

# TOOELE CITY POLICIES AND PROCEDURES MANUAL

## APPENDIX B: ENABLING ORDINANCE

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| 91-06    | An Ordinance adopting a New Tooele City Personnel Policies and Procedures Manual <i>Effective August 21, 1991</i>   |
| 92-06    | An ordinance Repealing Section 9F and adopting Section 4H of the Tooele City Personnel Policies and Procedures Manual <i>Effective February 11, 1992</i>  |
| 94-07    | An Ordinance adopting Section 26P and Related Forms for the Tooele City Personnel Policies and Procedures Manual <i>Effective February 2, 1994</i>  |
| 95-12    | An Ordinance adopting Section 11: Retirement Part F to provide for single retiree medical coverage for one year for every five years of service. <i>Effective June 17, 1995</i>   |
| 98-19    | An Ordinance adopting Section 0: Disclaimer, amending Section 1: Equal Employment Opportunity and Americans with Disabilities, amending Section 2: Hiring, amending Section 40: Amendment of Policies and Procedures, and amending Appendix A: Forms <i>Effective July 1, 1998</i>  |
| 98-28    | An Ordinance amending Section 16: Sexual Harassment, amending Section 32: Training and Educational Assistance, and amending Appendix A: Forms <i>Effective September 1, 1998</i>  |
| 99-17    | An Ordinance adopting Section 43: Domestic Violence. <i>Effective September 1, 1999</i>   |
| 2000-05  | An Ordinance amending Section 17: Drug-Free Workplace and amending Appendix A: Forms <i>Effective April 5, 2000</i>   |
| 2000-19  | An Ordinance amending Section 11: Retirement, Section 26: Sick Leave, Section 36: Use of City Equipment and Facilities, and Appendix A: Forms   |
| 2001-07  | An Ordinance amending Sections: 3: Job Classification, 4: Employment Status, 5: Employment Status Change, 7: Work Hours, 9: Compensation, 10: Salary Advancement & Employee Appraisal, 12: Discipline, 34: Travel, and 40: Amendment of Policies and Procedures, and amending Appendix A: Forms. <i>Effective July 1, 2001</i>  |
| 2001-32  | An Ordinance correcting typing errors in Section 9: Compensation and Section 17: Drug-Free Work Place. <i>Effective November 2001</i>   |
| 2003-16  | An Ordinance revising: Section 4: Employment Status & Benefits Eligibility, Section 9: Compensation, Section 24: Annual Leave, Section 26: Sick Leave, Section 25: Funeral Leave, Section 27: Leave of Absence, Section 32: Training & Educational Assistance, and Section 38: Purchases & Reimbursements. Appendix A: Forms was also updated to reflect current forms in use. <i>Effective July 2003</i>                   |
| 2003-16A | An Ordinance renaming: Section 29: Benefits and restating the policy to reflect current administrative activities and updates to legally required COBRA notices. This incorporated Section 30: Flexible Spending Plan and Section: 31 401K Plan. These Section numbers are now blank. The Ordinance also implemented Section 12: Computer Systems, Internet, and Electronic Mail. <i>Effective January 2004</i>             |
| 2004-13  | An Ordinance changing Section 2: Hiring, Section 9: Compensation, and Section 23, Holidays. <i>Effective November 2004</i>  |
| 2005-02  | An Ordinance revising Section 7: Work Hours and Compensation to reflect a change in the pay period for sworn police officers from 80 over a 14-day period to 84 over a 14-day period. Revising Section 9: Compensation to reflect change in police pay period, approval of over-time or compensatory-time for exempt employees when wages are reimbursed by another agency; changes in compensation policy for disciplinary |

demotions and medical related demotions; and administrative changes. Changes Section 13: Grievance to clear up administrative issues and made changes to comply with revisions in Utah State law. Section 27: Extended or Intermittent Leave revised to clarify intermittent leave for birth or placement of a child as well as use of compensatory time. *Policies in general were approved effective January 2005. Provisions that change the police pay period were changed with an effective date of February 6, 2005.*

- 2005-12 An Ordinance revising: Section 4: Employment Status & Benefit Eligibility; Section 6: Nepotism; Section 29: Benefits; and Section 36: Use of City Equipment and Facilities.
- Sept. 2005 Personnel Policies and Procedures were reprinted. Section 11: Retirement was renumbered to Section 30 and Section 43: Domestic Violence was renumbered to Section 11.
- 2005-20 An Ordinance revising Section 15: Political Activity to remove the mandate that a City employee take a leave of absence from employment following the primary election. *Effective September 2005*
- 2008-14 An Ordinance revising several Sections of the Manual: Section 0 Disclaimer. Renamed "About this Manual;" Section 1 Equal Employment Opportunity Statement; Section 2 Hiring. Renamed "Hiring & Job Assignments;" Section 4 Employment Status and Benefit Eligibility, Renamed "Employment Status, Independent Contractors, & Volunteers;" Section 5: Discipline, Renamed "Corrective Action, Discipline, and Separation;" Section 6: Nepotism; Section 7: Work Hours and Attendance, Renamed "Work Hours, Period, & Attendance;" Section 10: Performance Reviews; Section 24: Annual Leave; Section 26: Sick Leave; Section 27: Extended or Intermittent Leave (FMLA), Renamed "Family and Medical Leave Act and City Approved Leave of Absence" and updated to comply with 2008 amendments to the Family and Medical Leave Act specifically regarding FMLA expansion for military related absences; Section 29: Benefits. Changes 401K employer contribution calculation for employees in the Non-contributory retirement plan; and, Section 30: Retirement & Retiree Benefits. Editorial revisions including an updating cash-out table due to changes in Utah State Retirement law. *Effective December 22, 2008*
- 2011-08 An Ordinance revising several sections of the Manual: Section 0: About This Manual. Section 1: Equal Employment Opportunity Statement. Section 3: Job Descriptions and Classification was repealed and data pertaining to job descriptions was moved to Section 9: Compensation. Section 4: Renamed Independent Contractors, Volunteers, and Employee Status. Data pertaining to FLSA definitions was moved to Section 9: Compensation. Removed paragraph regarding Civil Service & Applicability. Changed orientation period to 12 months from hire (or completion of FTO for sworn officers) rather than 6 months. Section 7: Renamed Work Schedules and Attendance. Data pertaining to Work Period was moved to Section 9: Compensation. Communicates some of the responsibilities employees have in regards to attendance and punctuality. Section 9: Compensation. Incorporated data currently included in Section 3: Job Descriptions and Classification; Incorporated some of the data currently included in Section 7: Work Hours & Attendance. This was the data that defined Tooele City's work period which relates to compensation and payroll processing. Narrative on Tooele City's compensation philosophy; Included policy for "market adjustments when deemed necessary and practical"; Incorporated narrative to clarify how sworn police officers record their hours worked when the shift spans over two calendar days; Adjust for Time Report policy guidelines; Defined De Minimis Work time; Made changes to compensatory time policy including carry over, use requirements, and other provisions that were barriers to winter work; Updated policy regarding interplay of comp-time and FMLA to reflect the legal changes in the FMLA so Comp-time can now run concurrently with FMLA, if applicable; Better defined call-out policy requirements and included clarification on call-out provisions including how travel time is paid if an employee is

called out to work; Better defined on-call policy and response reporting requirements; Clarified time recording requirements due to technological devices such as when using blackberry phones, access to work at home, etc. Section 37: Garnishments. Repealed. Section 40: Amendment of Policies and Procedures. Notice of right to amend and applicability of prior policies, procedures, or guidelines was moved from Section 0 to this Section. *Effective March 3, 2011*

- 2011-11 An Ordinance revising Section 9: Compensation, Section 29: Benefits, and Section 30: Retiring & Retiree Benefits. Clarifies how pay is adjusted for involuntary demotions due to reduction in force. Clarifies that call-out premium pay does not apply to temporary, seasonal, and substitute employees. Changes policy so that call-out premium pay is no longer paid to part-time regular employees. Updates policies to reflect changes in benefits due to various changes in law including healthcare reform and Tier 2 Pension Plans.
- 2013-12 An Ordinance revising Section 4: Employee Classifications, Independent Contractors & Volunteers; Section 9: Compensation; Section 13: Grievance; Section 16: No Harassment & No Retaliation; Section 24: Annual leave; Section 25: Funeral; Section 26: Sick Leave; Leave; and Section 29: Benefits. Many of the changes were due to PPACA (Healthcare Reform Laws) and changes to benefit package. *Effective July 1, 2013*
- 2016-01 An Ordinance revising Section 1: EEO, Section 5: Corrective Action, Discipline, & Separation; Section 6: Nepotism; Section 12: Computer Systems, Internet, and E-mail; Section 13: Grievance; Section 16: No-Harassment & No-Retaliation; Section 22: Administrative Leave; Section 27: FMLA & City LOA; Section 30: Retiring & Retiree Benefits; Section 31: Gifts, Prizes, Awards, Wellness/Rec Card, & Discounts; Section 34: Travel; and Section 36: Driving & City Vehicles. *Effective January 11, 2016*
- 2016-19 An Ordinance revising Section 1: EEO & Workplace Accommodations, Section 9: Compensation, Section 29: and Benefits, Section 34: Travel. *Effective November 17, 2016 except Section 29 revision is effective January 1, 2017*
- 2018-20 An Ordinance revising Section 2: Hiring; Section 6: Nepotism; Section 9: Compensation, Section 17: Drug-Free Workplace; Section 23: Holidays; Section 25: Funeral Leave; Section 29: Benefits; Section 31: Gifts, Prizes, Awards, Wellness/Recreation Card & Discounts; and Section 32: Training & Educational Assistance. Also repealed Section 11: Domestic Violence. *Effective October 2018, except that police payroll and benefit changes become effective December 2, 2018.*
- 2021-34 An Ordinance revising Section 2: Hiring; Section; 9: Compensation adding a phone allowance option and updating severance pay provisions for appointed employees; Section 17 Drug & Alcohol Free Workplace to address legal use of medical cannabis and changing pre-employment drug screening to safety sensitive and CDL drivers only; Section 23: Holidays adding the day after Thanksgiving as a paid holiday; Section 24: Annual Leave changing the max payout and removing the new employee payback requirement; Section 29: Benefits with editorial updates; Section 38: Purchases & Reimbursements; and Section 39: Driving & City Vehicles to add GPS system to vehicles and updating the commute list. *Effective November 1, 2021*
- 2022-16 An Ordinance revising Section 12: Computer Systems, Internet, and E-mail; Section 23: Holidays to add National Freedom Day; Section 25: Funeral Leave to add miscarriage to list and retitle Section to Bereavement & Funeral Leave; Section 29: Benefits changing City Council Tier 2 Equalization Benefit amount, eliminating the PS Tier 2 Enhanced Benefit, Increasing the PS Tier 2 Pick-up Election with URS, and edits for URS firefighter benefit programs; Section 30: Retiring & Retiree Benefits removing the option to convert sick leave for insurance premiums and new retirees ability to remain on the

City's Group Insurance past their Earned Premium Credit period, and add public safety mental health benefit for public safety retirees pursuant to change in Utah State law.

- 2022-39 An Ordinance adding Section 1 Ethics & Conflicts of Interest and renumbering Section 1, 2, and 3; makes editorial revisions to Section 5: Corrective Action, Discipline, & Separation; edits Section 9: Compensation to implement holiday buy-back for sworn law enforcement officers working patrol; edits section 13: Grievance for grammatical errors; rewrites Section 14: Outside Employment; Edits Section 23: Holidays to address when the patrol buy-back applies; and edits Section 39: Driving & City Vehicles to add provision for fire personnel personal use of City vehicles and makes grammatical edits.
- 2023-24 An Ordinance revising Section 2: Equal Employment Opportunity & Workplace Accommodations noting City compliance with new legislation: Federal Pregnant Workers Fairness Act (PWFA) and Providing Urgent Maternal Protections for Nursing Mothers (PUMP) Act; Section 14: Outside Employment editorial revisions; Section 29: Benefits removes part-time Council Members' ability to participate in the Tooele City Group Health or Waiver program; clarifies hour calculation for variable hour employees Patient Protection and Affordable Care Act (PPACA) eligibility to include all hours paid (even if not worked); adds cash-in-lieu/waiver information to policy and makes editorial revisions to Section 125 plan narrative; adds information regarding Health Savings Plan (HSA) eligibility and employer contributions; makes revisions to the Utah Retirement System benefit regarding Tier 2 benefit protection contracts to comply with Utah State law requiring benefit protection for sworn police officers and firefighters whose line-of-duty long-term disability benefits extend beyond workers compensation, if applicable; and, includes information regarding eligibility for exemption from vesting requirements of the Tier 2 plan for certain eligible employees; and Section 30: Retiring & Retiree Benefits modifying the Public Safety Mental Health Retiree Benefit provision due to changes in Utah Code Title 54, Chapter 21 passed in the 2023 legislative session.  
*Effective June 25, 2023*