

CHAPTER 3 - COMPENSATION

3.0 POSITION CLASSIFICATION PLAN

City of Aurora employee compensation is based on a salary schedule comprised of pay ranges related to the requirements of the position descriptions. The City of Aurora Salary Schedule is attached as *Appendix C, Item I CITY OF AURORA EMPLOYEE POSITION CLASSIFICATION & PAY PLAN.*

The Employee Position Classification and Pay Plan Policy addresses the administration of pay, the pay schedule, and the City of Aurora Pay Ranges for Classified Positions. Position Descriptions are available for each City classified position through the Administration/Human Resources office.

Each position in the City Government shall, based on the duties, responsibilities, skills, experience, education and training required of the position, be allocated to an appropriate class which may include either a single position or two (2) or more positions.

3.1 RETIREMENT SYSTEM

EMPLOYEES COVERED

The City hereby elects to have covered by the Missouri Local Government Employees Retirement System (MOLAGERS) all its eligible employees in the following classes:

1. Present and future general employees;
2. Present and future Police Officers;
3. Present and future Firemen.

3.2 MISSOURI LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM (LAGERS) EMPLOYEE AND EMPLOYER PARTICIPATION AND CONTRIBUTIONS

1. The City Council on behalf of the City of Aurora, an employer under the Missouri Local Government Employees Retirement System (LAGERS), hereby elects to adopt a change in the contributions from covered employees, changing to the requirement of no contributions for covered employees in accordance with the provisions of Sections 70.705(6) and 70.730, RSMo., as amended.
2. All eligible employees of the City shall be members of the Missouri Local Government Employees Retirement System and shall be subject to all laws and supplemental regulations governing such membership.
3. The City of Aurora participates in the L-12 (1.75%) contribution rate with LAGERS.
4. After completion of probation, full-time employees or employees who work at least fifteen hundred (1,500) hours per year are automatically placed on the Retirement System.
5. A member wishing to retire must file his/her application for retirement with LAGERS at least thirty (30) days, but no more than ninety (90) days, from the date it is to be effective.

6. All LAGERS retirements are effective the first (1st) day of the month and all retirement checks are mailed from the LAGERS office in Jefferson City on the first (1st) working day of the month for that month.
7. The City of Aurora adopted a change in the method of determining a member employee's final average salary, changing to a thirty-six (36) consecutive month period for determining a member employee's final average salary in accordance with Sections 70.600 and 70.656, RSMo., 1994, as amended by RSMo. 1998 supplement
8. MOLAGERS has provisions for full retirement at age 60 and early retirement based upon age and time of service. Eligibility requirements for retirement benefits subject to Missouri State Statutes. Please contact MOLAGERS for program eligibility requirements and specific information relating to your individual circumstances.

For more information concerning the City's retirement program, please contact the Human Resources Office; more information can also be obtained at the Missouri Local Government Employees Retirement System website at: www.molagers.org

3.3 INSURANCE COVERAGE

ELIGIBILITY REQUIREMENT FOR BENEFITS

The City will comply with the mandates of the Affordable Health Care Act when determining an employee's eligibility for insurance benefits. However, no employee will be eligible for employee benefits if they do not work a minimum of 1,500 hours annually, or the number of hours required under State law, or contractual requirements.

Following initial eligibility insurance coverage becomes effective on the first (1st) day of the month following thirty (30) days of regular employment for eligible employees or as stipulated through contractual requirements with benefit providers.

HEALTH INSURANCE

Any City employee who meets the eligibility requirements of the group's health insurance program in place at the time of the employee's hire with the City of Aurora may participate. Employee contribution rates will be reviewed on an annual basis and approved by the City Council as needed, based on the financial condition of the City and budgetary considerations. A copy of the approved employee contribution rates will be maintained in the City Manager's Office and will be available to employees at New Hire Orientation, during annual open enrollment or upon request.

Policy and plan designs are subject to change. Refer to your current insurance policy manuals or contact the Human Resources department to obtain current information.

Health coverage shall cease per the group's health insurance contractual agreement in place at the time of the employee's separation from employment.

The City cannot guarantee coverage or benefits in any way. The City specifically reserves the right to change or eliminate benefits when the City deems it necessary based on the financial condition of the City and budgetary considerations.

LIFE INSURANCE

The City of Aurora will provide a basic life insurance benefit for all full-time employees. In addition, the City will pay a portion of the premium for Basic Dependent Life/AD&D if the employee elects such coverage to be determined annually based on the financial condition of the City and budgetary considerations. (See the Human Resources Office for additional details).

SUPPLEMENTAL INSURANCE AND BENEFITS

The City may make available other insurance/benefits to employees on an optional basis. An example of these supplemental insurance/benefit offerings are: Vision, Dental, Short-Term and Long-Term Disability, Optional Life Insurance, Identity theft/credit protection and other various programs. Representatives from these vendors visit the City employees at least one time per year to offer plans and answer questions that employees may have.

These optional insurance and benefits products may be available to the employee at reduced group rates and the City reserves the option to cover a portion or all of the costs associated with these optional coverages to be determined annually based on the financial condition of the City and budgetary considerations.

Most policies are available on a pretax basis (see the Human Resources Office for additional details).

3.4 WORKERS COMPENSATION

The City provides Workers' Compensation coverage for all City employees, as required by Missouri Law, with no cost to the employee. Workers' Compensation provides for payment of medical bills, physical and vocational rehabilitation, and financial compensation while the employee is disabled, either temporarily or permanently, and is unable to work due to injuries sustained in the course of employment.

When an employee is absent from work due to a job-related injury for seven consecutive calendar days, the employee becomes eligible for workers' compensation salary benefits at the rate of 66 2/3% of base salary or the maximum allowable under state law. A worker injured on the job has a right to file a claim with the City and all claims will be settled in accordance with state law. State law and applicable City policies for management of workers' compensation issues are retained in the Human Resources Office and disseminated to each City department.

The City will pay, as temporary total disability, that part of the employee's salary not covered by weekly compensation benefits. It is the duty of the employee to report all work-related injuries or illnesses, no matter how insignificant, to their department head immediately, or within at least twenty-four (24) hours of the occurrence.

3.5 FMLA AND WORKERS COMPENSATION

When an employee is injured on the job and the injury qualifies the employee for benefits under FMLA (Family Medical Leave Act), the employee shall be placed on FML (Family Medical Leave) by notification of Human Resources staff. After notification, any qualifying time shall be counted towards the entitlement of FML (Family Medical Leave). For more information, please reference the Family Medical Leave Act (FMLA) section in this manual.

3.6 SOCIAL SECURITY

The City and employee contribute an amount in accordance with the Federal actuarially determined amounts. Participation begins immediately upon initial employment.

3.7 GROUP HEALTH INSURANCE (COBRA)

An employee separated from City Service is eligible to continue to receive any health insurance coverage so required by the Conciliatory Omnibus Budgetary Reconciliation Act (COBRA) or laws governing the Act. Continued coverage will be at the expense of the separated employee and within the requirements of the COBRA Act and laws governing the Act. At the time of employee separation, the company contracted by the City of Aurora for health insurance administration will provide notification in writing, by mail, of the separating employee's eligibility to receive continued health coverage.

3.8 HOLIDAYS

GUIDELINES

1. Regular Full-Time employees will receive eight (8) hours pay for established holidays as designated in these Personnel Rules and Regulations. For Regular Full Time Employees that are regularly scheduled for less than 40 hrs. per week, Holiday Leave shall be granted on a prorated based on the number of hours the Regular Full-Time Employee is regularly scheduled to work on a weekly basis.
2. Regular Part Time employees shall receive Holiday Leave. Holiday Leave shall be granted on a prorated based on the number of hours the Regular Part-Time Employee is regularly scheduled to work on a weekly basis. Holiday Leave will only be granted for days where the Regular Part-Time Employee is normally scheduled to work.
3. Regular Full-time or Regular Part-time employees who are required to work on a City designated holiday shall receive time and one-half (1½) overtime pay for time actually worked on a City holiday.
4. Employees on unpaid leave of absence will not receive holiday pay.
5. If a legal holiday occurs during an employee's vacation, that day will not be charged to the employee's accrued vacation time.
6. If a City holiday falls on the regularly scheduled day off of an employee, that employee will receive a day (8 hours) of holiday pay for that day.
7. If a City Holiday falls on a regularly scheduled workday for an employee, that employee will receive 8 hours of pay in lieu of time off, or the employee may choose to accrue 8 hours of Compensatory Time at the discretion of the City Manager.

8. City employees regularly scheduled to work a holiday who, instead use other leave on the holiday, will not receive holiday pay. Under no circumstances will the employee be paid both holiday pay and leave pay.
9. When any City holiday falls on a Saturday or Sunday, the preceding Friday or following Monday shall be declared a holiday. In certain instances, the City Manager may direct a holiday to be observed on alternative days in order to accommodate a more practical and beneficial schedule for employees.
10. When an employee is scheduled to work both the actual holiday and the day observed by the City in lieu of the holiday, only one (1) day will be considered the holiday for which holiday pay will be paid.
11. In no case will pay for a holiday exceed eight (8) hours.
12. Salaried employees are allowed time off on a holiday.
13. To be eligible to receive pay for an observed holiday an employee must not have been absent without pre-approved authorized leave either on the workday before or after the holiday.

APPROVED HOLIDAYS

The following days shall be holidays for all City employees:

1. New Year's Day, January 1st
2. Martin Luther King Jr. Day, third (3rd) Monday in January
3. Washington's Birthday, third (3rd) Monday in February
4. Memorial Day, last Monday in May
5. Juneteenth, June 19th
6. Independence Day, July 4th
7. Labor Day, first (1st) Monday in September
8. Veterans Day, November 11th
9. Thanksgiving Day, fourth (4th) Thursday in November
10. Day following Thanksgiving Day
11. Christmas Eve, December 24th
12. Christmas Day, December 25th

From time to time, on special occasions, the City Council may designate other days as special holidays. In those instances, employees will be paid in the same manner as any other holiday as established in these policies

Recreation Center Approved Holidays and Hours

Recreation Center	Holiday Hours
New Years Day	CLOSED
Martin Luther King Jr. Day	Normal Hours
President's Day	Normal Hours
Memorial Day	Limited Hours
Juneteenth Day	Normal Hours
Independence Day	Limited Hours
Labor Day	Limited Hours
Veterans Day	Normal Hours
Thanksgiving Day	CLOSED
Day after Thanksgiving	Normal Hours
Christmas Eve	Limited Hours
Christmas Day	CLOSED
New Year's Eve (Non-Holiday)	Limited Hours

3.9 CALL OUT AND ON-CALL STATUS**WASTEWATER ON-CALL STIPEND**

A stipend of \$150 per week will be paid to the designated on-call wastewater employee. The stipend is paid to the employee assigned to on-call duty for that specific week.

On-Call Expectations

Employees assigned to on-call status are required to maintain a **maximum two (2) hour response time** after regular work hours. This includes, but is not limited to:

- Emergency utility locates
- Sewer System callouts
- Wastewater treatment plant callouts

Due to the required response time, on-call employees are considered engaged to wait and must remain available 24/7 during their assigned on-call week, outside of normal working hours.

Call-Out Pay

If an on-call employee is called in to work, all actual hours worked will be compensated for the applicable overtime rate, in addition to the weekly on-call stipend. This stipend is not a replacement for overtime pay; it is an incentive for being on-call and helps offset the impact of being scheduled approximately every three weeks.

Timekeeping and Tracking

- The on-call stipend will be reflected in the employee's timesheet records.
- Employees are required to note on-call weeks and any callouts in their timesheet notes.

Eligibility

- The weekly on-call stipend applies only to eligible on-call employees.
- Salaried employees are exempt from on-call stipend pay.

WORKING WHILE ON-CALL

Typically, "Working While On-Call" would not be required beyond an employee's normal shift. In certain limited emergency occasions, however, "Working On-Call" might be utilized with the approval of the City Manager. Such time is compensable in accordance with the Fair Labor Standard.

NOT WORKING WHILE ON-CALL

- Employees are not required to remain on the City's premises but are required to leave word at their home or with their supervisors where they may be reached.
- Employees are not required to remain on the City's premises or so close thereto that they cannot use the time effectively for their own purposes. Employees must, however, be able to report to work within a reasonable period of time.
- Employees must be in a fit condition to report to work.
- Employees may pursue personal activities while on "Not Working" On-Call.
- Supervisors should not call back an employee so frequently as to make effective personal use of on-call time impractical, or where the On-Call system is so distracting or cumbersome as to seriously inhibit personal activities.
- Supervisors should implement a priority call-in roster that creates a share of calls an employee is required to answer.

An employee who is called back after normal duty hours for overtime work shall be paid for such overtime in accordance with the provisions set out above except that the employee shall receive a minimum payment of two (2) hours.

Employees called back during a holiday shall be paid a minimum payment of three (3) hours at one and one-half (1 ½) times the employee's regular hourly pay rate.

Fire Protection Employees shall receive one hour minimum.

Call back time does not include an employee being called to begin regular shift work an hour early.

3.10 OVERTIME WORK

The Department Head may prescribe and schedule periods of overtime work when necessary to meet operating needs. All overtime work must be pre-authorized by the Department Head or Immediate Supervisor. Overtime pay is intended and authorized for emergency situations only where public service

must be performed in the best interests of the City. The granting of overtime pay shall never be used to affect pay adjustments nor in payment for work that can be scheduled in a routine manner.

Overtime is considered a condition of employment, and refusal to accept it when reasonable notice has been given is cause for disciplinary action, up to and including termination.

At the supervisor's discretion, an employee's work schedule may be adjusted during a workweek to avoid overtime (Flex Time).

NON-EXEMPT EMPLOYEES

Non-exempt employees who are required to work more than forty (40) hours in a given work week shall be compensated at the rate of one and one-half (1 ½) time their regular salary rate for all hours worked beyond forty (40) hours. Law Enforcement and Fire Protection Personnel are subject to provisions in accordance with the FLSA 7(k) exemption and is discussed below.

GENERAL GUIDELINES REGARDING OVERTIME

1. All time in excess of 40 hours shall be paid overtime and no compensatory time shall be granted.
2. The base workweek for computing overtime compensation will be the actual hours worked, as well as hours of vacation, holiday pay and funeral leave. Sick leave is not included as hours worked in the calculation of overtime except for scheduled overtime in the Fire Department.
3. For overtime pay purposes, partial hours worked shall be rounded off to the nearest quarter hour.
4. Employees who are exempt under the Fair Labor Standard Act do not receive overtime compensation.
5. Working overtime without prior approval by the department head or City Manager may result in disciplinary action.

COMMISSIONED LAW ENFORCEMENT AND FIRE PROTECTION PERSONNEL

In accordance with the FLSA 7(k) exemption:

1. Commissioned Law Enforcement shall be compensated at the rate of one and one-half (1-½) time their regular salary rate for all hours worked beyond eighty-six (86) over a fourteen (14) day period.
2. Fire Protection Personnel shall be compensated at the rate of one and one-half (1 ½) time their regular salary rate for all hours worked beyond one hundred and six (106) hours over a fourteen (14) day period. Additionally, this does not include imbedded calculated overtime that is included in annual salary for fire Protection personnel.
3. Sick leave is not included as "hours" worked in the calculation of overtime except for Scheduled Overtime in the Fire Department.

3.11 PAY COMPUTATION

Hourly rates of pay for City personnel paid on a monthly salary (Exempt Employees) shall be computed by multiplying the monthly rate of pay by twelve (12) and dividing by two thousand eighty (2,080) (52 weeks x 40 hours). Net pay shall be computed by subtracting applicable deductions.

3.12 SHIFT DIFFERENTIAL

Shift Differential is used by the City of Aurora as an employee recruitment and retention tool provided for Law Enforcement Personnel within the Aurora Police Department. Shift Differential is based on market conditions, budget constraints and staffing needs. The City Manager and Human Resources Office shall make recommendations to the Aurora City Council for final determination of policy regarding shift differential rates, applicability, and necessity. Changes to Shift Differential shall be made in accordance with Section 1.4 of this manual.

General Policies:

1. Eligible Staff – Certified Law Enforcement Staff within the Aurora Police Department.
2. Hours – Shift Differential Eligible Hours are hours actually worked by Certified Law Enforcement Staff between 6:00 PM and 6:00 AM, Monday through Sunday.
3. Calculation of employee timesheets for Vacation, Comp Time, Sick Leave, Funeral Leave, Overtime and Holiday pay shall not include Shift Differential.
4. Shift Differential Rate – The Aurora City Council will periodically confer with the City Manager and the Human Resources Director regarding the Shift Differential Pay and adjust the Shift Differential as deemed appropriate.

3.13 PAY PERIODS, WORKWEEK & BI-WEEKLY PAYDAYS

1. City employees shall be paid on a Bi-Weekly basis, every other Friday.
2. The workweek for the City for each pay period begins on Monday morning at 12:00 a.m. and ends at midnight on the following Sunday.
3. Pay for the pay period will normally be issued the following Friday by Direct Deposit.
4. The workweek for Fire Department Employees shall begin at 8:00 a.m. on Monday and ends at 8:00 a.m. the following Monday.

3.14 DIRECT DEPOSIT

The City utilizes Direct Deposit for issuing payroll for full-time, part-time, temporary and seasonal employees. City employees are expected to make proper arrangements for the timely deposit of their pay into the financial institution (Bank, Credit Union, etc.) of their choosing.

Employees must provide Direct Deposit information for your financial institution to the Human Resources office in a timely manner upon initial employment, and anytime the employee makes a change

in their financial institution that may affect their Direct Deposit. Changes to Direct Deposit may take up to two weeks to become effective.

The City is not responsible for incorrect information that is provided to the Human Resources office regarding Direct Deposit and is not responsible for banking policies or changes in those policies regarding Direct Deposit that are beyond the control of the City of Aurora.

In rare instances, the City will issue individual payroll checks, but only with the approval of the City Manager.

3.15 WAGES IN ADVANCE

It is the policy of the City that no advance in future wages including accrued annual leave shall be made except in cases of resignation or dismissal.

3.16 PAY RECORDS

The City Clerk shall be required to keep adequate records of all persons employed, their pay scale, timesheets recording time worked, accrued vacation and sick leave, all absences for vacation and sick leave, accrued overtime and all absences for other reasons.

3.17 WORKING OUT-OF-CLASSIFICATION

When an employee is temporarily assigned to work out of their normal pay classification in a higher pay classification for a period of 30 calendar days or more, they shall be paid up to an additional five percent (5%) above their regular rate of pay.

Non-exempt employees working out-of-classification in a higher pay classification are eligible for overtime pay for actual hours worked in addition to pay received when working out of classification. The overtime rate will be based on the out-of-classification pay rate.

3.18 FLEX TIME

Department Heads are asked to use Flex Time whenever possible in order to minimize overtime. Flex time is a way to adjust an employee's hours throughout the workweek to prevent the employee from exceeding forty hours in a single workweek. Department Heads may limit or use flex time in a way that is most beneficial to the workplace needs. Employee work time cannot be flexed over more than one workweek (even if it is in the same two-week pay period), or it goes into overtime status.

Flex time may be used retroactively (when an employee has worked extra hours already) in order to avoid overtime hours or can be used proactively (when an employee is scheduled to work extra hours later in the week) in order to avoid overtime hours.

3.19 COMPENSATORY TIME

Compensatory time may be accrued by any non-exempt employee. The following rules govern the accrual, disposition, and required record keeping of compensatory time.

All employees who are designated as wage-hour non-exempt under the Federal Fair Labor Standards Act (FLSA) must record all hours worked and must receive extra compensation for hours worked in excess of their regular schedule.

It is City policy to give time off in lieu of monetary compensation except as required below.

Hours worked in excess of the employee's regular schedule fall into two categories: extra hours at straight time (gap hours) and extra hours at time and a half (overtime hours).

GAP HOURS

1. In general, gap hours are extra hours worked outside of the regular work schedule that do not result in the employee working more than 40 hours in the workweek. For law enforcement employees, gap hours are those specified in sections of this policy that specifically address public safety employees, i.e., Law Enforcement and Fire Protection Employees. Employees who work gap hours receive gap hours compensatory time.
2. Gap hours compensatory time may be accrued for a maximum 160 hours (straight time). At any point that gap hours compensatory time exceeds 160 hours, the excess must be paid in the next payroll cycle. Also, any gap hours compensatory time that is not taken by December 1st of each year, must be paid in the next payroll cycle.

OVERTIME HOURS

1. Overtime hours are hours worked by FLSA non-exempt employees in excess of 40 in the designated workweek, which must be compensated at time and one half. Non-exempt employees may not work overtime without receipt of prior approval from their supervisor. Departments are responsible for managing work time so that non-exempt employees so that unscheduled overtime work is minimized.
2. Overtime compensatory time may be accrued for a maximum of 160 hours (108 hours straight time). At any point that overtime compensatory time exceeds 160 hours, the excess must be paid in the next available payroll. Also, any overtime compensatory time that is not taken by December 1st of each year, must be paid in the next payroll cycle.
3. The hourly rate of pay is obtained by dividing the annual salary by 2080 hours (52x40), prorated if less than full time. The hourly rate used in computing overtime must include all remuneration for employment paid to, or on behalf of, the employee, except payments specifically excluded by the FLSA.

MAXIMUM ACCRUAL AMOUNTS

1. The maximum amount of compensatory time that may be accumulated by wage-hour non-exempt employees is 160 hours.
2. The maximum accrual of compensatory time includes Gap Hours and Overtime Hours in any combination thereof.

EXCEPTIONAL AMOUNT OF COMPENSATORY TIME ACCRUED

1. Any scheduled work that results in overtime or compensatory time accrual should only be authorized as necessary to meet operational needs.

2. If at any time an employee has built up an exceptional amount of comp time, a department may elect to pay all or part of the comp time rather than award time off based on business need and the availability of funds (not employee preference). Additionally, departments may manage comp time by requiring the employee to take accumulated compensatory time off.

SEPARATION OR DEPARTMENT TRANSFER

All unused comp time for wage-hour non-exempt employees must be paid when the employee separates from the City. It must also be paid by the department where the comp time was earned if the employee transfers to another department within the City (unless the receiving department agrees to accept the comp time.)

LAW ENFORCEMENT AND FIRE PROTECTION PROVISIONS

Because of the varied nature of public safety activities, Wage and Hour Law permits a 14-day work period, as opposed to the standard one-week period. The City has elected the 14-day work period pursuant to section 207(k) of the FLSA and 29 CFR Part 553.

The following provisions apply:

1. The “work period” for Law Enforcement and Fire Protection employees will consist of 14 consecutive days.
2. The Law Enforcement employees shall receive compensation at a rate of one and one-half times the regular hourly rate at which employed for hours worked in excess of 86 during a work period.
3. Fire Protection employees shall receive compensation at a rate of one-half times the regular hourly rate at which employed for hours worked in excess of 106 during a work period.
4. Nonexempt employees in Law Enforcement positions who work more than 86 hours in a work period may be given compensatory time off in lieu of cash payment for these overtime hours worked.
5. Nonexempt employees in Fire Protection positions who work more than 106 hours in a work period may be given compensatory time off in lieu of cash payment for these overtime hours worked.
6. Any overtime compensatory time that is not taken by December 1st of each year, must be paid in the next payroll cycle.
7. Law Enforcement and Fire Protection employees cannot accumulate more than 240 hours of compensatory time. Any compensatory time earned in excess of 240 hours must be paid in cash as earned.
8. For non-exempt law enforcement employees, gap hours are those hours between 80 and 86 hours worked before overtime compensation begins. Such employees may accrue gap hours

compensatory time for hours worked between 80 and 86 in accordance with previous sections of this policy.

3.20 BOOT/HOLSTER/FLASHLIGHT REIMBURSEMENT

Footwear is very important when handling heavy equipment, tools, and materials. Employees should wear adequate footwear, such as composite toed boots or shoes, steel toed boots or shoes as job requirements dictate. Footwear will be outlined by Department policy.

Public Works:

The City will reimburse to each full-time employee of the Public Works, Parks and the Wastewater Department up to \$150 annually for work boots designed to protect the foot; this would include safety boots designed to protect the instep and toes, or other appropriate boots. Receipts shall be turned into the Treasurer for reimbursement.

Public Safety:

The City will reimburse to each full-time employee of the Police, Animal Control and Fire Department up to \$150 every two years for appropriate duty boots. The holster/flashlight reimbursement will only be accessible every three (3) years for commissioned officers up to \$150. Receipts shall be turned into the Treasurer for reimbursement.

Community Development:

The City will reimburse each full-time Building Official and Building Inspector up to \$150 every 2 years for appropriate duty boots. Receipts shall be turned in to the Treasurer for reimbursement.

3.21 PHONE ALLOWANCE

The City of Aurora recognizes the need for certain city personnel to own and/or use cell phones to complete and enhance their job performance. This policy establishes the procedures for cell phone authorization, allowance, and usage for certain personnel.

Criteria used in determining appropriate personnel to receive cell phone benefits include:

1. The employee is a key staff member needed in the event of an emergency.
2. Where the job function requires continuous accessibility beyond scheduled or normal working hours (i.e., on-call responsibilities for critical City services.)
3. The nature of the employee's work is critical to the operation of the department and immediate response is required.
4. The anticipated level of business use is significant.
5. Where the job function requires access to e-mail outside of the office or beyond normal scheduled working hours, and it is essential for the City that the employee has the ability to receive and send email during those times.
6. The related cost is justified when compared with alternative communication choices.

Employee Phone Stipend

This policy provides for the periodic and incidental use of employee-owned phones for City business where the City compensates the employee for such use.

Employees whose job duties include the frequent need and use for a cell phone may receive a stipend, in the form of a monthly cell phone allowance to cover City-related usage on their personal cell phone.

Allowance Amount

(Level 1) – The standard monthly cell phone allowance amount shall be \$35.

(Level 2) – Based upon the recommendation of a department head and with approval of the City Manager, a monthly allowance of \$60 may be provided to any employee whose necessary city business use of a cell phone justifies the need for a greater number of plan minutes or additional data. No further reimbursement for cell phone costs is available to employees who receive an allowance. Typically, this level will be Department Heads, Public Safety Administrative Staff, and the City Manager.

Allowance Payment

The approved cell phone allowance will be paid monthly as part of the employee’s paycheck and will be subject to all applicable payroll taxes. This allowance does not constitute an increase to base pay, and will not be included in the calculation of percentage increases to base pay due to salary increases, promotions, etc.

City Issued Cell Phones

The City maintains a very limited number of cell phones assigned to specific departments or employees as specified below. It is the policy of the City to issue a cell phone to employees only when there is a reasonable or substantial need for the employee to have a cell phone issued to them in order to facilitate communication with that employee. These phones are to be used only for City business and personal use of these phones is strictly prohibited.

Fire Department..... Fire Chief

Police Department..... Police Chief

Police Department..... Animal Control Officer

Wastewater Department..... Wastewater Dept. On Call Personnel

Phone Allowance Agreement

No phone allowance will be processed for payment until the employee that will be receiving the monthly phone allowance submits the required City of Aurora Phone Allowance Agreement for approval by the Human Resources Director, and the City Manager.

Missouri Sunshine Law

Employees receiving a monthly phone allowance are hereby notified that data and information associated with the usage of their personal phone for City business may be subject to the Missouri Sunshine Law. Such data and information disclosures may include, but not be limited to, billing statements, usage history, call history, call logs, call duration reports, and data usage reports. In those instances, Employees will strictly adhere to the guidelines set forth by the Missouri Sunshine Law and City of Aurora Policy.

3.22 EMPLOYEE ASSISTANCE PROGRAM

ADMINISTRATION

The Employee Assistance Program will be administered by a person as designated by the City Manager. The City Manager and the EAP administrator shall develop necessary procedures to maintain confidentiality of records and to ensure that the functions of the Employee Assistance Program are properly carried out.

FUNCTIONS

The Employee Assistance Program will function primarily as an intake and referral service for those employees who have either voluntarily sought help for substance abuse problems or who have been directed by the appointing authority to seek assistance through the program. Under the supervision of the City Manager, the administrator of the EAP will compile and maintain all information and records necessary to the task of referring employees to substance abuse treatment services, programs, and institutions in the community. The administrator will monitor the progress of employees seeking treatment through the EAP to the extent necessary to document and verify proper administration of employee health care or other applicable benefit plans, including use of leave time.

EMPLOYEE LEAVE WHILE SEEKING AND RECEIVING TREATMENT THROUGH THE EAP

Employees who are receiving treatment for substance abuse problems through the EAP are entitled to use all forms of accumulated leave time available to them, including sick leave, vacation time, and compensatory time. Should an employee who is receiving treatment through the EAP prefer to take a leave of absence without pay rather than utilize accumulated leave time; or should an employee exhaust all available leave time prior to receiving medical clearance to return to his/her work duties, the employee may request a leave of absence without pay, in accordance with the Personnel Rules and Regulations. Such a request will be considered in light of all the circumstances of the case, including but not limited to the manpower needs of the affected City department, the medical needs of the employee, and the degree of good faith effort displayed by the employee in dealing with his/her substance abuse problem. Nothing herein shall be construed to require that a leave of absence without pay must be granted in such case.

EAP RECORDS TO BE HELD IN CONFIDENCE

All information regarding voluntary and mandatory referrals to the Employee Assistance Program shall be confidential. Records of the EAP shall not be placed in an employee's general personnel file but shall be kept in a separate confidential folder that will be securely kept by the administrator of the EAP under the supervision of the City Manager. The administrator is authorized to release the contents of the confidential folder only on a strict need-to-know basis to management-level members of the staff of the City Manager; to the City Attorney; to the Department Head of the employee's department; to the City Council upon request of the Council; and to the employee upon request.

Disclosure without employee consent is also authorized if:

1. Production of the information is compelled by law, or by judicial or administrative process;
2. The information has been placed at issue in a formal dispute between the City and the employee;

3. The information is to be used in administering an employee benefit plan;
4. The information is needed by medical personnel for the diagnosis or treatment of the employee, and he/she is unable to authorize disclosure.