

CITY OF STAMFORD



EMPLOYEE GUIDE

2016

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## *A WELCOME MESSAGE FROM THE MAYOR*

This Employee Handbook has been prepared to assist you in your employment with the City of Stamford. Our Human Resources Department, in collaboration with many other City departments and employees, has prepared this handbook of City policies, practices and procedures. This handbook is designed to act as a source of information for our employees and to assure that everyone understands the expectations of the City with regard to their employment.

Civil service is one of the most honorable and rewarding forms of employment that is available in our society. Our work on behalf of and for the benefit of the residents of the City of Stamford will bring you many challenges and opportunities. Ultimately, the service that we provide to the residents of the City is the sum of all of our actions.

Obviously, in an organization the size of Stamford and given the number of years that we have served the public we may have overlooked some policy or procedure or may need to establish new policies. If you or any of your co-workers have any questions regarding this Handbook we will be happy to meet with you and discuss these matters. Please direct your inquiries to the Human Resources Director.

Welcome to the City of Stamford!

A handwritten signature in black ink, appearing to read "David R. Martin".

*Mayor David R. Martin*

## PURPOSE OF THIS HANDBOOK

The purpose of this Handbook is to compile into one document the practices, policies and procedures of the City of Stamford existing at the time of its publication with respect to matters related to your employment and to provide general guidance concerning your employment with the City of Stamford. More specific and current information concerning your terms and conditions of employment will be included in your collective bargaining agreement, City ordinance or personal contract.

In publishing this Handbook, our intent is to provide *every* City Employee with a central source of information about such current practices, policies and procedures and, where appropriate, to describe as clearly as we can the City's current expectations of you and your colleagues as City employees. The expectations described in this Handbook may be supplemented from time to time by the Director of Human Resources, or the Head of the Department to which you are assigned or by the Supervisor under whose direction you are performing assigned tasks.

While we endeavored to make this Handbook all-inclusive, it is possible that the sheer volume of practices, policies, procedures and expectations that have developed in the City over the years has caused us to miss some. If so, we will try to include them with updates to add and/or replace outdated material. The fact that some practices, policies, procedures or expectations do not appear in this Handbook, however, does not necessarily mean that they are no longer in effect.

This Handbook is not and should not be construed as a contract or binding commitment, either express or implied, between the City and any Employee for continued employment, for benefit entitlement or for the continuation of any practice, policy or procedure described in it. By describing the various practices, policies, procedures and expectations in effect on the date of publication of this Handbook, the City is not guaranteeing that such practices, policies, procedures and expectations will remain in effect for any specific period of time or that they will not be changed after the Handbook is first published.

The material in this Handbook is intended to apply to *every* City employee and supersedes all earlier statements of the City's practices, policies and procedures with respect to the items covered. **However, where there is a conflict between this Handbook and a union contract negotiated between the City and a Union, the terms of the union contract will prevail.**

Therefore, every City employee should read this Handbook carefully and completely and become familiar with its provisions.

If you have any questions about anything contained in the Handbook or about any work-related issue that may not be described in the Handbook, please direct them to your immediate Supervisor or to the Human Resources Department. As a general rule, if you have a question, you should ask before you act.

We hope this Handbook enhances your employment experience with the City and facilitates your opportunities for success.

## EMPLOYMENT POLICIES

### EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

The City of Stamford makes employment decisions based on an individual's qualifications, demonstrated ability to do the work assigned and performance without regard to race, color, religion, sex, national origin, age, marital status, real or perceived disability or handicap, status as a veteran, sexual orientation, or any other status protected by applicable laws. In addition, the City of Stamford complies with all applicable federal, state and local laws, regulations or ordinances governing non-discrimination in employment. This policy applies to all terms and conditions of employment including policies and procedures relating to recruitment and hiring, compensation, working conditions, benefits, and termination from employment. Anyone violating this Policy will be subject to disciplinary action, up to and including termination of employment.

### AMERICANS WITH DISABILITIES POLICY STATEMENT

The City of Stamford is committed to complying with applicable provisions of the Americans with Disabilities Act ("ADA"), as well as with applicable state law that requires the City to make reasonable accommodations in its workplace for qualified individuals with disabilities. If you believe you are a qualified individual with a disability, as defined in the ADA, and you believe you need an accommodation to perform the **essential** functions of your assigned job, please contact the Human Resources Department. If there is no accommodation available or appropriate to assist you in performing the essential functions of your job, the City will engage in an interactive process to determine if there are any other accommodations available through the ADA.

The City treats all medical information and records concerning disabilities as strictly confidential.

### AFFIRMATIVE ACTION

It has been the policy, and will continue to be the strong commitment of the City of Stamford and all contractors and subcontractors who do business with this City, to provide equal opportunities in employment to all qualified persons solely on the basis of job-related skills, ability and merit. The City of Stamford will continue to take affirmative action to ensure that the applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, national origin, ancestry, mental disorder (present or past history thereof), age, physical disability (but not limited to blindness), marital status, mental retardation, genetic information, and criminal record. Such action includes, but is not limited to, employment, upgrading, demotion or transfer; recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation and selection for training including apprenticeship. The City of Stamford, its contractors and subcontractors, will continue to make good faith efforts to comply with all federal and state laws and policies which speak to equal employment opportunity.

The principles of affirmative action are addressed in the 13th, 14th, and 15th Amendments of the United States Constitution, Civil Rights Act of 1866, 1870, 1871, Equal Pay Act of 1963, Title VI and VII of the 1964 United States Civil Rights Act, Presidential Executive Order 11246, amended by 11375, (Nondiscrimination under federal contracts), Act 1, Section 1 and 20 of the Connecticut Constitution, Governor Grasso's Executive Order Number 11, Governor O'Neill's Executive Order Number 9, the Connecticut Fair Employment Practices Law (Sec. 46a-60-69) of the Connecticut General Statutes, Connecticut Code of Fair Practices (46a-70-81), Deprivation of Civil Rights (46a-58(a)(d)), Public Accommodations Law (46a-63-64), Discrimination against Criminal Offenders (46a-80), definition of Blind (46a-51(1)), definition of Physically disabled (46a-51(15)), definition of Mentally Retarded (46a-51(13)), cooperation with the Commission on Human Rights and Opportunities (46a-77), Sexual Harassment (46a-60(a)-8), Connecticut Credit Discrimination Law (360436 through 439), Title 1 of the State and the Local Fiscal Assistance Act of 1972 and the Genetic Information Act of 2008.

This Affirmative Action Policy Statement re-affirms the City's commitment to the principles of Equal Employment Opportunity.

### **GENETIC INFORMATION NON-DISCRIMINATION ACT OF 2008.**

In accordance with the Genetic Information Nondiscrimination Act of 2008, the City does not discriminate against employees based on genetic information.

### **EMPLOYMENT OF RELATIVES (ANTI-NEPOTISM)**

The purpose of this policy is to establish uniform practices regarding the employment of regular full-time, part-time and seasonal employees of relatives by the City of Stamford. The intent of this policy is to prevent the appearance of partiality in the hiring, promotion, demotion, reassignment, and transfer of employees, thereby limiting the negative effect on morale and the appearance of impropriety. Pre-existing employment relationships falling within the purview of this policy will be permitted to continue; however, that exception does not apply to promotions, reassignments, and transfers after the effective date of this policy, which are governed by this policy.

The employment of relatives in the same Department within the City of Stamford may cause serious conflicts and problems with favoritism and employee morale. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

The City encourages, and stresses the importance of, the recruitment, selection, and advancement of employees on the basis of demonstrated work, knowledge, skills, and abilities. If relatives meet the established requirements for job vacancies based on their qualifications and performance, then they are eligible for employment with the City with certain restrictions as stated below.

The City limits the hiring or promotion of an immediate relative of an employee by that employee's Department. In limited circumstances, the hiring or promotion of an immediate relative may be permitted only after disclosure of such relationship to and in consultation with, the appropriate Human Resources Representative. Immediate relatives may not be hired if such employment would:

- ✓ Create a supervisor/subordinate relationship with a family member;
- ✓ Have the potential for creating an adverse impact on work performance; or
- ✓ Create either an actual conflict of interest or the appearance of a conflict of interest.

This policy must also be considered when assigning, transferring or promoting an employee. Additionally, relatives shall not work for the same supervisor without the prior approval of the Human Resources Department.

For the purpose of this policy, immediate relatives includes: parents and grandparents, spouse, including a partner in a Civil Union or domestic partner (as defined by applicable state law), children and grandchildren, brother and sister, mother-in-law and father-in-law, brothers-in-law and sisters-in-law, daughters-in-law and sons-in-law, uncle, aunt, nephew, niece, first cousins and adopted and step family members.

All applicants for employment with the City of Stamford are required to disclose the names of relatives currently employed by the City, as indicated on the employment application. Current employees of the City of Stamford are required to disclose any prohibited employment relationship that may be created due to the promotion, demotion, reassignment, or transfer of the employee, or an election. Failure of the

employee to provide this information may be grounds for disciplinary action up to and including the termination of employment.

Employees who become immediate relatives may continue employment as long as it does not involve any of the situations above. If one of the situations outlined above should occur, the employees must disclose it to Human Resources and attempts will be made to find a suitable position within the City of Stamford to which one of the employees will transfer if qualified for the position. If employees become immediate family members, the City will make reasonable efforts to transfer one of the employees to minimize problems of supervision, safety, security or morale. If accommodations of this nature are not feasible, the employees will be permitted to determine which of them will resign. If the employees cannot make a decision, the City will decide in its sole discretion who will remain employed.

The hiring supervisor is responsible for ensuring policy compliance. Directors are responsible for monitoring changes in employee reporting relations after initial hire to ensure compliance with this policy. Employees are responsible for reporting any changes immediately to their supervisor.

The Human Resources Department, in consultation with the Corporation Counsel, is responsible for the interpretation of this policy. A copy of the attached Employment of Immediate Relatives Compliance Form shall be attached to every Personnel Action Form for new hires and promotions. Moreover, a copy of this policy shall be distributed to every employee at least every twenty-four (24) months and to all new hires.

A City employee or applicant for City employment who believes that he or she was denied employment or a promotion because of a misapplication of this policy may appeal the decision to the City's Ethics Commission, whose determination shall be final.

An Employment of Relatives Compliance Agreement Form below must be completed by the respective department and approved by the Department Head and Human Resources. Contact Human Resources for the Form and for more information.

## **HIRING PROCESS**

The mission of the Human Resources Division is to provide professional human resources administration designed to accomplish the following: To recruit and retain the most qualified employees of the City of Stamford; to develop a system to ensure compliance with State and Federal laws and regulations; to provide Human Resources planning in areas of employee development and accountability; and to provide the labor relations function for the City.

In addition, the Human Resources Division functions as the local Civil Service administration for the City of Stamford and the Stamford Board of Education with responsibility of insuring compliance to Civil Service Rules for the selection, retention, classification, discipline and employment records of all applicable staff.

The Human Resources Division provides consulting and support services to the various City Departments to assist in managing their staff to meet the City's goals and objectives as well as departmental service mandates. Work is performed in coordination with the Office of Legal Affairs in the negotiation and administration of all Labor Agreements, disciplinary procedures and other legal aspects affecting employment.

### **CLASSIFIED SERVICE**

The City of Stamford is dedicated to a classified service that will maintain the integrity of classification, recruitment and selection of the most qualified individuals, which will treat employees with respect and consideration and through the quality of our policies and practices, demonstrate management's concern for their welfare. Administration of the Classified Service shall be governed by these Rules, and the amendments that follow shall be approved by the Personnel Commission after public notice and hearing (City of Stamford Charter). In the event of any conflict between these rules and the City Charter, state law or collective bargaining agents, the latter shall prevail.

### **UNCLASSIFIED SERVICE**

All vacancies in the Unclassified Service shall be filled by appointment from candidates deemed qualified and approved by the Director of Human Resources as having met the minimum qualifications of the class. All vacancies in the Unclassified Service are excluded from the Civil Service merit system testing policies.

### **EMPLOYMENT APPLICATIONS AND REFERENCE CHECKS**

The City relies upon the accuracy of the information that you provide us in your employment application, as well as the data you provide us throughout the hiring process and your employment. Any misrepresentations, falsifications, or material omissions in any of the information or data you provide may subject you (a) to exclusion from further consideration for employment if you are an applicant and (b) to disciplinary action, up to and including termination of employment, if you are an employee.

To ensure that applicants for employment are well qualified for the type of work for which they are being considered the City may request employment references of an applicant.

### **NEW EMPLOYEE ORIENTATION**

All new employees to the City of Stamford are required to attend a new employee orientation session. Orientation is designed to welcome new employees, acquaint them with policies and information important to working at the City and ensure that each employee is properly registered for payroll and benefits.

## PERSONNEL RECORDS

All documents that the City uses to make employment decisions about you become a record, or history, of your employment with the City and, by definition, comprise your "personnel file". The Human Resources Department maintains your official "personnel file", which is devoted exclusively to you. Your personnel file is and will remain the sole property of the City.

Your personnel file may include, among other things, information pertaining to your employment, benefits, performance reviews, education and professional qualifications and emergency contact information. If you wish to review the material in your personnel file, you may do so upon written request submitted to our Human Resources Department. Personnel files cannot be removed from the Human Resources Department.

The City of Stamford treats personal employee information as confidential and respects the need for protecting each employee's privacy. Information from your personnel file will not be released externally without your express written consent or unless release of the information is required by law.

To ensure that personnel files are up-to-date at all times, it is **your** responsibility to notify the Human Resources Department of any change in information that affects your employment status, such as, among other things: your marital status, newborn or adopted children, change of address, change in telephone number, change in emergency contact person, change in tax exemptions, and any change in insurance and/or retirement beneficiaries.

### **PROOF REQUIRED TO DEMONSTRATE YOUR LEGAL RIGHT TO WORK IN US**

The Federal Immigration Reform and Control Act (IRCA) prohibits knowingly employing aliens not legally authorized to work in the United States or legal non-immigrants whose classification does not permit employment in this country. IRCA requires all employers, including the City of Stamford, to obtain written certification from all new employees stating that they are authorized by law to be employed in the United States. The City of Stamford must also independently verify the employee's identity and employment eligibility within three days of his/her hire date.

Under IRCA, every employee must complete Form I-9 issued by the Immigration and Naturalization Service (INS) attesting to his or her legal status. Verifying an individual's legal status to work in the United States requires proof of both the individual's identity and authorization to work. IRCA further requires the City of Stamford to keep such documentation on file for three (3) years following the first date of employment or for one (1) year following the termination of employment, whichever is later.

A newly hired employee has three (3) days from his/her start date in which to present the proper documents.

## EMPLOYMENT CLASSIFICATIONS

### EMPLOYMENT STATUS

City employees are either “permanent” employees or temporary/seasonal employees, and either full-time or part-time, as assigned by the City.

**Permanent employees** are those hired on a regular basis for an indefinite period of time.

**Temporary or seasonal employees** are those hired in a specific City Department for a defined period of time (i.e., a day, a week, the summer, the duration of a specific project, until another employee returns from leave). Summer employees are typical examples of seasonal employees.

**Full-time employees** are individuals working thirty-five (35) or more hours per week on a year-round basis.

**Part-time employees** are individuals working an average of fewer than 20 hours per week on a year-round basis.

**Permanent part time employees** are employees who work an average of 20 hours or more, but less than thirty-five hours per week on a year-round basis.

### EXEMPT & NON-EXEMPT

Whether regular or temporary/seasonal, full-time or part-time, City employees are further categorized by law as either **(a) exempt** from the overtime pay requirements of state and federal law or **(b) not exempt (“non-exempt”)** from the overtime pay requirements of state and federal law.

Exempt employees are employed in an executive, administrative, or professional capacity, are paid on a salary basis and are not eligible for overtime pay unless there is a specific provision in the exempt employees’ union contract to provide for additional compensation.

Non-Exempt employees are employed in jobs other than executive, administrative or professional capacities are paid on the basis of the time they work and are subject to statutory overtime pay requirements.

You will be informed of your status as exempt or non-exempt at the time you are offered employment and at any time your status changes during your employment.

## EMPLOYEE BENEFITS

The City of Stamford offers a competitive benefits package for its employees. In addition to mandated benefits such as Social Security, Medicare, Unemployment insurance, and Workers' Compensation insurance, eligible employees may choose health, dental, vision and retirement savings options. An employee electing to participate in City benefits is automatically enrolled in health, dental and vision and an employee cannot elect to enroll in only one benefit option. Employees must provide appropriate documentation to establish dependent eligibility, such as marriage or birth certificates at the time of his/her employment and any subsequent time, if requested. Eligible employees who waive enrollment in City benefits may be entitled to a cash reward.

### GROUP HEALTH INSURANCE & PRESCRIPTION DRUG PLAN

Medical and prescription drug coverage is available for eligible employees and for their eligible dependents. The prescription drug plan offers prescription drugs from retail pharmacies and via mail-order. An eligible employee may sign up for coverage on the first of the month following his/her first day of employment. Employees who elect coverage are required to pay a portion of the monthly premium cost for the coverage level they select and the City will deduct their share of the premium cost from their pay. The City will make such deductions on a pre-tax basis to the extent permitted by law. Employees should contact the Human Resources Department for details about coverage and eligibility information.

### DENTAL PLAN

Dental coverage is available for eligible employees and for their eligible dependents. Dental coverage includes routine preventive care, oral surgery and similar procedures, as well as orthodontic care for dependent children. An eligible employee may sign up for dental coverage on the first of the month following his/her first day of employment. Employees who elect dental coverage are required to pay a portion of the monthly premium cost for the coverage they select and the dental premium is included in the bundles health care premiums deducted from their pay. The City will make such deductions on a pre-tax basis to the extent permitted by law. Employees should contact the Human Resources Department for details about coverage and eligibility information.

### VISION PLAN

The City provides an optical plan with benefits for each eligible employee and his/her dependents.

### CHANGES TO COVERAGE

Employees will have the opportunity once a year, during the annual open enrollment period, to make changes to their coverage. Changes are permitted at any time for a qualified family status change which includes such things as marriage, divorce, death, birth or adoption of a child, or spouse's loss of coverage. Proper documentation and notification within thirty (30) days of the qualifying event must be presented to the Human Resources Department in order to process the change.

Employees must immediately remove dependents who are no longer eligible for coverage. Ex-spouses are not permitted to remain on an employee's benefits unless the employee purchases COBRA for the ex-spouse. An employee will be responsible for reimbursing the City for any claims paid on behalf of any ineligible dependent in addition to the possibility of it affecting the employee's employment status.

### HEALTH AND DEPENDENT CARE REIMBURSEMENT ACCOUNTS (SECTION 125)

Regular, full-time employees may elect to participate in the City's Section 125 Health and Dependent Care Reimbursement Account. This account allows employees to automatically deduct from their pay, on a pre-tax basis, an amount they elect to cover certain health and childcare expenses as permitted by law. The plan is designed to help employees save money by lowering their taxable income. The IRS has strict

guidelines on this money because of the tax advantages. Employees should consult the Human Resources Department for detailed information.

#### **COMMUTER TAX BENEFIT PLAN**

The City permits employees to set aside a certain amount of pre-tax dollars to pay for their transit expenses. Contact Human Resources to find out the current amount permitted under IRS regulations and the process for participating in this tax benefit.

#### **LIFE INSURANCE**

The City pays a portion of a life insurance policy for each active employee and provides for an opportunity for eligible employees to purchase additional life insurance solely at the employee's expense. Employees are taxed on the basis of imputed income for life insurance policies in an amount that exceeds established I.R.S. limit (currently \$50,000)

#### **PREMIUM COST SHARE**

As a pre-condition to your obtaining coverage under any Group Insurance Plan that the City makes available and for which you are eligible, you will be responsible for contributing toward the premium cost, where required, and, the City will deduct your share of the premium cost from your pay. The City will deduct your contributions to premium costs from your pay on a pre-tax basis to the extent permitted by applicable law.

In situations where a paycheck is not generated, for example, when you are on an unpaid leave of absence or a leave that removes you from the payroll system, you will be required to pay your share of your premium contribution and other benefit contributions in advance in order to ensure your continued participation in such benefit programs during your absence to the extent you are eligible to continue such coverage.

#### **PENSION**

Eligible Employees who are not public safety employees may participate in either the Classified Employees Retirement Fund, the Custodian Retirement Fund, or other City sponsored retirement plans including deferred compensation plans. Police officers and Firefighters have also have Retirement Plans. These Retirement Plans provide retirement benefits to eligible Employees for normal and early retirement, as well as for those eligible Employees who retire due to a qualifying disability. Retirement benefits and eligibility requirements are described in the specific Plan Document.

The City and eligible Employees share in the cost of the Plan through qualified employee contributions, which are deducted from your pay, on a pre-tax basis.

#### **EMPLOYEE ASSISTANCE**

In an effort to assist Employees in preserving their well-being, the City has established an Employee Assistance Program (EAP). The EAP provides professional expertise to employees and their family members when problems of a personal nature that may have an effect on an Employee's life as well as his or her job performance. Through early intervention, many of these issues can be resolved and the impact on job performance and general health minimized. Employees are encouraged to utilize the program on a self-referral basis for a wide range of personal problems including but not limited to: substance abuse, marriage and family issues, stress (emotional or psychological), interpersonal relationships and other personal or family matters. The program is strictly confidential and the City does not receive any information from the EAP provider. Detailed information can be obtained confidentially from the Human Resources Department.

## LEAVE POLICIES

### **VACATION**

Employees either accrue vacation on a monthly basis or receive their entire year's vacation allotment in advance. Employees must consult their union or personal contract to determine the amount of vacation time he/she is entitled to receive and when he/she can use it. Vacation time off may not be taken until the Employee has successfully completed their probationary period as a City Employee. Vacation time off may not be taken by any Employee unless approved in advance by the Employee's Department Head or supervisor. Requests for vacation time off must be submitted to your supervisor as far in advance as practicable. All vacation requests are subject to approval based on the demand of the operations of the department.

Earned vacation time must generally be taken in the fiscal year in which it is earned. Employees are limited in the amount of unused vacation they can carry over from one fiscal year to the next and in the amount of unused accrued vacation they can be paid upon termination of employment. In special circumstances, an employees may, with the prior approval of the Department Head and Director of Human Resources be permitted to carryover over used vacation in excess of the limit provided it is used within a specific timeframe.

If an employee has used all accrued vacation time or needs vacation time in excess of his/her accrued balance he should check with the Department Head about the possibility of taking time off without pay.

### **PERSONAL DAYS**

A regular full-time Employee will be eligible to receive personal days each fiscal year to attend to a personal need that cannot be addressed during non-work time, provided the Employee requests the leave within a reasonable time of learning of the need to be out of work. Unused personal days cannot be carried over from year to year and are not paid at the time of separation from employment. Consult your union or personal contract to determine the number of personal days you are eligible to receive.

### **SICK LEAVE**

The City's sick leave program provides a level of pay protection for eligible Employees who cannot work because they are ill or injured.

A regular full-time Employee will be eligible for sick leave without loss of regular pay each time he or she is too medically incapacitated (sick or injured) to report to work as scheduled. Paid sick leave at an employee's regular pay is earned on either on a monthly basis or provided up front at the beginning of the fiscal year.

Any employee not entitled to receive sick leave under the terms of a City ordinance, union or personal contract, may be eligible for paid sick leave in accordance with Connecticut Public Act 11-52. (See Appendix for copy of statute).

Sick leave is available only to eligible Employees who are unable to perform their assigned duties due to their own illness or injury or a limited amount of sick leave may be used for a spouse's or child's illness and/or for reasons consistent with the state statute governing paid sick leave (Public Act 11-52) or their contract.

The City reserves the right to require you to provide documentary verification of your illness or injury. During any period of absence, including, but not limited to, absences for medical reasons, you must keep your supervisor apprised of any changes in your condition that might impact the anticipated date of your return to work.

Doctor's appointments should normally be scheduled before and after work. In the rare case where an employee cannot schedule a doctor's appointment before or after work, the use of sick time is limited to the time actually spent traveling to and from the appointment and the duration of the doctor's visit. An employee is limited to a full day of sick time for a doctor's appointment during a normal work day when the type of examination justifies it or when the employee is out of work for the entire day due to an illness or injury. An employee who does not wish to report to work before or after a doctor's appointment must use vacation or personal time for any time not spent in connection with the doctor's appointment.

Please note that "sick leave" is not additional holiday or vacation time.

Employees who have sick time at the end of the year and who are eligible to carryover unused sick time will have the remaining sick time carried over into the next fiscal year up to the maximum permissible amount.

### **SICK LEAVE BANK**

A sick leave bank for each employee group has been established for extreme hardship cases of non-work related injury or illnesses. Each sick leave bank committed has established procedures for submitting request for sick leave from the bank. See the provision of your union contract for details on whether you are eligible for sick leave from the sick leave bank, how to apply for sick time from the sick leave bank and the approval process.

### **FAMILY MEDICAL LEAVE ACT (FMLA) POLICY**

**Uses of FMLA leave.** In accordance with the Family and Medical Leave Act (FMLA), the City of Stamford grants leave without pay to eligible employees for up to 12 weeks in a 12-month period. This FMLA leave is a guaranteed period of time eligible employees can be absent from work with job protection. The time off is not paid, unless the employee is taking vacation, personal or sick leave concurrently with FMLA leave. Employees can request or use FMLA leave to cover the time they need to be away from work for any of the following purposes:

- To care for a newborn child or a newly adopted or newly placed foster care child, as long as the leave is taken in the year following the child's birth or placement;
- To care for a child, spouse, or parent who has a serious health condition;
- To provide employees time to attend to their own serious health condition that leaves them unable to perform their job;
- Qualifying exigency arising out of the fact that your spouse, son, daughter, or parent is on active duty or call to active duty status in support of a contingency operation as a member of the National Guard or Reserves; or
- You are the service member with a serious injury or illness.

**Eligibility.** To be eligible for FMLA leave, an employee must have worked for the CITY OF STAMFORD for at least one year and performed at least 1,250 hours of work during the previous 12 months.

**Requesting leave.** Employees who know they need FMLA leave a month before the leave begins must give their supervisors 30 calendar days' advance notice. However, employees drawing on paid sick leave or vacation leave do not have to give any more notice than is required under those policies. Employees need to complete a "Request for FMLA Leave" form and submit it to the Human Resources or Benefits Department. Employees who cannot foresee the need for FMLA leave 30 days in advance must give as much notice as they can. This generally means notifying the CITY OF STAMFORD within one or two workdays of the time an employee first learns of the need for leave, unless extenuating circumstances exist.

**Health care provider certification.** Employees who request FMLA leave because of a serious health condition of a family member also must submit a completed "Certification of Health Care Provider" to the Human Resource Department before the leave can be approved.

**Amount of leave.** Employees can take up to 12 weeks of FMLA leave in a 12-month period. However, where a husband and wife both work for CITY OF STAMFORD, the two employees are limited to a combined total of 12 weeks of family leave to cover the time off they need after the birth or placement of a child or to care for a seriously ill parent. However, each employee is eligible to take any unused portion of the 12 weeks for his or her own serious health condition, the care of a seriously ill child or the care of the other spouse.

**Intermittent leave.** Employees may take FMLA leave intermittently or on a reduced leave schedule (that is, in blocks of time less than the full amount of the entitlement) when medically necessary or when the leave is due to a qualifying exigency. Taking intermittent leave for the placement for adoption or foster care of a child is subject to the employer's approval. Intermittent leave taken for the birth of a child is also subject to the employer's approval. However, employer approval is not required for intermittent or reduced schedule leave that is medically necessary due to pregnancy, a serious health condition, or the serious illness or injury of a covered service member. Employer approval also is not required when intermittent or reduced schedule leave is necessary due to a qualifying exigency.

**Privacy and leave requests.** Employees must inform his/her supervisor that they need family or medical leave and when they expect to be absent. However, supervisors do not ask or inquire about the reasons for the employee's leave request. Instead, to ensure the worker's privacy, the Human Resources or Benefits Department makes any necessary inquiries and evaluates whether there is a medical need for the leave. The Human Resources or Benefits Department also is responsible for ensuring that all medical information provided by employees is maintained in the strictest confidence.

**Compensation and benefits during leave.** FMLA leave is unpaid, unless it is taken together with accrued paid leave. However, employees on FMLA leave continue to be covered by the CITY OF STAMFORD's group health benefits plan on the same terms that are applicable for active employees. FMLA leave does not cause employees to lose any previously accrued employment benefits.

**Reinstatement following leave.** On returning from an FMLA leave of absence, employees normally are restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. The only exceptions to this restoration procedure are for certain key employees, who are notified of their status when they first request FMLA leave. Key employees who take FMLA leave are reinstated to their former or equivalent positions only if their reinstatement does not cause THE CITY OF STAMFORD substantial and grievous economic injury.

**Post-FMLA unpaid leave.** In some circumstances, The CITY OF STAMFORD might allow employees who have exhausted the leave available to them under FMLA to take additional unpaid leave. The CITY OF STAMFORD does not guarantee that it will be able to reemploy individuals who take post-FMLA leave. Further, during a period of post-FMLA leave, an employee's health care benefits do not continue in force, unless the worker elects to pay the full cost of COBRA coverage. Employees should be aware that a lapse in benefits coverage or plan participation during a period of post-FMLA leave might affect a worker's coverage after the employee returns to work.

**Compliance with FMLA requirements.** This policy is intended to comply with FMLA and should be interpreted in light of regulations implementing that act. In particular, terms used in this policy have the meanings they are given in the regulations implementing FMLA.

**Effect of state law.** The CITY OF STAMFORD complies with all requirements, prohibitions, and other provisions of the state and local laws applicable in areas where it operates or does business. If a state law entitles an employee to more generous benefits than FMLA does, the employee receives the more generous benefits.

## BEREAVEMENT LEAVE

Unless otherwise stated in an employee's union contract, employees are entitled to up to five (5) consecutive working days funeral leave with pay from the day of death of a spouse, or partner in a Civil Union as defined in Conn. Public Act parent, child, grandparent, grandchild, brother or sister, and three (3) consecutive working days funeral leave with pay from the day of the death of a mother-in-law, father-in-law, brother-in-law or sister-in-law. At the discretion of the department head, where unusual circumstances and equity dictate, one (1) working day maybe granted with pay in the event of the death of any other relative not described in this section in order to attend the funeral of that person.

## JURY DUTY

State law requires that each full-time employed juror be paid regular wages by the juror's employer for the first five (5) days, or part thereof, of jury service.

The City's policy provides that an eligible Employee who reports for jury duty on his or her scheduled workday in response to a summons issued by a state or federal court will not lose his or her regular pay for such day or for succeeding days on which he or she is required to report or serve as a juror, even if the applicable jury service extends for more than five (5) workdays.

For each day of jury service under the statute, the City will pay the difference between the *per diem* that the Employee receives from the State for such jury service and the Employee's regular day's pay for each day of such service.

## MILITARY LEAVE

An Employee who is a member of the United States Army, Navy, Air Force, Marines, Coast Guard, National Guard, Reserves or Public Health Service will be granted a Military Leave of Absence (a "Military Leave") for military service, training or related obligations in accordance with applicable state and federal law.

During any period of an Employee's involuntary military service, he or she will be paid the difference between his or her regular pay immediately prior to the Military Leave and his or her military pay for a period of up to twelve (12) months. Supplemental pay will only occur when the military pay is less than the Employee's regular pay immediately prior to the start of his or her Military Leave. The City's pay supplement will be based solely on the Employee's regular base pay and will not include items of additional pay such as, holiday pay, shift differential or scheduled overtime.

Employees on Military Leave may continue to participate in the Pension Plans during their period of active military service by making the appropriate contributions to the Plan. Employees will be allowed the maximum statutory period in which to comply with this contribution requirement upon their return from Military Leaves.

For purposes of employment service, the time spent on involuntary active duty will be credited to the Employee as though he or she remained actively employed with the City during the period of his or her Military Leave.

Employees ordered to involuntary military service and their enrolled dependents will continue to participate in the City's medical, dental and prescription drug plans for the thirty (30) days after the Military Leave commences. After the thirty (30) day period expires, Employees on Military Leave and their enrolled dependents may continue to participate in the plan at their own expense for a period of up to eighteen (18) months, inclusive of the initial thirty (30) day period.

The City's Employee life insurance coverage will remain in effect for the duration of the Employee's involuntary tour of military duty in accordance with the terms of the policy.

During the involuntary tour of duty, Employees will not accrue vacation or sick time. However, they will continue to receive service credit towards higher increments of vacation and sick time accruals upon their return to employment with the City.

Employees on involuntary active military duty will continue to be considered for promotion consistent with any and all requisite procedures established for the promotion being sought.

At the conclusion of military service, an Employee who applies for reactivation of his or her employment with the City in accordance with the applicable provisions of State and federal law will be returned to the same position he or she held prior to the leave or to a position with like seniority, status and pay that the Employee is qualified to perform, in accordance with and subject to the applicable provisions of State and Federal law.

Any employee who misrepresents his absence due to military obligations is subject to immediate termination of employment and may be subject to criminal charges.

## WORKPLACE SAFETY

The City of Stamford makes every reasonable effort to provide Employees with a safe work environment. Safety equipment and personal protective equipment are provided to Employees in accordance with the job requirements of their position.

As a City Employee:

- You must wear all protective clothing and safety equipment as required.
- You must obey all Safety Rules applicable to City Employees.

The City Safety Officer is available to meet to review safety concerns of Employees and to recommend safety improvements. Employees must wear seat belts while in City vehicles. If you have a suggestion to improve safety or have a complaint related to safety, please direct it to the Safety Officer.

## WORKER'S COMPENSATION

The City of Stamford is committed to reducing and controlling the frequency and severity of work related accidents. If you are injured while performing job-related duties you may be eligible for workers' compensation benefits.

It is the responsibility of every employee to report all accidents, incidents and occupational illness immediately to their Supervisor. Supervisors are required to complete an Employee Injury Report and contact the Risk Manager the same day if practicable. In addition, an accident investigation will take place to determine the cause of the accident and take steps to prevent similar accidents or injuries in the future. Please be advised that an employee who files a fraudulent workers compensation claim is subject to termination of employment and possible criminal prosecution.

The City utilizes a Preferred Provider Network of quality medical providers that includes physician, podiatrists, chiropractors, dentists, optometrists and physical/occupational therapist, all of whom are committed to providing prompt, efficient care. Participation in the Preferred Provider Network is mandatory for all work related injuries. Injured employees will be required to treat only with providers listed in the P.P.N. If treatment occurs outside of the P.P.N., Workers' Compensation benefits shall be suspended. Contact your supervisor or the Risk Manager for a list of providers in the P.P.N.

An employee may be able to supplement his/her workers compensation payments with accrued/unused sick time. If an employee has depleted all of his/her accrued sick leave, he/she may use any other accrued leave time to supplement his/her workers' compensation payments. An employee who does not have sufficient accrued leave time to supplement his/her workers compensation benefit shall only receive the statutorily required workers compensation benefit

For further information you may contact the Risk Manager or Human Resources Department.

## **PAYROLL**

### **COMPENSATION**

Your compensation for the work you perform for the City includes more than the pay you receive in your paycheck. In addition, the total employment package for a regular full-time Employee includes, among other things –

- Paid holidays
- Paid vacations
- Earned Sick Leave
- The City's contribution to your
  - Group medical insurance
  - Group dental insurance
  - Group vision insurance
- Group term life insurance
- The City's contribution to the Pension Plans
- Workers' compensation coverage
- Unemployment compensation insurance
- The City's contribution to your federal social security account and Medicare

### **REGULAR PAY DAY**

Employees are currently paid on Fridays.

### **WORKWEEK AND HOURS OF WORK**

The regular workweek and regular hours of work may vary from department to department based on operational and business requirements. Employees should review regular workweek and work-hour requirements with their supervisor and review appropriate provisions of their collective bargaining agreement for specific workweek and work-hour requirements.

### **FICA**

All Employees, except for uniformed police officers and some Board of Education employees are eligible and obligated to participate in the Social Security program (Federal Insurance Contributions Act). Social Security pays benefits if an Employee retires, becomes disabled, or dies, if eligibility requirements are met. Spouses and children may also be eligible for benefits when an Employee becomes eligible or dies. Both the employee and the City are required to make payments toward Social Security. All Employees

hired after March 31, 1986 are required to participate in Medicare, a federal health insurance program for retired people age 65 and over, and certain disabled persons. Medicare has two parts: Part A (Hospital Insurance) and Part B (Medical Insurance). The Employee, through mandated payroll tax, pays for Part A. The Employee pays for Part B by making monthly premium payments beginning at retirement. Additional information is available from the Finance and Human Resource Departments.

#### **GARNISHMENTS**

The City of Stamford is required by law to accept legal assessment and garnishments and other wage orders. The City will withhold part of an employee's salary in accordance with legal requirements until the assignment is satisfied or released.

#### **PAYROLL DEDUCTIONS**

The City will not make deductions from your pay except as required by State or Federal law or local ordinance or unless you authorize the City in writing to make a deduction for other items permitted by law and acceptable to the City. The number of authorized payroll deductions may be limited by payroll.

The City is required by law to withhold from your pay predetermined amounts due for State and Federal income taxes and Social Security taxes and your required contributions to the City of Stamford Employee Retirement Plan.

In addition, the City will deduct from your pay your share of the premium cost for your group insurance coverage and for other items permitted by law that you authorize the City to deduct in writing, provided such items are acceptable to the City.

#### **DIRECT DEPOSIT**

For convenience and efficiency for both the employee and the City, employees have the option of electing direct deposit of their pay into a bank or other institutional account, such as a credit union account.

## CLOCK-IN/CLOCK-OUT POLICY

The City of Stamford and Stamford Board of Education have implemented a time collection and attendance system (KRONOS) for both hourly and salaried employees. As a result, the process by which employees record hours and attendance will now be electronic. This policy sets forth the rules employees will be required to follow. Employees are reminded that they are responsible for their time. Furthermore, employees are expected to comply with the provisions of their respective collective bargaining agreement pertaining to hours of work (or other specific written agreement authorized by their union and the City/Board).

1. **HOURLY EMPLOYEES** - All hourly employees are expected to clock in just prior to the beginning of their regular shift. The method for clocking in and out will vary by location (i.e. hand scanner, swipe card, time card, etc.). Employees may not clock in earlier than seven (7) minutes before the beginning of their shift, unless authorized by their supervisor. All employees are expected to clock-in and be at their work site ready to begin work at the beginning of their shift.

Under applicable wage and hour laws, employees will not be docked for clocking in up to seven (7) minutes after the beginning of their shift. Hourly employees who are tardy during this seven (7) minute period will receive pay, but may be subject to discipline. Employees who clock-in after this seven (7) minute period will be docked pay in fifteen (15) minute intervals, and may be subject to discipline.

All hourly employees must clock out at the end of their shift. Employees are not permitted to clock out more than seven (7) minutes past the end of their shift without the prior approval of their supervisor. Overtime must be authorized by the employee's immediate supervisor in advance.

Employees are reminded excessively clocking in up to seven (7) minutes after their regular work day begins and/or clocking out up to seven (7) minutes before the end of their regular shift will result in disciplinary action. While the employee will be compensated for this time under applicable wage and hour laws, they are not in compliance with their contractually scheduled work hours.

Hourly employees who take time off during the work day, above and beyond their contractual breaks, to attend to personal or other non-City/Board business, must clock out when they leave and clock in when they return. Arrangements to be compensated for this time can be made by utilizing sick, vacation and/or personal leave time, as is appropriate. Use of all accrued leave time should be consistent with the departmental policy.

No more than five (5) times per calendar year, hourly employees who are tardy up to thirty (30) minutes, due to circumstances beyond their control, may be permitted, with their supervisor's approval, to work beyond the end of their regularly scheduled work day to make up such time. The ability to make up this time must be in the same work day. Hourly employees in positions that have shift replacements (for example, E-911 and WPCA) are not permitted to work beyond the end of their regular shift. Under no circumstances are employees permitted to skip or work through contractual breaks and/or lunch in order to make up tardiness.

Employees will not be required to clock in and out for contractual lunch and breaks, but are reminded to comply with the requirements for taking breaks, as well as the time limits set forth in their respective collective bargaining agreement.

2. **SALARIED EMPLOYEES** - All salaried employees working for the City, and substitute teachers employed by the Board, may only clock in once upon arrival to work. Salaried employees and substitute teachers are directed not to clock out at the end of the workday.

3. An employee having problems clocking in and/or out should contact their immediate supervisor so the problem may be corrected.
4. Employees are not to clock in or clock out any other employee under any circumstances.
5. Employees, who are issued cards for clocking in and out, are expected to bring the card to work each day. Employees who lose their card or have a damaged card should report this immediately to their immediate supervisor so arrangements can be made to replace the card.
6. Employees are expected to follow the current departmental and contractual requirements in effect for the use and reporting of excused absences (sick, vacation and personal leave).

Individuals who violate any of the rules set forth in this policy may be subject to disciplinary action, consistent with the provisions of their collective bargaining agreement.

**TeleTime Quick Reference Guide**  
**Checking Leave Balances**

1. Call 203-977-6612. ~~13, 14~~, 15, 16, 17, 18, 19
2. Enter your ID, swipe card # and then press #.
3. Enter your \* *password*, and then press #.
4. Select an option from the Main menu.

**Main Menu**

6. Inquiry Menu
8. Personal Options menu
- # Log out
- \* Help

**Inquiry Menu**

3. Accrual balances
- # Return to main menu
- \* Help

**Personal Options Menu**

1. Change password
3. Record name
- # Return to main menu
- \* Help

\* Password is 12345 by default. You will be prompted to change it the 1<sup>st</sup> time you log on.

## TRAVEL POLICY

### **I. Purpose and Scope of Policy**

This Policy is adopted pursuant to Ordinance No. 663, which requires that “No City Officer or employee shall spend or encumber any City funds for business travel, entertainment, or related expenses except as provided in written policy issued by the Mayor and approved by the Boards of Finance and Representatives.” This policy only applies to travel made in connection with City business. If an employee is traveling for training not related to their job, they will need to use paid time off for the time spend at training.

### **II. Pre-Approval of Employee Travel**

Pre-approval of employee travel is required in the following circumstances:

- Any travel which includes an overnight stay; or
- Any travel which involves air transportation; or
- Any travel in excess of 200 miles from the City of Stamford (400 miles round trip).

Employee travel satisfying the above criteria must be requested by the Officer or employee on the attached *Conference or Out of Town Trip Request Form*, approved by the applicable Department Head and Director, and approved by the Mayor. All out of town travel which does not meet the above criteria (i.e. - travel less than 200 miles from Stamford and not involving an overnight stay) shall be subject to the approval requirements promulgated by the individual Department or Director. Pre-approval of travel meeting the above requirements is required by all officers and employees, except the Mayor. Pre-approval shall not be required in the event of bona fide emergency.

### **III. Required Documentation**

1. **Conference or Out of Town Trip Request Form.** As noted above, this form must be completed for employee travel which satisfies the criteria noted above. In those instances when pre-approval is required, this form must accompany the reimbursement request submitted to the Controller’s Office.
2. **Report of Travel Expenditures Form.** This form must be completed and approved by the applicable department head whenever an employee requests reimbursement for business travel-related expenses. Requests for routine mileage reimbursement not related to a conference or business trip should be requested on the City’s separate *Mileage Reimbursement Request Form*. Supporting documentation, consisting of receipts, paid invoices, hotel bills, etc. should be attached to the *Report of Travel Expenditures* form to substantiate the reimbursement request. This form, and the supporting documentation, should be forwarded to the Controller’s Office with the City’s standard Voucher Payable form in a single reimbursement request for the entire cost of the trip. All reimbursement requests must be submitted within 30 days after returning from the trip.
3. **Original Receipts .** Except for meals, where the City has established per diem allowances, standard City practice dictates that original receipts accompany all reimbursement requests. If other than original receipts are submitted, a written statement attesting to the accuracy of the submission must accompany the reimbursement request and be approved by the appropriate Department Head and Director. The Controller’s Office will return any reimbursement requests unpaid to the originating department that are not in compliance with this policy.

#### IV. Limits on Expenses

1. Meal expenses will be reimbursed based on the Federal Meal & Incidental Expense per diem rates for New York City as adjusted annually by the General Services Administration. As of June 1, 2006, the per diem meal allowance is \$64.00 per day. Receipts are *not* required to document the foregoing per diem reimbursements. Meal expenses for trips which are not overnight are not reimbursable without the approval of the appropriate Department Head and Director. An employee on a one-day business trip is eligible for one meal if his or her work schedule for the convenience of the City extends beyond eleven hours (unless otherwise dictated by labor contract). Sub-limits for individual meals are as follows: Breakfast - \$12.00, Lunch - \$18.00, Dinner - \$34.00. Advance agreement with the department head (or Director in the case of a department head) is required.
2. Personal car mileage is reimbursed at rates provided by union contract. In the absence of union contract, reimbursement will be at rates permitted by the IRS. Reimbursement for car expenses will be made only to the driver. Mileage will be reimbursed only by the shortest route. When using a personal automobile for a day trip which originates from home, the mileage reported for reimbursement should be from home or from the Government Center, whichever is less. If a mode of transportation other than a City supplied vehicle or the employee's personal automobile is used, the mode and cost of transportation must be approved in writing by the appropriate department head.
3. Rental Car Policy. If the official business of the City requires a rental car, arrangements must be approved in advance by the applicable department head or Director at the most economical rate available. The City of Stamford is self-insured for damage to rental cars used on City business. Additional insurance coverage offered by the rental car company should be declined, and is not reimbursable. In the event of an accident, the employee should notify the rental company representative and the City Risk Manager immediately.
4. Hotel expenses for meetings in New York City are reimbursable *only* with advance approval of the Mayor. Without such pre-approval, conference or meeting expense reimbursements will be limited to public transportation expenses (round trip train and subway/cab fares).
5. Air travel will be considered only for trips over 200 miles (one way) from Stamford, and will be reimbursed at coach/economy rates. Flight arrangements should be made as far in advance of the travel date as possible to take advantage of "super saver" discounts.
6. Combined business and personal travel. If an employee combines business and personal travel, expenses should be paid directly by the employee, not charged to the City, for all those expenses or portion of expenses which are personal. The City will only reimburse that portion of a trip and those expenses which are directly related to City business. In those cases where an employee decides to have a family member accompany him or her on a business trip, the employee must pay all additional expenses (e.g., incremental hotel charges, meals, travel, etc.) No adjustment is permitted to cover the expenses of accompanying family members (e.g. exchanging a regular round-trip fare for two excursion fares).
7. Non-Reimbursable Expenses. The City will only pay for or reimburse expenses which are directly related to the business purpose of the travel. Personal expenses will not be reimbursed. Examples of non-reimbursable expenses include:
  - Personal (non-job related) telephone calls
  - Dry cleaning
  - Personal expenses (toiletries, clothing, etc.) and personal trip insurance.
  - Alcoholic beverages
  - Airline club fees
  - Personal side trips and entertainment (movies, etc.)

- Personal legal charges and traffic violations.
- Personal property loss, theft, or damage, except upon the written approval of the Office of Legal Affairs.
- Recreational, health, and gym facility fees.
- Loss or theft of cash, travel tickets, credit cards, except upon the written approval of the Office of Legal Affairs.

#### V. Compliance Auditing

1. Department Managers signing the *Report of Travel Expenditures Form* are responsible for ensuring that all travel claims originating from their departments are in compliance with the City's Travel Policy. Department Managers should review all submissions for completeness, mathematical accuracy, compliance with expense limitations, and overall compliance with the Policy.
2. The Controller's Office is responsible for compliance verification with the City's Travel Policy. Travel claims which are submitted to the Controller's Office for payment processing will be processed *only* if they contain the following documentation:
  - **Conference or Out of Town Trip Request Form** completed and signed by Mayor, when pre-approval of travel is required.
  - **Report of Travel Expenditures Form** completed, signed by employee, and approved by Department Head or Director.
  - **Original Receipts Attached** to substantiate all expenses, except for per diem meal expenses, or signed and approved affidavit attesting to the accuracy of the submission is provided in lieu of original receipts.
  - **Standard City Payment Voucher Form** completed and signed.

All travel claims which are incomplete will be returned by the Controller's Office to the employee's respective department head.

3. The Office of Policy and Management will periodically select a random sample of travel expense reimbursements to review for compliance with the approved policy. A report of findings from this review will be forwarded to the Board of Finance Audit Committee to report on the status of compliance.

## OVERTIME OR EXTRA HOURS AND PAY

If you are classified as an **Exempt Employee**, the City is *not* required by law to pay you anything extra for work you perform in excess of your normal hours of work (even if you work more than forty (40) hours in a payroll week), or on days on which you are normally not scheduled to work (even on Saturday and Sunday). However, you may be entitled to compensation under the terms of your collective bargaining agreement or personal contract.

### OVERTIME PAY

If you are classified as a **Non-exempt Employee**, the City is required by law to pay you at a rate equal to one and one-half (1½) times your regular straight-time hourly rate of pay for all time you work in excess of forty (40) hours in a payroll week. Your collective bargaining agreement may include require overtime pay for other hours or days worked.

However, your supervisor must authorize any overtime before it is worked in order to be paid.

### CITYWIDE OVERTIME POLICY

The City of Stamford believes in providing the highest level of public service possible to its citizens in the most economical and efficient manner. It remains a paramount function of City government to ensure the on-going health, safety and well-being of its citizens. It is recognized that at times, due to operational, staffing and emergency or critical needs, certain work cannot be completed during the normal business hours. In such situations, managers must exercise independent discretion in the use of overtime, and in doing so, balance these business and safety needs within fiscal constraints.

**Purpose:** To provide efficient and consistent policy, standards and procedures for determining the need, use, distribution and management of overtime, for managers and employees working for the City of Stamford.

#### Procedures & Guidelines:

- a. Managers are responsible for approving all overtime assignments for employees within their department/bureau/division. No manager or employee is authorized to approve his/her own overtime, except in cases of emergency. In such cases, the manager will contact his/her immediate supervisor, as soon as possible, to explain the reason for such overtime.
- b. It is recognized that supervisors must exercise independent discretion in determining the need for overtime assignments. However, as a standard, overtime work should only be ordered in situations that:
  1. require immediate response or attention and cannot wait until the following workday;
  2. are contractually mandated;
  3. involve a matter of public safety and/or health; or
  4. involve projects that are time critical.
- c. Overtime is not to be considered a "reward" offered to employees to supplement their regular salary.
- d. The assignment of overtime must be in compliance with the union contracts in effect. For a copy of contractual overtime provisions, please contact your Human Resources liaison.

**Monitoring:** Managers are responsible for regularly monitoring overtime within their department/bureau/division, to ensure compliance with this policy and union contracts. Any unusual or excessive use of overtime must be properly documented. Any irregularity in overtime documentation should be reported to the appropriate Director.

It shall be the responsibility of each City employee to comply with these regulations. Inappropriate use or approval of overtime shall be reported to the appropriate Director. Employees found to be in violation of this policy will be subject to discipline, as deemed appropriate by the Human Resources Division and respective Director.

**Employees in the Operations Division who are on light duty or have not been cleared to return to work in a unrestricted capacity are not eligible to work overtime in either his/her job or in another assignment until he/she has been cleared to return to work without any restrictions.**

Because there is no pyramiding of overtime pay or benefits, you will not be paid at an overtime rate for time you work that is both in excess of eight (8) hours a day and work in excess forty (40) hours in the same week.

#### **COMPENSATORY TIME**

In *lieu* of paying full time non-exempt employees at an overtime rate, as described above, an employee may receive compensatory time off for all or a portion of such "overtime" work the employee performs.

The compensatory time off must be requested by the employee and is subject to approval by the employee's supervisor. Compensatory time off will be calculated in the same way as overtime pay. For example, for each additional hour worked beyond eight (8) hours in a day or forty (40) hours in a week, the employee will be eligible for one and one-half (1½) hours of compensatory time. Compensatory time should be used before vacation time and may expire if not used within a specific time period.

#### **TELECOMMUTING**

As of February 1, 2010, telecommuting is no longer permitted by City employees unless approved by Corporation Counsel in connection with an employee's request for a reasonable accommodation.

## EMPLOYEE ATTENDANCE AND PUNCTUALITY

Because the City is committed to providing excellent services to and for its residents, the City needs to count on your ability to maintain a regular work schedule as assigned. Not only could your absence or tardiness, even for legitimate reasons, place an added burden on your fellow workers, but it could have an adverse effect on our ability to deliver the high level of services to and for our residents that they have a right to expect, and it could disrupt the work of our vendors and contractors. Therefore, the City has a right to expect you to maintain a regular work schedule.

The City expects you to be at your work station, ready to perform your duties, every time you are scheduled to be there. The City considers you absent anytime you are not at work and considers you late whenever you do not report to your work station ready for work at your scheduled starting time at the beginning of your day or after lunch.

Please note that you may not be docked for reporting to work late if it is within the established KRONOS grace period, but you may still be subject to disciplinary action if you are repeatedly late for work.

### REPORTING ABSENCES AND LATENESS

To enable us to plan our work and adjust our work assignments to accommodate our residents' needs, the City expects employees to be reliable and to be punctual in reporting for scheduled work. In the event that you will be absent or late, you must promptly notify your Supervisor. Such notice should include the reason and the expected duration of your absence or lateness. Under normal circumstances, we would expect you to provide such notice within one (1) hour of your scheduled starting time. You must also notify your supervisor promptly of any changes in your situation.

You may not leave work early without receiving authorization in advance from your supervisor.

To enable us to make any adjustments that may be required to accommodate your need, you must notify us of your need as far in advance as possible. Therefore, if you need time off, please request authorization from your supervisor as far in advance as possible. All such requests will be given fair consideration, subject to the needs of the Department to which you are regularly assigned.

If you are not scheduled to begin work until later in the day, you must still notify your supervisor as soon as you know you are going to be absent or late so that we have the opportunity to schedule coverage for you.

### VERIFICATION OF ABSENCE

The City reserves the right to verify the reason given for any absence or lateness at any time, including, but not limited to, requiring you to provide documentary verification of the reason given for any absence or lateness, including, for example, a doctor's certificate with respect to any absence or tardiness for which illness or injury is given as the stated cause.

### ATTENDANCE AND PUNCTUALITY AS A FACTOR IN EVALUATION OF PERFORMANCE

Your attendance and punctuality record will be reviewed and evaluated regularly, will be considered an important factor in evaluating your performance and, if unsatisfactory, can result in disciplinary action up to and including termination of your employment. Also, see Clock In/Clock out policy.

## WORKPLACE POLICIES

### ANTI-HARASSMENT POLICY

**Purpose:** The City is committed to providing a work environment free of unlawful harassment.

Therefore, the City prohibits and will not tolerate any type of harassment, including sexual harassment, anywhere in or related to the workplace. The City's prohibition against sexual harassment applies equally to same-sex harassment as to opposite-sex harassment.

#### **Definitions:**

Sexual harassment is defined by the Connecticut Fair Employment Practices Act<sup>1</sup> as any unwelcome sexual advance or request for sexual favors or any conduct of a sexual nature when:

1. the submission to such conduct is made either explicitly or implicitly a term or a condition of employment;
2. the submission to or rejection of such conduct by anyone is used as a basis for an employment decision; or
3. such conduct has the purpose or effect of unreasonably interfering with an employee's work performance; or such conduct creates an intimidating, hostile or offensive working environment.

Harassment consistent with the actions described in numbers 1 and 2 is considered "quid pro quo" (something for something) whereas the type of harassment described in number 3 describes a "hostile work environment". Sexual harassment is also prohibited by Title VII of the 1964 Civil Rights Act<sup>2</sup>.

#### **Other Harassment/ Discrimination**

The City prohibits any form of harassment or discrimination in the workplace based on race, color, religious creed, age, gender, gender identity or expression, marital status, sexual orientation, national origin, ancestry, present or past history of mental disability, intellectual disability, learning disability or physical disability, genetic information, or the presence of handicaps or disabilities or other traits protected by state or federal law.

The City prohibits any form of harassment that interferes with the ability of any employee to perform his or her job duties. Such harassment can include, but is not limited to, the following behavior:

- ✓ **Verbal** conduct such as name calling, inappropriate jokes, slurs, using derogatory racial or ethnic terms, unwanted sexual advances, invitations or comments;
- ✓ **Visual** conduct such as derogatory, objectionable and/or sexually-oriented posters, photography, cartoons, drawings, objects, or gestures;
- ✓ **Physical** conduct such as assault, unwanted touching, blocking normal movement or otherwise interfering with work; or
- ✓ **Written:** suggestive, offensive, or obscene letters, notes, email, texts, posts on social media etc...

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<sup>1</sup> Conn. Gen. Stat. §46a-60(a)(8)

<sup>2</sup> Title VII of the 1964 Civil Rights Act, as amended, 42 United States Code section 2000e et. seq.,

- ✓ **Requests:** propositions or pressure to engage in sexual activity, unwanted repeated sexual advances or unwanted expression of sexual interest.

Harassment is prohibited by City employees, volunteers, residents, visitors, and vendors of the City. Harassment is prohibited between supervisors and subordinates, between employees in the workplace, or outside the work place or while conducting City business and by non-employees while conducting business in the City's workplace.

### **Complaint Procedure:**

Anonymous Complaints cannot be accepted nor can the City refuse to investigate or take corrective action after it becomes aware of harassment.

**Employee Responsibility:** It is the responsibility of all employees to adhere to this policy at all times and to report any violations of the policy to which they are subjected or of which they become aware to a supervisor, manager, or Human Resources representative. An employee is permitted to report allegations of harassment to any supervisor or manager of the employee's choice. Employees are not limited to reporting allegations to the employee's immediate supervisor or a supervisor in the employee's chain of command.

Employees are required to cooperate and participate honestly in any investigation. The deliberate failure to provide necessary information by any employee may result in disciplinary action against that person.

**Supervisor Responsibility:** It is the responsibility of all supervisors to take prompt action to report any possible violations or complaints to the Human Resources Department and to take immediate corrective action, if necessary. Failure by a supervisor to report harassment either directly observed or any information they possess regarding possible harassment may result in disciplinary action.

**Human Resources Responsibility:** A representative from the Human Resources Department or designee will conduct an investigation into any allegation of harassment. All complaints, investigations and final actions shall remain as confidential as possible and shall only be disclosed or shared on a need or right to know basis.

Any harassing behavior that may be considered criminal must be immediately reported to the police department.

**Retaliation Policy:** Employees are prohibited from retaliating against any other employee for complaining about or reporting harassment or for participating in an investigation concerning a harassment allegation.

Any employee found to have violated the City's harassment policy may be subject to disciplinary action, up to and including termination of his/her employment.

## DRUG-FREE WORKPLACE POLICY

The City of Stamford recognizes that abuse of drugs and other controlled substances is a national problem. Further, the City of Stamford is committed to providing a drug-free workplace for its employees. The City is equally committed to providing rehabilitation for those employees addicted to the use of illegal drugs.

The City of Stamford will not tolerate the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance at any of its work locations or during the employee's working hours. Such an offense is criminal and will result in termination of employment and referral to the proper legal authority.

All employees must agree to fully comply with the terms of this policy as a condition of employment. Further, all employees must notify the Director of Human Resources if they are convicted for a violation of a criminal drug statute occurring in the workplace or during the employee's working hours and must do so no more than five (5) calendar days after the conviction.

Failure to adhere to the conditions outlined above will result in disciplinary action, up to and including termination of employment.

**Drug and Alcohol Dependency:** The City recognizes that federal and state laws consider drug and/or alcohol dependency to be disabilities. If you believe you have or may have a problem with alcohol or drugs and are in need of a rehabilitation program or other assistance, **please take the initiative** to ask the Director of Human Resources for help. You will not be subject to disciplinary action for seeking such help voluntarily or for applying for benefits under our group insurance program prior to being detected as having violated this Policy. The City has contracted with an Employee Assistance Program that is available without charge, and with appropriate confidentiality, to assist employees who may have dependency problems.

*If, however, you are detected as having violated our Drug-Free Workplace BEFORE you seek such help, the City reserves the right to discipline you for such violation, up to and including termination of your employment, even for the first offense, to the extent the City is permitted to do so under the law, regardless of whether you thereafter seek help or successfully complete a rehabilitation program.*

*Employees are prohibited from consuming alcohol or using illegal drugs on City premises.*

In addition to the City's commitment to a drug-free workplace and in maintaining a safe, healthy and productive work environment, you may be required to submit to and pass successfully a pre-employment drug test and physical examination as a condition of employment.

Employees who operate a motor vehicle requiring a commercial operator's license are required to participate in random and post-accident testing for alcohol and controlled substance use in accordance with the City's Substance Abuse Testing Policy for Drivers of Commercial Vehicles.

Additionally, the City reserves the right to test any employee for alcohol or substance use if it has reasonable suspicion to believe the employee has engaged in that conduct during work hours.

### **Medical Marijuana**

An Act Concerning the Palliative Use of Marijuana" (Public Act No. 12-55) makes it legal for certain individuals to possess marijuana for palliative use in Connecticut. However, the City still prohibits employees from using intoxicating substances during work hours and may discipline employees for being under the influence of intoxicating substances during work hours.

The US Department of Transportation's Drug and Alcohol Testing, Regulation 49 CFR Part 40 does not authorize medical marijuana under a state law to be a valid medical explanation for a transportation employee's positive drug test result.

### **Employee's Obligation in Connection with the Submission or Investigation of Claims**

Employees are expected to submit truthful statements in support of any claims made by the employee and are required to cooperate and participate honestly in any investigation. This expectation includes the investigation of claims made by the employee or in connection with claims made by other employees. The deliberate failure to provide necessary information by any employee or providing information or statements that are not true, may result in disciplinary action against that person.

### **NON-SMOKING POLICY**

1. Smoking will be prohibited in all City of Stamford buildings including all offices, waiting rooms, corridors, restrooms, conference rooms, etc. Signs will be conspicuously posted, and a written policy will be available upon request. Smoking is not permitted in City vehicles.
2. There are no designated smoking areas within any City of Stamford building.
3. Employees who are addicted to tobacco or who are unable to stop smoking can seek help through the Employee Assistance Program.
4. Each department will be responsible for enforcement of this policy; employees will be counseled and directed to the Employee Medical Department for information on programs for smoking cessation.
5. In city-owned and operated buildings other than the Government Center, this policy will apply.
6. The City will remove ash trays, smoking receptacles and any other city-provided smoking paraphernalia from all areas where smoking is not permitted, unless maintenance is required by law or fire safety regulations. Ashtrays will be provided outside at the main entrance, the entrance to the garage and on the 4th Floor terrace.
7. The City will prohibit all vendors operating on city-owned and operated properties from selling cigarettes and other smoking materials. No cigarette machines will be located on any city property.
8. Any smoking policy or rule violation will be treated as any other unacceptable or prohibited behavior. The customary disciplinary sequence will apply here just as it would in any other situation of misconduct.
9. The Human Resources Department will provide assistance and counseling to supervisors and managers in connection with the pursuit of corrective action to secure employee cooperation.

## ZERO TOLERANCE WORKPLACE VIOLENCE POLICY

### Introduction:

The City of Stamford and Stamford Board of Education are committed to providing, in so far as they reasonably can do so, a safe environment for working and conducting business. The City/Board will not tolerate any acts of violence committed by or against City/Board employees, or members of the public, while on City of Stamford/Board of Education property or while performing City of Stamford/Board of Education business at other locations. The City values its employees and with this Policy the City and Board affirm their commitment to providing a workplace that is free from potential violence.

In order to carry out this commitment, the City of Stamford and Stamford Board of Education adopt this “Zero Tolerance Workplace Violence Policy” for its employees and will employ the strictest enforcement proceedings against employees, citizens and vendors who work for, or do business with, the City and/or Board.

### Policy Goals and Objectives

The objectives of this policy are to achieve the following:

1. *Reduce the potential for violence in and around the workplace;*
2. *Encourage and foster a work environment that is characterized by respect and healthy conflict resolution; and*
3. *Mitigate the negative consequences for employees who experience or encounter violence in their work lives.*

### Definitions

The word “violence” in this policy shall mean an act or behavior that includes one or more of the following:

*is physically assaultive;*

- *a reasonable person would perceive as obsessively directed, e.g. intensely focused on a grudge, grievance, or romantic interest in another person, and reasonably likely to result in harm or threats of harm to persons or property;*
- *consists of a communicated or reasonably perceived threat to harm another individual or in any way endanger the safety of an individual;*
- *would be interpreted by a reasonable person as conveying potential harm to the individual;*
- *is a behavior, or action, that a reasonable person would perceive as menacing;*
- *involves carrying or displaying weapons, destroying property, or throwing objects in a manner reasonably perceived to be threatening; or*
- *consists of a communicated or reasonably perceived threat to destroy property.*

Specific examples of conduct that may be considered threats or acts of violence under this policy include, but are not limited to, the following:

- *Hitting or shoving an individual.*
- *Threatening to harm an individual or his/her family, friends, associates, or their property.*
- *The intentional destruction or threat of destruction of property owned, operated, or controlled by the City of Stamford or Stamford Board of Education.*
- *Making harassing or threatening telephone calls, letters or other forms of written or electronic communications.*
- *Intimidating or attempting to coerce an employee to do wrongful acts that would affect the*

*business interests of the City and/or Board of Education.*

- *Harassing surveillance, also known as “stalking”, the willful, malicious and repeated following of another person and making a credible threat with intent to place the other person in reasonable fear of his or her safety.*
- *Making a suggestion of harm or intimidation or stating that an act to injure persons or property is “appropriate”.*
- *Unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on City/Board property, or in the course of City/Board business.*

While employees of the City may be required as a condition of their work assignment to possess firearms, weapons or other dangerous devices, or permitted to carry them as authorized by law, it is the City’s policy that employees are to use them only in accordance with departmental operating procedures and all applicable State and Federal laws.

### **Citizen, Client and Vendor Interaction**

Employees in many departments interact with citizens, clients and/or vendors who are distressed and who may make threats or commit acts of violence. The City and the Board will provide support and guidance as deemed appropriate, to employees so that threats of violence can be recognized and addressed and potentially prevented.

Citizen violence may be difficult to control and some employee exposure may be a result of working with citizen/patient populations in specific settings i.e. Smith House, Police and Fire Departments. The handling of some citizen violence situations may be the function of local law enforcement agencies. **As a matter of policy, the City of Stamford and Stamford Board of Education will not tolerate violent acts or threats of violence by clients, vendors or other members of the public towards or against its employees.**

### **Family Members or Acquaintances**

If the workplace is affected by a violent act or threat of violence by an employee’s family member or acquaintance, the City of Stamford will provide access to support and guidance for the victim and any other affected co-workers. **As a matter of policy, the City of Stamford and Stamford Board of Education will not tolerate violent acts or threats of violence by family members or acquaintances of City employees toward employees.**

### **Employees**

**The City of Stamford and Stamford Board of Education will not tolerate violent acts or threats of violence, verbal or implied, by employees. In such cases the City will impose immediate and definitive use of the disciplinary process, up to and including termination of City employment. If appropriate, criminal prosecution will also be pursued in addition to the disciplinary process.**

### **Employee Assistance Program (EAP)**

The City has established an Employee Assistance Program (EAP). Any troubled employee may request and will be entitled to receive guidance and, if necessary, professional help from the City’s Employee Assistance Program (EAP). By working with employees with personal problems, the EAP may assist in addressing potential violence before it occurs. Employees are encouraged to access the EAP in accordance with the conditions under which it operates.

## **Reporting Violations**

Any employee who experiences or witnesses an act or threat of violence is directed to immediately report such policy violation to his/her immediate supervisor or the Human Resources Division.

Department heads and supervisors are responsible for ensuring that this Policy is implemented in their respective Department. Employee safety and the safety of the public must be every department head, manager or supervisors highest concern. When made aware of a real or perceived threat of violence, management, regardless of their level, must contact the Human Resources Division immediately at #977-4070, or the Board of Education - Personnel Department at 977-4097. Human Resources will initiate an immediate and thorough investigation, provide support for employees and supervisors and take specific actions to prevent acts of violence from occurring.

If necessary, in circumstances that so require, employees and/or supervisors **should not hesitate to contact the Stamford Police Department directly at #911.**

## POLICY PROHIBITING WEAPONS IN THE WORKPLACE

**Policy:** Employees shall be prohibited from carrying or bringing any weapon, as defined herein, to the workplace. This provision applies to all employees except those required to carry a weapon as part of their job responsibilities.

**Purpose:** To help ensure a safe workplace for employees.

**Guidelines:**

1. Employees are prohibited from carrying or bringing any weapon to their work site or any other location the employee may be required to be during the workday. This prohibition also applies to any employee who is licensed to carry a firearm or weapon.
2. Weapon means any firearm, whether loaded or unloaded, from which a shot may be discharged including but not limited to pistol, revolver, shotgun, rifle, bb gun or any knife including switchblade knife, gravity knife, or any knife with a blade longer than 3 inches, or billy, blackjack, bludgeon, metal knuckles, bow and arrow, electronic stunning device, etc.
3. Employees may seek approval from the Director of Personnel for a waiver of this prohibition based on unique circumstances. Such request shall be made in writing and indicate the basis for the exception.
4. Any employee who is uncertain whether an instrument or device is prohibited under this policy is obligated to request clarification to insure he **or she is not in violation** of this policy.
5. A violation of this policy is a serious infraction of the work rules and may result in discipline up to and including termination.

## **DEMEANOR, APPEARANCE AND DRESS CODE**

The services that the City performs are often delivered in view of the public. Many City Employees are required to deal directly with City residents, vendors and other visitors. All City Employees, whether they deal directly with or perform their duties in full view of the public, are ambassadors of the City of Stamford. In order for the City to provide its services effectively, it is essential that all Employees project a professional image at all times.

The impression that you create as a City Employee is often the impression that the resident, vendor or visitor will have of the City as a whole. We expect in your relations with others, including residents, vendors, visitors or co-workers that you will at all times be cooperative, courteous, and tactful.

We expect you to dress and groom in a neat and businesslike manner consistent with your position. Additionally, employees are expected to wear appropriate footwear while at work. Standards may vary from position to position due to such factors as the type of work and amount of public contact involved. If you are required to wear a uniform, it is your responsibility to make sure it is as clean and neat as practicable based on your duties.

## POLICIES CONCERNING THE USE OF CITY OWNED PROPERTY

### Technology Policy

The City of Stamford provides information technology resources to a large and varied group, including City and Board of Education employees, elected and appointed officials, vendors, contractors, volunteers, and guests. All members of this community are accountable for using these resources in an ethical and respectful manner that protects sensitive City information and follows the information technology policies and procedures.

**Purpose:** To establish a policy regarding the proper use of all City computer hardware, software, internal and external storage devices, electronic and other telecommunication technology systems, including but not limited to, internet, intranet, satellite, broadband, cable and similar platforms, (collectively the "Technology Systems") of the City of Stamford, Connecticut (the "City") by City and BOE employees, elected or appointed officers, contractors, consultants, and any other person or entity authorized by the City to use the Technology Systems (hereafter referred to as a "Users").

**Policy:** The following policies define appropriate use of the City of Stamford computer networks, computers, mobile devices, all related peripherals, software, electronic communications, and internet access. These policies apply to the access of the City's computer network and use of computing technology resources at any location, from any device, via wired or wireless connection. They apply to all Users of City technology resources. All Users of City computing and network resources shall use such resources in an ethical, legal, and responsible manner. All use of technology resources must be consistent with the intent and requirements of all City policies and work rules, as well as Federal and State laws. Technology resources are intended for City business purposes and may not be used for other commercial purposes.

The City owns all data, files, information, and communications created, stored, transmitted, received or exchanged on its network, communication systems, equipment and devices, including e-mail, voicemail, text messages and internet usage logs even if such communications reside with a third party provider. City systems and all information contained thereon are City property. Information created, sent, received, accessed or stored using the City systems is the property of the City.

The City has the right to inspect, monitor, intercept, restrict, filter, and evaluate any and all usage of the City's Technology Systems as permitted by law. No User has any right or expectation of privacy in anything that is created, sent, received or stored on or by computer (including e-mail), facsimile, cell phone (including text messages) or voice mail.

The City may conduct random and requested audits of Users' accounts (including accounts with commercial or other third party providers if used in the course of conducting City business) in order to ensure compliance with policies and requirements. Internet, e-mail, voicemail, text message communications and internet usage logs may be subject to public disclosure. Information stored, created, sent or received on City systems may be accessible under the Freedom of Information Act. Pursuant to Public Act 98-142 and the State of Connecticut's "Electronic Monitoring Notice" the State reserves the right to monitor and/or log all activities without notice. This includes but is not limited to correspondence by e-mail and facsimile.

### TELEPHONE POLICIES

The City's telephones are intended for business use only. Nevertheless, we recognize that there are occasions when you might need to use a City telephone for a personal call. We ask that such use be limited to your non-work time and limited in frequency and duration.

The use of City telephones to receive or make personal calls is not permitted except for reasonable local incidental calls. The City of Stamford fax, mail machine, office equipment, computers, and other City property are available to employees to use for business-related purposes only. Excessive personal use of City of Stamford property may result in disciplinary action including suspension or termination.

#### **PERSONAL AND CELL PHONE USAGES**

Personal cell phone use during work hours should be limited to emergencies or during your break time. If you have been issued a City cell phone, please limit its usage to City business and comply with all rules and regulations regarding its use. Use of cell phone in City vehicles must be limited to a hands-free device. Employees are liable for any violations.

#### **REIMBURSEMENT**

You may be required to reimburse the City for any long-distance or other extraordinary telephone charges that result from your personal use of a City telephone.

#### **CITY PROPERTY**

City of Stamford property is reserved exclusively for use in conducting City business and is made available to City Employees only in the performance of their assigned duties. City property such as, but not limited to, vehicles, motorized equipment, tools, facilities, office equipment (i.e., fax machines, mail machines, calculators, computers) is available to Employees to use for City business-related purposes only. Unauthorized or personal use of City of Stamford property or misuse of property may result in disciplinary action up to and including possible suspension or termination of employment.

#### **THE CITY OF STAMFORD and STAMFORD BOARD OF EDUCATION ELECTRONIC MONITORING NOTICE**

Pursuant to the authority of CGS § 31-48d, the City of Stamford and the Board of Education hereby give notice to all its employees of the potential use of electronic monitoring in its workplace. While the City and/or the Board of Education may not actually engage in the use of electronic monitoring, it reserves the right to do so when determined by the City and/or the Board of Education in its discretion.

"Electronic monitoring," as defined by CGS § 31-48d, means the collection of information on the City's and/or Board of Education's premises concerning employees' activities or communications, by any means other than direct observation of the employees. Electronic monitoring includes the use of a computer, telephone, wire, radio, camera, electromagnetic, photoelectronic or photo-optical systems. The law does not cover the collection of information (A) for security purposes in any common areas of the City and/or Board of Education premises which are open to the public, or (B) which is prohibited under other state or federal law.

The following specific types of electronic monitoring may be used by the City and/or Board of Education in its workplace:

- Monitoring of e-mail and other components of the City's and/or Board of Education's computer system for compliance with policies
- Video surveillance of employee parking areas for security purposes
- Telephone monitoring (customer service only) for quality control and performance assessment
- Monitoring of electromagnetic card access system for security purposes

The law also provides that; where electronic monitoring may produce evidence of misconduct, the City and/or Board of Education may use electronic monitoring without any prior notice when the City and/or Board of Education has reasonable grounds to believe employees are engaged in conduct that (i) violates the law, (ii) violates the legal rights of the City and/or Board of Education or other employees, or (iii) creates a hostile work environment.

Questions about electronic monitoring in the workplace should be directed to Director of Human Resources, City of Stamford, 977-4070, or Director of Personnel, Board of Education, 977-4097.

## **MOTOR VEHICLE USE POLICY**

### **1. Purpose:**

The purpose of this policy is to establish standard requirements and procedures in accordance with applicable provisions of the Internal Revenue Code, for City of Stamford employees who are assigned a city-owned or leased vehicle in the course of providing City services and conducting city business. This policy is intended to ensure the safety and well-being of City employees; to facilitate the efficient and effective use of City resources; to minimize the City's exposure to liability; to monitor the use of city-owned vehicles; and to comply with Internal Revenue Service regulations relating to City vehicle usage.

### **2. Policy:**

#### **General**

- City vehicle usage shall comply with the requirements of Stamford Code Section 9-3 as it may be amended from time to time.

#### **Assignment of City Vehicles**

- Upon the effective date of this policy, the assignment of City vehicles to City employees shall require the approval of the employee's supervisor, Bureau Chief, Director and the Mayor. Upon vacancy, any positions currently on the list will automatically be removed unless authorized by the requisite Bureau Chief, Director and the Mayor. The City reserves the right to review the continuing need for any vehicle assignment. The Director or Chief will ensure that vehicles purchased for employee use are the least expensive vehicles required for the work assignment.
- All employees assigned a City vehicle will be required to sign a statement indicating that they have read and will comply with the rules and provisions of this policy. Employees who do not comply with any of the provisions of this policy shall be subject to disciplinary action up to and including termination.
  - All of the following criteria must be met for the assignment of City vehicles with commuting privileges in accordance with this policy: employees with responsibility for on-going and recurring time critical emergency responses requiring both direct transportation to the site of the emergency and specialized equipment in the city vehicle. In addition, employees' jobs must require that they spend a significant amount of their work day in the field. Authorized positions are limited to:
  - Employees who are authorized by individual contract may be assigned City vehicles in accordance

with this policy.

- City vehicle usage will not be negotiated as part of any employee's compensation package without prior approval from the Law Department and the Board of Representatives provided that such contracts require Board of Representatives approval.

#### USE OF CITY VEHICLES

- Aside from providing City services and conducting City business, City vehicles may be used for commuting and de-minims personal errands during workdays only while traveling between work and home, pursuant to Internal Revenue Service (IRS) regulations. These regulations may be amended by the IRS from time to time.
- Employees will be required to maintain daily reports of their vehicle usage. These reports will segregate commuting mileage from business-related mileage. The reports will be maintained by each individual department and made available upon request.
- The use of City vehicles for overnight and out-of-town travel shall be governed by the rules outlined in the City's Travel Policy.
- For employees who fall within the provisions of the Internal Revenue Code, the City will comply with the Internal Revenue Service's regulations regarding the reporting of income. Since the only authorized non-business use is commuting and de minimis personal errands, the City will use the Commuting Valuation Method to report income. This method will use \$3.00 per day for each day of commuting as the amount of untaxed income reported to the IRS. This amount may be amended by the IRS from time to time. The employee is responsible for complying with all IRS regulations and any other regulatory requirements regarding employer provided vehicles. The Mayor is subject to alternate provisions of the IRS code that relate to "control employees."
- All operators of City vehicles shall possess a valid driver's license. Employees are responsible for notifying the City if their license is suspended. Employees must forward a copy of their driver's license to their supervisor and the Human Resources Department on an annual basis. In the event of a license suspension, vehicle use privileges will be suspended and may be terminated. Employees are required to notify their supervisors of any violations or summonses received while in possession of, or while operating a City vehicle. Failure to do so may result, in the City's discretion, in the loss of vehicle use privileges.
- Only City employees are authorized to operate City vehicles.
- All drivers and City business travelers must wear seat belts and obey traffic laws. Employees are strictly prohibited from operating a City vehicle while under the influence of alcohol or illegal drugs, and are likewise prohibited from using prescription or over the counter medication which may impair their ability to safely operate a motor vehicle. No smoking is permitted in City vehicles.
- In the case of an accident, the employee driving the vehicle shall immediately notify his/her supervisor and the nearest Police Department to report the accident and complete a full accident

report. If the facts and circumstances of the accident require that the Employee submit to a drug and alcohol test\*, the Employee must promptly comply with the drug/alcohol testing policies. Copies of the completed accident report shall be forwarded to the employee's supervisor, the City's Risk Manager, the Law Department, and the City's Vehicle Maintenance Supervisor.

- Employees must comply with any preventive maintenance programs which may be required by the City. Vehicles shall be kept free of litter and debris. The physical appearance of the vehicle must create a good impression. Vehicles must be affixed with the City logo in accordance with Stamford Code Section 9-3 and a "How's My Driving" sticker, if required.
- Any tampering or removal of the logo or any required City stickers will result in disciplinary action.

### **USE OF PERMANENTLY ASSIGNED VEHICLES:**

- The City's Fire and Police Chief and specified others may be issued take-home response vehicles consistent with availability of the fleet.
- This vehicle shall be parked off of the main street to lessen the chance of being struck by an errant vehicle.
- Limited use of the vehicle for personal business is granted, including but not limited to stopping at a store, dry cleaners, restaurant, church, other business establishment or other residences. Use for these purposes is limited to brief stops and within the City's primary response area or immediate vicinity thereof.
- The member assigned to the vehicle shall always be available for emergency response to include being properly attired or having proper attire (jumpsuit, turn-outs, etc.) in the vehicle.
- This assignment shall not be construed as a benefit or perk of the organization; rather, as a liability of the position. No extra remuneration or consideration shall be afforded the member.

### **Responsibility:**

- It shall be the responsibility of each City employee assigned a City vehicle to comply with these regulations. Failure to comply with all provisions of this policy shall result in disciplinary action as well as suspension or termination of vehicle privileges.

### **Driving Record Standards for Positions Requiring a Motor Vehicle Operator's License**

- I. Candidates who do not satisfy the requirements below will be disqualified.

No conviction in the past five (5) years for a major motor vehicle violation. Major violations include, but are not limited to:

- ✓ driving during a period while license is under suspension or revoked;
- ✓ driving while intoxicated or under the influence of drugs;

- ✓ eluding or attempting to elude a police officer;
- ✓ failure to stop and report when involved in an accident;
- ✓ homicide or assault arising out of the operation of a motor vehicle;
- ✓ loaning an operator's license or registration;
- ✓ operating a vehicle without the owner's permission;
- ✓ racing or engaging in a speed contest; or
- ✓ reckless or careless driving.

II. Moving violations of a minor nature within the past twelve (12) months shall be reviewed (by Human Resources and the hiring manager) on a case-by-case basis and may be disqualifying.

Nothing contained herein would supersede higher level requirements for specifically sensitive positions, e.g., Bus Driver, Police Officer.

## **THE USE OF ALCOHOL AND CONTROLLED SUBSTANCES BY CITY EMPLOYEES IN THE WORK PLACE WHO MUST HOLD A COMMERCIAL DRIVERS LICENSE.**

The City of Stamford values its employees and drivers and recognizes each person's need for a safe and healthy work environment. Employees who use drugs illegally or abuse alcohol tend to be less productive, less reliable, and prone to absenteeism and subject to accidents more frequently. This results in a greater potential for serious vehicular accidents and increased risks to the City, its residents and its employees.

The City is committed to maintaining a safe work place for its employees, its drivers and other users of the roadways. The illegal use of drugs and the misuse of alcohol hinder this effort.

Effective January 1, 1995, the City of Stamford is required by Federal Motor Carrier Safety Regulations, see *49 CFR S 382* to have a City policy regarding drug and alcohol abuse. The City is also required to conduct various tests during the year to assure its employees who are in a Safety Sensitive Function are not abusing alcohol or drugs.

Therefore, the City will comply with the requirements for testing as required by the U.S. Department of Transportation and other guidelines established by Federal and State regulations. In compliance with these regulations, the City forbids the unlawful use or possession of alcohol and controlled substances. Federal Regulations Concerning Post-accident testing. DOT Regulations Title 49 §382.303(a)(b).

(a) As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for alcohol for each of its surviving drivers:

(1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or

(2) Who receives a citation within 8 hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:

(i) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or

(ii) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

(b) As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, each employer shall test for controlled substances for each of its surviving drivers:

(1) Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or

(2) Who receives a citation within thirty-two hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:

(i) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or

(ii) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

(c) The following table notes when a post-accident test is required to be conducted by paragraphs (a)(1), (a)(2), (b)(1), and (b)(2) of this section: Table for § 382.303(a) and (b)

Type of accident involved	Citation issued to the CMV driver	Test must be performed by employer
i. Human fatality	Yes or No	YES
ii. Bodily injury with immediate medical treatment away from the scene	YES	YES
	NO	NO
iii. Disabling damage to any motor vehicle requiring tow away	YES	YES
	NO	NO

The violation of this policy and the federal regulations may result in disciplinary action, up to and including loss of the Commercial Driver's License and termination.

#### **Regulations for All Drivers of City Equipment and Supervisors**

1. **Suspension of License**  
All employees should note that upon suspension of their driver's license, drivers must immediately inform their supervisors.
2. **Report Accidents**  
Any City employee involved in an accident with a City vehicle, no matter how minor, is required to call the Stamford Police Department to investigate and file an accident report.
3. **License Responsibilities**  
All supervisors are required to ensure that employees assigned to equipment possess an appropriate valid license.
4. **Supervisor Responsibilities**  
All Foreman and Supervisors are required to see that these regulations are complied with and to ensure that all vehicles are operated in a safe and efficient manner.  
**Failure To Comply With These Directives Will Result In Disciplinary Action.**

#### **REGULATIONS FOR ALL CITY EMPLOYEES WHOSE WORK FOR THE CITY INVOLVES THE OPERATION OF VEHICLES/EQUIPMENT REQUIRING A MOTOR VEHICLE OPERATOR'S LICENSE**

1. **Suspension or Expiration/Non-renewal of License**  
All employees whose work for the City involves the operation of vehicles/equipment requiring a motor vehicle operator's license must, upon suspension or expiration/non-renewal of their motor vehicle operator's license, immediately inform their supervisor. No City employee is to operate a City vehicle or City equipment requiring a motor vehicle operator's license nor operate any vehicle while on City business while their license is suspended or has expired.

**2. Reporting Accidents**

Any City employee involved in an accident with a City vehicle or involved in an accident with their own vehicle while on City business, no matter how minor, is required to call the local Police Department to investigate and file an accident report. The employee must immediately inform the supervisor of the accident. If the employee holds a CDL, he may be required to submit to drug testing if the accident meets the mandatory drug test criteria set forth in DOT Regulations Title 49 §382.303(a)(b).

**3. License Requirements**

All supervisors are required to ensure that employees assigned to vehicles/equipment possess an appropriate valid license.

**4. Supervisor Responsibilities**

All supervisors are required to see that these regulations are complied with and to ensure that all vehicles/equipment are operated in a safe and efficient manner.

**Failure To Comply With These Directives Will Result In Disciplinary Action, Up To And Including Termination.**

## Travel Policy

### I. Purpose and Scope of Policy

June 1, 1999

This Policy is adopted pursuant to Ordinance No. 663, which requires that "No City Officer or employee shall spend or encumber any City funds for business travel, entertainment, or related expenses except as provided in written policy issued by the Mayor and approved by the Boards of Finance and Representatives."

### II. Pre-Approval of Employee Travel

Pre-approval of employee travel is required in the following circumstances:

- Any travel which includes an overnight stay; or
- Any travel which involves air transportation; or
- Any travel in excess of 200 miles from the City of Stamford (400 miles round trip).

Employee travel satisfying the above criteria must be requested by the Officer or employee on the attached *Conference or Out of Town Trip Request Form*, approved by the applicable Department Head and Director, and approved by the Mayor. All out of town travel which does not meet the above criteria (i.e. - travel less than 200 miles from Stamford and not involving an overnight stay) shall be subject to the approval requirements promulgated by the individual Department or Director. Pre-approval of travel meeting the above requirements is required by all officers and employees, except the Mayor. Preapproval shall not be required in the event of bona fide emergency.

### III. Required Documentation

1. ***Conference or Out of Town Trip Request Form.*** As noted above, this form must be completed for employee travel which satisfies the criteria noted above. In those instances when pre-approval is required, this form must accompany the reimbursement request submitted to the Controller's Office.
2. ***Report of Travel Expenditures Form.*** This form must be completed and approved by the applicable department head whenever an employee requests reimbursement for business travel-related expenses. Requests for routine mileage reimbursement not related to a conference or business trip should be requested on the City's separate *Mileage Reimbursement Request Form*. Supporting documentation, consisting of receipts, paid invoices, hotel bills, etc. should be attached to the *Report of Travel Expenditures* form to substantiate the reimbursement request. This form, and the supporting documentation, should be forwarded to the Controller's Office with the City's standard *Voucher Payable* form in a single reimbursement request for the entire cost of the trip. All reimbursement requests must be submitted within 30 days after returning from the trip.

3. **Original Receipts.** Except for meals, where the City has established per diem allowances, standard City practice dictates that original receipts accompany all reimbursement requests. If other than original receipts are submitted, a written statement attesting to the accuracy of the submission must accompany the reimbursement request and be approved by the appropriate Department Head and Director. The Controller's Office will return any reimbursement requests unpaid to the originating department that are not in compliance with this policy.

#### **IV. Limits on Expenses**

1. Meal expenses will be reimbursed based on the Federal Meal & Incidental Expense per diem rates for New York City as adjusted annually by the General Services Administration. As of April 1, 2005, the per diem meal allowance is \$51.00 per day. Receipts are not required to document the foregoing per diem reimbursements. Meal expenses for trips which are not overnight are not reimbursable without the approval of the appropriate Department Head and Director. An employee on a one-day business trip is eligible for one meal if his or her work schedule for the convenience of the City extends beyond eleven hours (unless otherwise dictated by labor contract). Sub-limits for individual meals are as follows: Breakfast - \$10.00, Lunch - \$14.00, Dinner - \$27.00. Advance agreement with the department head (or Director in the case of a department head) is required.
2. Personal car mileage is reimbursed at rates provided by union contract. In the absence of union contract, reimbursement will be at rates permitted by the IRS. Reimbursement for car expenses will be made only to the driver. Mileage will be reimbursed only by the shortest route. When using a personal automobile for a day trip which originates from home, the mileage reported for reimbursement should be from home or from the Government Center, whichever is less. If a mode of transportation other than a City supplied vehicle or the employee's personal automobile is used, the mode and cost of transportation must be approved in writing by the appropriate department head.
3. Rental Car Policy. If the official business of the City requires a rental car, arrangements must be approved in advance by the applicable department head or Director at the most economical rate available. The City of Stamford is self-insured for damage to rental cars used on City business. Additional insurance coverage offered by the rental car company should be declined, and is not reimbursable. In the event of an accident, the employee should notify the rental company representative and the City Risk Manager immediately.
4. Hotel expenses for meetings in New York City are reimbursable only with advance approval of the Mayor. Without such pre-approval, conference or meeting expense reimbursements will be limited to public transportation expenses (round trip train and subway/cab fares).
5. Air travel will be considered only for trips over 200 miles (one way) from Stamford, and will be reimbursed at coach/economy rates. Flight arrangements should be made as far in advance of the travel date as possible to take advantage of "super saver" discounts.

6. Combined business and personal travel. If an employee combines business and personal travel, expenses should be paid directly by the employee, not charged to the City, for all those expenses or portion of expenses which are personal. The City will only reimburse that portion of a trip and those expenses which are directly related to City business. In those cases where an employee decides to have a family member accompany him or her on a business trip, the employee must pay all additional expenses (e.g., incremental hotel charges, meals, travel, etc.) No adjustment is permitted to cover the expenses of accompanying family members (e.g. exchanging a regular round-trip fare for two excursion fares).

**Non-Reimbursable Expenses.** The City will only pay for or reimburse expenses which are directly related to the business purpose of the travel. Personal expenses will not be reimbursed. Examples of non-reimbursable expenses include:

- \* Personal (non-job related) telephone calls
- \* Dry cleaning
- \* Personal expenses (toiletries, clothing, etc.) and personal trip insurance.
- \* Personal legal charges and traffic violations.
- \* Personal property loss, theft or damage, except upon the written approval of the Office of Legal Affairs.
- \* Alcoholic beverages
- \* Airline club fees
- \* Personal side trips and entertainment (movies, etc.)
- \* Recreational, health and gym facilities fees.
- \* Loss or theft of cash, travel tickets, credit cards, except upon the written approval of the Office of Legal Affairs.

#### V. **Compliance Auditing**

1. Department Managers signing the *Report of Travel Expenditures Form* are responsible for ensuring that all travel claims originating from their departments are in compliance with the City's Travel Policy. Department Managers should review all submissions for completeness, mathematical accuracy, compliance with expense limitations, and overall compliance with the Policy.

2. The Controller's Office is responsible for compliance verification with the City's Travel Policy. Travel claims which are submitted to the Controller's Office for payment processing will be processed only if they contain the following documentation:

***Conference or Out of Town Trip Request Form*** completed and signed by Mayor, when pre-approval of travel is required.

***Report of Travel Expenditures Form*** completed, signed by employee, and approved by Department Head or Director.

***Original Receipts Attached*** to substantiate all expenses, except for per diem meal expenses, or signed and approved affidavit attesting to the accuracy of the submission is provided in lieu of original receipts.

***Standard City Payment Voucher Form*** completed and signed.

All travel claims which are incomplete will be returned by the Controller's Office to the employee's respective department head.

3. The Office of Policy and Management will periodically select a random sample of travel expense reimbursements to review for compliance with the approved policy. A report of findings from this review will be forwarded to the Board of Finance Audit Committee to report on the status of compliance.

## **CITY CLOSURES**

### **HOLIDAYS**

The City typically recognizes 14 holidays annually on which normal City business operations are closed. A list of recognized holidays is published and posted annually and can be obtained from the Human Resources Department. Holidays falling on Sunday are normally observed on the following Monday. Holidays falling on Saturday are normally observed on the preceding Friday. On the rare occasion that holidays are back to back and the first one falls on a Friday, the Friday holiday will be celebrated on Thursday and the Saturday holiday will be celebrated on Friday.

Please note that some work employee groups due to the nature of their work assignments may observe the holiday on the actual holiday.

### **EMERGENCY CLOSINGS – WEATHER CONDITIONS**

The Mayor or his or her designee is the only City official who has the authority to close City offices and facilities due to emergencies. In the event the City offices and facilities are closed due to an emergency condition, a general announcement will be made to local radio stations and the media. Unless the Mayor has announced that City Offices have been closed, you must report to work as scheduled, including during inclement weather conditions or use accrued paid time off for your absence. Even if the City closes, some employees may be required to continue working due to the nature of their job responsibilities.

In the event inclement weather conditions prevent you from reporting to work as required, you must notify your supervisor as soon as possible. Your absence due to inclement weather on any day on which City Offices are open will be unpaid, unless you make a request to apply your available earned vacation or personal time to the day of absence and your supervisor approves your request.

## *ETHICS AND CONFLICT OF INTEREST*

"The Stamford Municipal Code of Ethics".

### Section 2.     **DECLARATION OF POLICY**

**PUBLIC SERVICE IS A PUBLIC TRUST**, and the proper operation of the City of Stamford requires that all city officers and employees, whether elected or appointed, paid or unpaid, be impartial and responsible to the public. Public office and employment must not be used for personal or financial gain or advantage. The public needs and deserves to have confidence in the integrity of the municipal government of our city.

Officers and employees of the City of Stamford must refrain from personal, business, financial, and political activities that can reasonably be interpreted to reflect adversely on the individual's fidelity and impartiality, having regard for the nature and scope of their official responsibilities.

**In recognition of the aforementioned principles**, there is hereby established a Code of Ethics for all city officers and employees.

### Section 3.     **DEFINITIONS**

"Agency" - includes a board, agency, commission, department or other entity of the city.

"Employee" - means an individual employed by the city, whether as a classified employee, unclassified, permanent or temporary, full time or part time, or employed by contract on a continuing basis, and all employees of the Board of Education.

"Immediate Family" - shall include, but not be limited to a spouse, child, grandchild, brother, sister, in-laws; parent or grandparent, or persons who reside in the same household.

"Individual" means a natural person.

"Officer" means an individual elected to a municipal office, or appointed by the Mayor, including, but not limited to "ad hoc" committee members and members of the Board of Education, but excluding justices of the peace and constables.

"Person" - means and includes associations, firms, partnerships and bodies politic and corporate as well as individuals.

"Probable Cause" - means more than mere suspicion. There must be facts and circumstances within the Board's knowledge, and of which they have trustworthy information, sufficient to justify the belief of a reasonable person that a violation of the Code of Ethics has occurred.

### Section 4.     **CONFLICTS OF INTERESTS - INTERFERENCE WITH DUTIES**

No officer or employee shall engage in any business or transaction or have an interest, directly or indirectly, which is in conflict with or incompatible with the proper discharge of their official duties or might influence or impair their independence of judgment and action in the performance of said duties.

**Section 5. PROHIBITED INTERESTS**

A. Unless otherwise provided by law, an officer or employee shall not deliberate or participate in a decision or action by the agency of which the individual is a member or is employed, if said individual or any member of their immediate family has any interest in the matter or would be likely to gain or lose any benefit that is not common to the general interest of other citizens of the city.

B. An officer or employee shall not grant any special consideration, treatment or advantage to any person beyond that which is generally available to other citizens of the city.

C. An officer or employee shall not receive any special consideration, treatment or advantage in any activity or business transaction in which the city is a client or a customer beyond that which is generally available to other citizens of the city.

D. Subsections 5A, 5B and 5C of this ordinance do not prohibit:

(1) An officer or employee being employed by a person having a contract of a kind available to all through open bidding with the city if the preparation, procurement, and performance of the contract are not before the officer's or employee's agency.

(2) A purchase or sale between the city and an officer or employee of the city of property or an interest in, or acquisition by condemnation by the city, if the transaction is conducted according to applicable procedure. The officer or employee must take no part in the transaction on behalf of the city. The terms of the transaction must be approved in writing by an officer or board independent of or having authority over the officer or employee.

(3) An officer or employee entering a contract or transaction with the city, not within their agency, of a kind available to all through open bidding.

(4) Performance of a contract entered prior to an individual's having become an officer or employee of the city if the contract is disclosed in accordance with Section 11 of this ordinance.

(5) An officer or employee being employed by a newspaper that publishes a public notice, resolution, ordinance or other document, the publication of which is required by law.

(6) An officer or employee being employed by a public utility regulated by the Public Utilities Commission.

**Section 6. PROHIBITED REPRESENTATION**

A. No officer or employee shall represent a person, other than the city, before the agency of which they are a member or by which they are employed, or an agency under supervisory authority of themselves, except for representation of constituents by an officer in the course of their responsibilities as such. No compensation or gift may be accepted in connection with such representation.

B. An officer or employee who is employed or under retainer by a person having a matter pending before the agency of which the officer or employee is a member shall disclose that fact and shall abstain from participation in the matter. Participation includes, but is not limited to discussion and/or voting on the matter.

**Section 7. PROHIBITED USE OF CITY PROPERTY AND FACILITIES**

No officer or employee shall use or authorize others to use city owned property, including vehicles and facilities, except:

- (a) for city business; or
- (b) for purposes and on terms generally available to other persons: or
- (c) according to a contract of employment with the city in which use of such property is part of the compensation, or term of employment.

**Section 8. PROHIBITED USE OF INFLUENCE AND INFORMATION**

A. An officer or employee shall not attempt to influence any other officer or employee about any matter before any city agency in which the former or any member of their family has an interest, or in which said officer or employee would be likely to gain or lose any material benefit that is not common to the general interest of other citizens of the city. This paragraph does not prohibit an officer or employee from communicating about a matter in which they have a property, contract or other legally protected interest as a citizen of the city, if the communication is:

- (1) With an officer or employee responsible for the matter on behalf of the city; and
- (2) Reasonable and necessary in transacting the matter and is conducted by means and in terms that other persons generally might lawfully use in the circumstances.

B. Unless otherwise required by state law, an officer or employee shall not disclose city information other than in accordance with established city procedure where it is reasonably foreseeable that disclosure of the information will permit the officer or employee or any other person to obtain a financial or other material benefit that is not common to the general interest of other citizens of the city.

C. An officer or employee shall not use information concerning the property or governmental affairs of the city other than that which is generally available to the public, for the purpose of advancing the financial or personal interest of themselves or others.

**Section 9. PROHIBITED GIFTS**

An officer or employee shall not solicit or accept any gift, form or service, compensation, or anything of value other than that provided for their office or under the terms of their employment. This paragraph does not prohibit:

- (a) Gifts or social courtesies related to a family relationship or friendship between the officer or employee and the donor, which are not designed to influence the proper judgment or action of the officer or employee in a matter within their authority.
- (b) Public, governmental-sponsored, or informational events, generally accepted as a condition of office or employment, where refreshments may be served, which are not designed to influence the proper judgment or action of the officer or employee in a matter within their authority.
- (c) Political contributions received in compliance with law.

- (d) Loans obtained according to commercial practice at the prevailing rate of interest.
- (e) Customary performance, merit awards or honorariums, consistent with municipal practices.

## **Section 10. SPECIFIC VIOLATIONS**

### **A. Ordinances**

It shall be a violation of the Stamford Municipal Code of Ethics for any city officer or employee to willfully violate the provisions of:

- (1) Ordinance 683 Supplemental, concerning the purchasing of supplies, materials, equipment and services.
- (2) Ordinance 677 Supplemental, guaranteeing Legislative Access to City Records and Data.

### **B. Budget line items**

It shall be a violation of the Stamford Municipal Code of Ethics for any City officer or employee to intentionally misrepresent any matter concerning budget line items.

### **C. Board of Ethics' Access to Information**

It shall be a violation of the Stamford Municipal Code of Ethics for any city officer or employee to intentionally deny access to information requested by the Board of Ethics in the course of an investigation or a public hearing, except to the extent that said city officer or employee is required or entitled to do so under relevant federal, state or local law.

### **D. Additional Specific Violations**

The Board of Representatives may, from time to time pass ordinances with the specific intent that said ordinances are to be incorporated into and enforced through the Ethics process.

### **E. Examples only**

The violations listed in this section are merely specific examples of code of ethics violations. Violations of the code are not limited to said examples.

## **Section 11. DISCLOSURE OF INTERESTS**

A. Any municipal officer or employee who has, knows they will have, or later acquires, an interest in any matter under consideration before them, or their department, in their or its official capacity shall disclose, as soon as they have knowledge of such actual or prospective interest, in writing or on the record, the nature and extent of such interest to the chairperson or agency, commission or board of which they are a member, or in the case of an employee, to their superior. Such persons shall not debate the matter and shall disqualify themselves from voting or acting on such matter.

B. No officer or employee who has a conflict of interest in regard to a transaction or business from which the officer or employee has or should have disqualified themselves, shall communicate, concerning that public business, with any person who will participate in the action to be taken on that business.

C. Any officer or employee whose conduct occasions an inquiry by the Board of Ethics concerning their compliance with this Code shall, upon request by the Board, supply relevant information as detailed by the Board, except to the extent they are entitled to decline to do so on the basis of constitutional rights or governing state or federal law. Failure to supply information as requested shall result in a violation of this Code.

## Section 12. **NEGOTIATION OF FUTURE EMPLOYMENT**

An officer or employee shall not solicit future employment with any person who has a substantial matter pending before the agency in which the officer or employee is employed during said period of employment or during the period of time said officer holds office. A matter is "substantial" if it involves a financial value of \$1,000 or more or involves a question of policy of comparable significance.

## Section 13. **SUBSEQUENT EMPLOYMENT**

An individual who has served as an officer or employee shall not:

- A. Assist any person, other than the city, in any matter in which said individual participated personally and substantially during their service with the city.
- B. Within one year after termination of their service, assist any person, other than the city, in any matter that was pending before the agency in which they were employed; or appear before the agency in which they were a member or employed, or assist any other person to make such an appearance.

## Section 14. **BOARD OF ETHICS**

### **A. Appointment of members and alternates**

- (1) The Board of Ethics shall consist of five (5) members and two (2) alternates.
- (2) All Board members and alternate Board members shall be resident electors of the City of Stamford. They shall be appointed by the Mayor and approved by a -vote two-thirds (2/3) of the members of the Board of Representatives present and voting. All members and alternates shall serve without compensation for a term of five years, which shall expire on June 30 of the final year of a member's term, subject to continuance in office for a period not to exceed the lesser of 6 (six) months or until their successor has been nominated by the Mayor and the nomination has been approved by the Board of Representatives.
- (3) In order to preserve continuity on the Board, the first terms of the two alternates shall be staggered so that one of the alternates serves a term of 3 (three) years and the other shall serve for 5 (five) years. Upon the expiration of the original terms, all alternates shall then serve five year terms as stated in Section 14A(2), above.
- (4) Notwithstanding the foregoing, the term of a member or an alternate shall not end until the conclusion of any case, initiated during the member's or alternates' term, which has preceded beyond a finding of probable cause.
- (5) Alternates are considered "working members of the Board" and at the discretion of the Chairperson they may ask questions and otherwise participate in the informal and formal hearing process. The Chairperson shall have the right to limit such participation in any manner that he or she deems necessary.

## **B. Organization**

The Board shall elect a chairperson and a secretary. The Board shall keep minutes of its meetings which shall be filed in the Office of the Town and City Clerk, and shall hold meetings at the call of the chairperson and at such times as the Board may determine. Three members present shall constitute a quorum in order for the Board to conduct official business. For the purposes of this section alternates may be considered as "members" for the purpose of establishing that a quorum is present.

## **C. Powers and Duties**

### **1. Advisory Opinion**

The Board shall render advisory opinions concerning officers and employees with respect to this Code of Ethics, pursuant to a written request from any officer or employee concerned. Such advisory opinion shall be binding on the Board, officer or employee until amended or revoked, and reliance on it in good faith is an absolute defense in any action or proceedings brought under the provisions of this Code of Ethics. The Board shall file said advisory opinion with the Office or the Town and City Clerk within sixty (60) days of receipt of the request. The advisory opinion so filed may contain such deletions as may be necessary to prevent disclosure of the identity of the officer or employee involved, if agreed to by both the person involved and the Board of Ethics.

### **2. Investigations**

#### **a. Filing of the Complaint, Notification, and Amendment**

Upon receipt of a written complaint by the Chairperson, or by the Secretary of the Board in the Chairperson's absence, the Board of Ethics shall investigate said complaint, alleging a violation of this Code of Ethics by an officer or employee or by a person who was an officer or employee within the preceding year. Said written complaint may be submitted by any person and shall be on a form prescribed by the Board and signed under penalty of false statement. The complaint shall contain the specific act or acts which allegedly constitute the violation. The Board may delete, defer, or reject any part of a complaint that does not conform to its requirements. No member of the Board of Ethics may initiate a complaint.

The Board shall notify, by registered or certified mail, or by personal service by a sheriff, constable or indifferent person, any respondent against whom a complaint is filed not later than seven (7) days after receipt of such complaint. A copy of such complaint and any subsequent changes shall accompany such notice. The Board shall also notify the complainant in writing of its receipt of such complaint and any subsequent changes not later than seven (7) days after receipt of the complaint.

Subsequent to the filing of the original complaint, the Board may, at its discretion, amend any complaint filed with it to include other violations which it reasonably suspects to have occurred, based on allegations in the original complaint. Any such amendments shall be in writing and a copy shall be sent, by registered or certified mail, or personal service by a sheriff, constable or indifferent person, to the respondent and complainant within seven (7) days of such amendment.

**b. Investigation of Probable Cause**

The Board shall investigate the complaint and such amendments as it may have added. For this purpose it may hold informal hearings to determine whether or not there is probable cause to believe that the respondent has violated the Code of Ethics.

Any investigation and hearing shall be confidential and shall not be open to the public unless the respondent requests that such investigation, hearing and disclosure be open or if there is a finding of probable cause by the Board of Ethics. Pending the outcome of the probable cause hearing, no member of the Board of Ethics shall disclose their knowledge of such investigation to a third party. The respondent shall have the right to appear and be heard and to offer any information by way of answer or denial of the allegations.

**c. Finding of Probable Cause**

A decision regarding probable cause shall be made within sixty (60) days after the date that the Board received the complaint. A finding that probable cause exists shall require four (4) concurring votes.

If the investigation indicates that probable cause that the officer or employee has violated the Code of Ethics does not exist, the Board shall so find and shall dismiss the complaint. If the investigation indicates that probable cause that the respondent has violated the Code of Ethics does exist, the Board shall so find and initiate public hearings which shall commence within thirty (30) days of its finding.

The complainant and respondent shall be notified in writing of such decision not later than seven (7) days after such decision has been made. Such notification shall be either by registered or certified mail, or personal service by a sheriff, constable or indifferent person.

**3. Extension of Time**

Upon extraordinary circumstances extensions of time to any of the time limitations specified herein may be granted by the Board upon a vote of four sitting members. However, in no event shall the total modified time period, i.e. the original time period plus the extension(s), exceed double the original time periods prescribed by this ordinance.

The Board shall give written notice of any extension(s) of --time to the respondent and the complainant.

**(a) Exceptions:**

- (1) No extensions may be given for time periods required for notification(s).**
- (2) No extensions may be given for the time limitation for ruling on actions unless otherwise specified herein.**

**4. Rules and Procedure for Public Hearings**

**(a) Any public hearings shall be conducted under the Board's rules and regulations, which shall include the following: Oral evidence shall be taken under oath; documentary evidence may be received in the form of copies or excerpts, if the original is not readily available, and upon request, parties and the Board shall be given the opportunity to compare the copy to the original; and the complainant and respondent shall have the right: 1) to be represented by counsel, 2) to present oral or written documentary evidence, which is not irrelevant, immaterial**

or unduly repetitious; 3) to examine and cross-examine witnesses required for a full and true disclosure of the facts; and 4) to receive by registered or certified mail, or by personal service by a sheriff, constable or indifferent person copies of the Memorandum of Decision by the Board within thirty (30) days after the *conclusion of* hearings on said complaint.

(b) The Board of Representatives shall have the power to adopt Rules of Procedure for hearings conducted pursuant to the Code of Ethics, in addition to those contained in Section C.4.a. above, by Resolution adopted of a majority vote of the entire Board, after publication of the text of the proposed Rules of Procedure or amendments thereto in a newspaper having a general circulation in the city. Any Rules of Procedure or amendments thereto shall become effective 30 (thirty) days after adoption, and the full text of the Rules for Procedure, adopted in accordance with this section, shall be available for public inspection at the office of the Town and City Clerk.

(c) All Board of Ethics hearings shall be conducted in a manner in which they provide the respondent(s) with all due process that is required by federal, state and local law.

(d) Upon the request of either the complainant, the respondent, or any member of the Board, the Board shall cause the hearings to be recorded and a transcription to be made. If a copy of the transcript requested by either the respondent or complainant, the requesting party shall bear the costs for the same.

(e) The Board may subpoena witnesses to testify and may compel production of documents and other effects as evidence, and failure to obey such subpoena shall constitute a misdemeanor.

(f) The Board shall file its Memorandum of Decision with the Mayor, Town and City Clerk, Corporation Counsel, governing body or other public office of an agency, as it deems appropriate. There must be three (3) concurring votes to find a violation.

## **5. Freedom of Information Act**

In order to ensure the public's right of access to the proceedings held in accordance with the provisions of this ordinance, the Board of Ethics shall follow the requirements of the Connecticut Freedom of Information Act.

## **6. Annual Advisory Report**

on or before June 1 or each year, the Board shall submit to the Mayor and the President of the Board of Representatives, a written report which shall include, but not be limited to: (a) a summary of its activities; (b) an analysis of developments and trends in the area of public ethics; and (c) recommendations for improvements in the Municipal Code of Ethics.

## **7. Ethics Handbook**

The Board shall create and maintain a handbook, to be distributed together with this ordinance, to all officers and employees. A copy of the handbook shall be kept at the Town Clerk's Office.

## **Section 15. EFFECT OF VIOLATION**

### **A. A violation of this Municipal Code of Ethics:**

(1) by an elected officer shall be considered "dereliction of official duty" a cause of impeachment or removal from office under Section CI-90-1 of the Stamford Charter; and

(2) by a member of an appointed board or commission shall be considered "misconduct in the performance of duties," a ground for removal under Section C6-00-3(c)(1) of the Stamford Charter: and

(3) by a municipal employee shall be considered "misconduct", a ground for demotion in rank or grade or discharge under Section C6-140-8(2) of the Stamford Charter.

(4) Any individual who is found in violation of this ordinance may be subject to a law suit by the City to recover damages, if any, that are incurred by the City as a result of said individual's unethical conduct. The costs of the ethics ordinance hearing process shall not be included in the aforementioned damages and shall not be recoverable under the provisions of this subsection.

(5) Any City officer or employee who is determined to have violated the provisions of this ordinance shall have a copy of said decision placed in his or her official personnel file.

**B.** The effect of a violation of this Code on the validity of a decision or action in connection with which the violation occurred shall be determined by general principles of law.

#### **Section 16. JURISDICTION**

##### **A. Time limitation for ruling on actions**

No allegation in a complaint of a violation of the Stamford Municipal Code of Ethics shall be ruled upon by the Board of Ethics, if three (3) years or more have passed between the time of the alleged violation and the filing of the complaint. In the event that multiple violations have been alleged, only those violations alleged in the complaint which have occurred within three (3) years of the filing of the complaint to the Board may be ruled upon.

##### **B. Tolling of Period of Limitation**

In the event that a violation or evidence of a violation of this Code of Ethics has been actively concealed, such action shall have the effect of tolling the period of limitation during said period of concealment.

##### **C. Continuing investigations**

If an officer or employee under investigation leaves office, or employment, the Board by a majority vote shall have the power to continue the investigation.

#### **Section 17. SEVERABILITY**

If any section, clause, provision, or portion of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect or impair any other section, clause, provision or portion of this ordinance.

#### **Section 18. HEADINGS**

The headings herein are included solely for convenience and shall not be considered as determinative with regard to the contents of the underlying paragraphs.

Section 19. **REPEAL OF ORDINANCE**

Ordinance Number 640 Supplemental is hereby repealed and rendered null and void, except that this repeal provision shall not be construed as abating actions or proceedings now pending under or by virtue of the specific ordinance being repealed, or as affecting the liability of any person or as the waiving of any right of the City of Stamford under the ordinance herein repealed at the time of passage of this ordinance.

**EMPLOYEES MAY CALL THE CITY ETHICS HOTLINE AT 203-357-8477 TO  
REPORT INAPPROPRIATE OR UNETHICAL CONDUCT BY CITY EMPLOYEES.**

**Complaints may be made anonymously.**

## REQUIREMENTS ON TERMINATION OF EMPLOYMENT

Upon termination of your employment for any reason or by any means, you will be required to do the following:

- contact the Human Resources Department;
- surrender all keys, and any City property placed in your custody during your employment;

If you do not return all City property in your possession, custody, or control as required, you will be responsible for reimbursing the City for the cost of replacing the items not returned. You may be required to sign a written authorization at the time City property is placed in your possession, custody, or control allowing the City to attain such reimbursement by reducing your final paycheck.

# APPENDIX

## NOTICE

### Connecticut General Statutes §§ 31-57r - 31-57w – Paid Sick Leave

Each employer with 50 or more employees based on the number of employees on its payroll for the week containing October 1, shall provide paid sick leave annually to each of its service workers in the state. The paid sick leave shall accrue beginning January 1, 2012 for current employees, or for a service worker hired after January 1, 2012, beginning on the service worker's date of employment.

#### Accrual

The accrual is at a rate of one hour of paid sick leave for each 40 hours worked by a service worker up to a maximum of 40 hours per year (the employer shall choose any 365 day period used to calculate employee benefits in order to administer paid sick leave).

- No service worker shall be entitled to use more than the maximum number of accrued hours.

#### Carry Over

Each service worker shall be entitled to carry over up to 40 unused accrued hours of paid sick leave from the current year period to the following year period

#### Use of Paid Sick Leave

A service worker shall be entitled to the use of accrued paid sick leave upon the completion of the service worker's 680<sup>th</sup> hour of employment

- from January 1, 2012, for current service workers, or
- if hired after January 1, 2012, upon the completion of the service worker's 680<sup>th</sup> hour of employment from the date of hire, unless the employer agrees to an earlier date.

A service worker shall not be entitled to the use of accrued paid sick leave if such service worker did not work an average of 10 or more hours a week for the employer in the most recent complete calendar quarter.

#### Pay

Each employer shall pay each service worker for paid sick leave at a pay rate equal to the greater of either

- the normal hourly wage for that service worker, or
- the minimum fair wage rate under section 31-58 of the general statutes in effect for the pay period during which the employee used paid sick leave.

#### Reasons for Use of Leave

A service worker may use paid sick leave for his or her own:

- illness, injury or health condition;
- the medical diagnosis, care or treatment of his or her mental illness or physical illness, injury or health condition; or
- preventative medical care.

A service worker may use paid sick leave for a child's or spouse's:

- illness, injury or health condition; the medical diagnosis,
- care or treatment of a mental or physical illness, injury or health condition; or
- preventative medical care

A service worker may use paid sick leave if the service worker is a victim of family violence or sexual assault:

- for medical care or psychological or other counseling for physical or psychological injury or disability;

- to obtain services from a victim services organization;
- to relocate due to such family violence or sexual assault;
- to participate in any civil or criminal proceedings related to or resulting from such family violence or sexual assault.

#### Notice

If leave is foreseeable, the employer may require advance notice.

If leave is unforeseeable, the employer may require notice as soon as practicable.

#### Reasonable Documentation

Documentation for paid sick leave of 3 or more consecutive work days may be required

- documentation signed by a health care provider who is treating the service worker or the service worker's child or spouse indicating the need for the number of days of such leave shall be considered reasonable documentation.
- a court record or documentation signed by a service worker or volunteer working for a victim services organization, an attorney, a police officer or other counselor involved with the service worker shall be considered reasonable documentation for a victim of family violence or sexual assault.

#### Prohibition of Retaliation or Discrimination

No employer shall take retaliatory personnel action or discriminate against an employee because the employee:

- requests or uses paid sick leave either in accordance with the act; or
- in accordance with the employer's own paid sick leave policy, as the case may be; or
- files a complaint with the Labor Commissioner alleging the employer's violation of the act

#### Collective Bargaining

Nothing in the act shall diminish any rights provided to any employee or service worker under a collective bargaining agreement, or preempt or override the terms of any collective bargaining agreement effective prior to January 1, 2012.

#### Complaint Process

Any employee aggrieved by a violation of the provisions of the act may file a complaint with the Labor Commissioner. Upon receipt of any such complaint, said Commissioner may hold a hearing. After a hearing, the Commissioner may assess a civil penalty or award other relief.

**This is not the complete Paid Sick Leave law. Please contact your Human Resources office for additional information.**

Effective 1/1/15