



Planning for a Better Tomorrow

Employee Handbook

(Part-time, Seasonal, Provisional
and
Temporary Employees)

Garden City Employee Handbook
(Part-time, Seasonal, Provisional and Temporary Employees)

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Chapter I

General Overview

I-A: Introduction

We have designed this Employee Handbook for you to use as your personal reference and to answer questions that you may have about your job or City policies and other terms and conditions of your employment. We recommend that you read the entire Handbook as soon as possible so you will have a better understanding of your position with The City of Garden City.

The contents of this Handbook are subject to change from time to time by the City. This Handbook is also intended to provide policy descriptions that are applicable to all part-time, seasonal, provisional and temporary employees.

It is important to understand that, as a part-time, seasonal, provisional or temporary employee, you are **not** a member of a union and therefore not subject to the provisions of any collective bargaining agreement. In addition, you are not entitled to any "fringe" benefits except those required by statute or federal law (See Article XXXX). If you have any questions about any of the information in this Handbook, please ask your supervisor or contact the Personnel Department.

We are pleased to welcome you to the City of Garden City community. We are pleased that you chose to join our team. We hope you will find your work interesting and rewarding, and our association to be mutually beneficial. Our goal is to provide you with good working conditions and competitive wages while maintaining an excellent work ethic based upon doing the best job possible, on time and at a reasonable cost. Together we can make this an enjoyable place to work.

I-B: Mission Statement

The City of Garden City is committed to providing superior municipal services that enhance the quality of life for all through the intelligent and fiscally responsible use of our resources to guide and enhance the physical, economic and social growth of the City. We will provide leadership and professional competence to actively work to maintain an open environment that fosters fair, sensitive and respectful treatment of all employees and the community we serve.

I-C: Purpose

This Handbook is provided for your use as a ready reference and a summary description of most of our personnel policies and work rules. It is designed to acquaint

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you with the City. It is your responsibility to read the Handbook so that you will have a complete understanding of the material covered and have an opportunity to request clarification from your supervisor. We reserve the right to change, delete or add to all or any part of these policies, practices, procedures or benefits contained in this Handbook as needed. It is impossible to cover every situation, thus this Handbook is not meant to be all-inclusive. The policies and accepted Standards of Conduct in this Handbook apply to all part-time, seasonal, provisional or temporary employees. This Handbook is not to be construed as, nor to function as, a contract between the City and its employees.

This Employee Handbook supersedes all previously published policy or supplemental policy memos. We will continue to review and update this Employee Handbook as needed and may modify or change any of these programs, policies or procedures as needed. Please insert replacement pages in your Handbook as soon as you receive them.

I-D: At-Will Employment

All part-time, seasonal, provisional and temporary employees are strictly on an "At Will" basis, which means that either employee or the City may terminate the employment at any time, for no reason or any lawful reason, with or without cause and with or without notice. Nothing to the contrary or any commitment (verbal or otherwise) shall be valid or binding on the City unless it is expressly set forth in a written document signed by the employee and the City Manager. Letters offering or confirming employment shall not be construed as an employment contract or as a commitment to employment for any specified duration.

I-E: Employee Orientation Periods

All new employees serve a period of orientation. The purpose of the orientation period is to provide an opportunity for both the employee and the City to determine whether the employee has the ability and other attributes to perform their job satisfactorily.

I-F: Employment Categories

Part-time employees are scheduled for less than 40 hours per week. Temporary and seasonal employees work between April and October. Provisional employees are generally hired for a maximum of 12 months to fill in for full-time seniority employees who are on extended illness, leave, suspension(s) beyond 15 days or other leaves of absence or other temporary vacancy of a non-permanent nature. Provisional employees are normally employed for thirty working days.

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I-G: Fair Days Work.

It is understood and agreed that in return for the wages and working conditions specified in this Handbook employees are required, as a condition of employment, to render a fair day's work for the City.

I-I: Normal Work Day/Week

The normal workday consists of eight hours per day. The normal workweek consists of forty (40) hours per week. Employees may not work more than 16 hours in given 24-hour period.

I-J: Inclement Weather

Normally, non-emergent City services will not cease due to inclement weather or snowfall, City Hall Offices will be open and employees are expected to report for their normally scheduled workday. Only the City Manager can authorize exceptions to this policy.

I-K: Open Door Policy

Your supervisor, Department Director or the Personnel Department, can answer most questions and should be consulted first. I welcome the opportunity (with your Department Director's knowledge) to resolve a problem, address a concern, respond to a question or listen to your ideas.

SCOTT LODGE
Director of Personnel

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Chapter II

II-A: Your Time

Part-time, seasonal, temporary and provisional employees are paid an hourly wage for time worked. Although supervisors and Department Directors may grant time off, it will be in a non-pay status.

II-A-1: Sick Leave

Sick time, unless covered under the Michigan Worker's Compensation Act, is unpaid time off for part-time, provisional, seasonal and temporary employees. Employees should immediately advise their supervisor if he or she cannot report for work due to illness.

a. Job related medical leave

All employees are covered under the Michigan Workers' Compensation Act. As such, any employee who receives a personal injury arising out of and in the course of employment, will be supplied with reasonable medical, surgical, and hospital services and medicines, or other attendance or treatment recognized by the laws of the state as legal, when needed.

II-A-2: Holidays

The following days are recognized by the City as holidays: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, Christmas Day, New Year's Eve.

II-A-3: Family Medical Leave Act (FMLA)

The Family and Medical Leave Act of 1993 (FMLA) is a federal law that helps employees get time off from work when needed to handle medical situations involving your family or yourself. The FMLA requires employers to provide up to 12 workweeks of unpaid, job-protected leave for certain family and medical reasons.

a. Policy

The City recognizes that your life is a mix of professional obligations and personal responsibilities. Most of the time, employees are able to balance family needs with their regular work schedule. However,

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sometimes family or personal needs are too pressing and you need to shift this balance temporarily. FMLA can help you do that in a way that is fair to both you and the City. This policy is not meant to be all-inclusive and highlights the provisions of the FMLA, which are subject to detailed and specific regulations. This policy is not meant to conflict with either the FMLA or its regulations. Should there be any inconsistency between this policy, the FMLA or the regulations, the statute and regulations control. For specific questions and the forms necessary to take FMLA leave, contact the City Personnel Office.

b. Changes

The City reserves the right to amend, supplement or rescind any specific provisions of this policy from time to time. Any information dated prior to this date is no longer in effect.

c. Eligibility

You must be employed for 12 months and work at least 1250 hours to be eligible. You are eligible for up to 12 weeks in a 12-month period. The City will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. For example, if an employee is on an FMLA leave in June for 4 weeks for the birth of a child, and that employee's parents become ill in March of the following year, the employee is only eligible for 8 weeks of leave. Intermittent leaves are allowed only as required by FMLA.

d. Reasons for taking FMLA Leave

- (1) To care for employee's child after birth, or placement for adoption or foster care;
- (2) To care for the employee's spouse, son or daughter, or parent, who has a serious health condition;
- (3) Or a serious health condition that makes the employee unable to perform their job duties.

e. Definitions

- (1) Serious Health Condition means, injury, impairment, or physical or mental condition that involves one of the following:

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- (a) Hospital Care. Inpatient care (i.e. overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.
- (b) Absence Plus Treatment. A period of incapacity or more than **three consecutive calendar days** (including subsequent treatment or period of incapacity relating to the same condition), that allow involves.
 - 1 Treatment two or more times by a health care provider or provider of health care services under orders of, or referral by, a health care provider.
 - 2 Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of a health care provider.
- (c) Pregnancy. Any period of incapacity due to pregnancy or for prenatal care.
- (d) Chronic conditions requiring treatments.
- (e) Permanent/long-term conditions requiring supervision. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective.
- (f) Multiple treatments for non-chronic conditions. Any period of absence to receive multiple treatments, including recovery period, by a health care provider.

f. Administrative Requirements

Except as otherwise specified in the FMLA, you must provide the City with not less than 30 days written notice before the date the leave is to begin. If a request is based on a "serious health condition," you must support the request with a certification issued by your health care provider (or eligible family member, as appropriate). See the Personnel Department for certification requirements. The City may require a second opinion. In addition, the employee will be required to obtain a certification to return to work. Personnel will notify an employee that eligible medical leave time meets the requirements of FMLA and shall be counted against his/her FMLA leave entitlement

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within two business days of after receiving the employee's notice of a need for leave. If the City was not aware of the reason for the leave, leave may be designated as FMLA leave retroactively only while the leave is in progress or within two business days of the employee's return to work.

g. Other Conditions

- (1) Employees will be returned to an equivalent position with same pay and other employment terms and conditions upon return from FMLA leave.
- (2) Because part-time employees do not earn paid time off, all FMLA time will be unpaid.
- (3) The FMLA does not require that an employee actually ask for FMLA leave in order that the employer be permitted to charge paid time off, if the purpose for the leave is a purpose which qualifies under the law.

h. Intermittent/reduced work schedule requests

- (1) Intermittent/reduced work schedule requests will only be granted under certain circumstances and only granted when medically necessary to care for a seriously ill family member or because of the employee's serious health condition. Other requests for intermittent or reduced work schedule will not be granted.
- (2) Intermittent/reduced work schedule requests must also be scheduled so as not to unduly disrupt operations, subject to the approval of the health care provider. If operations will be disrupted, the City reserves the right to temporarily transfer such employee to an alternative position with equivalent pay and benefits which will accommodate the recurring leave better than the regular position.
- (3) Medical treatment must be scheduled so as to minimize loss of work time. Appointments scheduled during work hours must have written verification from the provider of the health care service that such provider does not offer appointment hours which do not conflict with the employee's hours and does not offer hours which will conflict with the employee's regular scheduled hours.

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i. Both Husband and Wife Employed

- (1) A husband and wife who are eligible for FMLA leave and are employed by the City will be limited to a combined total of 12 weeks of leave during any 12-month period if the leave is taken.
 - (a) For the birth of the employee's son or daughter or to care for the child after birth;
 - (b) For placement of a son or daughter with the employee for adoption or foster care; or to care for the child after placement; or
 - (c) To care for the employee's parent with a serious health condition.
- (2) Where the husband and wife both use a portion of the total 12-week FMLA leave entitlement for one of the purposes in paragraph (1) of this section, the husband and wife would each be entitled to the difference between the amount he or she has taken individually and 12 weeks for FMLA leave for a purpose other than those contained in paragraph (a) of this section. For example, if each spouse took 6 weeks leave to care for a healthy, newborn child, each could use an additional 6 weeks due to his or her own serious health condition or to care for a child with a serious health condition.

j. City Obligations

The City will not interfere with, restrain, or deny the exercise of any right provided under FMLA. The City will not discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA

k. Employee Obligations

- (1) When the leave is foreseeable and at least thirty (30) days advance notice has been provided, the employee should provide the documented medical certification requested by the City before the leave begins. When this is not possible, the employee must provide the requested certification to the City within the time frame requested by the City unless it is not possible under the particular circumstances to do despite the employee's diligent, good faith efforts. If an employee fails to timely provide the requested medical

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certification, the City may delay commencement or continuation of the employee's FMLA leave until the certification is submitted. If the employee never submits the certification, the leave is not FMLA protected leave.

- (2) When the need for leave is not foreseeable, or in the case of recertification, an employee must provide certification (or recertification) within the time frame requested by the City or as soon as reasonably possible under the particular facts and circumstances. If an employee fails to provide a medical certification within a reasonable time under the circumstances, the City may delay the employee's commencement or continuation of FMLA leave until certification is submitted. If the employee never submits the certification, the leave is not FMLA protected leave.
- (3) The employee will keep the personnel office informed of any changes necessary to the original request for FMLA leave (i.e., change of expected return to work date, etc.).
- (4) Employees must provide notice to the Personnel Office at least two (2) workdays advance notice of their intent to return to work if different than stated on the latest medical certification.
- (5) Dependent upon medical situation, employees should be readily available by telephone to respond to questions and concerns.

I. FMLA and Worker's Compensation benefits

Employee's leave of absences under the workers compensation act will be charged against their FMLA leave time entitlement, providing the condition is covered under the FMLA law.

II-B: Your Money

II-D-1: Pay/Salary

Ranges of hourly rates of pay are specifically set forth in the Code of City Ordinance for part-time, seasonal, temporary and provisional employees.

II-D-2: Reimbursements

Part-time, seasonal, temporary or provisional employees, if required to travel on City business, would be reimbursed for travel expenses. See Section II-D-5 of this Manual.

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II-D-5: Travel

Employees authorized to travel outside the City on City business, will be reimbursed for meals, lodging, travel and other necessary expenses with Department Director approval. All claimed travel expenses must be substantiated with receipts or other reasonable proof of expenses. Employees who know or anticipate that they will have a special request for travel expense reimbursement should ask for approval before traveling. Any travel expenses considered unreasonable under the circumstances will not be paid or reimbursed and are the employee's personal responsibility. Employees traveling on City business are representatives of the City and are expected to maintain a high level of professionalism. Employees should provide their supervisor with a copy of their itinerary before departing on business travel.

a. Transportation

Employees will be reimbursed for privately owned vehicle mileage at the per mile rate allowed by the Internal Revenue Service. Actual expenses for other commercial transportation expenses (airfare, bus, rail) will be reimbursed as substantiated by a paid receipt. Under normal circumstances, employees should use the most appropriate form of transportation available, book the least expensive fares and take advantage of the longest advance reservations possible to gain the lowest fares available.

b. Lodging

Actual lodging expenses will be reimbursed as substantiated by a paid receipt. Employees should obtain lodging at moderately priced hotels/motels. Generally, national hotel chains provide adequate room accommodations at a good value for their market, geographic area and time of year.

c. Meals

Actual expense for meals will be reimbursed up to \$60.00 per day. Employees are expected to eat at moderately priced establishments. Unless specifically authorized, "business-entertaining" expenses will not be reimbursed.

d. Incidental expenses

Reimbursement for incidental expenses is limited and will be approved on a case-by-case basis.

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Chapter III

Working at the City of Garden City

These sections are designed to help you understand your basic working relationship with the City of Garden City.

III-A: U. S. Authorization to Work

All employees of the City are required by federal law to verify their authorization to work in the United States. In compliance with the law, the City prohibits discrimination in hiring, recruiting, referring for a fee, promoting or discharging based on citizenship and national origin.

III-B: Pre-employment Drug Testing

All applicants for part-time, seasonal, temporary and provisional employees may be required to have a pre-employment drug screen prior to starting work. The drug screen helps determine whether the applicant uses illegal or controlled substances. The City will not hire the user of an illegal substance and may not hire the user of a controlled substance. If the screen reveals the use of a controlled substance, the applicant will be requested to provide a doctor's medical evaluation and required use of the substance that is satisfactory to the City.

III-C: Residency

There is no residency requirement for part-time, seasonal, provisional or temporary employees.

III-D: Personnel Practices

III-D-1: Your Personnel File

The City will maintain personnel records for applicants, employees and past employees in order to document employment-related decisions, evaluate and assess policies, and comply with government record keeping and reporting requirements.

a. Contents

Your personnel file is a record keeping device that documents your employment history and your performance. The contents of your personnel file may be inspected at any reasonable time by visiting the Personnel Department (it's a good idea to call ahead). Employees may copy, but not remove, documents in the file and all inspections will be conducted in the presence of a Personnel Department staff member.

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b. Privacy

For your protection, the contents of your personnel file are kept in strictest confidence and can only be accessed by authorized personnel for administrative purposes only. No part of your personnel file will be released except under the guidelines of the Employee Right to Know Act, MCL 423.501 et seq. as amended.

c. Personal Information

If you have a change in your home address, telephone number, marital status, number of dependents, or emergency notification data, you must complete a Change of Status form and send to the Personnel Department. This information is required for and personnel file purposes.

d. Beneficiary Designations

For your protection you should keep beneficiary designations benefits current. You may change these beneficiary designations at any time by acquiring the necessary forms from the Personnel Department.

III-D-2: Hiring

The City is an equal opportunity employer and to hires individuals solely on the basis of their qualifications and ability to do the job to be filled.

III-D-3: Equal Employment Opportunity Policy

It is the City's policy and its managers and supervisors, that all aspects of employment are governed on the basis of equal opportunity for all. All decisions with respect to employment, including recruitment, hiring, training and development, promotion, transfer, termination, layoff, compensation, and all other conditions and privileges of employment are made in accordance with applicable federal, state, and local laws without regard to religion, race, color, national origin, sex, age, pregnancy, physical handicap, height, weight, or marital status. Such decisions are made solely upon the individual qualifications as related to the requirements of the position being filled. It is the responsibility of every City employee to assist in the furtherance of this policy. If you feel that you have been discriminated against in violation of this policy, you must contact the Personnel Department, your Department Director or your supervisor immediately. A confidential investigation and initiate corrective action, if warranted, will be initiated immediately.

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III-D-4: Layoff and Recall

The City will attempt to avoid layoffs and, whenever possible, consider alternatives to layoff before any final decisions are made. In the event that a layoff is expected, the City will attempt to communicate information about an impending layoff as soon as possible.

III-D-5: Discipline

City employees are expected to comply with the City's standards of behavior and performance and any non-compliance with these standards must be constructively corrected. Under normal circumstances, the City endorses a policy of progressive discipline where employees are notified of deficiencies and an opportunity to improve.

III-E: Pay Practices

III-E-1: Time Sheets

All employees must fill out either daily, weekly, or monthly time sheets as a record of hours worked. Accurate time sheets are mandatory. Paychecks will not be issued until time sheets are up to date. According to federal and state law, we must keep a permanent record of all your time worked. Your time sheet is your bill to us for the work you have done. To be paid, your supervisor must submit a time sheet reporting your hours at the end of each pay period. You are responsible for insuring that the time shown on the sheet is correct. Your supervisor will approve the time sheet, sign it and submit it to the office for processing. If you have questions regarding your time sheet, consult your supervisor for assistance. If you submit false information on a time sheet, fill out or change another employee's time sheet, or have another employee fill out or change your time sheet, you will be subject to disciplinary action up to and including termination of employment.

III-E-2: Time Clock Procedures

Employees may be required to use the time clock systems. Time is generally recorded and paid in 60 minute (1 hour), 30 minute (1/2 hour) or 15 minute (1/4 hour) increments. The affected personnel must punch in at the beginning of their scheduled work period and must punch out at the end of their scheduled work period. Employees may only punch in their own time card. Employees may not punch in any more than 10 minutes prior the scheduled start of their shift without prior authorization. Violation of this rule may result in corrective action including discharge. If an

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employee fails to punch in or out for a valid reason, the supervisor may sign him/her in or out. However, the Payroll Department will closely monitor such situations. Frequently missed punches may lead to corrective action. Employees will be required to punch in and out for lunch unless they are in route on City business. In that instance, writing in for lunchtime will be required and signed by the supervisor.

III-E-3: Work Schedules

All departments will have scheduled hours. Every employee is expected to start work promptly at his or her regular scheduled time.

III-E-4: Late Starts

The City will designate start times for each of its employees. Employees are expected to be at their workstation by that designated time. Each time an employee is not ready to work at the designated start time it is considered a late start. If an hourly employee is late to work, his/her time will be adjusted in 15 minute (one quarter hour) increments. Employees who are repeatedly late may be subject to disciplinary action up to and including discharge.

III-E-5: W-2 Form

At the end of the calendar year, you will receive a W-2 form. If you are no longer employed you, it will be mailed to the address on your Personnel file. The form shows your total gross pay for the calendar year and the taxes deducted from it. If you move, you must notify the City Personnel Office in December of your new address. This will eliminate the delay or non-delivery of your W-2 forms. The City files these forms with the IRS. You will receive copies to file with your income tax forms and your personal records.

III-F: Productive Work Environment

III-F-1: General

It is the City's policy to promote a productive work environment and not tolerate verbal or physical conduct by any employee that harasses, disrupts or interferes with another's work performance or that creates an intimidating, offensive or hostile environment.

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III-F-2: Employee Responsibility

All employees are expected to maintain a productive work environment that is free from harassing and disruptive activity. It is the responsibility of every City employee to assist in the furtherance of this policy. If you feel that you have experienced or been witness to behavior contrary to this policy, you must contact the Personnel Department, your Department Director or your supervisor immediately. A confidential investigation and initiate corrective action, if warranted, will be initiated immediately.

III-G: Employee Harassment

III-G-1: Harassment Policy

The City is committed to a work environment in which all individuals are treated with dignity and respect. Each individual has the right to work in a professional atmosphere that promotes equal opportunities and prohibits discriminatory practices, including sexual harassment. Therefore, the City expects that all relationships among employees will be business-like and free of bias, prejudice and harassment. The City fully supports and complies with the laws, which are enacted to protect and safeguard the rights and opportunities of all people to seek, obtain and hold employment without harassment or discrimination in any form. **THIS IS A ZERO TOLERANCE POLICY.**

III-G-2: Retaliation

The City encourages reporting of all perceived incidents of discrimination or harassment. It is the City's policy to investigate such reports. In addition, the City prohibits retaliation against any individual who reports discrimination or harassment or participates in the investigation of such reports. Any employee who is found to have taken actions determined to be retaliatory in nature against a complainant, will be subjected to immediate discipline up to and including immediate discharge. Any employee who believes that they were retaliated against for exercising his or her rights under this policy, should immediately file a complaint with the Director of Personnel.

III-G-3: Definition of Sexual Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state and local laws. Sexual harassment is defined as an unwelcome sexual advance, request for sexual favors, and other verbal or physical conduct of a sexual nature when:

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- a. Submission to such conduct is made either explicitly or implicitly a condition of an individual's employment.
- b. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual.
- c. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creates an intimidating, hostile or offensive work environment.

III-G-4: Examples of Sexual Harassment

Any harassment that violates State or federal law will be unacceptable. Examples of harassment include:

- a. Making derogatory comments, insults, suggestive remarks or jokes based on a person's sex.
- b. Display of photographs, cartoons or drawings that would be offensive to a reasonable person.
- c. Conduct which, when viewed by a reasonable person, would have the purpose or effect of degrading or creating an intimidating, hostile or offensive work environment.
- d. Propositions or requests for sexual favors.
- e. Physical conduct of a sexual nature.
- f. Stating or implying that deficient job performance is attributable to a person's gender.
- g. Possession (while on City property or while working) of materials of any kind, such as magazines, calendars, etc. which are degrading to an individual or group on the basis of sex (or any other protected characteristic).
- h. The giving of unsolicited or inappropriate personal gifts (lingerie, books, or any gift inappropriate in nature).
- i. Offensive e-mail or voice-mail messages.
- j. Any other conduct deemed inappropriate by the City.

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III-G-5: Individuals and Conduct Covered

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the City of Garden City, such as an outside vendor, consultant or customer. Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events.

III-G-6: Reporting an Incident of Harassment

The City encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. Employees who believe that they have been the subject of such conduct should discuss their concerns with their immediate supervisor, their Department Director, any member of management or the Personnel Department. In addition, the City encourages employees who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it stop. Often this action alone will resolve the problem. The City also recognizes, however, that an individual may prefer to pursue the matter through a complaint procedure.

III-G-7: Complaint Procedure

a. Where to Report

Any employee who believes she or he has been the subject of harassment should report the alleged act immediately to the employee's supervisor or Department Director, the next level of supervision or to the Director of Personnel. If a complaint involves a manager or a supervisor, the complaint should be filed directly with the next level of management or the Director of Personnel. The report should be made within three (3) days of the occurrence. Supervisors and Department Directors receiving reports should immediately notify the next level of their supervision AND the Director of Personnel.

b. Confidentiality

All complaints will be handled in a timely and confidential manner. Confidentiality will be maintained throughout the investigation process to the extent possible. No one involved will be permitted to discuss the subject outside the investigation. The purpose of this provision is

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to protect the confidentiality of the employee who files the complaint, to encourage the reporting of any incidents of harassment and to protect the reputation of any employee wrongfully charged with harassment.

c. Investigation

Investigations of a complaint are **MANDATORY** in **EVERY** instance, will begin immediately, and will normally include conferring with the parties involved and any unnamed or apparent witnesses. Employees will be protected from coercion, intimidation, retaliation, interference or discrimination for filing a complaint or assisting in an investigation. .

d. Result

If the investigation reveals that a complaint is valid, prompt corrective and disciplinary action or up to and including discharge, as deemed appropriate under the circumstances, will be taken to remedy the situation. Further steps will also be taken, if necessary, to discourage or prevent future reoccurrences.

e. False Reports

If an investigation of the complaint of harassment or unlawful discrimination reveals that the complaint was frivolous or not made in good faith or that an employee has provided false information regarding the complaint, disciplinary action up to and including discharge may be taken against the individual who filed the complaint or who gave the false information.

III-H: Violence and Weapons in the Workplace

The City is very concerned with the safety and security of employees and is required to provide a safe and healthy workplace.

II-H-1: Violence Policy

The City will not tolerate threats, threatening behavior or acts of violence against or by employees, vendors, customers, visitors or other individuals by anyone on the City's property or at a client or resident's site. **THIS IS A ZERO TOLERANCE POLICY.**

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III-H-2: Weapons in the Workplace Policy

The City prohibits all persons who enter City property from carrying a handgun, firearm or prohibited weapon of any kind onto the property regardless of whether the person is licensed to carry the weapon or not.

This applies to all City employees, contract, part-time, provisional, seasonal and temporary employees, and visitors on City property. The only exceptions to this policy are law enforcement officers. This policy also prohibits weapons at any City sponsored functions such as parties or picnics. **THIS IS A ZERO TOLERANCE POLICY.**

III-H-3: Examples Violence Policy Violations

The following list, while not inclusive, provides examples of conduct that is unacceptable.

- a. Causing physical injury to another person.
- b. Making threatening remarks or notes.
- c. Aggressive or hostile behavior that creates a reasonable fear of injury to another person.
- d. Intentionally damaging or abusing City property or property of another employee.
- e. Possessing a weapon or firearm, **WITH OR WITHOUT A CONCEALED WEAPON PERMIT** while on City property, at City sponsored events or while on City business. Only Police Officers are excluded.

III-H-4: Reporting Procedures

Any potentially dangerous situation must be reported immediately to a supervisor, Department Director or the Personnel Department. Reports can be made anonymously and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. The City will actively intervene at any indication of a possibly hostile or violent situation. Supervisors and Department Directors should immediately consult the Director of Personnel, the Chief of Police and/or the City Manager prior to taking action on a report.

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III-H-5: Risk Reduction Measures

While we do not expect employees to be skilled at identifying potentially dangerous persons, we need your help to maintain a safe and healthy working environment. Employees are expected to inform the Personnel Department, their supervisor or Department Director if any employee, vendor, customer or guest exhibits behavior that could be a sign of a potentially dangerous or violent situation. Such behavior includes:

- a. Discussing or apparent preoccupation with weapons (except for lawful hunting and target practice related discussions).
- b. Displaying overt signs of extreme stress, resentment, hostility or anger.
- c. Making threatening remarks.
- d. Sudden or significant deterioration of performance.
- e. Displaying irrational or inappropriate behavior.

III-H-6: Policy Violations

Violations of this policy will lead to disciplinary action up to and including termination.

III-I: Customer Relations

All employees are expected to be customer and service-oriented. Employees should treat customers in a courteous and respectful manner at all times.

III-I-1: Telephone

Employees should be polite and thoughtful when using the telephone. A positive contact with a customer can enhance goodwill, while a negative can destroy a valuable relationship. Telephones should be answered with the name of the Department and the employee's name. Avoid placing customers on hold for any longer that necessary. Ensure messages are taken accurately and passed on immediately. Return calls should be placed as soon as possible.

III-I-2: Customer Complaints

Employees should listen carefully to customer complaints and deal with them in a helpful, professional manner. If a controversy arises, the

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employee should explain City policy or procedures respectfully and clearly. Customers who become unreasonable should be referred to a Supervisor or Department Director. Employees are not expected to tolerate abusive, vulgar or threatening behavior. Customers who display such behavior should politely be asked to leave. If they persist, contact the Police Department.

III-J: Ethics and Conflicts of Interest

III-J-1: Employee Ethics

All employees are expected to conduct themselves honestly, ethically and with integrity at all times. In addition, employees should demonstrate through both their words and actions on the job, support for the City's policies, procedures and programs.

III-J-2: Conflicts of Interest

A conflict of interest exists when an employee has a relationship with an entity or another individual that may affect the employee's ability to make decisions that are in the best interest of the City of Garden City. It is the responsibility of each employee to avoid any potential or actual conflicts of interest as well as the appearance of impropriety.

III-K: Attendance and Punctuality

Employees are expected to report to work punctually and work all scheduled hours and any required overtime. Excessive tardiness and poor attendance disrupts the work flow, burdens co-workers with extra tasks, lowers morale, increases required overtime, as well as affects the quality of services provided.

III-K-1: Work hours

Supervisors should notify employees of their starting, ending and break times. Employees must report to their work site, ready to work at the required time/days in a punctual manner, in the proper attire, with any required safety equipment and/or tools.

III-K-2: Tardiness

Adequate advance notice should be provided to the supervisor whenever possible for tardiness or absence. Employees are expected to notify their supervisor as far in advance as possible whenever they are unable to report to work at their regular scheduled time. Employees must report to their supervisor if reporting tardy, providing a reasonable explanation of

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the circumstances attributing to their tardiness. Unauthorized or excessive tardiness may result in disciplinary action up to and including discharge.

III-K-3: Unauthorized or excessive absences

Employees who are absent for three consecutive days without giving proper notice to the City will be considered as having voluntarily quit. At that time, the Personnel Department will formally note the termination and advise the employee of the action by certified mail to the employee's last known address.

III-L: Meals

Part-time employees scheduled to work more than five consecutive hours during any workday will receive a meal break of the same duration as full-time employees (between 30 and 60 minutes, depending on the applicable work schedule).

III-M: Dress, Appearance and Hygiene

III-M-1: General

All employees should maintain and present themselves in such a manner that their hygiene and general personal appearance conforms to the Garden City standards. Common sense and professional pride should dictate your daily attire. City employees must always be appropriately groomed, neatly dressed and present a professional appearance. Due to differing business needs, some managers may require specific dress codes in particular settings or under certain circumstances. Any time there is a question as to the appropriate dress in a situation, revert to traditional business dress. Department Directors and/or supervisors will be responsible for determining appropriateness of attire and shall be responsible for pointing out inappropriateness to employees, if necessary.

III-M-2: Office and Clerical Personnel

The City has a "business casual" dress code. Because the City is in the business of serving customers, it is important to maintain an excellent public image. Employees are expected and required to dress in a manner suitable to the work they are performing, always recognizing that the goal is to present a professional, business appearance and work environment. The following guidelines will clarify acceptable business appearance:

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a. Acceptable Attire

- (1) Blazers/sport coats/suits.
- (2) Dress slacks.
- (3) Khakis/docker style slacks.
- (4) Business style shirt/blouse.
- (5) Dresses/skirts (appropriate cut and length for business environment).
- (6) Sweaters.
- (7) Polo/Golf Shirts
- (8) City Logo apparel.
- (9) Loafers/dress shoes/flats/dress boots/dress sandals.

b. Unacceptable Attire

- (1) Provocative/Sexy dresses/evening dresses or gowns/mini or excessively short skirts/or any sheer (see-through) materials/low cut–front or back-dresses, shirts, blouses, sweaters.
- (2) Form fitting stretch clothing (spandex, etc.).
- (3) Sweat pants/sweat suits/jogging suits/warm-up suits/fleece.
- (4) Wool/flannel shirts.
- (5) Jeans (any type or color).
- (6) Denim clothing (any type or color).
- (7) Tank tops/halter tops/low cut tops/cropped tops/tube tops.
- (8) T-shirts/sweat shirts
- (9) Hats/caps/sweat bands/bandanas Shorts (part-time recreation/other outdoor personnel may be exempted, however, employees should check with their supervisor first).

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- (10) Skorts.
- (11) Beach sandals/athletic shoes/sneakers/canvas shoes/hiking boots/work boots.
- (12) Torn, worn and frayed clothing
- (13) Clothing with inappropriate logos or verbiage, offensive or subjectable language or in poor taste.

III-M-3: Maintenance Personnel

a. General

Maintenance employees are provided with uniforms. It is expected that uniforms and outer garments, when provided, will be worn at all times while on duty. Appropriate work shoes/boots must be worn at all times. All attire and outer garments, if not provided, will not contain offensive or subjectable language. All garments will be neat, clean and presentable at the beginning of their shifts. (See Section II-B).

b. Safety Equipment

Safety equipment must conform to all safety requirements. It is required that employees will wear safety equipment, such as work boots, eye protection, etc. during performance of their duties as required to meet safety requirements.

c. Unacceptable Attire

- (1) Form fitting stretch clothing (spandex, etc.)
- (2) Sweat pants/sweat suits/jogging suits/warm-up suits
- (3) Tank tops/sleeveless shirts/crop tops
- (4) Shorts (exception: as defined by DPS Director as part of the summer uniform)
- (5) Sandals/athletic shoes/sneakers/canvas shoes
- (6) Torn, worn and frayed clothing
- (7) Clothing with inappropriate logos or verbiage, offensive or subjectable language or in poor taste

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III-N: Smoking

The City complies with all applicable federal, state and local regulations regarding smoking in the workplace to provide a work environment that promotes productivity and the well being of all employees. Smoking is prohibited in all City facilities except for areas where it is specifically authorized. The Director of Personnel is responsible for implementing and monitoring smoking regulations and supervisors are expected to enforce the regulations. This policy applies to all employees during working time and to customers and visitors while on the City premises.

III-O: Gambling

Gambling on City property is prohibited. This policy applies to all employees during working time and to customers and visitors while on the City premises.

III-P: Alcohol, Drugs and Narcotics

The City has a strong commitment to its employees to provide an alcohol a drug-free working environment. It is equally obligated to its administration, citizens, customers, local businesses and the public to operate its business safely and prudently.

III-P-1. Alcohol

Any employee, who is found drinking alcoholic beverages or is under the influence of alcohol on City property, or during work hours, is subject to discipline up to and including discharge. An employee who reports to work under the influence of alcohol will be suspended and taken to the Garden City Police Department for a preliminary blood test (PBT). If the test is positive, the employee will be suspended, pending appropriate disciplinary action.

III-P-2: Drugs and Illegal Narcotics

Any employee who is found using, selling or possessing illegal drugs on City property is subject to dismissal.

III-P-3: Drug Testing/Screening

Employees may be asked to take a test at any time to determine the presence of drugs or narcotics. Positive tests or a refusal to consent to a random drug test will result in discipline up to an including discharge. Tests are paid for by the City are the property of the City and the examination records will be treated as confidential and held in separate

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medical files. The pre-employment physical examination given to each new employee includes a drug screen.

III-Q: Employee Safety

III-Q-1: General

Safety and accident prevention are very important. It is our goal to prevent personal injury to our employees and our guests. Safety however, is also a matter of individual responsibility. We are all responsible for practicing safety on a day-to-day basis. Employees are expected to comply with all safety and health requirements whether established by the City or by Federal, State or local law. To insure the safety of our employees, the City has established and enforces the following safety practices:

- a. No job is so urgent, no work so important, that employees cannot take the time to do it safely.
- b. Wear safety glasses, ear protection and other protective devices as required in shop and work areas, or as directed by your supervisor. Lifeguards and other employees who are exposed to the sun are responsible for using sunscreen protection and other appropriate protection to guard against sun related health hazards.
- c. Hard leather shoes/boots must be worn in all shop and work areas.
- d. Wear appropriate clothing for the job.
- e. Learn how to lift properly. Bend your knees and keep your back erect. Get help for heavy loads. Distribute weight evenly. Always look for an automated alternative before trying to lift or move something yourself.
- f. Make sure that safety guards and other protective devices are on power equipment when in operation.
- g. Maintain hand tools properly: do not use defective hand tools; make sure that all power tools and other electrical devices are properly grounded before using.
- h. Each employee is responsible for keeping his or her work area neat and orderly. All debris must be put in waste cans. Walkways must be kept clear at all times.

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- i. Extreme caution must be used at all times when operating vehicles and seat belts must be worn at all times when operating City vehicles.
- j. Report unsafe working conditions immediately to your supervisor.
- k. With all the health risks inherent in coming into contact with blood-borne pathogens and bodily fluids, if someone is bleeding and they cannot help themselves, call 911. Untrained and unequipped employees should not attempt to provide first aid in cases of bleeding.

III-R: Use of City Facilities

No employees may be permitted to use or permit the use of City owned vehicles, equipment, materials, property or any City facility for personal convenience or profit.

III-S: Use of Communications Systems

III-S-1: Telephones, Cell Phones. Radios

The telephones throughout City facilities are essential to conducting City business. Employees should avoid using City communications services and equipment (telephones, cell phones, beepers, radios, etc.) for personal purposes except in emergencies or when extenuating services warrant it. When personal use is unavoidable and charges against the City are incurred, employees are responsible for such charges. When using City communications equipment for City business, employees should be aware of charges and consider cost and efficiency when choosing the proper vehicle for each business communication.

III-S-2: Mail

The City's postage machine is for City business use only. Employees may send out personal mail using City facilities only if the proper postage is already applied at the employee's expense. Specific procedures and schedules associated with sealing, packaging, picking up and posting City mail is under the purview of the City Clerk.

III-S-2: Office Automation Equipment

These tools allow employees to be more productive. Under certain circumstances, office automation equipment can create liability exposure for the City. Accordingly, employees should use voice mail, copy machines and fax machines for work related purposes only. Inappropriate material should never make its way to any of these devices. The memories of fax

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and copy machines (if so equipped) should be cleared periodically. Voice mail messages should be promptly deleted after they have served their purpose.

III-S-3: Computers

City computers, their software and associated peripherals are the property of the City and are to be used for work related purposes. The City reserves the right to monitor all e-mail messages and attachments, sent or received.

a. Software

Only software purchased with City funds are authorized for use on City computers and must be installed only by authorized personnel. Permission from the City Clerk must be obtained prior to downloading any software, including "freeware." This includes, but is not limited to, screen savers and "wall paper." Employees should direct any questions to the City Clerk.

b. E-mail and the Internet

The purpose of the electronic mail (e-mail) system and the Internet is to assist the employees with the day-to-day conduct of City business. The e-mail system is the property of the City. Users of the e-mail system are to use the system as an alternative to written documents for formal communication. E-mail messages composed or received in this system may be considered City records, depending on their content, and therefore may be subject to Freedom of Information Act (FOIA) requests and other legal disclosures. **THERE SHOULD BE NO EXPECTATION OF PRIVACY ON THE PART OF THE USER.** The City reserves the right to amend this rule as necessary and at any time. Prohibited uses include, but are not limited to the following.

- (1) Using e-mail or the Internet for any purpose that violates State and Federal laws.
- (2) Using e-mail or the Internet in a way that violates copyright laws.
- (3) Using e-mail or the Internet to circumvent the Open Meetings Act, Freedom of Information Act (FOIA), or Rules of Discovery and Subpoenas.
- (4) Misrepresenting one's identity to compose or intercept messages.

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- (5) Revealing your e-mail/Internet/internal network password to another person except the System Administrator.
- (6) Using e-mail or the Internet for commercial purposes other than the business of the City of Garden City.
- (7) Using e-mail or the Internet for lobbying purposes.
- (8) Creating offensive or malicious messages. These would include but not be limited to messages, which contain profanity, sexually explicit content, race, national origin, or gender specific comments, threats, or harassment.
- (9) Downloading or uploading of files, which contain or depict profanity, sexually explicit content, race, national origin or gender specific comments, threats, or harassment. The browsing of web sites, FTP, or Telnet sites displaying such material is prohibited.
- (10) Visiting non-work related chat rooms during business hours.
- (11) Publishing, posting, or editing items unrelated to City business.
- (12) Using the Internet to purchase or sell personal goods or services.
- (13) Using the Internet to display or submit indecent, immoral, or illegal material.
- (14) Using the e-mail system or Internet for gambling, betting pools, or investment clubs.
- (15) Chain letters.
- (16) Intentional damage or interference with others. For example, hacking and distributing viruses.
- (17) Engaging in any e-mail activities, which could create a liability for the City of Garden City.

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c. Records Retention

For the purposes of records retention, e-mail and computer documents are subject to the same retention schedule applicable to the City's paper file and documents. All e-mails are to be deleted once they cease to serve any purpose. The City Clerk's office and Police Department Records Bureau are responsible for maintaining the Police Departments records retention and disposal schedule. Questions should be directed toward the City Clerk's office or Police Department.

d. Abuses or policy violations

Employees found in violation of this policy will be subjected to progressive discipline up to and including discharge.

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Chapter IV

Leaving the City's Employment

Every employee will leave the City's employment for one reason or another. The following sections provide an overview of the issues associated with each separation category.

IV-A: Voluntary Resignation

If you decide to resign from our employment, we request that you provide a minimum of two weeks written notice to your supervisor and the Personnel Department and work the two weeks until your termination date. Any outstanding financial obligations or accrued compensation will be deducted or added to the final check.

IV-B: Involuntary Termination

Involuntary termination occurs when an employee is discharged from his or her employment.