerations.

Failure to advise management of availability to return to work, failure to return to work when notified, or a continued absence from work beyond the time approved by the city will be considered a voluntary resignation of employment.

ADMINISTRATIVE LEAVE (ADMIN)

A supervisor may authorize an employee to be absent without pay for personal reasons for a period or periods not to exceed ten (10) working days in any calendar year. If a classified civil service employee utilizes ten (10) working days of administrative leave and more time off is needed, the employee may request council leave.

COUNCIL LEAVE (CNCL)

The chief administrative officer may, with the approval of the urban county council, authorize special leaves of absence without pay for permanent employees for any period or periods not to exceed three (3) calendar months in any one (1) calendar year for the following purposes: attendance at college, university, or business school for the purpose of training in subjects related to the work of the employee and which will benefit the employee and the city; urgent personal business for an extended period, such as illness of the employee or illness or death of a relative, settling estates, liquidating businesses, attending court as a witness; or, for such other purposes as may be deemed beneficial to the city.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-37. – LEAVE OF ABSENCE.
CAO POLICY 46: QUALIFIED ADULT BENEFITS

CONTINUITY OF SERVICE REQUIREMENTS

For retirement purposes, all periods of absence without leave and authorized leaves of absence without pay for periods in excess of thirty (30) calendar days shall be deducted in computing total service credit. All service credit shall be extinguished upon dismissal or upon acceptance of resignation. As provided in the code of ordinances, section 21-23, service credit shall not be restored upon reinstatement.
REFERENCE:
CODE OF ORDINANCES, SEC. 21-47 – CONTINUITY OF SERVICE REQUIREMENTS.
ADDITIONAL EMPLOYEE PROVISIONS & AWARDS

TRAINING

Notwithstanding the fact that all employees are expected to be fully capable of performing the essential functions prescribed for their classification, supervisors may, in conjunction with human resources and subject to budgetary limitation, develop and conduct training programs designed to improve the quality of service rendered by the city. Periodic publication of available programs will be released on the intranet’s human resources webpage or you may contact human resources, employee relations and training section.

Reference:
CODE OF ORDINANCES, SEC. 21-24. – IN-SERVICE TRAINING.
CODE OF ORDINANCES, SEC. 22-21. – IN-SERVICE TRAINING.
CODE OF ORDINANCES, SEC. 23-27. – IN-SERVICE TRAINING.

PAID PARKING

The city provides parking cards to employees who work in the downtown area. LexPark manages the three (3) downtown parking garages used by the city.

Employees with the Lexington Police Department who need parking downtown shall go through their division, all other employees who need parking downtown shall fill out the parking form found on General Services’ FORMS AND DOCUMENTS intranet webpage and return it to general services, located on the fourth (4th) floor of city hall. General Services will issue such employees with parking cards. Parking cards expire when employment with the city ends.

Employees who do not have assigned parking cards and who occasionally need to park downtown for work-related purposes may park in the Transit Center garage or the Helix garage. To avoid parking charges, such employees need to secure a token and have it validated by security at the front desk of the government center building or the Phoenix building at no cost to the employee. Employee ID card or another form of photo identification will be required. Employees may also park behind the Kentucky Theater building or the government center building providing proper city issued hangtag is displayed in their vehicle and they are conducting government business.

For questions regarding the issuance of parking cards or concerns/complaints that have not been resolved by LexPark, call the city’s parking coordinator at (859) 258-3901.

EMPLOYEE ID CARD

For security purposes, all employees are required to wear, so to be easily seen, an official urban county government photo ID card (“employee ID card”, “photo id card”, or “badge”) while at work. Employees scheduled to attend New Employee Orientation on their first (1st) day of work, will have one made then; otherwise, employees will need to call the security supervisor at (859) 258-3936 to make an appointment. The security office is located on the first (1st) floor of the government center. Employees who lose their badge should notify security as soon as possible and have another one made.
MAILROOM SERVICES

Mailroom services is responsible for the acceptance and processing of inbound and outbound U.S. mail and interoffice correspondence. It is also responsible for providing delivery and collection of inbound and outbound correspondence to nine (9) government locations throughout the city.

The mailroom is located in the basement of the government center. Interoffice mail shall be addressed using the individual's name AND the name of the individual's division or department.

Do not have personal mail sent to the urban county government.

- The mailroom is open from 8 a.m. – 5 p.m. to receive, distribute, and send U.S. Postal Service Mail, UPS packages and inter-office mail.
- LFUCG has a discounted rate on outgoing UPS packages. Contact the mailroom for details.
- If you have a large mailing (over 300 pieces) or bulk mail, please notify the mailroom as these may take more than one day to be processed. Contact the mailroom for further details.
- The mailroom receives Federal Express but does not offer outbound services.

All mail shall be delivered to the mailroom by 3 p.m. for same day service.

MEETING ROOMS

General services manages a number of meeting spaces that are available to employees and officials of the city. For more information, contact general services at (859) 258-3900.

BUILDING MAINTENANCE AND REPAIRS

Facilities and fleet management is responsible for maintaining the urban county government's general-use buildings and the acquisition, maintenance, repair, and disposal of vehicles and pieces of equipment owned by the urban county government. Employees with requests for building maintenance or repairs may complete a Work Request form, which can be obtained from the R: Drive or the employee’s payroll coordinator.

LEXINGTON PARKS & RECREATION

Lexington Parks & Recreation’s mission is to build community and enrich life through parks, programs, and play. City employees and their families are encouraged to enjoy these city facilities and services.

Parks & Recreation works with the community to celebrate the history of Lexington, provide great programs and facilities, and for the future to ensure Lexington continuously becomes a better place to live, work, and play.

With over 100 parks, including over 50 trails spanning more than 60 miles, Parks & Recreation offers multiple ways to get healthier and live a more active lifestyle. Join a co-ed league, swim some laps, play a round or two of golf, learn to ride a horse or explore our natural areas. We offer many opportunities for you to get out and play! (Director of Parks & Recreation)
Partial scholarships are available to participants based on need and availability. Individuals seeking scholarships shall fill out an income eligibility application. Income eligibility forms must be submitted before online registration prices can be adjusted. For more information on parks & recreation services and benefits, call (859) 288-2900 or visit their website WWW.LEXINGTONKY.GOV/PARKS. Parks & Recreation’s social media pages include FACEBOOK.COM/LEXYPARKS | TWITTER @LEXYPARKS | INSTAGRAM @LEXYPARKS.
CLASSIFIED ADS

Employees who wish to publicize products or services that they provide on their own time, or products or services provided by an immediate family member, may submit a classified ad to public information by calling (859) 258-3014 or (859) 258-3935. LEARN MORE

RIDE-SHARING PROGRAM

The city’s Ride-Sharing program helped interested employees organize carpools and vanpools; Lextran now administers such a program in partnership with Enterprise Rideshare. For more information, visit the LEXTRAN WEBSITE the ENTERPRISE RIDESHARE WEBSITE, or call the Lextran administrative office at (859) 255-7756.

EMPLOYEE SERVICE AWARDS

To recognize employees for longevity of service, the city will present service awards to employees who attain ten (10), fifteen (15), twenty (20), twenty-five (25), and thirty (30) years of continuous service with the city.

EMPLOYEE RETIREMENT AWARD

Employees are eligible for an employee retirement award upon retiring from the city with ten (10) or more years of service. Employee retirement awards are presented at an appropriate ceremony within the divisions from which the employees are retiring.

TIME-OUT FOR PEOPLE AWARD

The Time-Out for People award honors one (1) city employee at the annual holiday reception and awards them with an engraved clock, which serves as a symbol of the time given to help others by volunteering in our community.

Nominees can volunteer for not-for-profit organizations (e.g. religious institutions, neighborhood associations, hospitals, athletic groups, welfare or self-help groups, volunteer-fire and -rescue associations, etc.). Nominees can also be employees who work one-on-one helping the less fortunate.

All urban county government employees except the mayor, the CAO, councilmembers, or commissioners are eligible. Any employee or member of a church, neighborhood association, civic or charitable organization can nominate employees. Nominations can come from an entire office/section. Previous award winners are not eligible to win again for five (5) years after they were presented the award. Nominations should be based on activities that are not part of the employee’s regular job duties.

NOMINATIONS

Email the employee’s name and the name of the employee’s division/department to the OFFICE OF PUBLIC INFORMATION. Include a description of the employee’s volunteer work. Additional letters or supporting information such as newspaper articles may be attached. Nominations may also be dropped off or mailed to the Office of Public Information; 200 E. Main Street; 40507.

Nominations shall be received by the announced December deadline of each year.
If you have any questions, call the office of public information at (859) 258-3306 or (859) 258-3014.
SPOKE AWARD

The city seeks to identify and recognize one (1) or more employees or a division for their outstanding performance and contribution to their job. The SPOKE award (Skilled, Professional, Outstanding, Knowledgeable, and Exceptional) honors employees who exhibit a high level of commitment, initiative, and dedication to their job responsibilities.

The mayor and the urban county council will honor the winner(s) at a council meeting and award them with a plaque.

ELIGIBILITY

1. Full time and part time city employees
2. A group of employees within a city division or subdivision
3. A cross-functional team of city employees

Commissioners, council members, the CAO and the mayor are not eligible for this award.

NOMINATIONS

Any employee may submit a nomination during the nomination submission period. Applications will be available on the intranet each quarter. If you have questions, email SPOKE@LEXINGTONKY.GOV.

PUBLIC SERVICE LOAN FORGIVENESS

If you have federal Direct Loans, including Direct Consolidation Loans, you may be eligible for Public Service Loan Forgiveness, also called PSLF.

If you make ten (10) years of qualified monthly payments while serving in the military or employed at a government or non-profit entity, you may be able to get the balance of your loans forgiven. For more information, contact the CONSUMER FINANCIAL PROTECTION BUREAU 8 a.m. to 8 p.m. ET, Monday through Friday.

Phone: (855) 411-CFPB | (855) 411-2372
TTY/TDD: (855) 729-CFPB | (855) 729-2372

More than 180 languages available

Fax: (855) 237-2392
CHANGES IN EMPLOYMENT

JOB POSTING

The city is dedicated to helping employees manage their careers and reach their professional goals through promotion and transfer opportunities. This policy outlines the online job-posting program, which is in place for all employees and the public.

To be eligible to apply for a vacant position, employees shall meet the job qualifications listed in the job posting and shall not have been, in the twelve (12) months preceding the application deadline date or during the application process, suspended, dismissed, or forced to resign from employment. However, this subsection will not apply to any probationary employee in a classified civil service position if the probationary employee was terminated during the probationary period because of excessive absences due to a serious health condition or illness.

Potential applicants terminated during their probationary period because of excessive absences due to a serious health condition or illness may request approval from the mayor or the mayor's designee to apply for a position. The potential applicant shall provide medical documentation from a health care provider to substantiate the serious medical condition or illness, which led to the excessive absences.

Current employees who find positions of interest on the job-posting website and who meet the eligibility requirements shall complete an online application for internal employees in order to be considered for the position.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-06. – EMPLOYEE QUALIFICATIONS.
CODE OF ORDINANCES, SEC. 22-06. – EMPLOYEE QUALIFICATIONS.
CODE OF ORDINANCES, SEC. 21-08. – RECRUITMENT.
CODE OF ORDINANCES, SEC. 22-08. – RECRUITMENT.
CODE OF ORDINANCES, SEC. 21-09. – APPLICATIONS.
CODE OF ORDINANCES, SEC. 22-09. – APPLICATIONS.
CODE OF ORDINANCES, SEC. 21-13. – REQUISITION AND CERTIFICATION.
CODE OF ORDINANCES, SEC. 22-12. – REQUISITION AND CERTIFICATION.

PROMOTION

City employees who obtain positions within the Unified Pay Plan (pay grades are in the 500-series) for classified and unclassified civil service having higher pay grades than their former positions will have their salary placed at the point in the higher-grade salary ranges that will provide a minimum increase of seven (7) percent if the promotions are to a grade one (1) grade higher than that occupied by the employees; an additional increase of three (3) percent for the next grade higher than the employees' current positions; and, two (2) percent for each additional pay grade thereafter. The resulting pay will be no less than the entrance rate of pay of the new pay grade and will be no less than a seven (7) percent increase. The new salary will not be more than the maximum salary of the assigned pay grade; provided however, that the appointing authority may recommend and the urban county council may approve rates of pay above these recommended rates of pay in recognition of market demands or in recognition of the experience or exceptional qualifications of the employees. In no case, however, will the employees receive a salary lower than the entrance rate of pay of the grade salary ranges of the higher positions.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-18. – PROMOTIONS.
DEMOTION

City employees who obtain positions within the Unified Pay Plan (pay grades are in the 500-series) for classified and unclassified civil service having lower pay grades than their former positions will have their salary placed at the point in the lower-grade salary ranges that will provide a decrease of seven (7) percent if the demotions are to a grade one (1) grade lower than that occupied by the employees; an additional decrease of three (3) percent for the next grade lower than the employees’ current positions; and, two (2) percent for each additional pay grade thereafter, provided however that no employee will be paid below the entrance rate of pay or above the maximum for the grade.

VOLUNTARY DEMOTION

The appointing authority, upon the recommendation of the human resources director and approval of the urban county council, may grant voluntary demotion to an employee who meets the following criteria:

1. The employee must apply in writing to his division director for voluntary demotion to an existing vacant position, and the division director will forward the completed application to the human resources director;
2. The employee must have previously held a position in the class to which he is requesting demotion, have been on an eligibility list for the position, or have performed a majority of the duties of the position even if the class title may have changed after he left the position;
3. The employee must secure the approval of the supervisor into whose division the demotion is to be made; and,
4. The employee must have received a rating of at least satisfactory on one (1) of his last two (2) performance evaluations; however, an employee who has received a rating of unsatisfactory on either of his last two (2) performance evaluations will not be eligible for voluntary demotion.

An employee who seeks voluntary demotion because of physical inability to perform job duties must provide appropriate medical documentation to support the request. Said documentation will be attached to the employee's written request for voluntary demotion.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-26.1. – DEMOTION.

TRANSFER OR LATERAL MOVEMENT

The director of human resources, subject to the approval of the chief administrative officer, may approve an interdepartmental or intradepartmental transfer in the same class without examination or certification if an employee initiates a request and secures the approval of the supervisor into whose unit the transfer is to be made.

The director of human resources, subject to the approval of the chief administrative officer and affected supervisors, may approve without examination or certification, involuntary interdepartmental or intradepartmental transfer of employees in the same classification because of reorganizations or changes in workload. Employees so affected will be given reasonable, written, and advance notice.

Permanent employees who are transferred to another position in the same classification will not be required to undergo a probationary period in the position into which they have been transferred.
REFERENCE:
CODE OF ORDINANCES, SEC. 21-17 – TRANSFERS OR LATERAL MOVEMENT.
RECLASSIFICATION OR REALLOCATION

The following definitions will apply to this section.

1. **Reclassification** refers to a change from one (1) classification to another classification whenever the director of human resources determines (subject to review by the commission in the case of classified civil service positions) that the classification is no longer consistent with the actual work performed. The pay grade may or may not change because of a reclassification.

2. **Reallocation** refers to a change from one (1) pay grade to another pay grade whenever the director of human resources determines (subject to review by the commission in the case of classified civil service positions) that the pay grade is no longer consistent with the actual work performed. Job classification does not change because of reallocation.

Employees in positions that have been reclassified or in classifications that have been reallocated with an increased level in pay grade will have their salary placed at the point in the higher-grade salary range that will provide a minimum increase of seven (7) percent if the reclassification or reallocation is to a grade one (1) grade higher than that existing prior to the reclassification or reallocation; an additional increase of three (3) percent for each additional grade thereafter; provided however, the appointing authority may recommend and the urban county council may approve a rate of pay above the recommended rate of pay in recognition of market demands or in recognition of the experience or exceptional qualifications of the employee. In no case however, will the employee receive a salary lower than the entrance rate of pay for the grade salary range.

Employees in positions that have been reclassified or in classifications that have been reallocated with a decreased level in pay grade will retain their salary at the higher level. All employees receiving a rate of pay above the maximum rate prescribed for the class to which their position was reclassified or reallocated will continue to receive such pay without further increase so long as their positions remain in a class having a rate below the rate range now being paid the employee.

The effective date of all reclassifications and reallocations will be the beginning of the next pay period following approval by the urban county council.

REFERENCE:

- CODE OF ORDINANCES, SEC. 21-30. – RECLASSIFICATION OR REALLOCATION.
- CODE OF ORDINANCES, SEC. 22-27. – RECLASSIFICATION OR REALLOCATION.
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ACTING ASSIGNMENT

When a classified civil service employee is to be absent from work for an extended period of time, the director of human resources may assign a classified or unclassified civil service employee in an acting capacity to perform the duties of the position so absented, provided the employee meets the minimum qualifications for the position.

After fifteen (15) working days in acting assignments, employees in acting assignments will receive pay at the point in the pay grade of absent employees that will provide a minimum increase of seven (7) percent over the salary the assigned employees received immediately prior to the acting assignment if the assignment is to a grade one (1) grade higher than that occupied by the employees; an additional increase of three (3) percent for the next grade higher than that occupied by the employees; and, two (2) percent for each additional pay grade thereafter not to exceed the maximum of the assigned pay range; provided however, the appointing authority may recommend and the urban county council may approve a rate of pay above the recommended rate of pay in recognition of market demands or in recognition of the experience or exceptional qualifications of the employees. In no case will employees receive a salary lower than the entrance rate of pay of the grade salary range of the higher position.

An employee receiving an acting assignment will sign an agreement acknowledging the assignment and pay are for filling an absented position and will end when the absent employee returns or the assigned employee is removed from the acting assignment.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-16. – ACTING ASSIGNMENTS.
CODE OF ORDINANCES, SEC. 22-15. – ACTING ASSIGNMENTS TO THE CLASSIFIED CIVIL SERVICE.

TEMPORARY APPOINTMENT

When a vacancy exists in a classified civil service position, the mayor may fill it through a temporary appointment, provided the applicant meets the minimum qualifications for the position. Temporary appointees will be salaried at the entrance rate of pay of the vacant position’s pay grade salary range, except that any existing city employees temporarily appointed will be paid at the point in the higher grade salary range that will provide a minimum increase of seven (7) percent over the salary they received immediately prior to the temporary appointment if the appointment is one (1) grade higher than that occupied by the employees; an additional increase of three (3) percent for the next grade higher than that occupied by the employees; and, two (2) percent for each additional pay grade thereafter not to exceed the maximum of the assigned range; provided however, the appointing authority may recommend and the urban county council may approve a rate of pay above the recommended rate of pay in recognition of market demands or in recognition of the experience or exceptional qualifications of the employees. Employees of the city who are temporarily appointed to another position will be credited with time of service in their own position for time spent in temporary appointments.

The mayor may make a temporary appointment, not to exceed ninety (90) days, from the list of those eligible for permanent appointment, if the person selected accepts such temporary appointment. Successive temporary appointments to the same position will not be made.

If there is not an existing list of those eligible for permanent appointment, the mayor will nominate a competent person from the same class or the next lower rank to the commission; and, if certified by the commission as qualified, such person may be appointed temporarily to fill the vacancy until an appointment can be made after competitive examination. Temporary appointments will continue only until a regular appointment can be made from the eligible list prepared by the commission; in no case will
appointments continue longer than ninety (90) days; and, in no case will successive appointments be made of the same person or other persons to such vacancy, except as provided herein.

If there is no one on the eligible list or by promotion from the same class or the next lower rank available, competent, and qualified, the mayor may make the temporary appointment without examination. Temporary appointments hereunder will continue only until the regular appointment can be made from the eligible list prepared by the commission. In no case will appointments hereunder continue longer than ninety (90) days; and, in no case will successive appointments be made of the same person or other persons to such vacancies except as provided herein.

The ninety (90) day limit for temporary appointments may be extended if the appointment was made because of the illness or disability of a civil service employee, but in no case will it be longer than nine (9) months.

An employee receiving a temporary appointment will sign an agreement acknowledging the appointment and pay are temporary and will end when the position is filled or the employee is removed from the temporary appointment.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-15. – TEMPORARY APPOINTMENTS.
CODE OF ORDINANCES, SEC. 22-14. – TEMPORARY APPOINTMENTS TO THE CLASSIFIED CIVIL SERVICE.
SEPARATION OF SERVICE

Employees who decide to leave employment with the city are asked to provide their supervisor with at least two (2) weeks of advance notice of departure. Thoughtfulness will be appreciated. All city property including but not limited to the following shall be returned on or before separation: keys, security cards, parking passes, portable communication devices (PCDs such as laptops and cell phones), uniforms, etc. Employees also shall return all of the city's documents and any and all other information obtained during employment, confidential or otherwise, upon separation. All service credit shall be extinguished upon resignation.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-22. – RESIGNATION.

EXIT INTERVIEW

Employees who resign are requested to participate in an exit interview with human resources. Please call human resources at (859) 258-3030 to schedule an exit interview.

REINSTATEMENT

CLASSIFIED CIVIL SERVICE

Former classified civil service employees who, after completing their probationary period, separate from their positions other than by dismissal will be eligible for reinstatement to their former positions or other positions in the same classification for a period of one (1) calendar year following the date of separation. Classified civil service employees may be reinstated in accordance with code of ordinances, section 21-23 only if vacancies exist in their former positions or in other positions in the same classification.

UNCLASSIFIED CIVIL SERVICE

Except as otherwise provided by law, any unclassified civil service employee who separates from a position shall be eligible for reinstatement to the former position, or another position in the same classification, for a period of one (1) calendar year following the date of separation. Unclassified civil service employees may be reinstated in accordance with code of ordinances, section 22-20 only if vacancies exist in their former positions or in other unclassified civil service positions in the same classification.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-23. – REINSTATEMENT.
CODE OF ORDINANCES, SEC. 22-20. – REINSTATEMENT.

LAYOFF

The urban county council has the authority to abolish any classified or unclassified civil service position when economic necessity requires it or there is no longer a need for a particular position to exist. Any classified civil service employee occupying said position may be laid off or suspended until and if such position is recreated or reestablished.

When employees in a designated class within an executive unit are to be laid off, such employees will be determined in the following order of succession:
1. Seasonal employees
2. Part-time employees
3. Temporary employees
4. Probationary employees
5. Permanent employees

Any reduction in the number of employees of any executive unit will, to the extent that it requires the layoff of any permanent employees, be made in the reverse order of their seniority measured from the date of entrance into classified civil service employment for classified civil service employees or from the date of entrance into unclassified civil service employment for unclassified civil service employees.

In case of equal service, permanent employees in the class involved will be laid off in order of the lowest average performance rating for the last two (2) years of service.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-20. – LAYOFF.
CODE OF ORDINANCES, SEC. 22-18. – LAYOFF.
RECALL

If any abolished classified civil service position is recreated or reestablished within one (1) year, then any former classified civil service employees who were deprived of their position will be restored to the positions they formerly held or occupied in the order of their seniority, if they elect to do so. All classified civil service employees who are recalled are expected to report within thirty (30) calendar days from the date of recall. Employees who fail to report within the prescribed time limits will be considered to have declined reemployment.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-21 – RECALL.
EMPLOYEE RELATIONS

AMERICANS WITH DISABILITIES ACT

The ADA is an extensive and complex piece of legislation. It is an effort to obtain a federal blanket covering the patchwork of state and federal legislation that protects individuals with disabilities. The city has modified employment practices to provide reasonable accommodations in the applicant testing and hiring processes for individuals who can perform the essential functions of the job. Employees who require assistance in order to perform the essential elements of their positions should immediately contact human resources at (859) 258-3030.

REFERENCE:
CFR 28-35 & 36

DRUG-FREE AND ALCOHOL-FREE WORKPLACE

The city is committed to providing a healthy and safe environment for its employees. The influence of alcohol, use of illegal drugs, and misuse of legal drugs create an impairment that subjects fellow employees, property, and the public to risks of injury or damages that would not exist in an alcohol- and drug-free workplace.

Under city ordinances, policies, and procedures, employees who violate these standards of conduct are subject to disciplinary action in accordance with the uniform disciplinary code. For the purposes of detecting alcohol and illegal drug use/abuse, a drug and/or breath alcohol test (BAT) will be requested. Refusal to submit to a drug test or BAT shall be immediate grounds for dismissal.

In meeting its responsibilities to employees, the city has an Employee Assistance Program (EAP) that assists employees seeking help for abuse of alcohol or drugs. Once identified, these problems shall be addressed. In addition, a list of providers for counseling, treatment, and rehabilitation services will be provided to employees upon request. For more information, refer to CAO Policy 7: Revised Alcohol- and Drug-Free Workplace Policy.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-52 – DRUG FREE WORKPLACE POLICY.
CAO POLICY 07: REVISED ALCOHOL- AND DRUG-FREE WORKPLACE POLICY

SMOKING

In accordance with the code of ordinances section 14-103, smoking is prohibited within a reasonable distance, generally within twenty-five (25) feet, from the outside entrance to any building to ensure that tobacco smoke does not enter the building through entrances, windows, ventilation systems, or other means. Smoking, including the use of e-cigarettes, is prohibited in all buildings or vehicles owned, leased, operated by, or under the jurisdiction of the city or any unit thereof. For more information, refer to ordinance section 14-103, in the case of buildings; and CAO Policy 3, in the case of vehicles.

REFERENCE:
CODE OF ORDINANCES, SEC. 14-103. – REGULATION OF SMOKING INDOORS – SMOKING NEAR BUILDING ENTRANCES, ETC.
CAO POLICY 03: POLICY FOR USING, MANAGING, MAINTAINING, AND SELECTING VEHICLES FOR REPLACEMENT.
PRE-REVENSIONS: VEHICLE USE AND ASSIGNMENT POLICY
EQUAL EMPLOYMENT OPPORTUNITY

The city is an Equal Employment Opportunity (EEO) employer and as such is committed to not discriminating against people because of their race, color, religion, sex, age, national origin, disability, sexual orientation, or gender identity in hiring, promotion, discharge, pay, and other aspects of employment.

Employees with any questions regarding equal employment opportunities may contact human resources at (859) 258-3030.

REFERENCE:
EEOC

POLITICAL ACTIVITY

No persons shall be appointed to any classified civil service position because of political, partisan service rendered by their family or because of political sentiment or affiliation; nor shall any person in a classified civil service position be dismissed, suspended, or reduced in grade or pay because of any political opinion.

The appointment and continuance of employment of all persons in the classified civil service shall depend solely upon their ability and willingness to perform their duties and shall not be a reward for political activity or contribution to campaign funds.

No employee in the classified civil service shall be forced to pay or collect any assessments made by political organizations, contributions to political campaign funds, or be active in politics.

No employee in the classified civil service shall be active in politics while on duty or work for the election of candidates while on duty.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-51. – POLITICAL ACTIVITY.

WORKPLACE VIOLENCE

The city does not tolerate workplace violence or the threat of violence by any of its employees, customers, the general public, or anyone who conducts business with the city. The city will strive to provide a safe workplace that is free from intimidation, threats, and violent acts.

Each incident of violent behavior shall be reported to the victim/witness' immediate supervisor or next level of supervision. The supervisor of an employee aggressor shall also be notified. In critical incidents in which a serious threat or injury occurs, emergency responders such as Division of Police and the Division of Fire and Emergency Services shall be immediately notified.

Employees who, in good faith, report actual or suspected violent behavior shall not be subject to any form of retaliation or harassment. The names of employees reporting acts of violence shall be kept confidential to the extent possible. Any retaliation or harassment, however, shall be reported by the employees to their supervisor or the next level of supervision for investigation and disposition.
Even in the case where an employee has not secured a court order but fears for his or her safety, the employee should notify the Division of Police immediately and should inform his or her immediate supervisor.

For more information, refer to CAO Policy 34: *Policy on Violence in the Workplace*.

REFERENCE:
CAO POLICY 34: POLICY ON VIOLENCE IN THE WORKPLACE
HARASSMENT

It continues to be the policy of the Lexington-Fayette Urban County Government that harassment of its employees in any form is prohibited. The urban county government is committed to providing and maintaining a work environment that is free of harassment in compliance with local, state, and federal regulatory requirements.

Workplace harassment prohibited by this policy is defined as,

Unwelcomed verbal or physical conduct that (a) slanders or shows hostility toward an individual or group of individuals because of race, color, religion, national origin, age, disability, gender, gender identity, sexual orientation, or any other factor that is protected by applicable law, (b) has the purpose or effect of creating a hostile or intimidating environment, or (c) interferes with an individual’s work performance or employment opportunities.

Workplace harassment also occurs when an employee is forced to choose between submitting to harassment and some unfavorable job consequence such as not being hired, being discharged, or losing a promotion. Verbal threats that are not carried out may also constitute harassment. Such behavior is prohibited whether between supervisors and employees, among coworkers, or directed at urban county government employees by non-employees.

HOSTILE ENVIRONMENT HARASSMENT

Generally involves unwelcome comments or actions that relate to an employee’s race, color, gender, religion, national origin, age, disability, or other protected classification, which affects the employee’s psychological well-being at work and/or which creates an offensive or hostile work environment.

Examples of prohibited behavior include, but are not limited to the following.

1. Racial or ethnic slurs.
2. Written or graphic material that shows hostility or ridicule toward an individual or group.
3. Jokes that are demeaning to a racial or religious group or to a particular nationality, gender, or other protected group(s) of persons.
4. Hazing, which can include humiliation, practical jokes, and horseplay.
5. Other behavior that creates a hostile, intimidating work environment.

SEXUAL HARASSMENT

Generally involves unwelcome verbal or physical conduct of a sexual nature and occurs when (a) submission to such conduct is made either implicitly or explicitly a term or condition of an individual’s employment, (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (c) such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment. Examples of prohibited behavior include, but are not limited to the following.
1. Demands for sexual favors accompanied by threats concerning an individual’s employment status.
2. Demands for sexual favors accompanied by promises of special treatment concerning an individual’s employment status.
3. Verbal, written, or graphic communications of a sexual nature.
4. Unwelcome physical touching including patting, pinching, or other unnecessary/unwelcome contact with another’s body.
5. Offensive comments, jokes, innuendoes.
6. Other sexually-oriented statements and sexual conduct, which has the purpose, intent, or effect of interfering with an individual’s work performance or which creates an intimidating, hostile, or offensive work environment.

Purely voluntary personal or social relationships between and among employees are not prohibited. Personal relationships between supervisors and any employee they supervise are strongly discouraged. Because it is sometimes difficult to determine whether a particular action or incident arose in a voluntary intimate or personal relationship or in a prohibited sexual harassment setting, the facts of each case shall be examined carefully. Supervisors shall realize, however, that their attention shall be welcomed by the employees, not merely tolerated, in order to shield themselves from liability.

REPORTING

Employees with questions or concerns about any type of harassment in the workplace or who believes they have been the subject of harassment or who have witnessed another employee as the subject of harassment should report the alleged problem immediately to human resources, employee relations section. Employees are not required to complain to the person that they allege is the cause of the problem, nor are they required to complain to their supervisor, division director, or commissioner. However, should a supervisor, division director, or commissioner receive a complaint of harassment, they shall be required to report the allegation immediately to human resources, employee relations section and take no immediate action pending the advice of human resources, employee relations section. Human resources, employee relations section, will conduct all investigations of alleged harassment. Unless authorized by the CAO, under no circumstances should someone outside of human resources conduct an investigation.

All reports will be treated as serious in nature, and they will be investigated promptly and thoroughly. Delays in reporting a complaint may hinder investigative procedures. An investigation may include witness interviews and statements concerning the complaint. As much confidentiality as possible will be maintained during the investigation. As a reminder, an employee is never required to file a complaint with the person against whom the complaint is directed.

RETAIATION PROHIBITED

Retaliation (e.g. for filing a bona fide complaint or for assisting in an investigation) is strictly prohibited and should be reported. Similarly, all employees shall realize that this policy does not support false accusations.
CONSEQUENCES FOR HARASSMENT

Any supervisor or employee who violates any portion of this policy will be subject to appropriate disciplinary action up to and including charges being filed for dismissal.

EDUCATION AND PREVENTION

To ensure understanding of and compliance with this policy, the Lexington-Fayette Urban County Government will provide regular, periodic training for employees about harassment in the workplace. Every employee shall receive a copy of the harassment policy and a copy shall be posted in each division as well as online.

REFERENCE:
EEOC
CAO POLICY 05: POLICY AND PROCEDURES FOR HARASSMENT COMPLAINTS

ETHICS

Employees and elected or appointed officers are subject to chapter 25 of the code of ordinances, Ethics Act, and article 16 of the charter, LFUCG Code of Ethics. To avoid conflict of interest, employees and all appointed and elected officers (“employees”) shall not,

1. Engage in any business or transactions in which they have personal financial interest.
2. Engage in private employment or render services for personal use, when private and government-interests conflict, or would tend to impair their independence of judgment or action in the performance of official duties.
3. Disclose confidential government information that may be used to advance the financial or other private interest of themselves or others.
4. Accept valuable gifts in form of service, loan, promise, etc., from a person, firm, or corporation, which to their knowledge, is interested in business dealings with the government.
5. Represent private interest in any action or proceeding before the city while employed by the city.
6. Vote and participate in negotiations or making of contracts with a business in which they have a financial interest.
7. Fail to disclose any direct or indirect personal financial interest in any matter or contract pending before or within a governmental department to the council.
8. Use government property for personal benefit, convenience, or profit, except as provided by CAO Policy 9: Personal Use of Government Equipment by Employees.

ETHICS AND PERFORMANCE OF DUTIES

Except as allowed by CAO Policy 9, employees of the city shall not use property owned by the city for personal benefit, convenience, or profit for themselves or other private citizens. Employees shall not perform functions or tasks except those directly authorized by the city, which are a direct result of the duties and responsibilities assigned to the positions that employees occupy.
Tasks that are inappropriate and fall outside of the parameters of official duties are those performed on the unauthorized premises of another employee and/or citizen that do not relate to the regular services employees were hired to provide. Examples include,

1. Laying pipe on private premises during work time for pay or no pay.
2. Painting and repairing private homes.
3. Cutting trees and lawns using city equipment when such is not related to either a specific city contract or preauthorized rehabilitation grant program.
4. Transporting materials including household goods, furniture, etc., unless in times of emergencies, natural disasters, etc., for which services are authorized and rendered for all citizens or a group thereof.
5. Repair of automobiles, plumbing, HVAC systems, etc., using city equipment on government time for pay or no pay, unless authorized under a grant or other programs for all citizens or a group thereof.

NEPOTISM

In order to avoid favoritism, conflicts of interest, and to maintain morale and productivity, employees cannot (1) be supervised or hired for a position in which they would be directly supervised or managed by a relative; (2) advocate for, recommend, or cause the employment, appointment, promotion, transfer, or advancement of their own relative; or, (3) participate in any action relating to their relative’s employment or discipline.

Relative includes employee’s family members included in the table below.

<table>
<thead>
<tr>
<th>Spouse</th>
<th>Uncle</th>
<th>Half-sibling</th>
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<tbody>
<tr>
<td>Qualified Adult</td>
<td>Aunt</td>
<td>Sister-in-law</td>
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<tr>
<td>Child</td>
<td>Nephew</td>
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<td>First cousin</td>
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<td>Grandparent</td>
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<td>Grandchild</td>
<td>Stepsibling</td>
<td></td>
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</tbody>
</table>
RECEIPT OF GIFTS

Generally, gifts from the public should be discouraged; however, in the event that employees choose to accept a gift, the guidelines pertaining to that acceptance are outlined below.

It shall be permissible for an employee of the city to accept a gift from the public so long as its value does not exceed $35. A gift includes, but is not limited to the following.

1. Gift certificates
2. Food, beverages, or lodging
3. Products or merchandise such as t-shirts, mugs, and hats
4. Works of art or collectibles
5. Interests in real property
6. Contracts or a promise of a future interest in a contract
7. Transportation
8. Discounts or rebates not extended to the general public or other businesses
9. Use of automobiles, boats, apartments, recreational or lodging facilities
10. Services

The gift shall not be in cash or solicited, the acceptance of the gift shall be completely without strings, and it cannot be accepted under circumstances in which it could reasonably be inferred that the gift was an attempt to affect a decision that employees need to make.

If employees receive a perishable item and the value exceeds the permissible limit, it shall be shared with other coworkers. If employees receive a nonperishable item and the value exceeds $35, employees shall pay the giver the difference between the price of the gift and the gift limit.

REFERENCE:
CAO POLICY 38: POLICY ON ACCEPTANCE OF GIFTS

Revision date: 4/9/18
**GRIEVANCES**

Pursuant to code of ordinances, Sec. 21-49. *Grievance Procedures*, if at any time, any classified or unclassified civil service employees or individuals consider themselves aggrieved (hereinafter "the grievant") by city officers’ or employees’ alleged abuse of discretion in their treatment of the former (hereinafter "the respondent"), the grievant may seek to rectify the situation through the following grievance procedure. Grievances shall be based on good and probable cause. Qualified applicants with disabilities will receive help with completing the grievance form upon request. If your grievance is against your division director, you should skip steps 1 and 2; submit step III to the commissioner of your department.

If at any time in this procedure, the time limit imposed on the appropriate individual or supervisor is exceeded, the grievant may automatically appeal to the next level.

*Pursuant to CAO Policy 5: Policy and Procedures for Harassment Complaints, an employee is never required to file a complaint with the person against whom the harassment complaint is directed.*

Disputes concerning the administration of all ordinances and regulations pertaining to the Civil Service System, including recruitment, examination, classification, probation, promotion and compensation programs affecting the Civil Service System are matters vested in the Director of Human Resources and the Civil Service Commission by KRS 67A.210 et seq. and the Code of Ordinances, Section 21-3, shall not be heard through the grievance procedure described herein. Individuals may first consult the Director of Human Resources and, if not satisfied, the Civil Service Commission concerning those matters.

<table>
<thead>
<tr>
<th>Step Details</th>
<th>What</th>
<th>Who</th>
<th>When</th>
<th>Response due date</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>STEP 1</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Within ten (10) working days of the event or occurrence that gave rise to the grievance, the grievant shall orally discuss their grievance with the respondent.</td>
<td>Verbal Grievance</td>
<td>Grievant and respondent</td>
<td>Within ten (10) working days of the event or occurrence that gave rise to the grievance</td>
<td>End of conversation</td>
</tr>
</tbody>
</table>

*Contact human resources for guidance if needed.*

It is expected that every effort shall be made to reach a satisfactory settlement by informal adjustment.

If the grievant *does not* feel comfortable with talking to the respondent, the grievant may proceed to step 2 *within ten (10) working days* of the event or occurrence that gave rise to the grievance.

If the grievance is *not* settled with this step, the grievant may proceed to step 2 *within five (5) working days* of receiving the verbal answer.
### Step Details

<table>
<thead>
<tr>
<th>Step Details</th>
<th>What</th>
<th>Who</th>
<th>When</th>
<th>Response due date</th>
</tr>
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<tbody>
<tr>
<td><strong>STEP 2</strong></td>
<td>Give the original written grievance to the respondent within five (5) working days after receiving the respondent’s verbal answer; however, if skipping step 1, give the original written grievance to the respondent within ten (10) working days of the event or occurrence that gave rise to the grievance.</td>
<td>Grievant gives to respondent</td>
<td>Within five (5) working days of the event or occurrence that gave rise to the grievance, if grievant skips step 1</td>
<td>Within five (5) working days</td>
</tr>
<tr>
<td></td>
<td>The respondent’s written response is to be given to the grievant within five (5) working days after receiving the grievance.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>If the grievance is not settled with this step, or the grievant does not feel comfortable with taking this step, the grievant may proceed to step 3 within five (5) working days after receiving the respondent’s verbal answer; however, if the grievant skips steps 1 and 2, the grievant may proceed to step 3 within ten (10) working days of the event or occurrence that gave rise to the grievance.</td>
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#### Written Grievance

**STEP 3**

Give supervisor the original or copy of the original form within five (5) working days after receipt of the respondent’s written answer or within five (5) working days if skipping step 2; however, if the grievant skips steps 1 and 2, give the original or copy of the original form to the supervisor within ten (10) working days of the event or occurrence that gave rise to the grievance.

Supervisor of the grievant shall notify their manager or director.

The grievant’s supervisor, or the supervisor’s higher-level representative, shall discuss the grievance with the grievant within ten (10) working days after receiving the grievance form.

If no settlement is reached after discussion with the supervisor, the supervisor, or the supervisor’s higher-level representative, shall give a written answer to the grievant within ten (10) working days following the discussion; however, this WRITTEN ANSWER SHALL RECEIVE THE PRIOR WRITTEN APPROVAL OF THE SUPERVISOR’S SUPERVISOR.

If the grievance is not settled in this step, the grievant may proceed to step 4 within ten (10) working days after receipt of the answer from the supervisor or their higher-level representative.

Appeal to Supervisor or Higher Level Designee
<table>
<thead>
<tr>
<th>Step Details</th>
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<tbody>
<tr>
<td><strong>STEP 4</strong></td>
</tr>
</tbody>
</table>
| If the grievance is not settled in step 3, the grievant may refer the written grievance to the chief administrative officer (CAO) *within ten (10) working days* after receipt of the answer from the supervisor or their higher-level representative. The CAO or a designated representative shall discuss the grievance with the grievant *within ten (10) calendar days* after receiving the formal grievance at a time and place designated by the CAO or a designated representative.

The CAO’s decision is final and shall be placed in writing *within five (5) working days* from the date of the meeting. A copy shall be sent to the grievant, respondent, and their supervisors. If the respondent is found to have abused their discretion, appropriate corrective action will be taken.

<table>
<thead>
<tr>
<th>What</th>
<th>Who</th>
<th>When</th>
<th>Response due date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appeal to CAO</td>
<td>Grievant and the CAO</td>
<td>Within ten (10) working days</td>
<td>Discuss within ten (10) calendar days Written within five (5) working days</td>
</tr>
</tbody>
</table>

**REFERENCE:**
- [CODE OF ORDINANCES, SEC. 21-49. – GRIEVANCE PROCEDURE](#).
- [CODE OF ORDINANCES, SEC. 22-32. – GRIEVANCE PROCEDURE](#).
HEALTH & SAFETY POLICIES

The health and safety of employees and others on city property are of critical concern to the city. The city intends to comply with all health and safety laws applicable to our government-business. To this end, we shall rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards.

Any workplace injury, accident, or illness shall be reported to the employee’s supervisor immediately or as soon as possible, regardless of the severity of the injury or accident. See the Workers’ Compensation section of this handbook for more information.

Any unsafe conditions or potential hazards shall be reported to management immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on the city’s premises or in a facility, piece of equipment, process, or practice for which the city is responsible shall be brought to the attention of management immediately. However, if there is imminent danger, contact the Lexington Police Department.

Periodically, the city may issue rules and guidelines governing workplace safety and health. The city may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines, as strict compliance will be expected.

OSHA STANDARDS

Health and safety policies developed by the city to meet the requirements of the Occupational Safety and Health Administration (OSHA) are listed below. For more information, refer to these CAO policies.

REFERENCE:

OSHA
CAO POLICY 12: HAZARD COMMUNICATIONS POLICY
CAO POLICY 19: RESPIRATORY PROTECTION POLICY
CAO POLICY 21: LOCK-OUT/TAG-OUT POLICY
CAO POLICY 24: KENTUCKY OCCUPATIONAL SAFETY AND HEALTH INSPECTION PROCEDURES
CAO POLICY 26: ASBESTOS COMPLIANCE POLICY
CAO POLICY 29: ENVIRONMENTAL COMPLIANCE POLICY
CAO POLICY 33: RADON POLICY STATEMENT
CAO POLICY 35: PERMIT REQUIRED – CONFINED SPACE ENTRY POLICY
CAO POLICY 36: TUBERCULOSIS PREVENTION, EXPOSURE, DISEASE POLICY
CAO POLICY 37: EXPOSURE CONTROL PLAN FOR BLOOD AND BODY FLUIDS

OPERATION OF VEHICLES

The following policy statements apply to city-owned or -leased vehicles as well as use of rentals and personal vehicles, if being reimbursed for mileage based on the standard IRS rate.
All employees shall comply with all laws, policies, rules, and regulations governing the use of vehicles for government-business purposes. For example, possession of a valid and proper driver's license is required; and, smoking and cell phone use while driving are strictly prohibited.

Employees who may be required at any time to drive a vehicle shall report a suspended or revoked driver's license to their supervisor within twenty-four (24) hours of the occurrence.

Employees involved in an accident with a government vehicle or any vehicle while on-the-job shall notify their supervisor immediately (unless physically unable).

Division directors are responsible for ensuring compliance with established policies and procedures. Violation of this policy could result in disciplinary action under the uniform disciplinary code. Accordingly, all employees who operate vehicles for government business purposes should refer to CAO Policy 3: Policy for using, managing, maintaining, and selecting vehicles for replacement for complete details.

REFERENCE:
CAO POLICY 03: POLICY FOR USING, MANAGING, MAINTAINING, AND SELECTING VEHICLES FOR REPLACEMENT.
PRE-REVISIONS: VEHICLE USE AND ASSIGNMENT POLICY
VEHICLE/EQUIPMENT INCIDENT REVIEW COMMITTEE

The purpose of the Incident Review Committee is to determine preventability in accordance with the National Safety Council’s definition of a preventable collision, “Did the driver do everything reasonable to avoid the collision?” To make this determination, the committee will review all necessary documentation (e.g. the supervisor’s incident investigation report -- SP302, statements of those involved, witness statements, photographs of the scene, police report, interview information, inspection reports, maintenance records, overhead aerial photos, site visit if necessary, and relevant policies and procedures).

The committee consists of one (1) representative from each of the following.

1. Risk Management
2. Lexington Police Department
3. Fire and Emergency Services
4. Fleet Services
5. Public Works

If the committee determines that a) the employee-driver’s action or lack of action is the primary contributing factor to the incident; or, b) the employee-driver’s action or lack of action is a significant contributing factor to the incident even if the incident is considered the fault of another driver, the supervisor shall refer to uniform disciplinary codes for appropriate discipline. The division director of the employee found to have a preventable incident shall request the full cost to repair damages from law, and/or law’s claims section. The division directors will be notified when the claims have been paid in full and are closed.

If the committee determines that the employee-driver’s action(s) is neither the primary contributing factor nor a significant contributing factor to the incident, no disciplinary action is warranted under code 10A. or B.

REFERENCE:
CAO POLICY 54: VEHICLE AND EQUIPMENT DAMAGE AND ACCIDENT POLICY

WORKERS COMPENSATION (WCOMP)

On-the-job injuries are covered by the city’s Workers’ Compensation insurance policy, which is provided at no cost to employees.

If employees are injured on the job, no matter how slightly, they shall report the incident immediately to their supervisor and complete required documentation including the First Report of Injury.

If the employee is using leave time or the employee is on restricted duty, then the employee shall also complete the Disability Leave Request form. For time reporting purposes, employees shall use WCOMP on the timecard beginning with the date of injury for all leave taken because of the injury. Failure to follow city procedures may affect the ability of the employee to receive workers’ compensation benefits and may subject the employee to discipline.
Under worker’s compensation insurance, an employee may be eligible for payments of both loss of wages (time absent from scheduled work after seven (7) calendar days) and medical expenses resulting from injuries or illnesses that arise out of and in the course of employment with the city. However, employees absent from duty in excess of ninety (90) consecutive days will accumulate neither sick leave nor vacation leave. See the Disability Leave section of this handbook for more information.

The workers’ compensation insurance program is administered by a contractor through law for all city government departments and divisions. Employees, who have questions regarding eligibility for benefits or a worker’s compensation insurance claim, shall contact their assigned claims administrator. For more information, refer to CAO Policy 53: Disability Leave, Workers’ Compensation Claims, and Coordination with Family Medical Leave.

REFERENCE:
KRS CHAPTER 342
CODE OF ORDINANCES, SEC. 21-39. – DISABILITY LEAVE.
CAO POLICY 53: DISABILITY LEAVE, WORKERS’ COMPENSATION CLAIMS, AND COORDINATION WITH FAMILY MEDICAL LEAVE.
DISABILITY (WCOMP)

Any full-time employee who suffers injury or illness at work will be granted, upon proper investigation and authentication, up to twelve (12) months of leave with full pay for each incident. At the end of the first thirty (30) days and again following each thirty (30) day period thereafter, the director of human resources may require the employee to be examined by competent medical authority to determine the employee’s entitlement to full disability leave. Disability leave shall only be used when an employee has experienced an on-the-job injury. For time reporting purposes, employees shall use WCOMP on the timecard. See the Workers’ Compensation and Paid & Unpaid Time-off Benefits sections of this handbook for more information. For complete details, refer to CAO Policy 53: Disability Leave, Workers’ Compensation Claims, and Coordination with Family Medical Leave.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-39. – DISABILITY LEAVE.
CAO POLICY 53: DISABILITY LEAVE, WORKERS’ COMPENSATION CLAIMS, AND COORDINATION WITH FAMILY MEDICAL LEAVE

SECURITY

Security’s mission is to provide superior security services to our employees and our customers with the highest degree of integrity and standards.

We will always strive to be the best in every aspect of security. We will provide an atmosphere of trust, teamwork, professionalism, responsibility, high expectations, and open communications with our fellow officers, other employees, and customers. -- Security

This section is responsible for building security, responding to emergencies, monitoring security and fire alarms, monitoring panic transmitters, monitoring closed circuit cameras, checking visitors in and out of buildings, and parking validations. They also patrol the interior and exterior of city hall, Switow Building, LexCall, GTV3, Phoenix Center, Public Safety Operations Center, the Lexington Senior Center, and other government facilities. The city’s security dispatch can be reached 24/7 at (859) 258-3388.

INSPECTIONS

The city reserves the right to require employees, while on city property or on client property, to agree to the inspection of their persons, personal possessions and property, personal vehicles parked on city or client property, and work areas. This includes lockers, vehicles, desks, cabinets, workstations, packages, handbags, briefcases and other personal possessions or places of concealment, as well as personal mail sent to the city or to its clients. Employees are expected to cooperate fully with any search or inspection.
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GENERAL STANDARDS OF CONDUCT

The city endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all shall abide by certain rules of conduct based on honesty, common sense, and fair play. Because not everyone may have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including dismissal. Answers to most frequently asked questions on this topic can be found in this chapter as well as the Uniform Disciplinary Code section of this handbook.

BRANDING, GRAPHIC AND LOGO STANDARDS

The Public Information Office has created templates and standards for official LFUCG documents and materials, including stationary, business cards and PowerPoint presentations. Once a template or standard is developed, all employees must adhere to that standard except for attorney communications, which are regulated by the Kentucky Bar Association. Exceptions for other employees to deviate from official templates and standards will be granted on a case-by-case basis by the Public Information Office. Requests to create new templates and standards should be directed the Public Information Office.

REFERENCE:
CAO POLICY 57: BRANDING, GRAPHIC AND LOGO STANDARDS

BULLETIN BOARDS

Important notices and items of general interest are continually posted on bulletin boards and on the intranet by authorized personnel. Employees should make it a practice to review them frequently. This will help employees keep up with what is current at the city. Only employees authorized to do so may post or remove material from bulletin boards.

CASH AND CHECK HANDLING

While the central cashiering function is performed by the division of revenue, other divisions receive cash and checks for charges or services and in some instances are responsible for their own bank deposits.

In recognition of the need to safeguard public funds and to maximize resources, a series of cash controls and handling policies have been adopted by the city and its satellite entities for uniform application throughout all of its divisions. For more information, refer to CAO Policy 40: Policy and Procedure for Cash and Check Handling.

REFERENCE:
CAO POLICY 40: POLICY AND PROCEDURE FOR CASH AND CHECK HANDLING

COMPUTER USE POLICY

Computer hardware and software represent key elements in the information management strategy of the urban county government ("city"). The city’s monetary investment in computer technology is significant, and the value of data stored on computer systems is considerable. Employees who use the city’s computer equipment and software shall take all reasonable and necessary precautions to prevent damage to such equipment and software.
The city recognizes that the number of employees requiring access to computer hardware and software to complete their work efficiently continues to grow. CAO Policy 25: Lexington-Fayette Urban County Government Computer Policy will (a) maximize the benefits the city receives from its investment in computer technology, (b) protect valuable equipment, software, and data from loss or damage by establishing security standards and, (c) enhance the productivity of those who use the network. For complete policy details on computer acquisition, use and support, employees may refer to CAO Policy 25.

SECURITY

All data stored on media owned by the city is the property of the city. Access to such data shall be limited to those employees who require such access for the performance of their assigned duties. Said employees shall take all necessary and reasonable measures to protect that data from loss, corruption, and unauthorized disclosure.

PRIVACY

The city does not monitor electronic mail conversations, but reserves the right to do so consistent with the provision of this policy and the law.

GROUP EMAILS

Employees and officials upon authorization from the commissioners of the agency that employs the user, the user’s division directors, or the chief administrative officer, shall send email to groups of users, including mailings to all city users only when the subject is directly related to city business or the health and safety of the recipients. Group mailings are SPECIFICALLY PROHIBITED for commercial, charitable, recreational, or personal purposes regardless of content.

INTERNET ACCESS

Computer services may monitor and document all user access to the internet. Information technology or division directors, with the concurrence of the computer systems manager, may authorize bona-fide contractors to access the internet through the city if such access is required for maintenance purposes or to permit such contractor to perform tasks required by the applicable contract. The city in general cannot protect users from receiving material they may find offensive; however, participation in vulgar, sexual, or any type of harassment, intimidation, or annoyance will not be tolerated in any fashion. Users are strongly encouraged to use the same personal and professional courtesies and considerations in any form of internet access as they would in other forms of communication.

Violation of the computer policy may lead to disciplinary action under appropriate section(s) of the uniform disciplinary code.

Observed policy violations by city employees or officials may be reported to ABUSE@LEXINGTONKY.GOV

REFERENCE:

General standards of conduct
CAO POLICY 25: LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT COMPUTER POLICY

EMPLOYEE DRESS AND PERSONAL APPEARANCE

Employees are expected to report to work well groomed, clean, and dressed according to the requirements of their position. Some employees may be required to wear uniforms or safety equipment/clothing. Supervisors will provide specific information regarding acceptable attire for their employees' positions. If employees report to work dressed or groomed inappropriately, they may be prevented from working until they return to work well-groomed and wearing the proper attire. Each department or division may adopt their own specific dress requirements.

EMPLOYMENT RECORDS

Employees should keep their personal information up to date by using PeopleSoft's Employee Self-Service feature or by informing their supervisors of any changes. Unreported changes of address, marital status, etc., can affect withholding tax and benefit coverage. Emergency contact information that is out-of-date could lead to a severe health or safety risk or other significant problem.

EMPLOYMENT VERIFICATION

The city will respond to requests for employment verification through payroll in accounting. The city will provide general information concerning the employee or former employee such as date of hire, date of dismissal, and position(s) held. Requests for employment verification information are expected to be in writing and responses will be in writing. Please refer all requests for employment verification to payroll in accounting.

PERFORMANCE EVALUATIONS

Human resources has established a criterion for the supervisor's use in measuring, reporting, and recording the job performance of all classified and unclassified civil service employees, including civil service employees on probationary status. Employee performance evaluation forms ("Performance Development Forms") and instructions for completing the forms, are available on the INTRANET.

Performance development forms should be completed for new and probationary employees at three (3) months of employment and again at six (6) months. Performance development forms should be completed for permanent employees every twelve (12) months with six (6) month interim reviews. In preparing job performance evaluations, supervisors will discuss evaluations with their employees and provide them with a copy of the completed evaluation form.

Completed job performance evaluations are used for determinations made regarding salary increases, permanent appointments, transfers, disciplinary actions, and in the case of equal seniority, the order of layoff. Employees may appeal decisions made with respect to their job performance evaluation through the grievance procedure, which is outlined in this handbook.

Reference:
CODE OF ORDINANCES, SEC. 21-48 – EMPLOYEE PERFORMANCE EVALUATION.
CODE OF ORDINANCES, SEC. 22-31 – EMPLOYEE PERFORMANCE EVALUATION.
Coaching and counseling sessions should be considered part of the performance review process and *not* be viewed as disciplinary in nature. It may be appropriate to hold coaching and counseling sessions with employees to (a) clearly define work objectives, (b) review job expectations and standards, (c) when new programs are started, or (d) when existing programs are reorganized. Coaching and counseling forms are available on the INTRANET. Supervisors may use this form to document and provide regular performance feedback to their employees.
PERSONAL USE OF GOVERNMENT EQUIPMENT BY EMPLOYEES

Refer to CAO Policy 9: Personal Use of Government Equipment by Employees for complete details including the list of charges for employee use of government supplies. Departments and divisions, which have received permission from the chief administrative officer to NOT implement this policy, are prohibited from personal use of government owned and government leased equipment ("government equipment").

All other employees are permitted personal use of government equipment so long as it meets the following requirements.

1. Personal use of government equipment shall not be (a) for profit; (b) misinterpreted to include permission to use government owned or government borrowed vehicles, funds, or personnel; or, (c) misinterpreted to include permission to use government owned or government rented tools (e.g. saws, water pumps, drills, sprayers, etc.).

2. Personal use of government equipment shall not interfere with normal government operations and shall not be misinterpreted to mean that the employee is permitted to remove government equipment from government property (this provision does not apply to portable computing devices such as a cellular telephone, smartphone, mobile internet device, or tablet computer, etc. that are taken home with permission for after-hours government work).

3. Personal use is permitted on the employee’s personal time and if the government is reimbursed for the use of any supplies;
   a. The individual responsible for maintaining office supplies within each department and division (e.g. the employee’s payroll coordinator) shall collect and deposit the money generated in each department or division’s operating supplies account.

4. Employees shall limit, to an absolute minimum, calls that do not involve city business.

5. Except in emergencies and unless approved by commissioners, directors, or their authorized designee, city employees are prohibited from making personal long distance phone calls and faxes. Any long distance phone calls or faxes shall be charged by calling collect, using a personal calling card, or charging the call to a private third number.

Any employee violating this policy shall be subject to the penalties and remedial administrative actions set forth in the city’s uniform disciplinary code.

REFERENCE:
CAO POLICY 09: PERSONAL USE OF GOVERNMENT EQUIPMENT BY EMPLOYEES

PERSONAL VISITS AND TELEPHONE CALLS

Disruptions during work time can lead to errors and delays. Therefore, we ask that personal telephone calls be kept to a minimum and only be made or received after working time or during meal breaks and rest periods.

For safety and security reasons unless approved in advance, employees are prohibited from having personal guests visit or accompany them anywhere in our facilities other than the public reception areas.

REFERENCE:
CAO POLICY 09: PERSONAL USE OF GOVERNMENT EQUIPMENT BY EMPLOYEES
CAO POLICY 52: WIRELESS DEVICE POLICY
POLICY ON ENERGY EFFICIENCY

The goal of the city’s Energy Management Plan is to reduce usage of electricity, natural gas, propane, petroleum, and water. This will save the city money by lowering city utility costs and allow us to better use taxpayers’ dollars. In addition to saving money, the city anticipates that this plan will provide, in many cases, additional benefits such as an improved working environment; savings on building maintenance; an improvement in building value; and, increased community goodwill through environmental stewardship.

Employees are encouraged to support this effort by (a) turning off unneeded equipment, (b) turning lights off when they leave their offices for meetings and at the end of the workday, (c) using power management (sleep) features on computer monitors, (d) setting back thermostats at night and over the weekend, and (e) sharing their own ideas for conservation with environmental quality and public works’ energy management team at ENERGY@LEXINGTONKY.GOV. For more information, refer to CAO Policy 39: Policy on Energy Efficiency.

REFERENCE:
CAO POLICY 39: POLICY ON ENERGY EFFICIENCY

PUBLICITY/STATEMENTS TO THE MEDIA

All media inquiries regarding the position of the city on any issue shall be referred to the office of the mayor. Only the office of the mayor is authorized to make or approve public statements on behalf of the city. No employees, unless specifically designated by the office of the mayor, are authorized to make those statements on behalf of the city.

PUNCTUALITY AND ATTENDANCE

Employees are hired to perform important functions at the city. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive, and place an unfair burden on fellow employees and supervisors. We expect excellent attendance from all employees. Generally, if employees are over six (6) minutes late, they are considered tardy. Excessive absenteeism or tardiness will result in disciplinary action up to and including dismissal.

We do recognize however, there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify supervisors as early as possible, but no later than the start of the workday. Employees should call, stating the reason for the absence or tardy and its expected duration. Unless otherwise understood by the initial call, notification to the supervisor shall be made for every day of absence.

SOCIAL MEDIA POLICY

City agencies share information, images, and video with the public through external social media websites. Users are welcome to submit or post content, including photographs and videos, to an official city site where the agency allows users to post content. The content shall pertain to the subject of the social media site and not violate the comment policy articulated below. Users may only post their own, original content. Reproduced or borrowed content that reasonably appears to violate third party rights will be hidden. Users should have no expectation of privacy when posting to a city site.
Comments made to these sites are reviewed and, while city personnel will not edit comments, a comment may be hidden if it includes one (1) or more of the following.

1. Obscene, indecent or profane language, pictures, or videos.
2. Threats, personal attacks, or defamatory statements.
3. Hate speech directed at race, color, gender, sexual orientation, national origin, ethnicity, age, religion, or disability.
4. Fraudulent, deceptive, or misleading information.
5. Comments not related to the posted topic for the city social media page or post.
6. Multiple, successive, off-topic posts by a single user or repetitive posts copied and pasted by multiple users, or spam.
7. Promotion or endorsement of commercial services and products.
8. Comments advocating illegal activity or posting of material that violates copyrights or trademarks of others.
9. Violation of any local, state, or federal laws or is otherwise unlawful.
10. Campaign materials promoting or opposing, individuals or political parties.

Social media accounts for work may not be established without prior approval. Questions or concerns regarding the Lexington-Fayette Urban County Government’s social media activity or this Customer Use Policy should be submitted to WEBMASTER@LEXINGTONKY.GOV. For more information, refer to CAO Policy 50: Social Media Policy.

REFERENCE:
CAO POLICY 50: SOCIAL MEDIA POLICY
SOLICITATION AND DISTRIBUTION

Policies on the personal use of government equipment/supplies and government time, apply to solicitation and distribution. For example, no outside business is to be conducted on government time; employees should utilize personal time such as meal breaks, rest periods, and before/after work. Abuses of this policy shall result in action authorized under the code of ordinances regarding employee misconduct and consistent with the Uniform Disciplinary Code section of this handbook.

For complete details on permitted use of government equipment/supplies on personal time as they apply to solicitation and distribution, refer to CAO Policy 09: Personal Use of Government Equipment by Employees, for equipment and supplies; CAO Policy 03: Policy for using, managing, maintaining, and selecting vehicles for replacement, for vehicles; and CAO Policy 25: Computer Policy, for computers.

REFERENCE:
CAO POLICY 03: POLICY FOR USING, MANAGING, MAINTAINING, AND SELECTING VEHICLES FOR REPLACEMENT
CAO POLICY 09: PERSONAL USE OF GOVERNMENT EQUIPMENT BY EMPLOYEES
CAO POLICY 25: COMPUTER POLICY

WIRELESS DEVICE POLICY

The purpose of this policy is to establish procedures for procuring, processing, and using city wireless devices. A wireless device is a portable computing device such as a cellular telephone, smartphone, mobile internet device, or tablet computer purchased by the city. Directors and commissioners are responsible for ensuring that city wireless devices are utilized in accordance with this policy. For more information, refer to CAO Policy 52: Wireless Device Policy.

REFERENCE:
CAO POLICY 52: WIRELESS DEVICE POLICY
UNIFORM DISCIPLINARY CODE

The city has established a Uniform Disciplinary Code ("code") to provide consistent rules governing performance and work behavior expected from employees at all levels, including administrators, managers, and supervisors. It does not apply to probationary or other temporary employees serving at the pleasure of the mayor or council (i.e. supervisors with employees not covered by the code may consult the guidelines to discipline such employees, but they are not required to do so).

The following code numbers and their corresponding offenses shall be used when completing the disciplinary action form. The definitions and comments for each offense clarify the types of behaviors the city considers insubordinate, inefficient, violations of moral turpitude, and general misconduct.

Questions that are not answered in the guidelines or by supervisors should be directed to human resources, employee relations section at (859) 258-3030.

REFERENCE:
CODE OF ORDINANCES, SEC. 21-43. – ABSENCE WITHOUT PERMISSION.
CODE OF ORDINANCES, SEC. 21-44. – DISMISSAL AND OTHER PUNISHMENTS; CAUSES, CHARGES, PROCEEDINGS.
CODE OF ORDINANCES, SEC. 21-45. – SUSPENSION AND REPRIMAND; APPEAL.

1A. OPERATING A GOVERNMENT ASSET OR ANY ASSET FOR WHICH THE CITY COULD BE HELD LIABLE WHILE ON-DUTY, WHILE UNDER THE INFLUENCE OF ALCOHOL, AFTER INGESTING ILLEGAL DRUGS, OR WHILE USING PRESCRIPTION OR NON-PRESCRIPTION DRUGS THAT IMPAIR EFFICIENT OPERATION OF THE ASSET.

This offense occurs when operating equipment, driving a city vehicle, or driving any vehicle while on-duty, and while under the influence of alcohol, after ingesting illegal drugs, or while using prescription or non-prescription (over-the-counter) drugs that impair the efficient operation of the vehicle or equipment.

The supervisor should follow the procedures and impose the penalties adopted in the CAO Policy 7: Alcohol and Drug-Free Workplace Policy.

1B. FAILURE TO REPORT A SUSPENDED OR REVOKED DRIVER’S LICENSE.

This offense occurs when employees, who may be required at any time to drive a vehicle, lose their driving privileges for any reason and fail to notify their supervisors within twenty-four (24) hours.

1C. DRIVING A CITY VEHICLE (OR DRIVING ANY VEHICLE WHILE ON-DUTY) WITH A SUSPENDED OR REVOKED DRIVER’S LICENSE.

This offense occurs when employees operate a city vehicle or any vehicle while on-duty, while their driver’s license is suspended or revoked. Driving under these circumstances is illegal and exposes the urban county government and the employee to additional liability in the event the employee is involved in an accident.

This rule should be explained to any employee who may be called upon to drive a vehicle while on-duty.
2. STEALING OR THEFT

Employees shall use urban county government assets only for their intended purpose in accordance with established government or divisional procedures and shall not take any urban county government assets to sell or for any other use. Evidence of theft will be turned over to the Lexington Police Department for investigation, and prosecution will be pursued.

Supervisors should notify the Lexington Police Department immediately in case of theft or suspected theft.

3. INTENTIONAL OR DELIBERATE DESTRUCTION OR UNAUTHORIZED USE OF URBAN COUNTY GOVERNMENT ASSETS.

Employees shall utilize urban county government assets only for their intended purpose in accordance with established government or divisional procedures and shall not intentionally abuse, damage, or lose through negligence any urban county government asset.

4. USE OF, POSSESSION OF, OR POSITIVE TEST FOR ILLEGAL DRUGS WHILE ON-THE-JOB; REPORTING TO WORK AFTER INGESTING ILLEGAL DRUGS; OR, CONVICTION FOR, POSSESSION OF, OR TRAFFICKING IN ILLEGAL DRUGS.

This offense deals with use or possession of illegal drugs on the job or behavior by an employee that gives a supervisor reasonable cause to believe that an illegal drug is present in an employee’s system. This rule does not include medications prescribed to and properly taken by an employee because of a medical condition, if the use of the prescribed medication has been properly reported to a supervisor. If the prescribed medication has a negative side effect, it is the employee’s responsibility to tell a supervisor before the employee is assigned any duties.

If the employee’s behavior indicates that the employee has ingested drugs, the supervisor should follow the procedures and impose the penalties adopted in CAO Policy 7: Alcohol- and Drug-Free Workplace Policy. Employees who leave their workstation to consume drugs shall be subject to the severest discipline.

5. USE OF, POSSESSION OF, OR POSITIVE TEST FOR ALCOHOL WHILE ON THE JOB.

This offense deals with drinking on the job or behavior by an employee that gives supervisors reasonable cause to believe that the employee is on the job and impaired by alcohol. This rule does not include medications containing alcohol, which are prescribed to and properly taken by an employee because of a medical condition, if the use of the prescribed medication has been properly reported to a supervisor. If a prescribed medication has a negative side effect, it is the employee’s responsibility to tell a supervisor before the employee is assigned any duties.

Dismissal will be recommended for employees who are sentenced to serve jail time for offenses attributable to intoxicating substances (including alcohol or public intoxication, or driving under the influence). Supervisors should follow the procedures and impose the penalties adopted in CAO Policy 7: Alcohol- and Drug-Free Workplace Policy. Employees who leave their workstation to consume alcohol shall be subject to the severest discipline.
6A. VIOLENT BEHAVIOR, THROWING OBJECTS TOWARD OR AT OTHERS, VERBAL THREATS, OR FIGHTING ON THE JOB (WITH WEAPON).

A “weapon” is an instrument or anything that can be used to injure or harm a person whether or not the instrument or thing was designed for that purpose. This offense includes, but is not limited to: (a) fighting with a weapon, (b) on-duty possession of a weapon not expressly authorized under State law, (c) on-duty possession of an object that could be used as a weapon that has no relationship to the employee’s duties and is unnecessary on the work site or for the effective and efficient performance of the job (e.g. a baseball bat, brass knuckles, Taser unit, etc.), (d) using objects or equipment that are necessary for the performance of the job as a weapon (e.g. using a crowbar or tire iron as a weapon), (e) making verbal threats while in possession of a weapon; or, (f) throwing objects at or in the direction of others.

The supervisor shall take immediate action in the event of a fight without endangering themselves or others. In serious cases, call the Lexington Police Department to help the supervisor.

6B. VIOLENT BEHAVIOR OR FIGHTING ON-THE-JOB (WITHOUT WEAPONS).

This offense includes but is not limited to any of the following, with or without verbal threats, which could or does result in harm to another employee or which disrupts the effectiveness and efficiency of the workplace: (a) Fist fights or similar physical conduct, (b) Horse play that causes or has the potential of causing injury, or (c) Any intentional pushing, shoving, hitting, or bumping.

In addition to disciplinary action, the employees involved will submit to an evaluation by Employee Assistance Program (EAP) counselors. After the EAP evaluation, the counselor will provide the director of human resources with a statement certifying the employee has been evaluated and is fit to return to work (if applicable). The employee will attend such additional EAP sessions as are recommended by the counselor. All parties involved in violent behavior may be subject to the same discipline, depending on the circumstances.

6C. VERBAL THREATS OR HARASSING STATEMENTS.

This offense includes but is not limited to (a) statements, including written or email statements, which seriously alarm, annoy, intimidate or harass a person or which could cause a reasonable person to suffer distress, or (b) oral threats to commit any act, likely to result in damage to property.

“Joking” references to shooting others (e.g. “going postal” or “blowing people away”) will be taken very seriously, and disciplinary action will result. The supervisor will take immediate action when situations of this type develop. In addition to disciplinary action, the employee will be evaluated by EAP counselors. After the session(s), the EAP counselor will provide the director of human resources with a statement certifying the employee has been counseled and understands appropriate workplace behavior (if applicable).

7. LEAVING ASSIGNED WORK STATION WITHOUT AUTHORIZATION.

This offense occurs when employees leave the workstation without permission. It includes leaving the workstation to conduct personal business but does not include absence due to a valid emergency, if employees ensure that their duties will be covered and they notify a supervisor.

Emergencies may arise, such as an accident or sudden illness in the employee’s immediate family. If the employee’s immediate supervisor is not available, the employee shall notify the next ranking superior. In
all emergency cases, leave should be granted unless there is evidence of prior abuse. Where a follow up leave slip is required by the supervisor, the employee should be so notified in writing within three (3) days of the absence.

8A. INSUBORDINATION.

This offense involves behavior or statements that reflect an employee’s refusal to be supervised including but not limited to direct refusal to obey a supervisor’s work-related order or failure to follow directions and instructions. This rule also includes (a) failure to follow instructions that have been adequately explained, (b) repeated occurrences of poor decision making, which lead to the redoing of work, (c) consistent failure to meet assignment deadlines, or (d) a pattern of incorrect work that results in disruption of the operation of the unit or impairment of its effectiveness and efficiency.

Supervisors should be sensitive to the difference between a “bad attitude” insubordination, and inefficient work. Inefficiency, when not corrected after being brought to the employee’s attention, may become insubordination.

8B. MALICIOUS BEHAVIOR OR DELIBERATE BEHAVIOR, WHICH AFFECTS THE EFFICIENT AND EFFECTIVE PERFORMANCE OF THE JOB.

This offense includes any malicious behavior regardless of its effect on the efficiency or effectiveness of the workplace or any deliberate behavior that disrupts the workplace. It can include but is not limited to malicious practical jokes; knowingly spreading false rumors; sabotaging projects or other employees' work; or, constant teasing of another employee.

Supervisors should establish and maintain a professional level of behavior for each work unit.

8C. MISCONDUCT (OTHER).

This offense is general in nature and applies when the actions of an employee do not fit within any other specific category. It may be used alone or in conjunction with other infractions. It should be used when an established government, department, or division policy or procedure does not contain a specific penalty.

Supervisors should educate employees to realize that they may be disciplined for their actions even if every possible improper act or infraction is not separately listed in the uniform disciplinary code.

8D. INEFFICIENCY.

This offense involves the failure, neglect, or inability of employees to perform their assigned duties or the performance of their assigned duties is performed in an inappropriate, inadequate, or unsuitable manner. This would include (a) spending their time in excessive personal conversations either on the phone or with others, (b) taking excessive breaks, (c) pushing work assignments off on others, or (d) engaging in any other activity that could cause them to neglect or be inattentive to their duties. As with insubordination, this rule also includes (a) failure to follow instructions that have been adequately explained, (b) repeated occurrences of poor decision making, which lead to the redoing of work, (c) consistent failure to produce work that is error free (d) the use of poor judgment, (e) lack of timeliness and failure to meet assignment deadlines, or (f) a pattern of incorrect work that results in disruption of the operation of the unit, or impairment of its effectiveness and efficiency.

Although insubordination and inefficiency are similar in some respects, they have an important distinction. An insubordinate employee is one who intentionally refuses to obey or comply with an order of a superior.
Inefficient employees are unable (rather than unwilling) to obey or comply with the orders of a supervisor or to otherwise perform their assigned duties.

9. SLEEPING ON THE JOB.

An employee shall remain alert at all times, especially while operating equipment. Sleeping during duty hours (except for sworn Fire & Emergency Services personnel assigned to a fire station) is strictly forbidden.

10A. - B. PREVENTABLE VEHICLE OR EQUIPMENT INCIDENT IN WHICH THE EMPLOYEE’S ACTION OR LACK OF ACTION IS CONSIDERED THE PRIMARY CONTRIBUTING FACTOR OR A SIGNIFICANT CONTRIBUTING FACTOR IN AN EQUIPMENT OR VEHICLE INCIDENT WITH DAMAGES ASSESSED

Employees are required to operate city equipment and vehicles (“vehicles”), and any vehicle while on-duty, (“vehicles”) in a safe, prudent and responsible manner consistent with all local and state laws and all relevant government, department or division policies. Any employee involved in a vehicle incident in which the Incident Review Committee finds that the employees’ actions or lack of actions are considered the primary contributing factor or a significant contributing factor in an equipment or vehicle incident will be subject to corrective administrative action under uniform disciplinary code 10(A. - B.).

WHERE THE PROPERTY DAMAGE EXCEEDS THE AMOUNTS ESTABLISHED IN THE ALCOHOL- AND DRUG-FREE WORKPLACE POLICY, IN THE OPINION OF A RESPONSIBLE SUPERVISOR, THE EMPLOYEE SHALL BE SUBJECT TO A POST-CRITICAL-INCIDENT DRUG TEST.

The employee shall ensure the safe operation of all vehicles and equipment to which they are assigned. Employees not familiar with proper vehicle or equipment operating procedures shall inform their supervisor and ask for training and supervision. The supervisor should provide training when the employee is first assigned to a vehicle or equipment and again as needed. If the vehicle or equipment is not operating properly, employees should inform their supervisor so that proper measures can be taken to avoid an accident (e.g. take vehicle to fleet services, assuming it is safe to drive, for inspection and clearance to continue operating).

11A. ABSENT WITHOUT APPROVED LEAVE.

The offense occurs when an employee (a) fails to report for duty, (b) fails to call in as required by government, department or division policy, or (c) does not have sufficient leave to cover an absence; and, is not on an approved leave of absence without pay (e.g. FMLA leave, personal leave, etc.). The difference between being absent without approved leave (“AWOL”) and being tardy is discussed in item 14.

Once all approved leave is exhausted, the employee shall be marked AWOL.

Each situation should be handled on an individual basis and division directors are responsible for establishing call-in and emergency leave procedures for their divisions. After review and approval by
human resources, a copy of the division call-in and emergency leave procedures should be given to each employee.

An employee who is reported AWOL for four (4) or more hours in one (1) pay period shall not accrue vacation and sick time for the entire calendar month. Each AWOL on each “workday” is a separate occurrence. However, AWOL for two (2) or more consecutive days is a violation of code 11B. A supervisor should investigate each situation prior to marking an employee AWOL.

Non-exempt employees do not receive pay for time they are AWOL and may be subject to disciplinary action. Exempt employees may also be subject to disciplinary action under this policy.

11B. ABSENT WITHOUT APPROVED LEAVE FOR TWO (2) OR MORE CONSECUTIVE DAYS.

This offense covers those situations where an employee fails to report to work for two (2) or more consecutive days.

Employees who are AWOL two (2) or more consecutive days are subject to more severe discipline.

12. EXCESSIVE USE OF SICK LEAVE.

This offense occurs when an employee fails to provide a medical doctor’s excuse for excessive use of sick leave. Excessive use of sick leave includes (a) consistent use of sick leave on the first or last day of the employee’s work week, (b) consistent use of more sick leave than is earned in a pay period or use of sick leave on a sporadic basis especially on the first and last day of the employee’s work week, (c) depleting sick time balances, or (d) requesting leave without pay for sickness when no chronic ailment has been diagnosed.

One warning sign of potential abuse of sick leave is consistently low sick leave balances maintained by long-term employees. Sick leave is not a vested right like vacation and holiday leave and its use is limited to its intended purpose. If a pattern of abuse is detected, a supervisor may require the employee to present a medical doctor’s excuse for all sick leave requests (section 21-34 of the code of ordinances). There are legitimate situations however, where an employee may use all sick leave because of a serious health condition. If it is determined, that a low sick leave balance is justified and the employee is performing in a satisfactory manner, the supervisor should examine the situation carefully before taking any disciplinary action. Additionally, a supervisor may request that employees be examined by an urban county government-selected physician if questions exist as to the employees’ ability to perform the duties of their job. The director of human resources should be contacted to arrange for a medical examination.

13A. FAILURE TO OBSERVE SAFETY PROCEDURES; FAILURE TO WEAR PROTECTIVE CLOTHING – (CLASS A – SERIOUS – LIFE THREATENING).

These violations include, but are not limited to (a) failure to wear seat belts while traveling in an urban county government vehicle or in any vehicle while on-duty, or (b) failure to wear mandatory protective equipment while operating dangerous equipment (e.g. welding, jackhammers, bucket trucks, etc.).

13B. FAILURE TO OBSERVE SAFETY PROCEDURES; FAILURE TO WEAR PROTECTIVE CLOTHING – (CLASS B – LESS SERIOUS NOT LIFE THREATENING).
These violations include but are not limited to (a) removal or destruction of safety devices, (b) failure to keep equipment and work areas clean, (c) failure to report unsafe working conditions, or (d) failure to wear safety clothing (e.g. hard hats, safety glasses, steel-toe shoes, etc.).

Each division should have safety rules or procedures identifying Class A (serious) and Class B (less serious) rules. Safety rules should be approved by the safety coordinator in risk management and explained to employees. Employees should receive a copy of the division’s safety rules. The division should require employees to sign a form stating that they have received a copy of the safety rules issued by risk management and a list of the division’s safety rules. The division may periodically update its rules and have employees acknowledge in writing that they understand the updated safety rules and regulations.

14. EXCESSIVE TARDINESS.

This offense includes a pattern of tardiness that interferes with the operation of the unit. Generally, a first offense occurs when an employee is late two (2) or more times in any one (1) pay period. However, in some divisions less frequent tardiness may justify disciplinary action (for example, divisions running 24-hour coverage or those where work crews leave a central location). A tardy employee whose actions result in overtime payments to other employees may receive more severe discipline, depending on the circumstances.

Generally, if employees are over six (6) minutes late, they are considered tardy. Employees who call in, and are excused for legitimate emergencies, should not be considered tardy. Each division should establish a call-in and tardiness policy, and copies of the policy should be given to each employee. The policy should be submitted to human resources for review and approval prior to issuance.

Discipline should not be imposed until the existence of a tardiness problem is identified. In most cases, a single tardy arrival should not result in discipline. Each division is responsible for establishing a time frame for being tardy rather than absent without leave (AWOL); however, if an employee is absent for more than thirty (30) minutes, then they are AWOL rather than tardy.

15. FAILURE TO SUBMIT REQUIRED OR COMPLETED REPORTS OR FORMS.

Forms and reports that are part of an employee’s job duties shall be submitted in accordance with established government, department, or division procedures.

16. GAMBLING ON THE JOB.

The offense of gambling is defined as staking or risking something of value upon the outcome of a contest, game, gaming scheme, or gaming device that is based upon an element of chance, in accord with an agreement or understanding that someone will receive something of value in the event of a certain outcome. A contest or game, in which eligibility to participate is (a) determined by chance or (b) the ultimate winner is determined by skill, shall not be considered gambling. Gambling is a prohibited non-work related activity. Personnel in community corrections shall be subject to dismissal for a first offense of gambling.
REMEDIAL ADMINISTRATIVE ACTIONS & PROCEDURES

Division policies, with periodic updates, are to be submitted to human resources for review prior to implementation to ensure general compliance with the code and guidelines. Policies within a division shall be applied similarly for employees in similar situations. For example, code 7: Leaving the workstation without authorization may be a short or a lengthy absence from the workstation. A short absence in one division could be catastrophic, while in another division it would be an annoyance.

Rules regarding call-in, absenteeism, emergency leave, and similar division policies should be established by the division director and applied consistently to each employee within the division. It is not necessary for division policies to be the same for each division. Workload and other factors vary from division to division or even within a division, and these factors should be considered when divisional policies are established. For example, emergency leave may be more limited within one division than in another because of the type and nature of services provided and the availability of staff.

The immediate supervisor or superior manager in the employee’s immediate chain of command should initiate disciplinary action. If supervisors have a complaint against an employee outside of their chain of command, the supervisors should submit the complaint to the division director for whom the employee works. If that division director takes no action then the supervisor who initiated the complaint may request an investigation by human resources. Human resources will investigate the complaint and consult the division director to whom the employee is assigned before making any recommendation for discipline.

Disciplinary action forms for non-sworn employees are available on the INTRANET.

ORAL WARNING

Generally, an oral warning should be used for first-time offenses and for relatively minor offenses. Supervisors should inform the employee in private that they are administering an oral warning and that the employee is being given an opportunity to correct identified work or behavioral problems. Employees may use the grievance process to appeal oral warnings; they may not use the disciplinary appeal process.

Unless reversed in the grievance process, the oral warnings remain in human resources’ oral warning file, where they will remain for twelve (12) months. Oral warnings are destroyed one (1) year after their dates of issuance unless the behavior(s) that prompted their issuance has not been corrected. The oral warning file can be used if the employee uses the grievance process to appeal the warnings, or if the behaviors addressed in the oral warnings are not corrected within twelve (12) months from the dates of issuance.

PROCEDURE

Supervisors shall privately discuss offenses with the employees and shall consider employees’ explanations of the events before any final actions are taken.

1. The supervisor shall complete the Oral Warning form and sign.
2. The supervisor shall privately discuss the disciplinary action with the employee and obtain the employee’s signature.
3. The supervisor shall make three (3) copies of the fully executed form. The supervisor shall give one (1) copy to the employee, one (1) copy is for the supervisor’s division, and one (1) copy shall be sent to the employee’s department.
4. The original form shall be sent to human resources.

WRITTEN REPRIMAND

Written reprimands are imposed when the employee disregards an oral warning or for more severe first offenses. However, reprimands or suspensions that are five (5) years old or older should not be used in imposing current disciplinary action, and a classified civil service employee may not be reprimanded more than two (2) times within twelve (12) months. Unless reversed in the appeal process, written reprimands remain permanent records in an employee’s personnel file.

PROCEDURE

Supervisors shall privately discuss offenses with the employees and shall consider employees’ explanations of the events before any final actions are taken.

1. Supervisors shall complete the disciplinary action form, sign, and obtain the signatures of the division director and department commissioner.
2. Privately discuss the disciplinary action with the employee and obtain the employee’s signature.
3. The supervisor shall make three (3) copies of the fully executed form. The supervisor shall give one (1) copy to the employee, one (1) copy is for the supervisor’s division, and one (1) copy shall be sent to the employee’s department.
4. The original form shall be sent to human resources.

SUSPENSION

This discipline should be applied after a thorough evaluation of the circumstances by the supervisor and those in the employee’s chain of command. The guidelines impose suspensions in terms of “hours” in order to address workdays longer than eight (8) hours. A suspension is imposed for (a) severe infractions of rules or standards, or (b) violations occurring after employees have received oral warnings or written reprimands and the employees have failed to correct the errors or to improve their behaviors. However, reprimands or suspensions that are five (5) years old or older should not be used in imposing current disciplinary action, and a classified civil service employee may not be suspended for more than 160 consecutive work hours or 240 non-consecutive work hours within twelve (12) months unless charges are filed with the civil service commission.

Unless otherwise stated in collective bargaining agreements, all suspensions are without pay. After an employee is unpaid for four (4) or more hours in one (1) pay period, the employee will not earn vacation or sick days for the month. A suspended employee is considered not eligible to apply for another position with the city within one (1) year following the date of the last suspension’s issuance. Suspensions may be appealed to the civil service commission. Unless reversed in the appeal process, they remain permanent records in an employee’s file. The supervisor should attempt to make the employee’s return to the job after a suspension as dignified as possible.

PROCEDURE
Supervisors shall privately discuss offenses with the employees and shall consider employees’ explanations of the events before any final actions are taken. Before issuing any suspension, the supervisor shall notify human resources and shall coordinate suspensions of exempt employees.

1. Supervisors shall complete the disciplinary action form, sign, and obtain the signatures of the division director and department commissioner.

2. Privately discuss the disciplinary action with the employee and obtain the employee’s signature.

3. The supervisor shall make three (3) copies of the fully executed form. The supervisor shall give one (1) copy to the employee, one (1) copy is for the supervisor’s division, and one (1) copy shall be sent to the employee’s department.

4. The original form shall be sent to human resources.

**DISMISSAL**

A dismissal represents the supervisor’s judgment that the employee *cannot* be rehabilitated into a productive employee and is reserved for the most severe violation of the code or other urban county government policies (e.g. the employee refuses to correct behavior despite prior disciplinary action, and the employee commits more than one (1) type of serious infraction). *However*, reprimands or suspensions that are five (5) years old or older should *not* be used in imposing current disciplinary action. Employees dismissed from employment with the city are *not* eligible for city employment for a period of one (1) year following the date of the dismissal. *However*, classified civil service employees dismissed during the probationary period because of excessive absences due to serious health condition or illness may request approval from the mayor or the mayor’s designee to apply for a position. Medical documentation from a health care provider will be required to substantiate the serious medical condition or illness that led to the excessive absences.

*Classified* civil service employees are entitled to dismissal hearings by the civil service commission, and *except* in situations where a threat to supervisors or other employees exists, such employees *may not* be suspended from duty *until charges for dismissal are filed*. Upon the filing of charges, the secretary of the commission shall notify its members and serve a copy of the charges upon the accused employee. *Except* in unusual circumstances, employees shall be given the option to resign in lieu of facing dismissal charges.

In cases where supervisors or the appointing authority have probable cause to believe employees are guilty of conduct justifying their removal or punishment, they shall *immediately* suspend those employees from duty or from both pay and duty pending trial; and, the employees shall *not* be placed on duty or allowed pay thereafter until the charges are heard by the commission.

Upon the trial hearing, the charges shall be considered traversed and put in issue, and the trial shall be limited to the issues presented by the written charges; *however*, the charges may be amended prior to trial, in which event the notice procedures shall be again complied with and reasonable opportunity given for the preparation for trial on the amended charges.

The commission shall have the power to summon and compel attendance of witnesses at all hearings by subpoena issued by the secretary of that body and served upon the witnesses by members of the Lexington Police Department or any officer authorized to serve subpoenas. If any witness fails to appear in response to a summons or refuses to testify concerning any matter on which they may lawfully be interrogated, any district court judge on application of the commission may compel obedience by proceedings for contempt as in the case of disobedience of a subpoena issued from the district court.
Employees subpoenaed by the city to serve as the city’s witnesses will be considered on-duty and will be paid for their time in attendance at their current hourly rate.

The accused shall have the right to have subpoenaed any witnesses they may desire, upon furnishing their names to the secretary. Subpoenas may be served on the request of the accused without charge. They shall be issued by the secretary and served by the Lexington Police Department.

The action and decision of the commission on the charges shall be reduced to writing and kept in a book for that purpose, and the written charge shall be attached to the book containing the body's decision. The commission shall punish any employee found guilty (a) by reprimand or a suspension for any length of time not to exceed six (6) months, (b) by reducing the grade, if the employee's classification warrants, (c) by combining any two (2) or more of these punishments, or (d) by dismissal.

PROCEDURE

1. Discuss with division director and department commissioner.
2. Contact law for preparation of specific charges for dismissal.
3. Except in situations where a threat to supervisors or other employees exists, employees may not be suspended from duty until charges for dismissal are filed.
4. Present employees with charges for dismissal and give them an opportunity to resign.
5. If the employees refuse to resign, proceed by filing dismissal charges with the mayor and placing the employees on suspension without pay.
GUIDELINES

The guidelines outline the penalties and remedial administrative actions for various types of work deficiencies and undesirable behavior. The guidelines also provide more severe penalties for multiple offenses, which if considered alone would result only in lesser penalties. Finally, at management’s discretion, a pattern of offenses over a period, which resulted in oral warnings or written reprimands for each offense when considered alone, may support a suspension or dismissal when considered together. However, reprimands or suspensions that are five (5) years old or older shall not be used in imposing current disciplinary action.

<table>
<thead>
<tr>
<th>Uniform disciplinary codes</th>
<th>Description</th>
<th>Occurrence</th>
<th>Range of disciplinary action, depending on circumstances.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1a.</td>
<td>Operating a government vehicle, equipment, or other such asset for which the city could be held liable, while on-duty, while under the influence of alcohol, after ingesting illegal drugs, or while using prescription or non-prescription drugs that impair their efficient operation.</td>
<td>First</td>
<td>See CAO Policy 7: Alcohol and Drug-Free Workplace Policy.</td>
</tr>
<tr>
<td>1b.</td>
<td>Failure to report a suspended or revoked driver’s license.</td>
<td>First</td>
<td>Written reprimand.</td>
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<td></td>
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<td>Second</td>
<td>Eighty (80) hours up to and including 160 hours of suspension, depending on circumstances.</td>
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<tr>
<td>1c.</td>
<td>Driving a city vehicle (or driving any vehicle while on-duty) with a suspended or revoked driver’s license.</td>
<td>First</td>
<td>Eighty (80) hours up to and including 160 hours of suspension, depending on circumstances.</td>
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<td>Second</td>
<td>Dismissal.</td>
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<tr>
<td>2.</td>
<td>Stealing or theft.</td>
<td>First</td>
<td>Eighty (80) hours up to and including 160 hours of suspension, depending on circumstances.</td>
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<td>Second</td>
<td>Dismissal.</td>
</tr>
<tr>
<td>3.</td>
<td>Intentional or deliberate destruction or unauthorized use of urban county government assets.</td>
<td>First</td>
<td>Eighty (80) hours up to and including 160 hours of suspension; or, dismissal.</td>
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<td></td>
<td></td>
<td>Second</td>
<td>Dismissal, depending on circumstances.</td>
</tr>
<tr>
<td>4.</td>
<td>Use of, possession of, or positive test for illegal drugs while on the job; reporting to work after ingesting illegal drugs; or, conviction for possession of or trafficking in illegal drugs.</td>
<td>First</td>
<td>See CAO Policy 7: Alcohol and Drug-Free Workplace Policy.</td>
</tr>
<tr>
<td>Uniform disciplinary codes</td>
<td>Description</td>
<td>Occurrence</td>
<td>Range of disciplinary action, depending on circumstances.</td>
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<tr>
<td>5.</td>
<td>Use of, possession of, or positive test for alcohol while on the job.</td>
<td>First</td>
<td>See CAO Policy 7: Alcohol and Drug-Free Workplace Policy.</td>
</tr>
<tr>
<td>6a.</td>
<td>Violent behavior, throwing objects toward or at others, verbal threats, or fighting on the job (with weapon).</td>
<td>First</td>
<td>Dismissal.</td>
</tr>
<tr>
<td>6b.</td>
<td>Violent behavior or fighting on the job (without weapon).</td>
<td>First</td>
<td>Forty (40) hours up to and including 160 hours of suspension and mandatory EAP evaluation; or dismissal, depending on circumstances or threat.</td>
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<tr>
<td></td>
<td></td>
<td>Second</td>
<td>Dismissal, depending on circumstances or threat.</td>
</tr>
<tr>
<td>6c.</td>
<td>Verbal threats or harassing statements.</td>
<td>First</td>
<td>Written reprimand or eight (8) hours up to and including 120 hours of suspension; and, mandatory EAP evaluation; or dismissal, depending on circumstances or threat.</td>
</tr>
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<td></td>
<td></td>
<td>Second</td>
<td>128-160 hour suspension and, mandatory EAP evaluation; or dismissal, depending on circumstances or threat.</td>
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<td></td>
<td></td>
<td>Third</td>
<td>Dismissal.</td>
</tr>
<tr>
<td>7.</td>
<td>Leaving assigned work area without authorization.</td>
<td>First</td>
<td>Written reprimand, or forty (40) hours up to and including 120 hours of suspension, depending on circumstances.</td>
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<td></td>
<td></td>
<td>Second</td>
<td>128-160 hour suspension or dismissal, depending on circumstances.</td>
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<td>Third</td>
<td>Dismissal.</td>
</tr>
<tr>
<td>8a.</td>
<td>Insubordination.</td>
<td>First</td>
<td>Oral warning, written reprimand, or eight (8) hours up to and including 120 hours of suspension, depending on circumstances.</td>
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<td></td>
<td></td>
<td>Second</td>
<td>128-160 hour suspension or dismissal, depending on circumstances.</td>
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<td></td>
<td></td>
<td>Third</td>
<td>Dismissal.</td>
</tr>
<tr>
<td>8b.</td>
<td>Malicious behavior or deliberate behavior that affects the efficient and effective performance of the job.</td>
<td>First</td>
<td>Oral warning, written reprimand, or eight (8) hours up to and including 120 hours of suspension, depending on circumstances.</td>
</tr>
<tr>
<td>Uniform disciplinary codes</td>
<td>Description</td>
<td>Occurrence</td>
<td>Range of disciplinary action, depending on circumstances.</td>
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<td>128-160 hour suspension or dismissal, depending on circumstances.</td>
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<td></td>
<td></td>
<td>Third</td>
<td>Dismissal.</td>
</tr>
<tr>
<td>8c.</td>
<td>Misconduct (Other).</td>
<td>First</td>
<td>Oral warning, written reprimand, or eight (8) hours up to and including 120 hours of suspension, depending on circumstances.</td>
</tr>
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<td></td>
<td></td>
<td>Second</td>
<td>128-160 hour suspension or dismissal, depending on circumstances.</td>
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<td></td>
<td>Third</td>
<td>Dismissal.</td>
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<tr>
<td>8d.</td>
<td>Inefficiency.</td>
<td>First</td>
<td>Oral warning, written reprimand, or eight (8) hours up to and including 120 hours of suspension, depending on circumstances.</td>
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<td></td>
<td></td>
<td>Second</td>
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<td></td>
<td>Third</td>
<td>Dismissal.</td>
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<tr>
<td>9.</td>
<td>Sleeping on the job.</td>
<td>First</td>
<td>Written reprimand or forty (40) hours up to and including eighty (80) hours of suspension, depending on circumstances.</td>
</tr>
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<td></td>
<td></td>
<td>Second</td>
<td>Eighty-eight (88) hours up to and including 160 hours of suspension or dismissal, depending on circumstances.</td>
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<td></td>
<td></td>
<td>Third</td>
<td>Dismissal.</td>
</tr>
<tr>
<td>11a.</td>
<td>Absent without approved leave.</td>
<td>First</td>
<td>Written reprimand, or twenty-four (24) hours up to and including forty (40) hours of suspension, depending on circumstances.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Second</td>
<td>Forty-eight (48) hours up to and including 160 hours of suspension, depending on circumstances.</td>
</tr>
<tr>
<td>11b.</td>
<td>Absent without approved leave for two (2) or more consecutive days.</td>
<td>First</td>
<td>Forty-eight (48) hours up to and including 160 hours of suspension, depending on circumstances.</td>
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<td></td>
<td></td>
<td>Second</td>
<td>Dismissal.</td>
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<th>Range of disciplinary action, depending on circumstances.</th>
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<td>12.</td>
<td>Excessive use of sick leave.</td>
<td>First</td>
<td>Written reprimand or eight (8) hours up to and including forty (40) hours of suspension, depending on circumstances.</td>
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<td></td>
<td></td>
<td>Second</td>
<td>Forty-eight (48) hours up to and including 120 hours of suspension, depending on circumstances.</td>
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<td></td>
<td>Third</td>
<td>Dismissal.</td>
</tr>
<tr>
<td>13a.</td>
<td>Failure to observe safety procedures or to wear protective clothing (Class A serious – life threatening).</td>
<td>First</td>
<td>Eight (8) hours up to and including forty (40) hours of suspension, depending on circumstances.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Second</td>
<td>Forty-eight (48) hours up to and including 120 hours of suspension, depending on circumstances.</td>
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<tr>
<td></td>
<td></td>
<td>Third</td>
<td>Dismissal.</td>
</tr>
<tr>
<td>13b.</td>
<td>Failure to observe safety procedures or to wear protective clothing (Class B less serious – not life threatening).</td>
<td>First</td>
<td>Written reprimand.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Second</td>
<td>Eight (8) hours up to and including forty (40) hours of suspension, depending on circumstances.</td>
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<tr>
<td></td>
<td></td>
<td>Third</td>
<td>Forty-eight (48) hours up to and including 120 hours of suspension, depending on circumstances.</td>
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<td></td>
<td></td>
<td>Fourth</td>
<td>Dismissal.</td>
</tr>
<tr>
<td>14.</td>
<td>Excessive tardiness.</td>
<td>First</td>
<td>Oral warning or written reprimand, depending on circumstances.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Second</td>
<td>Written reprimand or eight (8) hours up to and including forty (40) hours of suspension, depending on circumstances.</td>
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<td></td>
<td></td>
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<td>Forty-eight (48) hours up to and including 120 hours of suspension, depending on circumstances.</td>
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<td></td>
<td></td>
<td>Fourth</td>
<td>Dismissal.</td>
</tr>
<tr>
<td>15.</td>
<td>Failure to submit required or completed reports or forms.</td>
<td>First</td>
<td>Oral warning or written reprimand, depending on circumstances.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Second</td>
<td>Written reprimand or twenty-four (24) hours up to and including forty (40) hours of suspension, depending on circumstances.</td>
</tr>
</tbody>
</table>
Penalties recommended in these guidelines shall be applied similarly to employees with similar violations. The appropriate disciplinary action will be determined after the supervisors have carefully considered the circumstances of each case. In each case, supervisors shall rely on their judgment as experienced administrators to arrive at the proper disciplinary action. Commissioners and directors periodically should review compliance with these guidelines to ensure that all supervisors are being consistent in taking disciplinary action and to ensure that they are aware of the code.

It is difficult for the uniform disciplinary code ("code") and guidelines to be all-inclusive or to assign an appropriate penalty to every offense or work deficiency. The recommended discipline is to be used as a guide and is not intended to be mandatory or all-inclusive. The city will deal with each situation individually and nothing in this handbook should be construed as a promise of specific treatment in a given situation. In the event any section of the guidelines conflicts with the provisions of Kentucky revised statutes (KRS) 95.450 or KRS 15.520, the statutes shall prevail. In the event any section of the guidelines conflicts with the provisions of collective bargaining agreements, the collective bargaining agreements shall prevail.

**APPEALS**

Employees may appeal oral warnings through the grievance procedure outlined in this handbook. In the case of classified civil service employees, all other disciplinary actions may be appealed to the civil service commission.

*Classified* civil service employees may appeal written reprimands and suspensions to the civil service commission by filing such appeal with the secretary to the commission in human resources within ten (10) days of issuance. The written reprimand or suspension will be upheld pending action of the commission.

The appealed suspension or reprimand may be reviewed, reduced, increased, or revoked by the commission after a hearing in which the persons taking the disciplinary action shall have reasonable opportunity under rules established by the commission to support their charges. The commission shall have the power, in the event it finds any suspension or reprimand hereunder in error, to take such action as shall be necessary to compensate the appealing employee for such error.

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<th>Description</th>
<th>Occurrence</th>
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<td></td>
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<td>Third</td>
<td>Forty-eight (48) hours up to and including 120 hours of suspension, depending on circumstances.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Fourth</td>
<td>Dismissal.</td>
</tr>
<tr>
<td>16.</td>
<td>Gambling on the job.</td>
<td>First</td>
<td>Oral warning, written reprimand, or twenty-four (24) hours up to and including eight (80) hours of suspension, depending on circumstances.</td>
</tr>
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<td></td>
<td>Sworn employees of Community Corrections shall be dismissed.</td>
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<td></td>
<td>Second</td>
<td>Eighty-eight (88) hours up to and including 160 hours of suspension or dismissal, depending on circumstances.</td>
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<td></td>
<td></td>
<td>Third</td>
<td>Dismissal.</td>
</tr>
</tbody>
</table>
CONCLUSION

This handbook is intended to give employees a broad summary of things they should know about employment with the city. The information in this handbook is general in nature, and should questions arise, any member of management should be consulted for complete details. While we intend to continue the policies, rules, and benefits described in this handbook, the city in its sole discretion may always amend, add to, delete from, or modify the provisions of this handbook and/or change its interpretation of any provision set forth in this handbook. Employees should not hesitate to speak to management if they have any questions about employment with the city or its personnel policies and practices.
APPENDIX A

EMPLOYEE RIGHTS
UNDER THE FAMILY AND MEDICAL LEAVE ACT

THE UNITED STATES DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

LEAVE ENTITLEMENTS

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within 1 year of the child’s birth or placement);
- To care for the employee’s spouse, child, or parent who has a qualifying serious health condition;
- For the employee’s own qualifying serious health condition that makes the employee unable to perform the employee’s job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee’s spouse, child, or parent.

An eligible employee who is a covered servicemember’s spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer’s normal paid leave policies.

While employees are on FMLA leave, employers must continue health insurance coverage as if the employee were not on leave. Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual’s FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- have at least 1,250 hours of service in the 12 months before taking leave; or
- Work at a location where the employer has at least 50 employees within 75 miles of the employee’s worksite.

*Special “hours of service” requirements apply to airline flight crew employees.

REQUESTING LEAVE

Generally, employees must give 30-day’s advance notice of the need for FMLA leave. If it is not possible to give 30-day’s notice, an employee must notify the employer as soon as possible and, generally, follow the employer’s usual procedures.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing the employer that the employee is or will be unable to perform essential functions, that a health care provider cannot perform routine checkups or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FMLA leave was previously taken or certified.

Employees can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

Once an employer becomes aware that an employee’s need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if the employee is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the employer must provide a reason for ineligibility.

Employees must notify employers if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

ENFORCEMENT

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information or to file a complaint:
1-866-4-USWAGE
(1-866-487-9243) TTY: 1-877-889-5627
www.dol.gov/whd

U.S. Department of Labor | Wage and Hour Division
List of Authorities Flow Chart

- Code of Federal Regulations (CFR)
- Kentucky Revised Statutes (KRS)
- Charter and Code of Ordinances
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GET HELP NOW

IF YOU ARE IN A CRISIS OR IF YOU OR ANY OTHER PERSON MAY BE IN DANGER THE FOLLOWING RESOURCES CAN PROVIDE YOU WITH IMMEDIATE HELP.

UNITED STATES

Emergency: 911

National Domestic Violence Hotline: 1-800-799-7233

National Suicide Prevention Lifeline: 1-800-273-TALK (8255)

National Hopeline Network: 1-800-SUICIDE (800-784-2433)

Lifeline Crisis Chat (Online live messaging): http://www.crisischat.org/

Crisis Text Line: Text "START" TO 741-741

Self-Harm Hotline: 1-800-DONT CUT (1-800-366-8288)

Family Violence Helpline: 1-800-996-6228

Planned Parenthood Hotline: 1-800-230-PLAN (7526)

American Association of Poison Control Centers: 1-800-222-1222

National Council on Alcoholism & Drug Dependency Hope Line: 1-800-622-2255

National Crisis Line - Anorexia and Bulimia: 1-800-233-4357

GLBT Hotline: 1-888-843-4564

TREVOR Crisis Hotline: 1-866-488-7386

AIDS Crisis Line: 1-800-221-7044

Veterans Crisis Line: https://www.veteranscrisisline.net

Suicide Prevention Wiki: http://suicideprevention.wikia.com