

**THE CITY**

**OF**

**NEW BERN**

**EMPLOYEE HANDBOOK**

**Prepared By The Human Resources Department**

# City of New Bern



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## A MESSAGE FROM THE CITY MANAGER

As City Manager, I am pleased to provide you with a copy of the new Employee Handbook. It is our intent that the information provided within will be helpful to you in understanding your responsibility to the City and the City's responsibility to you.

As employees, our primary purpose is to provide services to the citizens of New Bern in order that we may enhance the quality of life within our community.

I challenge each of you to continue giving your best effort and working together as a team to make sure that we provide both quality and equitable service to all of our citizens.

I want to encourage each of you to familiarize yourself with the contents of this handbook. Should you have questions, I'm sure that your supervisor, department head or Human Resources will be most happy to assist you. I am looking forward to our continued working relationship in our effort to serve our community.

Sincerely,

A handwritten signature in black ink that reads "Mike Epperson".

Mike Epperson  
City Manager

Striving for Excellence

## **AN OPEN LETTER FROM THE HUMAN RESOURCES DIRECTOR**

Dear Fellow Employee:

We are pleased to present this revised edition of the Employee Handbook to you. It is our desire that the information contained in this handbook will help you to better understand your responsibility as an employee, your benefits and various other employee services.

I encourage you to read this handbook from cover to cover. Should you have questions regarding information contained in this handbook, please discuss your questions and concerns with your supervisor and/or department head. If you are unable to get a satisfactory answer after you have used this procedure, please feel free to make an appointment with the Human Resources Department and we will be happy to help you in any way that we can.

Please note that these personnel policies and procedures are not a binding contract but, merely a set of guidelines for the implementation and administering of personnel policies. The City of New Bern explicitly reserves the right to modify any of the provisions of these policies at any time without any notice to employees.

Sincerely,

Sonya H. Hayes  
Human Resources Director

**THE CITY**  
**OF**  
**NEW BERN**

**EMPLOYEE HANDBOOK**  
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## **HISTORY AND FACTS**

### **◀ ABOUT THE CITY OF NEW BERN ▶**

The City of New Bern was founded in 1710 by German and Swiss colonists and is the second oldest city in the State of North Carolina.

The City is situated at the confluence of the Neuse and Trent Rivers, thirty-eight miles from the Atlantic Ocean. New Bern boasts of many beautiful old churches, houses and buildings which have been restored including Tryon Palace which was once the Capitol and Governor's residence for the Royal Colony of North Carolina as well as the state's first capitol (1770 - 1794).

The City today covers approximately 27.1 square miles and has a population of approximately 25,700 citizens. As the county seat of Craven County, New Bern mixes the historic past with the professionals of the 21st century, creating a delightfully pleasant community in which to work, live and play.

The City takes pride in boasting an efficient work force of approximately 480 regular, full-time employees of which you are now a part.



## ◀ A DESCRIPTION OF CITY GOVERNMENT ▶

The City of New Bern has a Council-Manager form of government.

The Board of Aldermen meet on the second and fourth Tuesday evenings of each month at 7:00 p.m. in the Board Room on the second floor of the Municipal Building (City Hall). At these meetings, the Board of Aldermen determines the policies governing the operation of the City's affairs as well as the laws and ordinances of the community. The general public is invited to attend and participate in Board of Aldermen meetings.

There are six (6) Aldermen who are elected by the "Ward System" and serve four (4) year terms. The Mayor is elected "at-large" and like the Aldermen, serves a four (4) year term. The six (6) members of the Board of Aldermen along with the Mayor make up the Board of Aldermen.

As the elected head of the City, the Mayor presides at the Board of Aldermen meetings, and represents the City at important functions, both locally and in working with State and Federal organizations.

To administer the approved policies of the City, the Board of Aldermen appoints a City Manager, who is a professional and is trained and experienced in the operations of City government. The City Manager serves at the pleasure of the Board of Aldermen. Through this arrangement the Board has made a clear distinction between administration and policy-making.

City government is organized into departments that provide assistance to the City Manager and services to the general public.

Government units of the City of New Bern are shown on the following page.

SEE FILE ON DISK FOR UPDATED  
ORGANIZATIONAL CHART:

OrgChart-NB Web 6-11

## DEFINITIONS

You will find definitions below to many of the terms used throughout this handbook. It is suggested that you familiarize yourself with these terms before reading the contents of your handbook.

- Adjustment Period:** The period of time which an employee, who has been promoted, demoted or reclassified, might serve in order that his/her performance in the new position may be properly evaluated.
- Administrative Policy:** A policy, rule or regulation which is issued under the direct authority vested in the City Manager and which covers various areas of administration. Administrative policy is normally broad in its coverage and as a rule extends across departmental lines.
- Completed Month:** Any month in which an employee works at least one-half of the work days.
- Completed Year:** A period of twelve (12) calendar months in which the employee is in an "active" pay status or is receiving workers' compensation payments while on leave without pay.
- Demotion:** A move or change from one classification to another classification which is assigned a lower salary grade, normally with a decrease in the degree of duties and responsibilities. Demotions may be either voluntary or involuntary.
- Departmental Policy:** Policy, rules or regulations which are issued on a departmental basis and are normally limited in coverage to a particular section, division or department.
- Disciplinary Action:** Any action that impacts adversely upon an employee and that is taken in response to the conduct of that employee. Disciplinary actions may range in seriousness up to and including dismissal.
- Employee:** A person who performs personal services for the City in return for some form of compensation and who is treated as an employee for purposes of withholding social security or tax payments in accordance with Federal or State regulations.
- Exempt Employees:** Employees who, by virtue of their position and/or job duties are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA).

- Full-time Employment:** Employment whether "regular" or temporary in which an employee works the number of hours per week designated by the Board of Aldermen as "full-time." For purposes of this handbook, full-time employment shall consist of an average work week of at least forty (40) hours (42 for sworn police personnel and 106 for fire personnel).
- Grievance:** A claim or complaint based upon an event or condition which affects the circumstances under which an employee works, allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions. A grievance might involve alleged safety or health hazards, harassment as defined by the Sexual and Other Unlawful Harassment Policy, unfair or discriminatory supervisory practices, unjust treatment by fellow workers, unreasonable work quotas, or any other grievance relating to conditions of employment. However, a particular disciplinary action shall not be regarded as the basis for a grievance.
- Immediate Family:** Spouse, parent, children, brother, sister, grandparent, grandchild, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandmother-in-law, grandfather-in-law, step mother, stepfather, step grandmother, step grandfather, or stepchild of the employee.
- Non-Exempt Employees:** Employees who, by virtue of their position and/or job duties are subject to the overtime provisions of the Fair Labor Standards Act (FLSA).
- Officials:** The Mayor, members of the Board of Aldermen and the members of all other boards or commissions appointed by the Board of Aldermen.
- Part-time Employment:** Employment, whether regular or temporary, in which an employee works less than the hours per week designated by the Board of Aldermen as full-time. For purposes of this handbook, part-time employment shall consist of an average work week of less than forty (40) hours per week.
- Pay Plan:** The official document of the City which assigns pay grades and salary ranges to the appropriate class titles.
- Position Classification Plan:** The official document of the City which reflects the orderly grouping of positions according to the kind of work, level of difficulty and responsibility, and the skills, knowledge and abilities required.
- Probation:** The status or period which a new employee initially serves in order

that his/her initial performance with the City may be evaluated.

**Promotion:**

A change or move from one classification to another classification that is assigned to a higher salary grade with an increase in duties and responsibilities.

**Reassignment:**

The move or change of an employee from one classification to either the same or a similar classification within the same grade, to be continued in the same department which the employee was in at the time of the change.

**Reclassification:**

The upward, downward or any movement of a position from one classification to another classification due to a substantial change in the position's duties, responsibilities, skills, knowledge or other job content.

**Regular Employee:**

An employee appointed to serve in a position for an indefinite duration.

**Review Period:**

The period of time during which an employee's performance, which is in great need of improvement, is closely reviewed in order to determine if the employee will receive a salary increase or if he/she will be demoted, transferred or separated.

**Seasonal Employee:**

A person employed by the City for a special or seasonal work assignment.

**Service Provider:**

A person who performs personal services for the City of New Bern for compensation under a service agreement, but with respect to whom the City does not withhold any portion of the compensation pay for social security or income tax payments.

**Temporary Employee:**

An employee who has been appointed to serve in a position for a definite term or to fill a position that will cease to exist at the end of a definite term or upon the happening of a predictable circumstance or event.

**Transfer:**

A lateral move or change, within the overall organization from one position classification to another classification in the same salary grade. Transfers may be either voluntary or involuntary.

## ◀ EQUAL EMPLOYMENT OPPORTUNITY ▶

It is the continuing policy of the City of New Bern to afford, foster, maintain and promote equal employment opportunity to qualified individuals regardless of age, sex, race, color, religion, national origin, political affiliation, sexual orientation or disability (as defined by the Americans with Disabilities Act) and to conform to all applicable laws and regulations.

This policy of equal employment opportunity covers all aspects of the employment relationship, including hiring, promotion, transfer, selection for training, wage and salary administration, and the application of the City's benefit program.

Persons with disabilities will be given equal consideration as other persons in all matters involving employment to the extent that their disability does not present unreasonable barriers to satisfactory performance of duties.

All personnel responsible for recruitment, selection and employment are responsible for seeing that the City's commitment to equal employment is carried out.

The City of New Bern and specifically, the Human Resources Director and City Manager, are responsible for taking affirmative steps to insure that applicants are employed, and that employees are treated during employment without regard to age, sex, race, color, religion, national origin, political affiliation, sexual orientation or disability (as defined by the American with Disabilities Act).

Individuals who believe they have been discriminated against should inform the Human Resources Director directly and immediately.

## CITY OF NEW BERN STATEMENT OF POLICY

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### EQUAL EMPLOYMENT OPPORTUNITY

The City of New Bern would like to reinforce its commitment to the principles of Equal Employment Opportunity. Every department head and supervisor is charged with ensuring that all personnel policies and practices are implemented in a fair and equitable manner to ensure equal opportunities for all employees. This commitment extends to all areas of employment including the following:

- **Recruitment**
- **Rate of Pay**
- **Disciplinary Measures**
- **Demotions, Lay-offs and Terminations**
- **Testing and Training**
- **Selection and Placement**
- **Promotion**
- **Transfer**
- **Daily Working Conditions**
- **Benefits**

Therefore, it is the official policy of the City of New Bern to adhere strictly to the merit principle in all personnel transactions and to foster, maintain, and promote equal employment opportunity. The City will select applicants for employment strictly on the basis of their qualifications for the job and treat all employees with respect to compensation, training and promotion opportunities without regard to age, sex, race, color, religion, national origin, political affiliation, sexual orientation, or disability (as defined by the Americans with Disabilities Act). All applicants and/or employees with disabilities will be given equal consideration as other persons in all matters involving employment to the extent that their physical disabilities do not present unreasonable barriers to satisfactory performance of duties.

For additional information concerning the Equal Employment Opportunity Policy of the City of New Bern, you are encouraged to contact:

**Sonya Hayes**  
**Human Resources Director**  
**City of New Bern**  
**248 Craven Street**  
**Post Office Box 1129**  
**New Bern, NC 28563 - 1129**  
**(252) 639-7570**

## ◀ SEXUAL AND OTHER UNLAWFUL HARASSMENT ▶

Sexual harassment is deliberate or repeated unsolicited verbal comments, gestures or physical contact of a sexual nature which are unwelcome.

Sexual harassment is a form of employee misconduct which undermines the integrity of the employment relationship and will not be tolerated. All employees must be allowed to work in an environment free from unsolicited and unwelcome sexual overtures. Sexual harassment reduces morale and interferes with productivity of its victims and other co-workers.

Examples of sexual harassment, or conduct approaching sexual harassment, may include explicit sexual propositions, sexual innuendo, suggestive comments or gestures, sexually oriented jokes, kidding, or teasing, sexually oriented cartoons, photographs, graffiti, or other printed or visual material, and physical contact such as kissing, hugging, patting, pinching, or brushing against another person's body. Additional conduct that has been determined to constitute sexual harassment when the conduct creates a hostile or offensive work environment includes crude or vulgar language or remarks, discussion of sexual activities or sexual body parts, staring or ogling, and stalking conduct. Occasional compliments of a socially acceptable nature do not constitute sexual harassment.

A supervisor who uses implicit or explicit coercive sexual behavior to control, influence or affect the career, salary or job of an employee is engaging in sexual harassment. Similarly, an employee of this organization who behaves in this manner in the process of conducting organizational business is engaging in sexual harassment.

Finally, any employee who participates in deliberate or repeated unsolicited verbal comments, gestures or physical contact of a sexual nature which are unwelcome and/or interfere with work productivity is also engaging in sexual harassment.

Other unlawful harassment may consist of verbal or physical conduct that ridicules or shows hostility or aversion toward an individual because of his or her age, race, color, religion, sex (including pregnancy, childbirth, or related medical conditions), national origin, disability, or other legally protected status, or that of his or her relatives, friends, or associates, and that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of interfering unreasonably with an individual's work; or otherwise adversely affects an individual's employment opportunities.

It is the policy of the city that sexual and other unlawful harassment is unacceptable conduct in the workplace and employees found responsible for the conduct of such behavior will be disciplined accordingly.

Employees who feel that they have encountered sexual or other unlawful harassment have the responsibility to bring the matter to the attention of their immediate supervisor or Division Head so that a prompt investigation may be begun into the circumstance of the incident and the alleged conduct. If the employee does not feel comfortable reporting suspected sexual or other unlawful



harassment to his/her immediate supervisor or Division Head, he/she should contact the Department Head or Human Resources Director.

The City will not in any way retaliate against an individual who reports sexual or other unlawful harassment in good faith or who assists in an investigation. Retaliation is a serious violation of this policy and should be reported immediately to the Department Head or Human Resources Director. Any employee found to have retaliated against another employee in violation of this policy will be subject to disciplinary action, up to and including termination of employment.

## ● PRE-EMPLOYMENT SCREENING & TESTING ●

All persons recommended for employment with the City of New Bern will be required to undergo and pass a pre-employment physical and drug screening test before being hired. A "conditional" job offer will be made subject to confirmation of the pre-employment physical and drug screens. Failure to submit to a pre-employment physical and drug screen will exclude an applicant from being hired. A candidate for employment receiving a confirmed positive test result will not be considered for employment with the City for a period of one (1) year from the date of notice of the test results. Employment decisions based on drug screening test results are irrevocable and appeals will not be considered.

Any employee of the City may be required to undergo alcohol, or drug testing procedures if his conduct on the job or job performance suggests the influence of drugs or alcohol.

Employees in designated safety-sensitive positions will be subject to random, unannounced drug and alcohol screening. The Human Resources Director will maintain a list of jobs approved for random testing. The rate of random selection for drug and alcohol screening will be a percentage of the annual average employee base.

Current employees must pass a drug and alcohol screening prior to being promoted, demoted, or transferred from a non safety-sensitive position into a designated safety-sensitive position that requires testing.

Refusal to submit to substance abuse testing, when properly authorized and directed by supervisory personnel upon the establishment of reasonable suspicion, shall be grounds for disciplinary action up to and including dismissal.

**(Refer to Substance Abuse Policy for Additional Information)**

## ◀ EMPLOYER/EMPLOYEE RESPONSIBILITIES ▶

### Employer's Responsibilities:

As an employee, you may expect from the City of New Bern

- ▶ Fair treatment at all times.
- ▶ Adequate pay and benefits equal to comparable positions in business, industry and nearby governments of similar size.
- ▶ Clean, healthy, safe and comfortable working conditions.
- ▶ Modern equipment and materials.
- ▶ Informed supervision.
- ▶ Opportunity for advancement.

### Employee's Responsibilities:

As your employer, the City of New Bern expects you to be:

- ▶ Fair and courteous in dealing with the public and working with your fellow employees.
- ▶ Industrious.
- ▶ Neat in your work and personal appearance.
- ▶ Prompt; when you are late, your work falls behind and you will probably delay someone else.
- ▶ Economical in the use of supplies and equipment.
- ▶ Cooperative with the public and with your fellow employees in getting the job done well.
- ▶ Observant of all policies and procedures.

## ◀ POSITION CLASSIFICATION PLAN ▶

In order to operate effectively and efficiently, the City has established a Position Classification Plan. In this plan, positions which are similar are grouped into "classes" based on their similarity of duties and responsibilities.

A description of your position giving its class title, definition, examples of work performed, required knowledge, skills and abilities; and desirable experience and training is in a copy of the Position Classification manual on file in the Human Resources Department. Also each department head has a copy on file in his/her department.

In order that you may have a better understanding of the requirements and responsibilities of your position, you will be provided, upon your request, a copy of your position classification. Position classifications are **general** and may not include all of the specific duties listed or all of the duties which may be performed.

Classes of positions shall be added to and deleted from the Classification Plan upon recommendation of the City Manager and the approval of the Board of Aldermen. Upon amendment to the Classification Plan, the Human Resources Director shall make written amendment to the Classification Plan and notify all department heads and other personnel affected by the amendment.

## ◀ PAY PLAN ▶

The Pay Plan is a complementary document to the Classification Plan and is intended to provide competitive and equitable compensation for all positions when considered in relation to each other, to general rates of pay for similar employment in the private and public sections in the area, to changes in the cost of living, and to financial conditions of the City.

The Pay Plan includes a basic pay schedule, as adopted by the Board of Aldermen, and a schedule of pay ranges consisting of minimum and maximum rates of pay and intermediate steps for all classes of positions included in the Classification Plan.

## ◀ PROBATIONARY PERIOD ▶

If you are hired in a "regular" or "temporary" position, full-time, your first six (6) months of employment are considered a probationary period, with the exception of fire and sworn law enforcement personnel who will serve a twelve (12) month probationary period. During this time, you must prove your ability to perform your work, to accept additional duties, to develop a desirable attitude toward your job and to work well with the public and your fellow employees. If you complete your probationary period satisfactorily, you will be placed in a "regular" status. Regular status means that you, as an employee, are entitled to benefits to which you were not entitled to while on probation. An employee may be dismissed at anytime during the probationary period with or without cause.

Employees on probation are allowed to accumulate but **not** take annual leave for the first six (6) months unless denial of such leave, as determined by the Human Resources Director will create an unusual hardship. In addition, persons serving a probationary period are **not** entitled to utilize the disciplinary appeal procedures.

Should your work need improvement at the end of your probationary period, your department head may recommend to the City Manager that your probationary period be extended by up to 50% of the initial period based upon your anticipated improvement.

If you are not recommended for "regular" employment status after your probationary period is completed (as a result of your inability to perform the assignments of your job) you may be transferred, demoted or terminated.

An employee is generally expected to have completed his/her probationary period in his/her current position **before** being considered for promotion or transfer.

**NOTE: PROBATION, ADJUSTMENT AND REVIEW PERIODS ARE DIFFERENT AND INDEPENDENT OF EACH OTHER AND ARE NOT INTERCHANGEABLE.**

### ◀ ADJUSTMENT PERIOD ▶

Employees who are promoted, demoted or transferred are required to serve a six (6) month adjustment period in order that their performance and attitude in the new position may be evaluated.

Employees required to serve adjustment periods after being demoted or transferred are not eligible for salary increases at the end of the adjustment period.

An employee is generally expected to have completed his/her adjustment period in his/her current position **before** being considered for promotion or transfer.

### ◀ MERIT INCREASES ▶

The City has a plan providing for increased salaries based on demonstrated performance of employees. This plan is more commonly known as the "merit" increase. This merit increase is not an automatic increase, rather it is based upon the performance of the employee which is above and beyond what would be normally expected of the employee.

At least once annually each employee's performance is reviewed and based upon the computerized scoring of the employee's evaluation and the written recommendation of the department head that an additional one-step increase may be awarded.

### ◀ PAY PERIODS AND DIRECT DEPOSITS ▶

Bi-weekly pay periods are provided for City employees.

Pay day is scheduled on the Friday following the end of the respective pay period for all hours worked during the preceding pay period. This pay period ends the Saturday preceding pay day. The calendar year contains 26 bi-weekly pay periods.

Should a regular pay day fall on a scheduled holiday, payroll shall be direct deposited on the last work day before the holiday. For your convenience, direct deposit shall be made to the depository(s) named on your authorization form.

At least once annually, employees will receive their paystub directly from the Finance Director or his/her designee. This procedure is necessary in order to ensure the accuracy of certain information and for audit purposes. During such audit procedures we ask that you be both patient and cooperative.

## ◀ PAYROLL DEDUCTIONS ▶

There are several standard deductions that are authorized by law or ordinance withdrawn from your pay:

- ▶ **FICA (Social Security)**
- ▶ **Federal Income Tax**
- ▶ **State Income Tax**
- ▶ **Pre-noticed Garnishments**
- ▶ **Retirement Contributions**
- ▶ **Medicare Taxes**

There are other deductions which you may request and which only you can authorize:

- ▶ **Medical and Dental Insurance**
- ▶ **Life Insurance**
- ▶ **401(k)**
- ▶ **457(k)**
- ▶ **Credit Union**
- ▶ **United Way**
- ▶ **Short Term Disability**
- ▶ **Supplemental Insurances**

Any suggestions for considering other deductions should be forwarded to the Human Resources Director.

## IMPROPER PAY ◀ DEDUCTIONS FOR EXEMPT EMPLOYEES ▶

The City of New Bern compensates employees in compliance with all applicable state and federal laws, specifically including the Fair Labor Standards Act (FLSA). The City prohibits improper deductions from the pay of exempt employees, and considers improper deductions as serious violations of City policy. Pursuant to the FLSA, the City provides a complaint process whereby exempt employees who think that their pay has been docked improperly can complain. If an employee notifies the City that he or she believes that an improper deduction has occurred, the City is committed to the prompt resolution of the complaint.

- a. Subject to the exceptions listed below, an exempt employee must receive the full salary for any week in which the employee performs any work, regardless of the number of days or hours worked. Deductions from pay are permissible when an exempt employee is:

- (1) absent from work for one or more full days for personal reasons other than sickness or disability;
- (2) absent for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness;
- (3) in receipt of amounts as jury or witness fees, or for military pay;
- (4) on an unpaid disciplinary suspension for one or more full days, imposed in good faith for workplace conduct rule infractions (see Company Policy on penalties for workplace conduct rule infractions);
- (5) in the initial or terminal week of employment;
- (6) imposed penalties, in good faith, for infractions of safety rules of major significance; or
- (7) on unpaid leave under the Family and Medical Leave Act (FMLA). In these circumstances, either partial day or full day deductions may be made.

Deductions from pay are not permissible for:

- (1) variations in the quantity or quality of the employee's work; or
  - (2) absences due to the operating requirements of the business; If the employee is ready, willing, and able to work, deductions may not be made for time when work is not available.
- b. If an employee believes that an improper deduction has been made from his/her salary, he or she should notify his/her Department Head or the Human Resources Director within 24 hours of the time he or she becomes aware of the deduction. The Department Head or Human Resources Director will suspend such deductions, investigate the complaint promptly, review the investigation results with the City Manager and City Attorney, and make a good faith determination as to whether the deduction was improper by no later than 5 work days or the next pay date, whichever occurs later. In the case of an improper deduction, the City will cease making the improper deduction and employees will be reimbursed for any improper deduction.
- c. In the case of reimbursement for improper deduction, the City makes a good faith commitment to comply with the law in the future. A good faith effort will include providing notice to all Department Heads who supervise exempt employees. That notice will describe the improper deduction and its resolution and describe the potential impact for City loss by any future, and particularly repeated, improper deduction.

### **◀ OVERTIME COMPENSATION ▶**

Overtime work is that work performed by an employee which exceeds the number of hours for an established pay period for your position. Your established pay period hours may be found in the Pay Plan.

Non-exempt employees who are required to work overtime are compensated at the rate of one and one half (1 1/2) times their regular hourly rate. Employees who refuse to work regular overtime when requested to do so are subject to disciplinary action.

Exempt employees are not eligible for overtime compensation.

Sick leave, annual leave, civil leave, funeral leave and holiday pay will not be included as time worked in the computation of overtime.

### ◀ STANDBY/CALLBACK PAY ▶

Standby is that time for which you may be restricted to the City's premises or to a specific telephone or contact point for the purposes of call back. Non-exempt employees on standby earn standby pay at the rate of one (1) hour per workday for Monday through Friday and one and one half (1 1/2) hours per weekend day of Saturday or Sunday at the employee's regular rate of pay. If you are assigned to standby duty and are not available or cannot be reached when called for duty, you will forfeit three (3) hours of standby pay for each separate day that you are not available. In addition, you are subject to disciplinary action for failure to maintain your standby status.

Employees called back to work while on standby will receive pay for such callbacks at the rate of one and one half (1 1/2) times their hourly rate with a minimum payment of one (1) hour. Callback is defined as time which begins with the employee's call out and ends with arrival at home.

If you are called back to work while you are **not** on standby you will receive payment at the rate of one and one half (1 1/2) times your hourly rate for all hours work with a minimum of two (2) hours.

### ◀ EDUCATION AND TRAINING ▶

The City of New Bern is interested in your efforts to further your education and training. Financial Assistance is available under the Educational Assistance Program to qualified **regular, full-time, non-probationary** employees who are engaged in educational activities which are directly supportive of their present position or which will prepare them for logical progression within the same general area of employment with the City of New Bern.

**The guidelines below should be carefully followed in order to be eligible for this benefit:**

- Employees must make written application for assistance on the appropriate form furnished by the Human Resources Department **and** receive written approval **prior** to beginning a course.
- Reimbursement will be made only for course work completed at an accredited institution of higher learning.
- Reimbursement is always subject to the availability of funds with a maximum assistance of one thousand (\$1,000) dollars per **fiscal** year.
- Eligible reimbursable costs include tuition, books, registration fees, laboratory fees and other such eligible fees required by the school. All other items, such as special activity fees are not reimbursable.
- Upon course completion, you must present a successful course completion certificate or official transcript with a grade of "C" or better, along with the official receipts for eligible expenses from the institution.
- Employees who fail to satisfactorily complete a course or who terminate their employment with the City before the course is completed, will not be eligible for reimbursement.

Tuition Approval Forms may be obtained through your supervisor or the Human Resources Department.

Career counseling is also available through the Human Resources Department. Career development is discussed along with steps an employee can take to increase promotional opportunities. Please call for an appointment if you are interested in more information regarding career development.

The City, in addition to providing educational programs for its employees, provides additional specialized training whenever feasible or available subject to budget constraints for its employees. Employees may request attendance of special courses which might better prepare them for careers with the City by obtaining approval from their supervisor and department head.

**(Refer to the Educational Assistance Program Policy for complete guidelines.)**

## ◀ MEDICAL AND DENTAL INSURANCE ▶

As a regular, full-time employee, you receive medical and dental insurance at no cost to you, as the fiscal budget allows. The City pays the entire cost of your full coverage. However, you may choose to provide either parent/child or family coverage at your own expense. Regular, part-time employees may also have medical and dental insurance if they wish by paying the entire cost of the premium for the coverage.



New employees are enrolled in the City's insurance program on the first (1<sup>st</sup>) day of the month on/or following the 60<sup>th</sup> work day. The insurance program includes both basic and supplemental benefits including in-patient and out-patient hospital care, surgical and medical care.

- A. Employees who have worked for thirty (30) years or more and fifteen (15) of those years with the City may retire under the Classification of "maximum retiree." If an employee exercises this option, the City will permit the employee to remain with the City's group health program indefinitely and will pay the individual's premium for such retiree's insurance coverage.

The retiree may remain with the City's group health program until he/she reaches age 65, or is enrolled in Medicare (Part A and B). The city will purchase a Medicare Supplement policy for the retiree at no cost to the individual. The retiree must notify the Human Resources Department when they become eligible for Medicare coverage. Retirees will retain their dental coverage. A separate ID card will be issued for dental coverage only.

Dependent(s) are eligible to remain on the city health plan until they reach age 65, or are eligible for Medicare providing the individual pays the premium for such coverage. Dependents may retain their dental coverage providing the individual pays the premium for such coverage.

- B. Employees with 27 years of service with the city and prior military service may use up to three (3) years of such military service as credit with the city to qualify for eligibility for the City's group health program for retirees. Employees with at least thirty (30) years of creditable service may retire under the Classification of "maximum retiree"
- C. Those employees retiring with twenty-five (25) to twenty-nine (29) years of qualified service, and ten (10) of those years with the City, may elect to continue coverage for an indefinite period with the City's group health program providing the individual pays the premium for such coverage.

The retiree may remain with the City's group health program until he/she reaches age 65, or is enrolled in Medicare (Part A and B). Dependent(s) are eligible to remain on the city health plan until they reach age 65, or are eligible for Medicare providing the individual pays the premium for such coverage.

- D. Employees retiring with 20 years of qualified service with the City of New Bern may elect to continue coverage under the City's group health program for up to 36 months or until he/she reaches age 65, or is enrolled in Medicare (Part A and B) providing the individual pays the cost for such retiree coverage.

Dependant(s) are eligible to remain on the city health plan for up to 36 months or until he/she reaches age 65, or is enrolled in Medicare (Part A and B) providing the individual pays the cost for such retiree coverage.

Under federal law (COBRA Guidelines) employees separated from employment are eligible to continue coverage at cobra rates following certain events where coverage under the plan would otherwise end.

If you choose continuation coverage, you have sixty (60) days in which to notify the Human Resources Department of your decision.

A booklet explaining your hospitalization and surgical benefits is available through the Human Resources Department.

## **LIFE/ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE**

Automatic coverage under the City's Group Life Insurance Program is given to all regular, full-time employees. The City pays the entire cost for your life insurance coverage and your dependent's life insurance coverage as follows:

1. Life insurance for all full-time employees, which is 1 ½ times your annual earnings rounded to the next higher \$1,000 to a maximum of \$200,000.
2. Supplemental Life insurance and Supplemental Accidental Death and Dismemberment which is 1 ½ times your annual earning rounded to the next \$1,000, to a maximum of \$75,000.
3. Accidental Death and Dismemberment, which is 1 ½ times your annual earnings rounded to the next higher \$1,000 to a maximum of \$200,000.
4. \$2,000 Life Insurance on each of your dependents.

This policy covers you both on and off the job.

If you become totally disabled before age sixty (60), your life insurance may remain in force without payment of premiums. However, you would be subject to the usual deductions and terminations of the policy. Initial proof of the total disability must be submitted within ninety (90) days of the disability. Life insurance benefits reduce by thirty-five (35%) at ages 65, 70, 75, 80 and 85 with a minimum benefit of \$1,000. All benefits terminate upon retirement or cessation of full time employment.

As a result of accidental bodily injury, and within ninety (90) days of the injury:

★ <b>Your Life.</b> .....	<b>Full Amount</b>
★ <b>Both Hands or Both Feet.</b> .....	<b>Full Amount</b>
★ <b>Sight of Both Eyes.</b> .....	<b>Full Amount</b>
★ <b>One Hand and One Foot.</b> .....	<b>Full Amount</b>
★ <b>One Hand and Sight of One Eye.</b> .....	<b>Full Amount</b>
★ <b>One Foot and Sight of One Eye.</b> .....	<b>Full Amount</b>
★ <b>One Hand or One Foot.</b> .....	<b>One Half (1/2) the Full Amount</b>
★ <b>Sight of One Eye.</b> .....	<b>One Half (1/2) the Full Amount</b>

For more information your life/accidental death and dismemberment plan, consult your group insurance plan booklet or contact the Human Resources Department.

**REMEMBER:** IT IS IMPORTANT TO NOTIFY THE HUMAN RESOURCES DEPARTMENT WHEN YOU WISH TO MAKE A CHANGE IN YOUR BENEFICIARY(IES).

## ◀ WORKER'S COMPENSATION ▶

City employees are protected by the North Carolina Workers' Compensation Act in the event of a job-related injury or illness. Payment will be made for medical expenses and for time lost from work in accordance with provisions and schedules of the Act. Employees, in order to preserve their rights under the law, must complete the following steps upon incurring a covered injury:

- Report the injury, accident or illness and receive medical treatment as provided for by the City's procedures; and
- Complete the necessary Workers' Compensation Injury report and file it as provided for by the City procedures; and
- Should the employee be out of work due to the injury or illness, the employee should select, in writing, Option A or Option B and, if necessary, Option 1, 2 or 3;

For the first seven (7) days of absence from work due to the injury or illness, employees shall select one of the following options:

- A.** Employees may use accumulated sick leave then annual leave. Employees selecting this option will be required to exhaust all accumulated sick leave before using annual leave.
- B.** Employee may go on leave without pay status. Should the employee, selecting this option, be out of work for more than twenty-one (21) calendar days for the injury or illness, then the employee will receive a weekly benefit payment for the first seven (7) days of work missed as due under the Act.

One of the above listed options must be selected, in writing, within three (3) calendar days from the date of the injury or illness. Once an option has been selected, it cannot be changed during the covered period. Failure to select an option will result in Option A being invoked by the City. The City will not allow employees to either “buy back” sick or annual leave credits once they have been used under one of the options, nor will the City advance sick or annual leave credits to any employee.

Beginning on calendar day eight (8) following the illness or injury, employees who have not returned to work shall select one of the following options:

**OPTION 1-** Employees may go immediately on a leave without pay status and receive all benefits due under the Workers' Compensation Act. Under this option, the employee reserves all accumulated sick and annual leave for personal use. Employees selecting this option will **not** receive a city payroll check during covered period of disability. Employees will be eligible to receive weekly benefits (2/3 of weekly salary to a maximum rate specified by law) beginning on the eighth (8th) calendar day of disability. Should the employee be out of work for more than twenty-one (21) calendar days for the injury, the employee will then receive a weekly benefit payment for the first seven (7) days of work missed, retroactive provided that the employee did not use sick or annual leave during this seven (7) day period. Under this option, employees are also eligible to receive all medical benefits (payment of related medical expenses) during the injury period.

#### **EXAMPLE**

A person is injured at 8:35 a.m. on March 16th. The employee has been taken to New Bern Family Practice where the doctor attends to the injury and gives the employee a doctor's note to return to the medical provider on March 30th and **not** to return to work. The employee goes home to recover from the injury. On March 30th the employee returns to the medical provider and is again given a doctor's note to return to the medical provider on April 13th, and continue recovery at home and **not** to return to work. April 13th, the employee returns to the medical provider and is released to return to work.

The employee is paid for the full day of March 16th even though this person did not work the entire day. The employee has selected Option One (1) and **will not** receive a city pay check or workers' compensation for the lost work days of March 17th through March 23rd. Beginning March 24th the recovering employee is entitled to receive benefits under the Workers' Compensation Act. The employee's time sheet is filled out with "*Workers' Compensation - Leave Without Pay*" annotated in the time blocks.

After the injured employee's case file has been processed, workers' compensation payments are then paid. Since this employee was out of work for **more than** 21 calendar days, a benefit payment for the first seven (7) days of work missed will be paid. Had this person been out 21 days or less, no compensation would be given for the first seven (7) days of work missed.

**OPTION 2 -** Under this option, employees will use accumulated sick leave during the injury period and will receive a payroll check (for the sick leave) from the city. After the exhaustion of sick leave employees may go on leave without pay. Under this option, employees are also eligible to receive all medical benefits (payment of related medical expenses) during the injury period, but will not be eligible to receive workers' compensation payments while on sick leave. Should the employee exhaust his/her sick leave before he/she is able to return to work, then he/she will be eligible to go on leave without pay and receive workers' compensation payments, as provided by law.

### EXAMPLE

A person is injured at 8:35 a.m. on March 16th. The employee has been taken to New Bern Family Practice where the doctor attends to the injury and gives the employee a doctor's note to return to the medical provider on March 30th and **not** to return to work. The employee goes home to recover from the injury. On March 30th the employee returns to the medical provider and is again given a doctor's note to return to the medical provider on April 13th, and continue recovery at home and **not** to return to work. April 13<sup>th</sup>, the employee returns to the medical provider and is released to return to work.

The employee is paid for the full day of March 16th even though this person did not work the entire day. The employee's time sheet is filled out with "*Workers' Compensation - Sick Leave Full Pay*" annotated in the time blocks. The employee has selected Option 2 and will receive a city pay check for the lost work days of March 17th through April 13<sup>th</sup>. If the employee exhaust sick leave before being able to return to work, he/she would be eligible to receive workers' compensation benefits, as provided by law.

**OPTION 3-** Under this option, the employee with an injury or illness shall use sick leave, then annual leave, and will receive a payroll check (for the sick leave and annual leave) from the city until the employee exhausts his/her leave or returns to work. The employee will be eligible to receive medical benefits (payment for related Medical expenses) during the injury period but will not be eligible to receive workers' compensation payments while there is a leave balance remaining. Should the employee exhaust his/her sick and annual leave before he/she is able to return to work, then he/she will be eligible to go on leave without pay and receive workers' compensation payments, as provided by law.

### EXAMPLE

The employee is paid for the full day of March 16th even though this person did not work the entire day. The employee's time sheet is filled out with "*Workers' Compensation - Sick Leave, Annual Leave Full Pay*" annotated in the time blocks. The employee has selected Option 3 and will receive a city pay check for the lost work days of March 17<sup>th</sup> through April 13<sup>th</sup>. Should the employee exhaust his/her sick and annual leave before he/she is able to return to work, then he/she will be eligible to go on leave without pay and receive workers' compensation payments, as provided by law.

One of the above listed options must be selected, in writing, within three (3) calendar days from the date of injury, and once an option has been selected, it **cannot** be changed during the covered period. Failure to select an option will result in Option #1 being invoked by the City. The City will not allow employees to "buy back" sick or annual leave credits once they have used under one of the options, nor will the City advance sick or annual leave credits.

Any period of leave for Workers' Compensation disability that qualifies as a "serious health condition" under the Family and Medical Leave Act (FMLA), will run concurrently with FMLA leave.

## ◀ SOCIAL SECURITY ▶

All employees of the City are covered by Social Security. Social Security tax is **automatically** deducted from your pay each pay period.

Under Social Security, all employees are eligible to retire at age 65 sixty-five with full benefits. Employees with a total disability at any age may retire and receive full benefits upon approval by the Social Security Medical Review Board.

Benefits are based upon your average income over a period prior to retirement and the number of dependents you have.

Since mistakes can be corrected only within a certain period, it is wise to check the amounts credited to your Social Security account when you receive your annual Personal Earnings and Benefits Estimate Statement from the Social Security Administration. To check on your account you may also, complete Federal Form OAR-7004, which you may obtain from any Social Security office.

## ◀ UNEMPLOYMENT INSURANCE ▶

Unemployment insurance is a Federally mandated, State operated and City supported insurance program which is provided for your protection against severe financial hardships which may result from involuntary unemployment. You as an employee do not pay any special taxes or fees for unemployment insurance protection. In order for you to see if you are eligible for unemployment insurance benefits, you should contact the nearest Employment Security Commission office.

## ◀ RETIREMENT ▶

Each new regular employee who begins employment with the City before age sixty-two (62), and averages at least one thousand (1,000) hours of work each year, must become a member of the Retirement System.

The provisions of each of these two (2) plans are designed to be basically similar. For additional information which may not be provided below, contact the Human Resources Department for a plan booklet.

Your contribution to the Retirement System, which is automatically deducted from your paycheck, is 6% of your compensation. You contribute to the Retirement system until you retire, regardless of age. The contributions are based on actual calculations so that your benefits can be provided on a sound basis. Your retirement contributions are tax sheltered by a special agreement the City has with the Retirement

System. Basically, you pay taxes later (normally at a lower rate) on your contributions rather than "up-front".

Your Social Security Contributions and benefits are separate from your Retirement System contributions.

The following summary of the Local Governmental Employees' Retirement System benefits, service and/or age requirements is provided for your information. For information on the North Carolina Law Enforcement Officers' Benefit and Retirement Fund, individuals should contact the Human Resources Department.

- ▶ **Vested Right** - After five (5) years of creditable service and when you reach retirement age, you have qualified for monthly retirement benefits.
- ▶ **Disability Retirement** - After five (5) years of creditable service, should you become totally and permanently disabled for your job, as approved by the Medical Review Board, you become eligible for disability retirement benefits. If you are a fireman who becomes disabled as a result of a "line-of-duty injury", you only need one year of creditable service to apply for disability retirement. Law enforcement officers who become disabled as a direct result of involvement in an accident that occurred while you were performing your duty as an officer, only need one year of creditable service to qualify.
- ▶ **Early Retirement** - After age fifty (50) with twenty (20) or more years of creditable service, you have qualified for **reduced** retirement service at age fifty (50). You will also qualify for early retirement benefits if you are in service (working for a municipality and having retirement deductions) when you reach sixty (60) years of age (age 55 if you are a fireman) and complete five years of creditable service. Law enforcement officers may retire with a **reduced** benefit at age fifty (50) with fifteen (15) years of creditable service as an officer.
- ▶ **Service Retirement for Police Officers at age fifty-five (55)** - At age fifty-five (55), if you are a Police Officer and are "in-service" with five (5) years of creditable service.
- ▶ **Service Retirement at age sixty (60)** - At age sixty (60), you are eligible for a **reduced** monthly benefit if you have a vested right or if you are "in-service" with five (5) years of creditable service.
- ▶ **Service Retirement at age sixty-five (65)** - At age 65 or thereafter, you are eligible for **unreduced** service retirement.
- ▶ **Death Benefit** - If you die while still in active service (while being paid salary) after one year as a contributing member, your beneficiary will receive a single lump sum payment. The payment equals the highest 12 months of salary in a row during the 24 months before you die, but no less than \$25,000 and no more than \$50,000. This benefit is also paid if you die within 180 days of the last day for which you were paid salary. It is in addition to any other benefits to which you may be entitled.

Retirement counseling is provided by the City of New Bern, and approximate pension calculations and employee benefits information are available privately in the Human Resources Department three (3) months prior to expected retirement.

When you retire, whether on a service, disability, or early retirement, you have a choice of taking the **maximum** allowance, which ceases at your death, or **selecting an optional plan** which would provide financial protection for your family at your death.

After receipt of your application for retirement, the Retirement System will furnish you estimates of the amount you would receive under the maximum and the amount you and your beneficiary would receive under each option. You will also be sent an "Election of Benefits" form on which to indicate your choice of payment.

If you should leave the system for any reason other than retirement or death or transfer to another county or local government, you may:

- Receive a refund of your contributions with interest, or
- Leave your contributions in the system and keep all the creditable service you have earned.

Should you wish to withdraw your contributions upon leaving the system, you will need to contact the Human Resources Department in order to complete the necessary forms.

## ● UNITED WAY FUND ●

The City conducts an annual United Way Fund Campaign as a means of supporting community organizations that provide support to citizens in need.

You may give a contribution by payroll deduction or direct gift.

## ● BLOOD DONATIONS ●

The American Red Cross solicits the City's work force in order to collect blood for its much needed cause. Employees are encouraged to give blood during one of the scheduled Blood Mobile visits and is normally allowed up to four (4) hours with pay to do so. All blood donations should be scheduled visits. Donations should be scheduled with the supervisor and should complications arise during or after the blood donations the supervisor should be notified immediately.



## ◀ PARKING ▶

The City makes every effort to provide appropriate and adequate parking for all employees. Your assistance in observing the following parking rules is appreciated:

- ▶ Drive slowly and carefully in City parking lots.
- ▶ Use only one parking space.
- ▶ Do not block driveways or other vehicles.
- ▶ Do not park in unauthorized or handicapped parking spaces.
- ▶ Observe all safety rules.

**REMEMBER: PARKING IS A BENEFIT FURNISHED BY THE CITY. PLEASE ASSIST US IN MAINTAINING THIS BENEFIT BY NOT ABUSING PARKING RULES.**

## ◀ PERSONNEL COUNSELING ▶

Your supervisor is very interested in any personal problems or concerns that you may have. They may affect your work and could affect your fellow workers as well. We encourage you to speak to your supervisor.

Should you need additional assistance or should you wish to speak with someone other than your supervisor, please feel free to make an appointment with the Human Resources Department.

## ◀ EMPLOYEE ASSISTANCE PROGRAM ▶

The City offers its employees and their immediate families an opportunity to utilize the Employee Assistance Program.

The Employee Assistance Program offers confidential, professional help to any employee whose job performance or attendance has been adversely affected by personal problems. These problems may be legal, financial, or marital difficulties, substance abuse problems, or any other kind of personal problem that the employee has trouble resolving.

Employees are assured that their participation in this program will be strictly confidential. There will be no threat of job loss or other penalty to those who may wish to use this program.

Families will be given the same assurances and the same ranges of services will be available to them. You and your family are encouraged to make use of the Employee Assistance Program.

Employees may voluntarily utilize the Employee Assistance Program by contacting the Human Resources Department or by directly contacting the Employee Assistance Program Administrator.

## ● PERSONNEL CHANGES ●

It is extremely important that your personnel records remain current and up to date, please notify **both** your supervisor and the Human Resources Department promptly of changes in your:

- |                    |  |
|--------------------|--|
| ▶ Name             | ▶ Awards, Honors and Training                      |
| ▶ Address          | ▶ Beneficiaries                                    |
| ▶ Telephone Number | ▶ Person(s) to be notified in case of an emergency |
| ▶ Marital          | ▶ Direct Deposit                                   |
| ▶ Dependents       |  |

These personnel changes may vitally affect your employee benefits such as retirement, life, health and dental insurance and Social Security.

## ● SAFETY ●

Safety on the job should be your most important personal concern. Through the Human Resources Department and the City's safety program, everything possible is done to protect you from injury; however, your safety depends on **YOU** and your fellow employees.

Due to the nature of the work done in various departments, each department has established departmental safety regulations which apply directly to that department. These departmental safety regulations may be found in the departmental handbook. There are however, several general regulations which apply to all personnel.

The following general regulations are not all inclusive:

- Concentrate on the job at hand and be aware of the hazards involved.
- Keep work areas clean and orderly by storing tools and equipment in their proper places.
- Store flammable liquids and substances in approved containers in metal cabinets.
- Store dirty and oily rags in approved containers with lid.
- Do not allow trash to accumulate.

- Use handrails when climbing or descending stairs.
- Keep aisles and walkways clear at all times.
- If safety toe shoes are furnished for you, they shall be worn while on the job. No tennis or soft shoes are to be worn.
- Wear hard hats when at construction sites, when workers are aloft or when working around equipment.
- Do not use multiple plugs and extension cords as a permanent way of providing power.
- Know the location of all fire exits and fire extinguishers within your work area.
- Be sure that any equipment powered by electricity is properly grounded.
- Do not horseplay while on the job.

You should always be **alert** to unsafe conditions and procedures. The City relies on **YOU** and others to report hazardous and unsafe conditions which you observe.

The City considers safety a serious concern and safety rules and regulations will be **strictly** enforced.

## ● NEWSLETTER ●

The employee newsletter, "Bear Facts - The Employee Connection", is published twice annually to keep employees informed about their fellow employees and the activities of City government.

Employee reporters are assigned to each department to provide information on activities which are of interest to employees.

Various items are included in the newsletter including recognition of employees, events in City government, safety articles and occasionally columns on time and money-saving tips for employees.

Employees are encouraged to submit articles or suggestions for the newsletter to their department's representative.

## ● LONGEVITY ●

As a method of recognizing employee length of service, the City will award longevity payments to its regular, full-time employees for various lengths of service on the anniversary dates in five (5) year increments. A one-step increase will be awarded at each five (5) year interval.

## ◀ LEGAL DEFENSE ▶

Generally speaking, it is the policy of the City to provide legal defense for officials and employees in litigation arising out of acts or omissions allegedly committed when such officials are conducting business of the City. In the case of employees, this applies when such act, or omission to act, arises out of and in the course and scope of your employment. Upon written request the City may provide for your legal defense, in whole or part. This defense may be provided by the City through its own counsel or by employing other counsel.

Should you desire more information regarding the City's position or legal defense for employees you should contact the Human Resources Department.

## ◀ SEVERANCE PAY ▶

Regular, full-time employees who are laid off due to reduction in force may receive severance pay if determined warranted by the City Manager, up to a maximum of one month's pay.

## ◀ SERVICE AWARDS ▶

Each year the City will recognize individual employees for various lengths of service with the City. In addition to a service certificate, the awards may include either a gift certificate, service pin or other item of value.

## ◀ UNIFORMS AND SAFETY EQUIPMENT ▶

The City provides for you as a benefit certain items of safety equipment and uniforms.

All field personnel are provided uniforms for use on the job. Uniforms are provided as a means of standardizing and distinguishing city employees. You are expected to take care of the uniforms issued to you as if you were actually purchasing them and, return the uniforms upon your separation from the City's service.

Another important item the City provides for qualified employees is safety toe shoes. In those occupations which require that safety shoes be worn, the City will provide at no cost to you one (1) pair of safety toe shoes/boots. OSHA approved safety shoes are repaired or replaced at the employee's

expense. To receive a pair of safety shoes/boots you need to see your supervisor who will direct you to the warehouse with proper authorization. In addition, safety equipment and tools are provided for your benefit and safety. Included among these are hard hat, safety vest, safety cones, safety ropes, first aid kits, safety glasses, and flashlights. As stated earlier, it is your responsibility to take care of equipment issued to you.

**(Refer to Policy on Wearing of Uniform for additional guidelines)**

## ◀ FLOWERS AND MEMORIALS ▶

The City of New Bern provides flowers for hospitalization, births and deaths for its regular full-time employees and immediate members of their families, subject to availability of funds. Immediate members of employees' families are defined as spouse, parent, children, brother, sister, grandparent, grandchild, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, grandmother-in-law, grandfather-in-law, stepmother, stepfather, step grandmother, step grandfather, or stepchild of the employee.

## ◀ BIRTHDAY CARDS ▶

The City of New Bern sends birthday cards to all its employees annually.

## ◀ PAID HOLIDAYS ▶

The City grants the following eleven and one-half (11 ½ ) paid holidays per year:

<b>New Year's Day</b>	<b>Veterans' Day</b>
<b>Martin Luther King, Jr.'s Day</b>	<b>Thanksgiving Day</b>
<b>Good Friday</b>	<b>Friday After Thanksgiving</b>
<b>Memorial Day</b>	<b>Independence Day</b>
<b>Christmas (Two and one-half days*)</b>	<b>Labor Day</b>

- \* Employees are also required to use one-half day of annual leave on the Christmas holiday designated as one-half day with pay. If the employee does not have sufficient annual leave to cover the one-half day, the City will advance the necessary leave to the employee.

When holidays other than Christmas Day fall on a Saturday or Sunday, Monday shall be observed as the holiday.

**When Christmas Day Falls on:**

**Sunday**  
**Monday**  
**Tuesday**  
**Wednesday**  
**Thursday**  
**Friday**  
**Saturday**

**The City Observes as Holidays:**

**Friday, Monday and Tuesday**  
**Friday, Monday and Tuesday**  
**Monday, Tuesday and Wednesday**  
**Tuesday, Wednesday and Thursday**  
**Wednesday, Thursday and Friday**  
**Wednesday, Thursday and Friday**  
**Friday, Monday and Tuesday**

In order to be eligible for holiday pay, you must have worked a full regularly scheduled work day or, be paid leave the day before and the day after the holiday, unless excused by the City.

**● ANNUAL LEAVE ●**

Your annual paid leave depends on the length of service you have had with the City.

Annual leave is designed to be used for rest and relaxation, medical (when sick leave is exhausted), legal appointments, absences due to adverse weather conditions, for additional funeral leave or for any other reason you may deem necessary. Annual leave may be taken as earned by the employees or in any amount subject to one-quarter hour minimum, as desired by the employee, subject to the approval of the supervisor.

If you are employed **full-time**, you will earn leave according to the following table:

**Employees on a 40-hour work week and a 42-hour work schedule:**

<b>Years of Service</b>	<b>Earned Hours Per Pay Period</b>	<b>Earned Hours Per Year</b>
<b>0 but less than 5 years</b>	<b>3.69</b>	<b>95.94</b>
<b>5 but less than 10 years</b>	<b>4.15</b>	<b>107.90</b>
<b>10 but less than 15 years</b>	<b>4.62</b>	<b>120.12</b>
<b>15 but less than 20 years</b>	<b>6.00</b>	<b>156.00</b>
<b>20 but less than 25 years</b>	<b>6.46</b>	<b>167.96</b>
<b>25 but less than 30 years</b>	<b>6.92</b>	<b>179.92</b>
<b>30 years or over</b>	<b>7.38</b>	<b>191.88</b>

**Employees on a 56-hour work schedule:**

<b>Years of Service</b>	<b>Earned Hours Per Pay Period</b>	<b>Earned Hours Per Year</b>
<b>0 but less than 5 years</b>	<b>9.97</b>	<b>259.22</b>
<b>5 but less than 10 years</b>	<b>10.80</b>	<b>280.80</b>
<b>10 but less than 15 years</b>	<b>11.63</b>	<b>302.38</b>
<b>15 but less than 20 years</b>	<b>14.33</b>	<b>372.58</b>
<b>20 but less than 25 years</b>	<b>15.23</b>	<b>395.98</b>
<b>25 but less than 30 years</b>	<b>16.13</b>	<b>419.38</b>
<b>30 years or over</b>	<b>17.03</b>	<b>442.78</b>

Any accumulated leave balance over 240 hours (336 hours for fire shift personnel), as of the end of the pay period which includes December 31<sup>st</sup>, will be converted to sick leave. Employees will be allowed to carry an annual leave balance of more than 240/336 hours during the remainder of the year.

Upon separation, employees will be paid for the maximum limit of 240/336 hours, not for any hours in excess of the maximum limit.

Upon voluntary separation from the City's service, you are entitled to be paid for accrued unused annual leave which you have earned up to 240 hour maximum limit (336 for fire shift personnel), upon the proper submission of a written 15 calendar day notice.

Employees involuntarily separated from the City's service will normally be paid for their annual leave except in cases of extreme circumstances, the Manager may decide to withhold payment.

The estate of an employee who dies while working for the City will be paid for all accumulated annual leave for that employee.

**◀ SICK LEAVE ▶**

Sick leave with pay is one of your most valuable benefits as an employee.

From your beginning day of work with the City you begin earning sick leave at the rate of 3.69 hours per pay period, if you are a **full-time**, regular employee. Shift employees of the Fire Department shall earn sick leave at the rate of 5.54 hours per pay period. **Part-time** regular employees earn sick leave prorated on the number of hours worked each month.

There is no limit on the amount of sick leave which you may accumulate. Sick leave shall be granted to

an employee absent from work for any of the following reasons: personal illness, or of a member of the immediate family, for bodily injury, quarantine, required physical or dental examinations or treatment, exposure to a contagious disease when continuing to work might jeopardize the health of others and actual period of disability connected with childbearing.

Sick leave may be taken in one quarter hour increments. In order to be paid for sick leave, you must:

- Report the reasons for your absence to your supervisor before the beginning of the work day, if he/she is available, or within thirty (30) minutes after the work day has begun, as further described in the "Attendance" section of this handbook.
- Any absence not reported within one (1) hour after the work day has begun, will be considered an unexcused absence and the employee will not be paid for that lost time.
- Keep your supervisor informed daily of your condition.
- Agree to any medical examination which the City may consider necessary.

For maternity purposes, sick leave is allowed from the time you submit a written statement from your physician indicating your inability to perform your regular duties. It will continue until the City receives a similar statement of your ability to return to work or your sick leave accumulation expires, whichever occurs first.

Annual leave or leave without pay may also be used for maternity absences.

Your supervisor is authorized to approve sick leave only if the above conditions are followed completely. Claiming sick leave under false pretenses is considered a **flagrant** violation of City policy and is cause for disciplinary action including dismissal.

New employees who join the City from another municipality, county or state government, and who have accumulated sick leave with that municipality, may transfer unlimited sick leave provided the accumulated time is properly documented by the previous employer.

As a part of the retirement benefit, unused sick leave at the time of retirement may be added on to your years of service at the rate of one month of credit for each twenty (20) days of unused sick leave or any portion thereof.

## ◀ FAMILY AND MEDICAL LEAVE ▶

The City shall provide twelve (12) weeks of paid or unpaid "protected leave" for all eligible employees. Eligible employees are those who have been employed with the City of New Bern for at least twelve (12) months and who have worked at least twelve hundred and fifty (1250) hours during the previous twelve (12) month period.

Family and Medical Leave may be used for the following reasons:



- 1. For the birth of a child and to care for the child after birth, provided the leave is taken within a twelve (12) month period following birth.**
- 2. For the employee to care for a child placed with the employee for adoption, provided the leave is taken within a twelve (12) month period following adoption.**
- 3. For the employee to care for the employee's child, spouse, or parent, where that child, spouse, or parent has a serious health condition; or**
- 4. Because the employee has a serious health condition that makes the employee unable to perform the functions of the employee's position.**

Leave Without Pay beyond the twelve (12) week period or for employees not covered under the Family and Medical Leave Policy will be administered under the Leave Without Pay Provision of the Personnel Ordinance. Under these provisions, employees must pay for health benefits coverage.

**(Refer to the Family and Medical Leave Act Policy for additional information)**

### **◀ PARENT INVOLVEMENT IN SCHOOLS LEAVE ▶**

In keeping with the general statutes of the State of North Carolina, and in agreement that parental involvement which is an essential part of a child's success and development through education, the City of New Bern will grant four (4) hours per fiscal year to any employee who is a parent, guardian, or person standing in loco parentis of a school-aged child so that the employee may attend or otherwise be involved at that child's school. The following outlines the City policy on Parental Involvement Leave:

- 1) The leave should be at a mutually agreed upon time between the employee and his/her supervisor.
- 2) The City requires that the employee make a written request for this leave at least 48 hours prior to the desired leave time if practicable and forward this request to his/her supervisor who will forward the request to the department head.
- 3) The City may require that the employee who is utilizing the leave furnish written verification from the child's school that the employee attended or was involved at that school during the requested time of leave.
- 4) Employees may use vacation time in order to be paid for the Parental Involvement Leave requested or may choose to be unpaid for the time.

For the purposes of this policy "school" means any: public school, private church school, church of

religious charter, or non-public school described in Parts 1 and 2 of Article 39 of Chapter 115C of the General Statutes that regularly provides a course of grade school instruction, preschool, and child day care facility as defined in G.S. 110-86(3).

The City of New Bern shall not discharge, demote, or otherwise take an adverse employment action against an employee who requests or takes leave under this policy.

## ◀ FUNERAL LEAVE ▶

Funeral leave is provided as a separate benefit to assist those regular employees who lose, through death, an immediate family member or, who lose the association of a fellow active employee through death.

Funeral leave is granted the calendar day before the funeral, the day of the funeral, and the day following to all regular, full-time and part-time employees per occurrence for the death of the affected employee's immediate family (Refer to immediate family definition in the "Definitions" section of this handbook). Funeral leave shall be granted to regular, full-time employees at a maximum rate of two (2) hours upon the death of an active fellow employee (to attend funeral, visit family, etc.).

Regular, part-time employees are granted funeral leave pro-rated based upon the number of hours worked by the affected employee each month.

Funeral leave may not be accumulated. Additional leave needed for funeral purposes may be charged to annul leave. Funeral leave must receive the prior approval of the respective department head.

## ◀ MILITARY LEAVE ▶

**Regular**, full-time employees, who are members of the National Guard or Armed Forces Reserve, are allowed ten (10) working days (five (5) shift days for Fire shift personnel) military leave per year. During this period, the City will pay you your regular City pay and you will be allowed to keep your military base pay. You should notify your supervisor immediately upon receiving notification of your training dates. Request for military leave must be made in advance and must be accompanied by the official set of orders or a letter from the commanding officer.

During your absence you will continue to earn and accrue all benefits due you. **Regular**, full-time employees entering active duty with any branch of the United States Armed Forces are entitled to re-employment rights and all other rights under the Uniformed Services Employment and Re-employment Rights Act (USERRA).

## ◀ CIVIL LEAVE ▶

Regular employees who are summoned to duty either as a juror or witness in any civil or criminal legal proceeding are entitled to leave with pay for such duty during their required absences, without charge to annual or sick leave. You should notify your supervisor immediately upon notification of such duty.

During your required absence, you may keep fees and travel allowances received for jury or witness duty in addition to your regular pay. However, you must turn over to the City any witness fees or travel allowances awarded for court appearances in connection with your official duties.

An employee on civil leave must report back to work between court sessions and any other period that his/her presence is not required in court.

### ◀ LEAVE WITHOUT PAY ▶

To maintain interest earned on retirement contributions and to continue life and health insurance coverage, the City provides authorized leave without pay for appropriate special reasons. Leave without pay is granted only to **regular** full-time employees and only if it is firmly established that the employee intends to return to the position from which they have taken leave.

Leave without pay may include:

- ▶ **Military leave in excess of ten (10) working days**
- ▶ **Leave for maternity**
- ▶ **Leave for sickness**
- ▶ **Suspension**
- ▶ **Education leave**
- ▶ **Special work that will permit the City to benefit by the experience gained or work performed**

Employees requesting leave without pay must apply in writing to their supervisor for such leave, and it must be approved by the City Manager.

You are obligated to return to duty before or at the end of the time the leave expires. Failure to return at the expiration of a leave of absence, unless an extension has been granted in writing, will be considered a **resignation**.

Employees on leave without pay (except Worker's Compensation cases) cease to earn leave credits on the date such leave begins. Employees may continue their health and life insurance provided **they pay** the entire premium costs for such insurance while on leave without pay.

In Worker's Compensation cases, you will continue to earn benefits and remain on the City's health and life insurance plans as if you were working.

In Family and Medical Leave Act (FMLA) cases, you will continue to be eligible for benefits under the

City's health and life insurance plans, as if you were working.

### ◀ SHARED LEAVE DONATIONS ▶

An employee may donate sick and/or annual leave to an employee who has been approved to receive shared leave due to a serious health condition of the employee or of a family member that will require the employee's absence for a prolonged period of time.

All full-time regular employees who have been employed for at least one (1) year are eligible to participate.

All regular part-time employees who work at least twenty (20) hours per week and accrue sick and annual leave and have been employed for at least one (1) year are eligible to participate.

**(Refer to Shared Leave Donation Program Policy for additional guidelines).**

### ◀ HOURS OF WORK ▶

Because of the wide variety and continuous nature of the services performed by the City, hours of work may differ depending upon your particular classification and the nature of your work. Most employees will work, however, either 80, 84 or 112 hours per pay period.

All positions have been assigned salary grades which compensate for varying work hours and shift practices. **Consult** your supervisor for your specific work hours.

All potential employees should understand their working hours and shift arrangements before accepting a specific position.

### ◀ EMPLOYMENT OF RELATIVES ▶

Members of an immediate family may **not** be simultaneously employed by the City in the following circumstances: where one member is working under the direct or indirect supervision of another member, where one member works in a department headed by another member, or where one member may have influence over the other related member's employment, promotion, salary administration, or other related management or personnel consideration.

All other cases of employment of relatives are subject to the review of the Human Resources Director.

### ◀ ATTENDANCE ▶

Attendance and punctuality are very important responsibilities you have as a City employee. Services performed by the City are continuous and require your complete cooperation in avoiding unnecessary absences or tardiness.

When you are absent or late to work, your own work is affected and your fellow employees must do your work for you.

Your dependability is an important factor in your eligibility for promotion. Excessive absences and tardiness, on the other hand, may be important considerations which may affect the continuation of your employment. If you are absent without excuse, you may be subject to disciplinary action. Continued or repeated unexcused absences may also result in dismissal as described in the sections "conduct" and "sick leave" of this handbook.

When you are unable to report for work because of illness or some other justifiable reason, it is your **obligation** to notify your supervisor by telephone, or in person either prior to the beginning of your established work day (if your supervisor can be reached) or within thirty (30) minutes after your work day has begun. Reporting your absence is your responsibility. **Do not** depend upon a fellow employee to relay the message for you. Through your notification of absence or tardiness, your supervisor may plan to have someone else handle your work. Your supervisor may require some evidence of your absence, such as a doctor's certification in the case of illness.

## ◀ CONDUCT ▶

The proper conduct of City employees while on the job is vital to ensure that work with the City is safe, productive and pleasant. Therefore, the City has certain regulations which govern improper conduct and provide uniform disciplinary action when necessary.

The following types of misconduct may result in disciplinary action. This summary, while not all inclusive, contains the most often violated types of conduct. A department head may take disciplinary action against an employee for any misconduct, whether listed or not listed below, and whether listed under Sections A or B. The categories listed below are only examples and in no way limit the authority of a department head or City Manager to discipline for other acts of misconduct in the manner deemed by them to be most appropriate.

- A. The following types of on-the-job misconduct are considered inexcusable and **may** result in immediate discharge.
  - **Deliberate damage to City or private property or to the property of other employees while on duty**
  - **Stealing**
  - **Fighting**
  - **Carrying concealed weapons**
  - **Immoral or indecent conduct**

- **Misrepresentation and/or falsification of records or reports**
  - **Willful insubordination**
  - **Misappropriation of City property or City funds**
  - **Gambling**
  - **Reporting to work under the influence of intoxicants or drugs or possession of intoxicants or drugs while on duty**
- B. The following types of on-the-job misconduct will not be tolerated and **may** result in suspension, reprimand or other types of disciplinary action (up to dismissal).
- **Careless waste of materials and equipment**
  - **Willful violation of established safety rules**
  - **Carelessness and negligence in performing work**
  - **"Horseplay"**
  - **Disorderly conduct**
  - **Carelessness and recklessness in operating City vehicles and equipment**
  - **Abusive and threatening language to supervisors or fellow employees**
  - **Willful failure or refusal to carry out lawful instructions**
  - **Repeated absences from work area without permission or excusable reason**
  - **Failure to report personal injury**
  - **Unreported excessive absences**
  - **Absence without justifiable cause or habitual tardiness**
  - **Reckless driving of personal vehicles on City property**
  - **Willful violation of the city's purchasing policy**
  - **Failure to wear required safety equipment and use safety procedures**

In addition, the city expects that you will exercise reasonable and sound judgement in your manner of dress and grooming while on the job. All personnel must adhere to appropriate dress and personal appearance regulations. Your dress and grooming habits should always reflect credit on your position and the City government.

**NOTE: DEPARTMENT HEADS MAY ISSUE SUPPLEMENTARY WRITTEN POLICIES, RULES AND REGULATIONS RELATING TO THE PERFORMANCE OF PERSONNEL WITHIN THEIR RESPECTIVE DEPARTMENTS, UPON THE APPROVAL OF THE HUMAN RESOURCES DIRECTOR, AS LONG AS THEY DO NOT CONFLICT WITH THE PERSONNEL ORDINANCE.**

## ❶ VIOLENCE IN THE WORK PLACE PROHIBITED ❷

The safety and security of all employees is of primary importance to the City. Threats, threatening and abusive behavior, or acts of violence against employees, visitors, customers, or other individuals by anyone on city property will not be tolerated. It is the obligation of each employee to contribute to the safety of the work environment by refraining from activities and/or behaviors that may provoke violence.

The following shall be considered some examples but are not all inclusive of behaviors which will not be tolerated by the City while an employee is in the performance of his/her duties:

- (a) The act or threat of bodily harm to another employee or member of the public;
- (b) Fighting, hitting, shoving, pushing or grabbing;
- (c) Subtle or implied threats to fellow employees, visitors or customers;
- (d) Possession of a weapon(s) while on duty (Police Officers should refer to SOP);
- (e) Using language which would be regarded as likely to provoke violence by another;
- (f) Violent outbursts of rage;
- (g) Deliberate damage to City or private property or to the property of another employee while on duty;

Employees, without fear of reprisal, are responsible for promptly notifying their immediate supervisor, Division Head, Department Head or the Human Resources Director of any threats or incidents they have received or witnessed. If the immediate supervisor or Division Head is notified of the threat or incident, he/she is responsible for promptly notifying the Department Head or Human Resources Director. Even without a specific threat, all employees should report any behavior they have witnessed that they regard as potentially threatening or violent or which could endanger the health or safety of an employee when the behavior has been carried out on City property or is connected to City employment or City business.

If an employee feels that his or anyone else's life is in imminent danger, he/she should immediately call 9-1-1 and request Police assistance.

An act of violence against any employee, visitor, customer, or other individual on City property will be investigated thoroughly by the Department Head and Human Resources Director. Following the investigation, an immediate and appropriate response will be initiated. Appropriate disciplinary action, up to and including termination of employment, will be taken against any employee engaging in violence in the workplace. In addition to disciplinary action which the City will impose, violations of this section may result in criminal prosecution.

The City understands the sensitivity of the information requested and will treat any report of violence with discretion. Confidentiality cannot be absolutely guaranteed if protection of employees requires that the information be reported. However, the anonymity of the reporting employee will be maintained, when at all possible.

## ◀ POLITICAL ACTIVITY RESTRICTIONS ▶

Each employee has a civic responsibility to support good government by every available means and in every appropriate manner.

Each employee may join or affiliate with civic or professional organizations of a partisan or political nature, may attend political meetings, may advocate and support the principles of policies of civil or political organizations in accordance with the constitution and Laws of the State of North Carolina and in accordance with the Constitutions and Laws of the United States of America. However, no employee may:

- ▶ Engage in any political or partisan activities while on duty.
- ▶ Use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office.
- ▶ Be required as a duty of employment or as a condition for employment, promotion, or tenure of office to contribute funds for political or partisan purposes,
- ▶ Coerce or compel contributions for political or partisan purposes by another employee of the City.
- ▶ Use any supplies or equipment of the City for political or partisan purposes,
- ▶ Serve as an elected or appointed official (as defined in "Definitions" section of this handbook) with the City of New Bern.

A violation of any of these provisions shall be deemed improper conduct and may result in disciplinary action.

## ◀ OUTSIDE EMPLOYMENT ▶

The work of the City shall have precedence over all outside employment.

No time during City working hours shall be used to promote or carry out outside employment.

The City has no intention of regulating what you do on your own time, as long as it does not constitute a conflict with the City's public purpose, interfere with job performance with the City and as long as your outside activities do not reflect discredit on the City or your fellow employees. Employees of the City of New Bern are not permitted to file for positions within the City's government such as the Board of Aldermen or Mayor.

In addition, some personnel may be required to adhere to departmental rules regulating off-duty employment.



## ● PURCHASING PRACTICES ●

Purchasing in the name of the City or for city government is authorized only in accordance with written policies and procedures.

Purchasing goods or services or accepting such goods or services for personal benefit is expressly prohibited and may have a direct relationship in compromising the City's purchasing position.

Violation of these regulations is considered misconduct and may result in disciplinary action.

## ● PROMOTION ●

It is the practice of the City to fill vacancies from within our own organization whenever possible.

Your ability to assume greater responsibilities through promotion is best shown by your willingness to learn, to accept additional duties, to get along with others, to work with enthusiasm, to be dependable and to be productive.

Candidates for promotion are chosen for job openings on their qualifications and on their work records. An employee is generally expected to have completed his/her probationary, adjustment, or review period in his/her current position before being considered for promotion. Temporary status employees who qualify are eligible for promotional consideration since the City attempts to place temporary status employees into "regular" status positions whenever they qualify and it is feasible. City employees who are interested in vacant positions within the City's service should complete an employment application and forward it to the Human Resources Department when internal announcements are made.

When an employee is promoted, at a minimum, he/she will receive a two-step salary increase or will be increased to the minimum step of the new pay range, whichever is higher. An employee promoted shall have their salary level set through negotiations with the Department Head and the Human Resources Director with the approval of the City Manager. Employees receiving promotions will serve a six (6) month adjustment period in the new classification.

## ● DEMOTION ●

The salary of an employee demoted will be adjusted to the maximum of the new range or to two (2) steps below the former salary, whichever is lower (in no case will salary exceed the maximum of the new range. Employees who cannot successfully perform the duties of the position to which demoted will be subject to dismissal. Employees demoted will serve a six month adjustment period. An employee is

generally expected to have completed his/her probationary, adjustment, or review period in his/her current position before being considered for demotion.

## ◀ TRANSFER OR REASSIGNMENT ▶

The salary of an employee reassigned or transferred to a position in the same class or to a position in a different class with the same pay range shall not be changed by the reassignment. Employees reassigned or transferred will serve a six (6) month adjustment period in the new position.

A lateral transfer of an employee from one department to another without promotion seldom serves a valid purpose.

Employees may be transferred, however:

- **For the purpose of career development.**
- **To promote positive morale or to improve job performance.**
- **To match current employees with available work.**
- **To meet organizational needs.**

Employees transferred will be paid within the authorized salary range of the position to which they are transferred.

An employee is generally expected to have completed his/her probationary, adjustment, or review period in his/her current position before being considered for a transfer or reassignment.

## ◀ RECLASSIFICATION ▶

Should the duties of your position change substantially, the continued use of the job description and title for your present position may require adjustment. Reclassification can be considered only if job content is sufficiently changed in nature and not simply as a result of an increase in normal work load.

If there are substantial changes in your job content, you should review your classification with your supervisor. If it is found by your supervisor and department head that these changes warrant a review, your department head may request a review by submitting a Classification Review Request to the Human Resources Department. All reclassifications must be approved by the City Manager.

The results of the review will determine the need for reclassification. If an employee is reclassified to a class having a higher salary grade, he/she shall receive a two (2) step pay increase or an increase to the minimum step of the new pay grade, whichever is higher. If the position is reclassified to a class in the

same or lower pay grade, his/her salary will remain the same. If the position is reclassified to a lower pay grade and the result is that the affected employee is receiving a rate of pay above the maximum step established for the position, he/she will be ineligible for any salary increase until such time that the employee's rate of pay is brought below the maximum rate established for the position.

**NOTE: THE ABOVE RECLASSIFICATION PROCEDURE IS THE NORMAL PROCEDURE USED FOR INDIVIDUAL POSITION RECLASSIFICATIONS. HOWEVER, SHOULD A MAJOR CLASSIFICATION STUDY BE UNDERTAKEN AND A SERIES OF RECLASSIFICATIONS TAKE PLACE AS A RESULT OF THAT STUDY, THE BOARD OF ALDERMEN MAY ADOPT SPECIAL RULES REGARDING PAY APPLICATION.**

### ● REDUCTIONS IN FORCE (LAY-OFF) ●

In the event that a reduction in workforce becomes necessary, full consideration will be given to the quality of each employee's past performance, the need for the employee's service, and seniority in determining those employees to be retained. No regular employee will be separated while there are temporary employees serving in the same class in the affected department unless the regular employee is not willing to transfer to the position held by the temporary employee.

Employees who are laid off because of reduction in workforce will be given at least a fifteen (15) calendar day notice of such anticipated lay-off.

**NOTE: EMPLOYEES SUBJECTED TO LAY-OFF MAY QUALIFY FOR UNEMPLOYMENT INSURANCE BENEFITS.**

### ● RESIGNATIONS AND FINAL PAY ●

If it becomes necessary for you to resign, you are expected to give your department head a minimum of a fifteen (15) calendar day advance notice in writing.

This time is necessary not only for the City to locate a replacement, but also provides official notice so that you can be paid on a scheduled pay day. Failure to comply with this policy **will** result in your being ineligible for re-employment with the City.

Also, if you are not on authorized leave and fail to report to work for three (3) consecutive work days, it will be considered that you have resigned without advance notice and you will automatically be dropped from the City's roster and payroll.

An employee's resignation becomes final and may not be rescinded when the actual effective date of the resignation has occurred or the resignation is accepted by the supervisor, department head, Human Resources Director or the City Manager. If neither of these events have occurred and the employee has

a satisfactory employment record with the City, he/she may be reinstated provided that the employee has a satisfactory employment record and the department head agrees to void the resignation.

Employees who wish to regain their employment with the City after having resigned, may seek re-employment by reapplying through the regular application process.

## ● SUSPENSION ●

There are two (2) types of suspension which employees are subject to:

- **Non Disciplinary** Suspension of an employee who has been accused of some action which, if found to be true, would result in cause for disciplinary action; and
- **Disciplinary** Suspension of an employee which it has been found to be true that the employee took some action which had an adverse impact upon the City.

A department head, with the concurrence of the Human Resources Director and the approval of the City Manager, may impose a non-disciplinary suspension on an employee until the outcome of an investigation into the employee's misconduct is complete. **There is no appeal of a non-disciplinary suspension.**

A department head with the concurrence of the Human Resources Director may invoke a disciplinary suspension on an employee for **just cause** for a period not to exceed three (3) work days. Suspensions of a longer period of time must be approved by the City Manager.

In cases of suspension, appeals must be made in accordance with the "Disciplinary and Non-Disciplinary Actions" section of this handbook.

## ● DISMISSAL ●

A department head may recommend an employee's dismissal for **just cause** in accordance with the City's Personnel Ordinance. Such recommendation must be made in writing to the Human Resources Director and shall contain a proposed dismissal date and the reasons for such recommendation. An employee may appeal this action or proposed action to the City Manager by giving written notice of their appeal within three (3) working days after the employee receives notification.

The City Manager's decision in such appeal is **final and conclusive**, in accordance with the appeal procedures outlined in the "Disciplinary and Non-Disciplinary Actions" section of this handbook.

## ● REINSTATEMENT ●

An employee who resigns while in good standing or who is separated due to reduction in work force, may be re-employed within one year of the date of separation with the favorable recommendation of the respective department head, Human Resources Director and the City Manager. If an employee is re-employed within this one-year period, he/she will be credited with previous service and previously accrued sick leave and will receive benefits as outlined in the City's Personnel Ordinance.

**NOTE: REINSTATEMENT OF EMPLOYMENT IS NOT A RIGHT.**

However, if an employee is rehired after the one-year period stated above, he/she will normally begin at the lowest pay set up for the position, without accrued benefits. Individuals re-employed on this basis would establish a new employment date and would only be considered for pay increases after that date.

## ● DISCIPLINARY AND NON-DISCIPLINARY ACTIONS ●

There are two (2) forms of action which may be imposed on employees by their department heads for improper conduct.

These two (2) forms of action are:

- **Non-Disciplinary** which is a suspension of an employee who has been accused of some misconduct which, if it truly happened, would result in cause for a disciplinary action, and;
- **Disciplinary** which is a type of action that impacts adversely upon an employee, which is taken in response to a particular type of conduct by that employee. Disciplinary actions may range in seriousness up to and including dismissal.

Let's discuss these two (2) forms of action and how they may affect you as an employee:

Disciplinary action(s) may be taken against an employee only for cause. An employee's department head (with the concurrence of the Human Resources Director) may impose disciplinary action against an employee up to a maximum of three (3) days of suspension. Any disciplinary action greater than a three (3) day suspension may be recommended by the department head to the City Manager (through the Human Resources Director) who must actually confirm or deny such disciplinary action. Whenever practical, an employee shall be counselled regarding a particular course of conduct or pattern of performance before any disciplinary action is imposed.

All efforts should be made to help the employee improve his/her conduct or

performance. However, employees who receive disciplinary action will be informed at least three (3) days in advance of the proposed disciplinary action whenever feasible.

Employees receiving disciplinary action will be notified in writing by their department head of the precise nature of the discipline, the reasons for it and the date and time the discipline is to become effective. Should the department head recommend that an employee be dismissed, the department head shall make the recommendation in writing, furnishing a copy to the employee.

A recommendation for dismissal will contain a proposed dismissal date which may not be less than five (5) work days after a copy of the recommendation is furnished to the affected employee. However, if the recommendation is for dismissal, the department head may suspend the employee for three (3) days and recommend that the suspension be continued until the proposed dismissal date.

If a department head determines that an employee has committed an extremely serious violation of ordinance, policy or procedure, or that the best interest of the City would be served given a certain circumstance, he/she may impose an **emergency** suspension on that employee. Emergency suspensions will originate as non-disciplinary actions with pay and will last no longer than one (1) working day.

Should disciplinary action arise from the circumstances that brought on the emergency suspension, then the suspension will be considered disciplinary. Emergency suspensions are effective immediately.

Employees who have completed their probationary period may appeal any proposed disciplinary action to the City Manager by filing a written notice of appeal with the City Manager, briefly stating the action appealed and the reasons for the appeal. Employees on probation are **not** entitled to utilize the disciplinary appeal procedures. A copy of the notice of appeal must be furnished to the department head and Human Resources Director by the employee. All appeals must be made within three (3) working days after the employee receives notice of the proposed disciplinary action. If the discipline has not taken effect at the time of the appeal, the appeal stays the disciplinary action until after the appeal is decided. An appeal will be considered by the City Manager at the earliest convenient time, but not later than ten (10) days after the appeal is filed. Employees appealing disciplinary action may be represented by their counsel if they wish and will have the opportunity to ask questions, present evidence or otherwise attempt to convince the City Manager that the disciplinary action is not justified.

Such disciplinary hearing shall be closed to the public.

**NOTE: DISCIPLINARY HEARING WILL NOT BE DELAYED OVER THIRTY (30) MINUTES FROM THE ORIGINAL STARTING TIME.**

The City Manager will decide the appeal as quickly as possible and will inform the employee of his/her decision and the reason(s) for it. The decision of the City Manager shall be conclusive and final, and there shall be no further appeal.

Non-disciplinary action is a suspension, with or without pay, which the department head with the approval of the City Manager may impose on an employee who has been accused of some action which if found to be true, would result in "cause" for a disciplinary action. If a non-disciplinary suspension is imposed, the employee will be notified in writing, (a) that the suspension is non-disciplinary, (b) that the suspension is temporary in nature (for example, pending the outcome of a criminal trial or internal investigation), (c) what the accusations or allegations are that triggered the non-disciplinary suspension, and (d) why a non-disciplinary suspension has been imposed.

If it is determined that the charges are not substantiated, then the employee shall be reinstated with full recovery of lost wages or benefits. If it is determined that the charges are substantiated, then appropriate disciplinary action may be taken by the department head.

**PLEASE BE ADVISED THAT THERE IS NO APPEAL FROM A NON-DISCIPLINARY SUSPENSION.**

**REMEMBER: DISCIPLINARY ACTIONS ARE PLACED IN YOUR FILE TO BECOME A PERMANENT PART OF YOUR PERSONNEL RECORD. NON-DISCIPLINARY ACTIONS ARE NOT PLACED IN YOUR PERSONNEL FILE AND DO NOT BECOME A PERMANENT RECORD.**

**NOTE: A DISCIPLINARY APPEAL ACTION IS NOT A GRIEVANCE PROCEDURE. THESE PROCEDURES ARE SEPARATE AND DISTINCT AND HAVE BEEN ESTABLISHED FOR DIFFERENT PURPOSES. SEE THE FOLLOWING SECTION ON THE GRIEVANCE PROCEDURES.**

## **● GRIEVANCE PROCEDURES ●**

City of New Bern employees who have a grievance associated with City employment have the right to submit such grievance for orderly settlement. The City's policy is to adjust such employee grievances promptly and fairly.

A grievance is a claim or complaint based upon an event or condition which affects the circumstances under which an employee works allegedly caused by misinterpretation, unfair application, or lack of established policy pertaining to employment conditions.

A grievance might involve alleged safety or health hazards, unsatisfactory physical facilities, materials or equipment; unfair or discriminatory supervisory practices, unjust treatment by fellow workers, unreasonable work quotas, or any other matter relating to employment.

The purpose of the City's grievance procedure is to:

- ▶ Provide employees a procedure by which their complaints can be considered rapidly, fairly and without reprisal;
- ▶ Encourage employees to express themselves about the conditions of work which affects them as employees,
- ▶ Promote better understanding of policies, practices, and procedures that affect employees.
- ▶ Instill in employees confidence that personnel actions are taken in accordance with established fair and uniform policies and procedures, and
- ▶ Develop in supervisors a greater sense of responsibility in their contacts with employees.

Employees having grievances are encouraged to discuss their grievances with their immediate supervisors **informally** first in order to reach an understanding. If an understanding cannot be reached, the following successive steps may be taken to resolve the grievance:

- ▶ The employee should present the grievance orally or in writing to their immediate supervisor within ten (10) days of the time the employee learns of its occurrence, with the object of resolving the matter informally.
- ▶ The supervisor should, and is encouraged to, consult with any appropriate City employee in order to reach a correct, impartial and equitable adjustment and will give the employee an answer within three (3) working days. Both the grievance and answer shall be reported to the department head.
- ▶ If the grievance is not resolved during the first step, the employee may file the grievance in writing, within ten (10) working days with the respective department head. The department head shall hear the grievance within three (3) working days and make a decision in writing back to the employee within in additional three (3) working days. A copy of the grievance will be forwarded to the Human Resources Director at the time it is forwarded to the department head.
- ▶ If at this point the grievance is not resolved to the satisfaction of the employee, then the employee may appeal the grievance to the Human Resources Director by giving written notice within ten (10) working days. The Human Resources Director will gather all information and facts relating to the grievance and forward them to the City Manager for disposition.



- ▶ The City Manager, at his option, may decide the grievance based upon the written information submitted, through an oral hearing, or through a combination of the two. The City Manager will decide on the grievance, in writing, within ten (10) working days.
- ▶ The City Manager's decision will be final.

The time limit stated above, when mutually agreed upon, may be extended.

**NOTE: GRIEVANCE PROCEDURES ARE DIFFERENT FROM DISCIPLINARY APPEAL PROCEDURES AND THE TWO ARE NOT INTERCHANGEABLE.**

## ◀ REPORTING ACCIDENTS AND INJURIES ▶

If you are injured or involved in an accident while on duty, regardless of how minor it may seem, you are required to do the following:

- **Report your accident or injury to your supervisor (or the person in charge) immediately.**
- **Go with your supervisor to receive medical treatment. Depending on the seriousness of the accident/injury, your supervisor will transport you to the appropriate medical provider.**
- **If an employee feels that his or anyone else's life is in imminent danger, he/she should immediately call 9-1-1 and request Police assistance.**

**NOTE: EMPLOYEES INJURED ON THE JOB DO NOT HAVE THE OPTION AS TO WHETHER TO RECEIVE MEDICAL TREATMENT OR NOT. SUPERVISORS ARE INSTRUCTED TO TAKE ALL INJURED EMPLOYEES TO THE APPROPRIATE FACILITY TO RECEIVE MEDICAL ATTENTION UPON NOTIFICATION OF AN ACCIDENT OR INJURY. THIS IS DONE IN ORDER TO PROTECT BOTH THE EMPLOYEE AND THE CITY.**

Accidents involving City owned vehicles must be reported immediately, regardless of how minor the damage. All accidents which involve damage to City owned vehicles or for which injury occurs to City employees while operating such vehicles must be reported to the appropriate supervisor, department head and safety officer.

In addition, the following procedures must be followed:

- The driver of any City-owned vehicle which is involved in an accident will immediately, by the quickest means of communication give notice of the accident to his supervisor and the

- appropriate law enforcement entity having jurisdiction and control over the area in which the accident occurred (New Bern Police Department or the Highway Patrol).
- If damage is done to private property, the driver of the City-owned vehicle must request pictures be taken by the Police Department.
- The driver of any City-owned vehicle which collides with any other object or unattended parked vehicle on any street, highway, driveway, alley or parking lot must report the collision to the owner of the damaged property. The report must include the driver's name, address, driver's license number and vehicle identification number; date, time and place of collision. The report must be in writing.

Failure to take appropriate steps as outlined above will result in disciplinary action.

The respective department head will review all vehicle accidents or equipment where property damages, personal injury or death occur.

After screening, reviewing, and recording all vehicle accidents, the department head will recommend the following:

- ▶ **No action to be taken - If in the opinion of the supervisor and department head the operator/driver was not responsible for the accident.**
- ▶ **Official Oral Reprimand - If responsible for a minor first vehicle or property accident.**
- ▶ **Official Written Reprimand- If responsible for a minor 2nd vehicle/property accident.**
- ▶ **Other disciplinary actions such as loss of driving privileges or suspension if deemed appropriate, up to and including dismissal.**

Upon notice of a vehicle accident, department heads must within ten (10) working days, take appropriate action and notify the Human Resources Director and the City Manager in written form for the disposition of each case.

The department head may recommend disciplinary action up to and including the suspension of driving privileges or dismissal of any employee upon the showing of his/her records or other satisfactory evidence that the individual has been negligent or willful in the destruction of city property.

Injuries and/or illnesses incurred as a direct result of the job must be reported to the safety officer. There are specific reports which you and your supervisor must complete immediately. These forms can be obtained from the Human Resources Department.

Failure to report any type of accident or injury could possibly result in not only the loss of your Worker's Compensation benefits but also necessary medical attention. Such conduct may also result in various levels of disciplinary action.

**REMEMBER: IT IS REQUIRED THAT ALL EMPLOYEES INJURED ON THE JOB GO WITH THEIR SUPERVISOR (OR THE PERSON IN CHARGE) TO THE APPROPRIATE FACILITY TO RECEIVE MEDICAL ATTENTION. THE DECISION AS TO WHICH MEDICAL PROVIDER TO GO TO IS MADE BY THE HUMAN RESOURCES DEPARTMENT AND/OR THE SUPERVISOR .**

## ● EMPLOYMENT TYPES AND EMPLOYMENT STATUS ●

The majority of City employees are in "regular" positions working full-time, in which the benefits and conditions of employment described in this handbook are appropriate.

There are three (3) **employment types** in the City's workforce:

- ▶ **Regular**            **Positions and/or employees appointed to serve in a budgeted position for an indefinite duration.**
  
- ▶ **Temporary**        **Positions and/or employees who have been appointed to serve in a position for a definite term or to fill a position which will cease to exist at the end of a specified term, or upon the happening of a predictable circumstance or event.**
  
- ▶ **Seasonal**           **Positions and/or persons employed by the City for special or seasonal work assignments.**

There are also two (2) types of **employment status** in the City's workforce:

- ▶ **Full-Time**        **Employment whether "regular" or "temporary" in which an employee works the number of hours per pay period designated by the Board of Alderman as "full-time". Full-time employment consists of an average work week of at least forty (40) hours (42 for sworn police personnel and 56 for fire personnel).**
  
- ▶ **Part-Time**        **Employment either "regular" or "temporary" in which an employee works less than the number of hours designated by the Board of Aldermen as "full-time". "Part-time" employment consists of an average work week of less than forty(40) hours.**

Information pertaining to benefits that are available to such types of employment is available from the Human Resources Department. In the computation of service time, two (2) months of part-time employment is equal to one (1) month of full-time employment.

## ◀ RESIDENCY/RESPONSE REQUIREMENTS ▶

Residency requirements or response time requirements may be necessary for a department to carry out its mission or to meet licensing requirements. Affected employees must meet the residency requirement within one (1) year from the date of his/her employment, promotion, demotion or transfer. Affected employees must meet the response time requirement within six (6) months from the date of his/her employment, promotion, demotion or transfer. Any exceptions must be approved in advance by the City Manager.

It is highly desirable that all employees reside within the City of New Bern. However, the City Manager and all Department Heads shall be required to reside within the City limits. .

Employees required to meet any special residency/response requirements should be notified prior to placement in an affected position.

In cases where residents and non-residents are equally qualified, the resident will receive first consideration in the filling of vacancies.

## ◀ SUPERVISOR RESPONSIBILITIES ▶

Whereas the need to maintain team spirit, efficiency, discipline and safe working conditions are of prime importance to the harmonious operation of the City, persons employed in supervisory positions are in crucial management roles. Among their responsibilities are to:

- ▶ **Support and maintain a harmonious relationship between supervisory and non-supervisory employees, and**
- ▶ **Deal with all employees in a fair and equitable manner and uphold the privileges of equal employment opportunities.**
- ▶ **Develop and motivate employees to reach their fullest potential through continued education and training.**
- ▶ **Lend their full support to the City's position regarding employee-employer relations.**

To this extent, supervisory personnel are not permitted to join, support, or participate in activities of any employee organization whose purpose is the collective representation of employees in matters relating to employment.

## ● USE OF CITY PROPERTY ●

Equipment, tools, material and supplies that belong to the City will not be used or removed from City property by employees except in the conduct of official City business.

City telephones represent a very important extension of the City's ability to communicate with its citizens. It is essential that all employees practice courteous and business-like manners while using City telephones.

City telephones, likewise, are for official business; long distance calls are to be placed for official business only. Unreasonable personal use of City telephones for local calls will not be tolerated. Private use of telephones for personal long distance calls is strictly prohibited.

City vehicles are to be used exclusively for City business except when taking a vehicle home serves the best interest of the City as determined by the City Manager. If you are assigned a City vehicle you are to operate and care for it in a responsible manner; the same as you would care for your own vehicle.

Unauthorized passengers such as hitchhikers, family, friends or other parties not directly related to City business are not allowed in City vehicles. Also the personal use of City property may result in disciplinary action.

## ● UNIFORM AND DRESS POLICIES ●

If you are in a City occupation which requires frequent outside contact or visibility or in an occupation which tends to damage or dirty clothes; you will probably be issued a standard city uniform.

Employees who are issued uniforms are given multiple sets of uniforms for ease of cleaning and in order to provide you with a clean uniform each work day. Employees issued uniforms are required to wear the uniform issued.

Employees who have medical problems in wearing the standard uniform (polyester and or cotton) or safety shoes must present one (1) written physician's statement, at their own expense, stating the medical reason why the uniform or shoe cannot be worn, to their respective department head. Should there be an appropriate medical reason why a uniform or shoe cannot be worn then a special uniform or shoe will be authorized by the City.

If you are not issued a uniform by the City dress is left up to the departmental regulation and your personal taste. Neatness and cleanliness is essential and dress should be appropriate for the proper atmosphere to conduct City business.

Failure to abide by City or departmental uniform or dress policies is cause for disciplinary action, up to and including dismissal.

## ◀ PRIVACY OF EMPLOYEE PERSONNEL RECORDS ▶

The maintenance and privacy of the personnel records is essential in order for the proper administration of the City's personnel system.

The following information on employees is a matter of public record: name, age, date of employment or appointment to the City's service, current position title, current salary, date and amount of most recent change in salary, date of most recent promotion, demotion, transfer, suspension, separation or other change in status and the office or department to which the employee is currently assigned. Any person may have access to this information during regular business hours in the Human Resources Department.

Any employee may sign a written release form (entitled Personnel Release Authorization) which will permit the Human Resources Department to release specific information as spelled out on the release form to any person specified on the release either in person, by telephone or by mail.

The Human Resources Department maintains in your personnel file such information as: social security number, class title and code, payroll data, job description, disciplinary actions, performance evaluations and other information relevant to the personnel system. All medical information is maintained separately from the personnel file.

Any employee who objects to material in his/her personnel file on the grounds that it is inaccurate or misleading may place a statement relating to this material in his/her personnel file.

All other information, other than the public records noted above, is **confidential** and will be "open" to inspection during regular business hours in the Human Resources Department **only** in the following instances:

- ▶ **The employee or his duly authorized agent may examine all portions of their personnel file, except (1) letters of reference solicited prior to employment, and (2) information concerning a medical disability, mental or physical, that a prudent physician would not divulge to their patient.**
- ▶ **A licensed physician designated in writing by the employee may examine the employee's medical records**

- ▶ **A City employee having supervisory authority over the employee may examine all material in the employee's personnel file.**
- ▶ **By order of a court of competent jurisdiction, any person authorized by the court may examine the employee's personnel file.**
- ▶ **An official of an agency of the State or Federal government, or any political subdivision of the State, may inspect any portion of a personnel file when such information is deemed to be necessary and essential to the pursuance of a proper function of the inspecting agency; however, no information will be divulged for the purpose of assisting in a criminal prosecution of the employee or for the employee's tax liability. The Human Resources Department may release the name, address and telephone number from your personnel file for the purpose of assisting in a criminal investigation.**

The following information which may be in your personnel file will not be released to you or any other person:

- ▶ **Letters of reference solicited prior to employment.**
- ▶ **Testing or examination material used solely to determine qualifications for appointment, employment or promotion.**
- ▶ **Investigative reports or memoranda concerning the investigation of possible criminal actions of an employee until the investigation is completed and no criminal action taken or until the criminal action is concluded.**
- ▶ **Information that might identify an undercover law enforcement officer or a law enforcement informer**
- ▶ **Notes, preliminary drafts and internal communications concerning an employee. In the event that these materials are used to make a personnel decision, then the employee or his/her duly authorized agent may inspect the material.**

Each individual requesting access to confidential information will be required to submit satisfactory proof of identity to the Human Resources Department. A record of disclosure will be made by the Human Resources Department of each occasion that a disclosure is made and placed in the employee's personnel file with the employee receiving a copy (except disclosures to the employee and supervisory personnel).

## EMPLOYEE HANDBOOK ACKNOWLEDGMENT

I acknowledge that I have received the Employee Handbook for the City of New Bern (Revised 2006), I received this handbook on \_\_\_\_\_.

I further acknowledge that it is my responsibility as an employee of the City of New Bern to fully read and become familiar with the contents of the Employee Handbook and that it is my responsibility to maintain the Employee Handbook, including any updates issued for the handbook.

\_\_\_\_\_  
Employee Acknowledgment

\_\_\_\_\_  
Date