

City of Bristol Virginia Employee Handbook



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City of Bristol, Virginia

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Welcome from the City Manager

Welcome to the City of Bristol, Virginia. We believe that you have a significant contribution to make to our organization – an organization comprised of talented and dedicated employees providing the finest in municipal services to our citizens and visitors.

Our goal is to make your employment experience positive, safe and productive.

The Employee Handbook is a useful guide to help you understand the rules and practices as an employee, and to answer most general questions. Should you require further clarification, please do not hesitate to contact your supervisor or the Department of Human Resources.

Please accept my personal best wishes for your success and satisfaction at the City of Bristol.

Very truly yours,


City Manager

City of Bristol Virginia Organizational Chart

Citizens

City Council

City Manager

Community Development

Economic Development

Finance

Fire Department

Golf Course

Human Resources

Information Technology

Parks & Rec Programing

Police

Public Works

Transit

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Purpose

The purpose of the *Employee Handbook* is to provide you with an overview of City policies, practices and expectations. It is intended to familiarize you with important information about the City, as well as provide guidelines in an effort to foster a safe and healthy work environment. Please understand that this booklet only highlights City policies, practices and benefits for your personal understanding and cannot, therefore, be construed as a legal document. It is intended to provide general information about the policies, benefits and regulations governing the employees of the City and does not create an expressed or implied contract.

The guidelines presented in this handbook are not intended to be a substitute for sound management, judgment and discretion. It is obviously not possible to anticipate every situation that may arise in the workplace or to provide information that answers every possible question. In addition, circumstances will undoubtedly require that policies, practices and benefits described in this handbook change from time to time. Accordingly, the City reserves the right to modify, supplement, rescind or revise any provision of this handbook from time to time as it deems necessary or appropriate in its sole discretion with or without notice to you.

Employment-At-Will Policy

Employees with the City are employed, voluntarily, for an indefinite period of time. The employee may resign at will, with or without cause, at any time. Likewise, the City may terminate an employee at will, with or without cause, at any time in accordance with and not in violation of state and federal law. The City does not have employment contracts, oral or written, expressed or implied. No written or oral representation by the city management, supervisors or employees is intended to create a contract of employment. No employment practice of the City shall be construed or is intended to create a contract of employment.

Equal Employment Opportunity

It is the policy of the City to provide equal employment opportunity to all employees and applicants for employment and not to discriminate on any basis prohibited by law, including race, color, sex, age, religion, national origin, disability, marital status or veteran status. It is our intent and desire that equal employment opportunities will be provided in employment, recruitment, selection, compensation, benefits, promotion, demotion, layoff, termination and all other terms and conditions of employment. In the appointment, promotion or evaluation of employees, and in recommendations for increases or reductions in compensation, there shall be no discrimination for or against any person because of race, color, national origin, religion, sex, age, disability and veteran status. The employment practices of the City shall comply with all applicable provisions of state and federal law. Further, these practices must be applied in an objective and consistent manner.

Attendance

Employees are required to report to work on time and as scheduled. When an employee misses work, is late, or must leave early, he or she shall discuss, prior to the absence, the matter with his or her supervisor. The City recognizes that some absences are legitimate and do not support the issuance of corrective action. An employee who fails to report to work for two (2) consecutive working days without contacting a supervisor will be considered a de facto resignation in the absence of extenuating circumstances.

Bulletin Boards

The City provides bulletin boards to convey information about city, state and federal laws. Other City or work related information may be posted on bulletin boards i.e., career opportunity bulletins, employee training schedules, internal City memorandums, etc. Employees are prohibited from posting non-City related or unauthorized information on City bulletin boards.

Cellular Telephone Use

City-issued cellular telephones, electronic paging devices, and other wireless personal communications devices are intended for and expected to be used for City business only. An employee is expected to exercise reasonable discretion in the use of City-issued devices. An employee may carry a personal cellular telephone while at work, provided, however, that the employee makes or answers personal calls only during breaks and meal periods. Friends and families should be made aware of this policy. An employee shall be disciplined and/or held responsible for any costs incurred by the City for excessive use of a wireless communications device, or any inappropriate use.

Compensation

City payroll is a direct deposit system.
Pay days are semi-monthly.

Computer, Email and Internet Policy

The City shall provide certain employees with a computer, connection to the global internet and to electronic mail ("email") to facilitate their official work. Effective use by these employees should facilitate communications, access to and the sharing of information, and increase productivity. The employee shall act in a responsible, professional and prudent manner when using computer, email and internet. Such use shall not bring discredit to the City nor be used for personal gain, monetary or otherwise. Improper use shall include, but not limited to: not complying with copyright and license laws for programs and data; not safeguarding City information; unnecessary or excessive downloading of software, pictures, wallpaper, calendars, etc. for personal use or pleasure; visiting or viewing sexually explicit sites is prohibited, graphics, pictures, videos, etc.; conducting excessive activity unrelated to job responsibilities; performing political campaign, religious, fund raising or public relations activities; transmitting material, information or software in violation of local, state or federal law; engaging in any activity for personal gain or benefit; playing games; opening emails from unknown senders; connecting a personally owned computer, peripheral, or software to the City's computing or network system. Failure to abide by this policy shall lead to disciplinary action.

Note: Most information stored on City computers, including an employee's email correspondence, is a public record which is subject to public inspection under the The Virginia Freedom of Information Act.

Conflict Resolution

The City is committed to providing employees an effective and responsive conflict resolution and grievance process.

Conflict resolution process: Conflict resolution is an informal process whereby an employee discusses his/her employment concern with their supervisor(s), other management staff, or the city manager in order to reach a mutual understanding or solution. This process is used to deal with concerns other than those for which the grievance process is available. The conflict resolution process is available to all employees and can be instituted by an employee by verbal request to his or her supervisor. It is the expectation that supervisors and employees make every effort to resolve employment concerns promptly as they arise. The conflict resolution process shall be used:

- (1) When an employee believes that a violation, misinterpretation or misapplication of the City's policies, rules, regulations, ordinances or administrative orders has occurred; or
- (2) When an employee believes that a work-related issue, condition or concern is inequitable, unfair, unreasonable or unsafe as set forth in the established practices, policies, rules, regulations, ordinances or administrative orders of the City.

Grievance process: An eligible full-time employee not satisfied with a suspension without pay, demotion or dismissal may have access to the grievance process.

Grievance Procedure--City Code §66-31.

Employees are encouraged to take concerns/complaints to his/her supervisor. Many employee concerns or complaints can be resolved through communication between the employee and the supervisor. However, if an issue is not resolved, the employee may file a written grievance. The City has a formal procedure for filing written grievances as outlined within the procedure itself, as well as to the exceptions as to which employees are eligible to file. A copy of the grievance procedure is available in the Human Resources office, as well as in the office of each department and online within the Code of the City of Bristol, Virginia.

Exclusions

The following categories of employee do not have access to the grievance procedure:

- a. Probationary Employees
- b. Appointees of elected groups or individuals
- c. Department heads
- d. Constitutional officers and employees of their offices
- e. Law enforcement officers electing to pursue a grievance under Chapter 10.1 of Title 2.1.

Resignation. An employee who has resigned shall not have access to this grievance procedure after the effective date of the resignation. However, any grievance initiated by an employee prior to separation from service may, at the employee's option, continue to be processed through the grievance procedure. (City Code Section 66-31(a)(3)).

Nongrievable Issues

Management reserves the exclusive right to manage the affairs and operation of city government. Accordingly, the following complaints are not grievable.

- a. Establishment and revision of wages, salaries, position classifications or general benefits.
- b. Work activity accepted by the employee as a condition of employment or work activity which may reasonably be expected to be part of the job content.
- c. The measurement and assessment of work activity through a performance evaluation, except where the employee can show that the evaluation was arbitrary or capricious.
- d. The contents of established personnel policies, procedures, rules, regulations, ordinances and statutes.

- e. Failure to be promoted, except where the employee can show that established promotional policies or procedures were not followed or applied fairly.
- f. The hiring, transfer, assignment and retention of employees, provided such actions do not constitute disciplinary actions.
- g. The relief of employees from duties in emergencies.
- h. Termination, layoff, demotion or suspension from duties because of lack of work, reduction in the work force or job abolishment.

Deferred Compensation – 457 Plan

The City makes available the opportunity for employees to supplement their retirement benefits. Employees may enroll and make contributions through payroll deduction to a tax-deferred savings plan for retirement. The City doesn't contribute to this plan. Hybrid employees choosing to make voluntary contributions must do so through the Virginia Retirement System's 457 Plan with an employer match. For more information, contact the Finance office or Human Resources.

Disability

Disability is provided under the provisions of the Virginia Retirement System. Please visit www.varetire.org for more information.

Disciplinary Action

Whenever an employee's performance, attitude, work skills and habits, or conduct fall below a desirable level or are in violation of policies, work rules or procedures, the employee shall be informed of such performance deficiency or violation and may be disciplined based on the seriousness of the infraction or performance, or the pattern of violations, infractions or performance. Discipline may include any of a combination and in no specified order of the following actions:

- (1) Oral reprimand.
- (2) Written reprimand.
- (3) Reduction in pay.
- (4) Suspension without pay.
- (5) Demotion.
- (6) Dismissal.

A pre-disciplinary meeting shall be held with any full-time employee prior to taking disciplinary action resulting in a suspension without pay, demotion or dismissal. The employee shall be advised of the charge and possible disciplinary action to be taken. The employee shall be given the opportunity to refute the charge leading to the proposed discipline, to provide information to mitigate the severity of the discipline to be taken or to accept the discipline. An employee not satisfied with the resulting suspension without pay, demotion or dismissal may utilize the grievance process.

Dress, Uniform and Appearance

The City of Bristol, Virginia seeks to present a positive and professional appearance to the public it serves. Although the City has various positions requiring different standards of dress, all employees are expected to be clean through proper

personal hygiene at all times and wear proper attire or uniforms in a manner appropriate for their jobs.

With exception to religious observation or garb, tattoos/body art, earplugs and/or facial piercings shall be prohibited from exposure and must be concealed in professional positions requiring a business image. All employees are prohibited from wearing extreme or eccentric hairstyles, clothing or jewelry that does not present a professional appearance.

Department Heads/Supervisors shall be responsible for enforcing proper attire within their areas of responsibility. Employees are responsible to maintain dress, uniform and appearance fitting of a public servant and in matters of safety.

Repeated disregard for this policy may result in disciplinary action up to and including discharge.

If you have a question about whether something is appropriate or inappropriate please check with your manager.

Disclosure of Criminal Charges/Convictions

Employees are **required** to disclose immediately to their supervisor or Department Head of any charges and/or convictions of crimes.

Drug and Alcohol Free Workplace

It is the intent of the City of Bristol Virginia to provide a drug-free working environment. Intoxicated or chemically impaired workers are a serious problem in any work environment. Given the potential hazards to the safety of fellow employees and others, the negative public relations, and the potential exposure to liability caused by employees who use or abuse controlled substances or alcohol, the City of Bristol Virginia has established itself as a DRUG-FREE WORKPLACE. The following statement is applicable to any and all employees of the City.

The following conduct is prohibited during your work time, whether on the property of City of Bristol or otherwise engaged in your employment duties.

1. The sale, purchase, manufacturing, distribution, dispensing, possession or other use with any non-prescribed controlled substance or drug paraphernalia.
2. The sale, purchase, distribution, dispensing, possession or use of any controlled prescription drug prescribed to someone other than the employee.
3. The illegal sale or distribution to another of a scheduled drug prescribed to the employee.
4. Reporting to or being at work with a measurable quantity of intoxicants, non-prescribed narcotics, hallucinogenic drug, marijuana or other non-prescribed controlled substance in the blood or urine.

A violation of any of the above will subject the employee to disciplinary action and possible termination. Employees must abide by the statement above and further must notify the employer in writing of any drug statute charge or conviction of a violation occurring in the workplace or during work time no later than five (5) days after such charge or conviction. If the employee convicted of a violation is a recipient of federal funds, the City must, in turn, notify the area HUD office or the federal funding agency after receiving notice of conviction of any employee and further take appropriate personnel action with respect to any employee so convicted as outlined in this policy.

This statement was developed in accordance with the Federal Drug-Free Workplace Act of 1988, P.L. 100-690, which provides that recipients of federal grants or contracts must take steps to notify the employees that the possession or use of controlled substances in the workplace is prohibited.

REQUIRED TESTING :

Pre-employment: The City may require candidates pass a drug test before beginning work. Refusal to submit to testing will result in disqualification of further employment consideration.

Reasonable Suspicion: Employees are subject to testing based upon (but not limited to) observations by the supervision of apparent workplace use, possession or impairment. Human Resources, the Department Head and City Manager shall be consulted before sending an employee for testing. All levels of supervision making this decision must utilize the "Observation Checklist" to document specific observations and behaviors that create a reasonable suspicion that the person is under the influence of illegal drugs and/or alcohol. If the results of the "Observation Checklist" indicate further action is justified, the manager/supervisor should confront the employee with the documentation and/or with another member of management. *Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of supervision/management must escort the employee; the supervisor/manager will make arrangements for the employee to be transported home.*

Post-accident: Employees are subject to testing when they cause or contribute to an accident that seriously damages a City of Bristol, Virginia vehicle, machinery, equipment, or property and/or result in an injury to themselves or another employee requiring off-site medical attention. A probable belief circumstance will be presumed to arise in any instance involving a work-related accident or injury in which an employee who was operating a motorized vehicle (including, but not limited to, forklift, pickup truck, overhead cranes, aerial/man-lifts) appears to be responsible for causing the accident. In any of these instances, the investigation and subsequent testing must take place within two (2) hours following the accident, if not sooner. *Under no circumstances will the employee be allowed to drive himself or herself to the testing facility.*

Follow-up: Employees who have tested positive, or otherwise violated this policy, are subject to discipline, up to and including discharge. Depending upon the circumstances and the employee's work history/record, The City of Bristol, Virginia may offer an employee who violates this policy or tests positive the opportunity to return to work on a last chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies determined by the City of Bristol, Virginia for a minimum of one (1) year but not more than two (2) years as well as a waiver of the right to contest any termination resulting from a subsequent positive test. If the employee either does not comply with the terms of their rehabilitation program or tests positive after completing the rehabilitation program, they will be subject to immediate discharge from employment.

COLLECTION AND TESTING PROCEDURES

Employees subject to alcohol testing shall be driven to the designated facility and directed to provide breath specimens. Breath specimens shall be tested by trained technicians using federally approved breath alcohol testing devices capable of producing printed results that identify the employee. If an employee's breath alcohol concentration is .04 or more, a second breath specimen shall be tested approximately 20 minutes later. The results of the second test shall be determinative. Alcohol tests may, however, be a breath, blood or saliva test, at the City's discretion. For purposes of this Policy, test results generated by law enforcement or medical providers may be considered by the City as work rule violations.

Candidates and employees subject to drug testing shall be driven to the designated medical facility and directed to provide urine specimens. Candidates and employees may provide specimens in private unless they appear to be submitting altered, adulterated or substitute specimens. Collected specimens shall be sent to a federally certified laboratory and tested for evidence of marijuana, cocaine, opiates, amphetamines, PCP, benzodiazepines, methadone, methaqualone and propoxyphane use. (Where indicated, specimens may be tested for other illegal drugs.) The laboratory shall screen all specimens and confirm all positive screens. There shall be a chain of custody from the time specimens are collected through testing and storage.

The laboratory shall transmit all positive drug test results to a Medical Review Officer (“MRO”) retained by laboratory, who shall offer persons with positive results a reasonable opportunity to rebut or explain the results. Persons with positive test results may also ask the MRO to have their split specimen sent to another federally certified laboratory to be tested at the applicant’s or employee’s own expense. Such requests must be made within 72 hours of notice of test results. If the second facility fails to find any evidence of drug use in the split specimen, the employee or applicant will be treated as passing the test. In no event shall a positive test result be communicated to the employer until such time that the MRO has confirmed the test to be positive.

CONSEQUENCES

Applicants who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to re-apply/re-test in the future.

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be disciplined up to and including termination. *If the employee refuses to be tested yet the City believes they are impaired, under no circumstances will the employee be allowed to drive himself or herself home.*

The first time an employee tests positive for alcohol or illegal drug use under this policy, the result will be discipline up to and including discharge.

Employees will be paid for time spent in alcohol/drug testing and then suspended pending the results of the drug/alcohol test. After the results of the test are received, a date/time will be scheduled to discuss the results of the test; this meeting will include a member of management/supervision, a representative (if requested), and Human Resources. Should the results prove to be negative, the employee will receive backpay for the times/days of suspension.

CONFIDENTIALITY

Information and records relating to positive test results, drug and alcohol dependencies and legitimate medical explanations provided to the MRO shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed among managers and supervisors on a need-to-know basis and may also be disclosed where relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.

Employee Appointments

Full-time – an individual hired on either a salary or wage basis for an established position for an indefinite term who is expected to work a minimum of (40) hours a week also called “forty-hour” employee.

Part-time – an individual hired on either a salary or wage basis for an established position for an indefinite term who is expected to work an established period of time that is less than (40) forty hours per week.

Probationary employee – a full-time or part-time employee who has worked for the City less than three months.

Temporary/Seasonal – an individual hired on a term basis, e.g., day, week, season, period of months or on a project basis. Ineligible for benefits.

Employee Privacy

Some employment records maintained by the City are open for public inspection under state law. The City will protect information in those records which is confidential under the law. The City may inspect City owned property, including

lockers, desks, storage containers, vehicles, computers and city issued cellphones at any time. Such inspections may be made for safety purposes, or to prevent illegal or prohibited items or substances, or for any other reason.

Employee References

All official requests for references from the City will be provided strictly by Human Resources and reflect only the facts regarding the nature of employment (e.g. title/position/dates of employment/re-employment recommendations). No further information from this source will be provided. References provided by Department Heads, Supervisors, and others shall be considered personal references for which the City accepts no authorship or responsibility whatsoever. Those providing such references are cautioned that they accept full personal responsibility and liability for these references.

Flexible Spending Accounts (FSA)

Flexible spending accounts are available to all eligible employees. An FSA allows an employee to set aside a portion of his or her earnings to pay for qualified medical and dental expenses such as deductibles, copayments, and coinsurance, and dependent care. Contributions to this program are voluntary deductions and are pretaxable which means a tax savings advantage. Employees are subject to and obligated per the provider's agreement. Contact the Finance office for more information.

Health Insurance

The City offers health insurance coverage to eligible employees and their eligible dependents as well as retirees. All eligibility and coverage requirements are subject to the provisions contained in the City's benefits plan document and City Code Section 66-28. For more information about health insurance options, contact the Human Resources Department.

Hours of Work—City Code §66-26.

The number of working hours a week for full-time employment of city officers and employees shall not be less than 40, exclusive of the lunch hour. The schedule of the working hours shall be established by the City Manager and approved by the City Council with due regard for maintenance of service.

Leaves of Absences

Leaves of absence – Eligibility – City Code §66-45.

(a) Regular employees, full-time and part-time. The appointment of regular full-time and part-time employees is subject to three months' probationary service before permanent status is acquired. After the termination of such probationary period, annual leave and sick leave credit shall be given for the period of probationary service. The maximum credits for annual and sick are for regular full-time employees. Regular employees on a part-time basis hired before January 1, 2014 shall receive sick leave and annual leave credits, and charges for authorized absences shall be made against these credits in proportion to their actual hours of duty. Regular employees on a part-time basis hired on or after January 1, 2014 shall not receive sick leave and annual leave credits.

(b) Temporary employees. No credits for leave with pay shall be made for an employee holding a temporary appointment. If the status of any employee is changed from temporary to permanent, leave credits shall be given for a period of temporary service not to exceed three months; in addition that period shall also be considered part of the total service in determining the date at which the credit for leaves of absence with pay shall accrue.

(c) Intermittent or occasional employees. No credits for leaves with pay shall be granted to intermittent or occasional employees.

(d) Reinstated employees. A person who is reinstated as provided in section 66-54 shall be credited with all unused balances of leave (except annual and compensatory leave) held at the date of previous separation and shall have all creditable service before that date considered in determining the date of accrual; a person who is reinstated on return from military leave shall receive, also, full benefits of his period of military service in determining the date of accrual.

(e) Reemployed employees. A person who is reemployed will accrue leave for continuous service only, beginning with the latest date of reemployment.

Family and Medical Leave Act

A qualifying employee is entitled to a maximum of twelve (12) weeks for FMLA and Qualifying Exigency or twenty-six (26) weeks of military caregiver leave. FML may be paid or unpaid leave. To be eligible, an employee must have worked 1250 hours during the past 12 months. The employer requires the employee to use existing paid leave during the FML absence. Employees can and should notify the employer when they expect to take Family Medical Leave. If the leave is *foreseeable*, employees must provide the City 30 days advance notice before FML is to begin. If the leave is *not foreseeable*, notice is to be provided as soon as practicable. Regardless of whether the employee has made statement of the fact, when the employer has become aware and has identified a situation as qualifying in accordance with the Family and Medical Leave Act, the employer will initiate the FMLA procedure. The employer calculates a "rolling" 12-month period measured backward from the date of any FMLA usage. Employee shall contact Human Resources to obtain an application for family medical leave.

Holiday Leave—City Code §66-41.

The following holidays shall be observed:

New Year's Day	January 1
Dr. Martin Luther King, Jr. Day	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day and Yorktown Victory Day	Second Monday in October
Veterans' Day	November 11
Thanksgiving Day	Fourth Thursday in November
Friday after Thanksgiving Day	Friday after Thanksgiving Day
Christmas Eve Day	December 24
Christmas Day	December 25
Any other holiday time granted by the Governor of the Commonwealth of Virginia or the President of the United States. Any other day so appointed by the City Council.	

Bereavement Leave -- (09/12/2017)

Funeral Leave for an Immediate Family Member:

When a death occurs in an employee's immediate family, all regular [full-time employees](#) may take up to three (3) days off with pay to attend the funeral or make funeral arrangements. Bereavement Leave may be used in conjunction with additional sick leave or other available leave time.

Immediate Family Defined:

Immediate family members are defined as an employee's spouse, parents, stepparents, sisters, brothers, children, stepchildren, grandparents, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or grandchild or as determined on a case-by-case basis of the Department Head.

Civil Leave—City Code §66-51.

The City Manager may grant an employee of the city leave with full pay for any absence necessary for serving on a jury, attending court as a witness under subpoena, or serving in an election. An employee compensation for civil duties shall be paid only the difference between the full salary or wages and the amount of compensation.

Military leave—City Code §66-52.

- (a) All officers and employees of the city who are former members of the armed services or members of the organized reserve forces of any of the armed services of the United States, National Guard or Naval Militia shall be entitled to leaves of absence from their respective duties, without loss of seniority, accrued leave or efficiency rating, on all days during which they are engaged in federally funded military duty, to include training duty, or when called forth by the governor pursuant to the provisions of section 44-75.1 or section 44-78.1 There shall be no loss of pay during such leaves of absence, except that paid leaves of absence for federally funded military duty, to include training duty, shall not exceed 15 workdays per federal fiscal year, and except that no officers or employees shall receive paid leave for more than 15 workdays per federally funded tour of active military duty. When relieved from such duty, they shall be restored to positions held by them when ordered to duty. For the purposes of this section, with respect to employees of the city who do not normally work approximately equal workdays on five or more days of each calendar week, the term "workday" shall mean 1/260 of the total working hours such employee would be scheduled to work during an entire federal fiscal year, not taking into account any state holidays, annual leave, military leave, or other absences.
- (b) Any employee who is ordered to report for a selective service physical examination shall be entitled to leave with full pay for not exceeding one day.

Leave without pay—City Code §66-54.

- (a) Leave without pay may be granted to an employee at the discretion of the City Manager upon request of the department director for a period not to exceed 12 months.
- (b) Any employee returning from leave of absence without pay during, or at the end of, the period for which the leave was granted shall be entitled to reinstatement under the conditions elsewhere provided in these rules; if he fails to return at the end of the period for which the leave was granted, he shall be treated as having resigned from service.

Vacation/Annual Leave -- (07/01/19)

Annual leave credits for regular employees, shall be provided for at the following rates:

	40 HOUR EMPLOYEE	FIRE DEPARTMENT	
Years of Service	Earned Hours PTO/Month (days/year)	FD Earned Hours PTO/Month w Multiplier (days/year)	Max Accrued Leave
0-2 years	8 (12d)	12 (6d)	192 hours
3-5 years	10 (15d)	14 (7d)	192 hours
6-10 years	12(18d)	16 (8d)	240 hours
11-15 years	14 (21d)	19 (9.5d)	288 hours
16-20 years	16 (24d)	22 (11d)	288 hours
21 plus	18 (27d)	24 (12d)	288 hours

Use of credits. The annual leave credits provided may be used, at the option of the employee, to provide paid absences for vacation and other personal purposes (including sickness after sick leave is exhausted) or for absences in excess of credits available for other kinds of leave. However, as a matter of policy, a major portion of annual leave should be used at one time in a course of a 12-month period.

No annual leave credit shall be provided during any period of absence immediately following an absence of 60 calendar days.

All leave, annual, sick, compensatory, and holiday will be taken in ¼ hour increments.

Example of how time is accrued based on years of service:

On October 8, 2016, Joe Employee was hired to work for the City of Bristol, Virginia. During Joe's first two years of service ((October 8, 2016 to October 7, 2017 (Year 1) and October 8, 2017 to October 7, 2018 (Year 2)), he began earning 8 hours of annual leave time per month. Joe completed two years of service to the City on October 7, 2018. Thus, he began his 3rd year of service to the City on October 8, 2018. Beginning on October 1, 2018, Joe would be entitled to earn 10 hours of annual leave time per month as he would be entering his 3rd year of service to the City.

If an employee's start date is between the 1st and the 15th of the month, leave will be credited for that month. If the start date is on the 16th of the month or later, leave will begin accruing the first of the following month.

Part-time service will not count towards years of service time.

Sick Leave -- (7/1/19)

Sick leave credits for regular full-time employees, hired before January 1, 2014, who have not opted to participate in the hybrid retirement plan, and all employees eligible to receive enhanced retirement benefits in hazardous duty positions, and all employees hired on or after January 1, 2014, with Virginia Retirement System creditable services, shall be provided at the rate of 10 hours for each calendar month. For those with a normal workday of a 24-hour shift, whose regular schedule exceeds 2,080 hours per year, sick leave shall be provided for at the rate of 16 hours for each calendar month.

No sick leave credit shall be provided during any period of absence immediately following an absence of 60 calendar days. In case of illness or injury which is not compensable under the Virginia Workers' Compensation Act (Code of

Virginia, § 65.2-100 et seq., as amended, repealed, reenacted or recodified from time to time), the city manager may grant additional credits beyond what the employee has accumulated; provided, however, that it is clearly established that the illness or injury was contracted in the course and by reason of the performance of duties assigned to the employee.

All full-time employees hired on or after January 1, 2014, and employees hired before January 1, 2014, who have opted to participate in the hybrid retirement plan, with the exception of employees eligible for enhanced retirement benefits in hazardous duty positions and employees hired with Virginia Retirement Service creditable service, shall receive sick leave as set forth in the applicable City of Bristol Human Resources policy. Any and all future changes to paid time off shall be subject to city council approval.

Use of credits.

Verification. The justification for any sick leave use shall be subject to verification by the department director concerned and the city manager by requirement of a certificate of a physician, describing the disability, stating that the employee was unable by reason of his disability to be on duty during the entire period covered by the application and, where extended absence is indicated, the probable duration of the disability. For any absence in excess of 60 work days within a 12-month period such a certificate must be provided and filed with the city manager at the end of the 60 days and monthly thereafter.

Justifications. Leave credit may be used for authorized absences as follows:

Personal illness or injury incapacitating the employee from performing his duties.

Exposure to a contagious disease which jeopardizes the health of others.

Appointment for examination and treatment related to health when such appointment cannot reasonably be scheduled during non-work hours.

Illness or death in the immediate family requiring the attendance of the employee. "Family of an employee" shall be regarded as parents, wife, husband, child, brother, sister or any other relatives living in the household of the employee.

Pregnancy, miscarriage, abortion or childbirth incapacitating the employee [from performing her duties].

All leave, sick, annual, compensatory and holiday leave will be taken in ¼ hour increments.

Hybrid Plan

Hybrid Plan employees, are defined as having a Virginia Retirement System (VRS) effective membership date of January 1, 2014 or after, and working not less than 40 hours per week. The Hybrid Plan includes short and long-term disability. Employees within hazardous duty positions with the LEOS retirement benefit are not eligible participants of the Hybrid Plan.

Short and Long Term Disability- Short- and long-term disability is provided through the Virginia Local Disability Program (VLDP) **after a 1-year waiting period.**

Under a short-term, non-work related disability, an eligible employee, would receive on the 8th day, 60% of replacement income for a maximum of 125 days upon approval by the disability administrator. Long-term disability benefit begins after having satisfied the short-term disability of a 7-day waiting period and received 125 workdays of short-term pay. For more details on short and long term disability benefits and filing claims, refer to the Virginia Retirement System website at www.varetire.org or contact Human Resources.

Sick Leave under the Hybrid Plan – Sick leave credits will accrue at a rate of 5 hours per calendar month for less than 60 months of service. Sick leave may be taken for personal and family illnesses, funerals, injuries, physician visits, 7-day waiting period prior to commencement of short-term disability, and qualifying FMLA absences. Accruals are credited upon the completion of a full calendar month of service. **Sick leave credits accumulated cannot exceed nor accrue beyond the maximum limit within the fiscal year.**

Full-time (not less than 40 hrs/wk)

<u>Completed Service</u>	<u>Max Sick Leave Accrual Hours/FY</u>
0-5 years	60 hours
5-10 years	72 hours
10+ years	84 hours

All full-time new hires must complete a successful three month probationary period before being eligible for VRS or use of any accrued leave.

Donated Time Policy

Effective: 03/01/2010

Revised: 01/01/2014

The city’s personnel policy with respect to donation of sick leave is as follows:

Subject to approval by the City Manager and to the restriction hereinafter set forth, employees with accumulated sick leave may transfer their days of sick leave to other employees on sick leave status who have exhausted all paid leave, including annual and holiday leaves. Approval will be given on a case-by-case basis.

The maximum amount that any employee may transfer shall not exceed 40 hours per event of their existing sick leave balance at the time of the request.

The right of transfer of sick leave to an employee is subject to the restriction that no employee may have transferred to him/her more than a maximum of 160 hours per event.

Transferred sick leave will be paid at the pay rate of the employee needing donated leave.

Any exceptions to this policy will be made strictly at the discretion of the City Manager.

Employees working less than 40 hours per week are ineligible to receive donated time.

Hybrid Plan employees are ineligible to receive donated time.

Life Insurance

Life insurance is provided to eligible City employees through the City’s participation in the Virginia Retirement System. Optional Group Life benefits are available to eligible individuals. Contact Human Resources for more information.

Nepotism

No two employees who are relatives shall be placed within the same line of supervision. This policy may preclude employees from future promotion opportunities if such promotion would place relatives within the same line of supervision, or where favoritism or an unsound employment condition may occur.

This policy applies to promotions, demotions, transfers, reinstatements, and new appointments.

“Relative” means, for nepotism purposes, a spouse, parent, parent-in-law, child, brother, sister, grandparent, grandchild, son-in-law, brother-in-law, daughter-in-law, sister-in-law, stepbrother, stepsister, half-brother, half-sister or other family member who resides in the same household.

When a violation of this policy results from the marriage of employees, the violation shall be resolved by means of dismissal, resignation or transfer within the City. The City shall advise the employees of each of the alternatives available to remove such violation. Such employees shall be given the opportunity to select among such available alternatives.

An application for employment submitted by a relative of a current employee will not be considered when the position applied for falls within the line of supervision of the related employee. Relatives may only be considered for employment if the current related employee agrees in writing to transfer, resign or retire so as to eliminate any line of supervision of the applicant.

Orientation/Probationary Period

All new full-time and part-time employees shall serve a three month probationary period before permanent status is acquired (City Code Section 66-45.) The purpose of the orientation period is to provide the employee and supervisor opportunities to discuss the employment experience separate from the daily work assignments. During this period, the employee will be evaluated and closely monitored for desired attitude, work habits and organizational compliance to ensure the proper candidate selection for the position was made. During the orientation period an employee may be dismissed from employment at any time for any reason without appeal to the grievance process.

Outside Employment – City Code §66-27.

No employee of the city shall engage in any other employment or in any private business or in the conduct of a profession during the hours which he is employed, or outside such hours in a manner or to an extent that affects or is likely to affect his usefulness as a city employee. Outside employment including part-time work is not allowed without written approval from the City Manager. The City Manager may withdraw approval at any time.

Overtime and Compensatory Leave

Approved: June 22, 2021

Effective: July 1, 2021

Nonexempt employees will receive overtime pay for hours worked over 40 per workweek at a rate not less than one and one-half times the regular rate of pay. For those whose regular schedule exceeds 2,080 hours per year, overtime will be calculated in accordance with an established Department of Labor work period basis. Public safety employees, whose regular work pay-period is different than a 40-hour work week, will be compensated for overtime in accordance to Department of Labor rules and regulations and the Fair Labor Standards Act.

Law Enforcement employees and Fire Protection employees are defined by Virginia Code 9.1-700. Overtime compensation for all employees is subject to the Fair Labor Standards Act.

Exempt employees may be granted hour for hour compensatory leave for hours worked over 40 per workweek. Compensatory time may be accumulated up to 80 hours within a fiscal year and shall be taken before June 30 each year. Exempt employees shall not take more than 80 hours of compensatory leave in a fiscal year, even though the employee may have earned more than 80 hours of compensatory leave during the fiscal year. Unused compensatory leave will not be carried over to the next fiscal year. Unused accrued compensatory leave for exempt employees shall not be paid out.

All leave, compensatory, annual, sick, and holiday time will be taken in ¼ hour increments.

Personnel Files

The Human Resources Department will retain official employment records and shall determine what records are placed in personnel files. Employee personnel files are the property of the City, and do not belong to the employee. However, upon request, the City will provide employees with copies of documents. Certain types of personal information contained in the personnel files are confidential and the City will take all steps reasonably necessary to preserve that confidentiality.

Personnel Information

It is your responsibility to provide current information regarding your address, telephone number, insurance beneficiaries, change in dependents, marital status, direct deposit, etc. Changes in exemptions for tax purposes will only be made upon the receipt of a completed W-4 form. To obtain forms and provide updated personnel information, contact or visit Human Resources.

Political Activity

An employee shall not participate in political activities while on duty; or use City property, equipment or resources on behalf of, or while participating in, political activities. Notwithstanding the foregoing, and subject to the provisions of the Hatch Act, an employee shall: have the same right to be a candidate for, and to hold, any federal, state or local political office other than City Council of the City of Bristol, Virginia. Employees shall have the right to involve themselves in political activities by supporting or opposing political parties and political candidates.

Responsibilities on the Job

It is the responsibility of each employee to fully comply with all City policies, work rules, directives, and procedures; to perform work in a productive and efficient manner; to follow all safety rules and utilize safe working methods; and to maintain positive working relationships with the public, peers, subordinates and superiors. Employee behavior that is not consistent with these performance expectations and the best interest of the City will be subject to disciplinary action up to and including dismissal.

Retirement

The City contributes to each eligible full-time employee's retirement benefits through the Virginia Retirement System (VRS). For more information regarding VRS contact Human Resources and/or visit www.varetire.org.

Return of City Property

As customary in all terminations, resignations and retirements, when an individual leaves the employment of the City, the individual is required to return all property in his/her possession that is the property of the City of Bristol, Virginia which includes any City issued items such as uniform items, equipment, tools, identification badges or keys in his/her possession.

Safety

The City believes in maintaining safe and healthy working conditions for our employees. To achieve our goal of providing a safe workplace, each employee must be safety conscious. All employees are responsible for their personal safety as well as the safety of others. The City has established policies and procedures that provide for a safe and healthy workplace. The City expects each employee to follow these policies and procedures, to act safely, and to report unsafe conditions. All accidents, personal or vehicular, shall be reported to his or her supervisor in a timely manner. See City Code Article III. Occupational Safety and Health Law and Standards for Public Employees—Section 66-81 Adoption of rules and regulations.

Safety –Vehicle Accidents

Employees involved in accidents with City vehicles shall: not leave the scene of the accident unless injured and transported to a medical facility; stop immediately and do not move the vehicle from the accident scene; use appropriate safety equipment to warn oncoming traffic; aid injured persons by summoning medical assistance; not move the injured persons unless not doing so will threaten the person's safety; contact the appropriate law enforcement official; contact your supervisor immediately; not admit guilt to any other driver or to anyone else at the scene; do not give statements to the press or other individuals at the scene; refer insurance questions to Human Resource staff; and under no circumstances should an employee or supervisor obligate the City for payment of a claim.

Safety – Workers' Compensation

The City of Bristol, Virginia is subject to the Virginia Workers' Compensation Act found in Title 65.2 in the Code of Virginia. The City strives for safety in all activities and operations, and to carry out the commitment of compliance with health and safety laws applicable to the City by enlisting the help of all employees to ensure that public and work areas are free of hazardous conditions. Despite our best prevention efforts, injuries and illnesses do occur. Our main concern is immediate and proper medical treatment for an injured or sick worker. All injuries occurring on the job are to be reported to your supervisor immediately. All injuries are to be reported by the employee or the supervisor to the on-call, toll-free telephone reporting mechanism established by the workers' compensation carrier, no longer than 24 hours following an incident. Employees shall seek medical treatment from only authorized medical providers on the list of Panel of Physicians provided to the employee upon notification of a work-related injury. Failure of the employee to sign the panel list may result in denial of payment for treatment by the workers' compensation carrier. After seeking treatment, employees must provide details of the incident to their supervisor so the proper forms may be completed. Contact Human Resources for workers' compensation information.

Separation from Employment

A separation from employment shall be classified as one of the following:

Termination: An employee may be terminated at any time from employment by the city manager with or without cause.

Resignation: An employee may resign by specifying the effective date to his or her supervisor as far in advance as possible, but not less than two (2) weeks. A resignation with an earlier effective date may be accepted if deemed to be in the best interest of the City.

Retirement: An employee may retire if he or she satisfies the requirements of the Virginia Retirement System.

Inability to Perform Duties:

An employee may be separated from employment (even with a reasonable accommodation) when he or she is unable to perform the requirements of the job because of a physical or mental impairment. Upon reasonable suspicion, the City may require the employee to undergo an examination to be performed by a physician selected by the City.

Layoff or Employment Reduction:

An employee may be laid off or separated from employment due to lack of work, job consolidation and elimination or restructuring of a position, or budgetary reasons. In such an event, a full-time employee may be provided severance pay in accordance with a determination by the City Council and/or City Manager. Severance pay is in addition to payment for any accumulated leave and is at the sole discretion of the City Council and/or City Manager.

Dismissal: An employee may be dismissed from employment with or without cause by the city manager. In the event an employee is dismissed for cause, the reasons for such dismissal shall be provided to the employee. Such reasons may include but are not limited to:

- (1) Violation of any elements of the City's Personnel Code, Ordinances, or rules;
- (2) Theft or destruction of City property;
- (3) Incompetence, inefficiency or negligence in the performance of duties or supervisory responsibilities;
- (4) Insubordination;
- (5) Lying and dishonesty;
- (6) Conduct unbecoming a public employee;
- (7) Failing a drug test;
- (8) Advocacy of or participation in group tactics which disrupt normal work performance including, but not limited to, walk-outs, slow-downs, and other such activities not authorized by law;
- (9) Conviction of a crime;
- (10) Unauthorized absences or abuse of leave privileges;
- (11) Acceptance of any consideration given with the expectation of influencing the employee in performance of the duties;
- (12) Falsification of records; or
- (13) Use of official position for personal advantage.

Death: Employment terminates on the death of the employee. All compensation due will be paid to the estate of the employee or as otherwise provided by law.

SEXUAL AND WORKPLACE HARASSMENT POLICY

Revised: May 2018

Sexual and workplace harassment is a form of discrimination and is prohibited by law. Engaging in sexual activity while on duty is strictly prohibited. The City is committed to providing a workplace free from harassment based on race, color, sex, national origin, disability, age, religion or other legally protected class. No employee shall be subjected verbally or physically to unsolicited and unwelcome overtures or conduct. Harassment means behavior that is not welcome, that is personally offensive, and that erodes morale and, therefore, interferes with work effectiveness. This includes harassment against employees or officials by citizens or non-employees with whom the City has business, service or a professional relationship. Behavior that amounts to harassment will not be tolerated and shall result in disciplinary action, up to and including dismissal.

Purpose:

To define the City of Bristol Virginia's position regarding harassment and/or sexual harassment, to maintain a working environment that is free of discriminatory harassment and/or sexual harassment in accordance with Title VII of the Civil Rights Act of 1964 and all other applicable laws, and to communicate City of Bristol Virginia's actions to any such conduct.

Policy:

- (1) The City has adopted, and its policy is based on, the definition of sexual harassment set forth by the Equal Employment Opportunity Commission (EEOC). The EEOC defines sexual harassment as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: submission to such conduct is made either directly or indirectly a term or condition of employment; submission to or rejection of such conduct is used as the basis for employment decisions; or such conduct has the purpose or effect of unreasonably interfering with work performance or creating an intimidating, hostile or offensive working environment. Engaging in sexual activity while on duty is strictly prohibited.
- (2) Workplace harassment is a type of discrimination or conduct in the form of verbal, visual or physical acts.
- (3) Harassing conduct includes but is not limited to: (1) epithets, slurs, negative stereotyping, threatening/intimidating/hostile acts that relate to sex, pranks/jokes that are hostile or demeaning with regard to sex; (2) written or graphic material including displays on electronic devices or social media that denigrates or shows hostility or aversion toward an individual or group because of sex and that is displayed on walls, bulletin boards, equipment, or other locations on the employer's premises or circulated in the workplace; (3) lewd, profane, demeaning or indecent language, conversation, comments or acts which are audible to the general public, customers, co-workers, or persons who find that language, conversation or comment offensive.
- (4) The employee subjected to harassing behavior shall tell the harasser to immediately stop and that it shall be reported. An employee may choose to report it to the supervisor, Human Resources Director, or the City Manager. If any supervisor becomes aware of harassing behavior, it shall be reported to the Human Resources Director or the City Manager.
- (5) There shall be no retaliation against anyone who in good faith makes a complaint of harassment or provides information related to such a complaint.
- (6) False and malicious complaints of harassment, discrimination or retaliation as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

Solicitation and Distribution Prohibited

The City does not permit employees to distribute information or solicit other employees for any reason during working time or in working areas. This includes school, church, sports and other types of fundraisers. The only exception to this policy include City sponsored and approved activities, i.e., United Way.

Timekeeping

Accurately recording time is the responsibility of each employee. Federal and state law requires the City to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job. Employees who do not comply with City timekeeping practices will be subject to discipline. Employees who complete time sheets for other employees or who allow other employees to complete their time sheets will also be subject to disciplinary action.

Transitional Duty Assignment

The City seeks to provide transitional duty assignment, when available, to employees that have been injured on the job. Transitional duty assignment may benefit both the City and the employee. An employee who is injured on the job may actively request the attending physician to return him or her to work in transitional, light or regular duty as soon as medically and physically possible.

Tuition Reimbursement

Space left for further development according to policy.

Weapons

Consistent with the provisions of the Code of Virginia, Section 15.2-915. Control of firearms; applicability to authorities and local government agencies. City of Bristol, Virginia employees, with the exception of law enforcement personnel, may not, at any time, while on duty, possess or use any weapon. Regardless of whether an employee possesses a concealed weapons permit or is allowed by law to possess a weapon, weapons are prohibited while on duty. Weapons, include but not limited to, guns, knives, or swords with blades over four inches in length. Violation of this policy will be subject to disciplinary actions, up to and including employment termination.

Workplace Violence

The City is firmly committed to providing a workplace that is free from acts of violence or threats of violence. In keeping with this commitment, it is the City's policy to prohibit any employee from threatening or committing any act of violence in the workplace, while on duty, while on City-related business or while operating any vehicle or equipment owned or leased by the City. This policy applies to all employees, including managers, supervisors and non-supervisory employees. It also applies to third parties, including employee guests, who are on City property. **The City has zero tolerance for individuals and employees who make threats, engage in threatening behavior, or commit acts of violence against employees, visitors, guests, or other individuals. Compliance with this policy is every employee's responsibility.** An employee is required to immediately report to a supervisor or Human Resources, any incident involving a threat of violence or violent behavior. If an employee is confronted with a potentially violent situation, the employee should not attempt to handle the situation, but should report it immediately to a member of management. If a report is made to a supervisor or member of management, that individual must immediately inform Human Resources, and the matter will be investigated promptly and appropriate corrective action, if required, will be taken. This action shall include disciplinary action, up to and including immediate dismissal, of employees involved. An employee who becomes aware of any workplace security hazards, or who have suggestions for increasing security in the workplace, should speak with their supervisors or Human Resources. The City encourages employees to help make the

workplace as safe and secure as possible. Employees are required to report violations of this policy, including any incidents involving actual or threatened violence. An employee making a good faith report may do so without fear of retaliation.

Closing Remarks

Thank you for taking time to read the City's *Employee Handbook*. We believe the information contained herein will be useful to you. Please keep this handbook in a place you can refer to it in the future. Any questions or suggestions related to the *Employee Handbook* should be directed to Human Resources.

Notes

Disclaimer

Employees with the City are employed, voluntarily, for an indefinite period of time. The employee may resign at will, with or without cause, at any time. Likewise, the City may terminate an employee at will, with or without cause, at any time in accordance with and not in violation of state and federal law. The City does not have employment contracts, oral or written, expressed or implied. No written or oral representation by the city management, supervisors or employees is intended to create a contract of employment. No employment practice of the City shall be construed or is intended to create a contract of employment.

Nothing in this *Employee Handbook* modifies the employment-at-will policy or creates any contractual or legal obligations of the City. The information contained in this *Employee Handbook* is to provide you general information about the City, its policies and practices. All City policies, including those in this *Employee Handbook*, may be amended, superseded or revised at any time by the City Manager, at the City Manager's sole discretion.

All information contained in this handbook is subject to the City's official Personnel Policy and all applicable federal and state laws, rules and regulations. In the event of a conflict, the latter will control.

Any questions regarding this handbook should be directed to:

Human Resources
300 Lee Street
Bristol, Virginia 24201
(276) 645-7354
persnl@bristolva.org

City of Bristol Virginia Employee Handbook Acknowledgement Page

Approved: October 25, 2011

Revised: **January 1, 2014**

Revised: **March 14, 2014**

Revised: **July 1, 2018**

Revised: **July 1, 2019**

Revised: **July 1, 2021**

I acknowledge that I have received, read and understood the ***City of Bristol, Virginia's Employee Reference Handbook***.

Employee's Signature _____

Printed Name

Date