

CITY OF MERRIAM

# Employee Handbook



**City of Merriam**

9001 W. 62<sup>nd</sup> Street

Merriam, KS 66202-2815

Phone: 913.322.5500

Fax: 913.322.5505

Website: [www.merriam.org](http://www.merriam.org)

August 2016

# City of Merriam Employee Handbook

## WELCOME!

---

We look forward to you becoming a valuable team member of the City of Merriam. You may have many questions about your job and your role with the City. This handbook is provided as a valuable resource of general information about working conditions, benefits and policies affecting your employment. Any questions, comments or suggestions regarding this handbook or the City in general are welcome and may be directed to your Supervisor, Department Head, Human Resources Manager, or Assistant City Administrator.

We have carefully selected you as a staff member because we believe you will provide the high-quality service that continually makes us the best. We believe that consistent, ethical and quality performance in all of our endeavors is the key to success and will result in loyal, mutually beneficial relationships. As an employee of the City of Merriam, dedication to providing the best service to our citizens should be your number one priority. The City of Merriam affirms this commitment through the following Mission Statement:

*To serve the public with transparent government focused on progress.*

Again, we are glad you are here and welcome you to Team Merriam!

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

## Employee Acknowledgement

---

By signing below, I acknowledge that I have received, or know how to access, a copy of the City of Merriam Employee Handbook and that it is my responsibility to read and understand the policies outlined in this employee handbook and any revisions made to it. I understand that the handbook is intended only as a general reference and not a full statement of policies and procedures or a legal contract. I further acknowledge that if I do not understand any part of the Employee Handbook, I may seek clarification from a Department Head, the Assistant City Administrator, City Administrator, or Human Resources Manager.

I understand that except for employment at will status, any and all policies or practices can be changed at any time by the City. I also understand that nothing in this handbook creates or is intended to create a promise or representation of continued employment. Employment with the City is employment at will which means that employment may be terminated at the will of either the City or me at any time.

I further understand that this manual and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of employment.

---

(Signature)

(Date)

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** General Information  
**Chapter Number:** 1  
**Section Title:** Purpose  
**Section Number:** 1.01  
**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

This handbook is intended to provide information about working conditions, employee benefits and policies affecting employment with the City of Merriam. The City has developed these policies for the purpose of promoting fair and consistent practices by managers and employees. This handbook is not intended to cover every situation that might occur. In situations that are not specifically covered by this handbook, Department Heads, in conjunction with the City Administrator, Assistant City Administrator, and Human Resources Manager have the authority to set policies, verbally and in writing, or clarify existing policies.

The City's employment policies will apply equally to all employees, unless specifically stated or exempted by law or contract. Federal and State laws will supersede City policies. If any conflict between this handbook and the Municipal Code of Merriam exists, the Code shall prevail.

The City of Merriam reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate. In addition, the City reserves the right to interpret the language of these policies according to their application to a specific situation. Handbook modifications, deletions, or additions must be approved by resolution of the City Council and will be accessible via the city website. For a paper copy of the Employee Handbook, please contact the Human Resources Department.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** General Information  
**Chapter Number:** 1  
**Section Title:** Application  
**Section Number:** 1.02  
**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

## *General*

This handbook applies to all employees of the City of Merriam. It is not intended to cover elected officials or non-employees of the city which include: appointed members of boards, commissions, committees, persons engaged under contract to supply expert professional or technical services for a definite period of time, volunteer personnel or candidates for employment, unless otherwise stated.

## *Department Work Policies and Procedures*

Departments may adopt their own specific written work policies and procedures. However, departmental rules shall not be less stringent than, in violation of, or in conflict with the provisions of this Employee Handbook. In the event of conflict, the City Employee Handbook, and not the departmental policies and procedures, shall prevail.

## *Legality of Content*

This Employee Handbook contains the policies and practices in effect at the time of publication and shall supersede prior Employee Handbooks. All provisions herein have been reviewed by legal counsel for the City and have been found to be in conformance with federal, state and local laws and regulations. The City will provide legal assistance, legal defense and full indemnity by insurance or otherwise, for its administrators, elected/appointed officials, department managers, supervisory personnel and other employees for all employment or related actions which are taken within the scope of their authorities and duties and which are in compliance with approved personnel policies. Legal defense costs will be paid if the City approves the attorney and the attorney's legal fee rate. Indemnification will not occur if it is determined that the employee did not act in good faith or did not comply with recognized and settled legal requirements.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** General Information  
**Chapter Number:** 1  
**Section Title:** Employment-At-Will      **Effective Date:** January 1, 2005  
**Section Number:** 1.03      **Revision Date:** June 2016

---

While we hope to have a long and profitable relationship with you, your employment with the City is voluntary.

All employees that do not have written contracts for specific terms that are approved and executed by the employee and by the Mayor on behalf of the City Council are considered at will employees. “At will” means employment is voluntary and may be terminated by you or the City of Merriam with or without cause, with or without notice, and with or without prior consultation or agreement, at any time.

Nothing in the handbook, or any other personnel document, including benefit statements, creates or is intended to create a promise or representation that employment will continue for a set period of time for any employee, or that employment will be terminated only under particular circumstances.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** General Information  
**Chapter Number:** 1  
**Section Title:** Equal Employment  
Opportunity  
**Section Number:** 1.04  
**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

It is the policy of the City to provide equal employment opportunity to employees and applicants for employment without regard to age; race; religion; color; sex, sexual orientation; national origin and/or ancestry; gender; disability; military/veteran status, genetic information or other classification protected under applicable law. (The City may consider age if it is a bona fide occupational qualification.)

Equal employment opportunity applies to all terms, conditions and privileges of employment, including hiring, probation, training, promotion, transfer, compensation, benefits and assistance, layoff, recall, employee facilities, discharge, and retirement. The City of Merriam will make reasonable accommodations for the known disability of an otherwise qualified applicant or employee who can perform the essential functions of the job with or without accommodation unless doing so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

If you believe you have been subjected to any form of unlawful discrimination, please contact your supervisor, Human Resources, the Assistant City Administrator, or City Administrator. The City will immediately conduct an effective, thorough and objective investigation. If the City determines that unlawful discrimination has occurred, effective remedial action will be taken commensurate with the severity of the offense. Appropriate action will also be taken to deter any future discrimination. The City will not retaliate against you for filing a complaint in good faith and will not permit retaliation by management or your co-workers.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** General Information  
**Chapter Number:** 1  
**Section Title:** Workplace Discrimination  
**Section Number:** 1.05  
**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

The City is committed to providing equal opportunities under law. As such, the City and its employees shall not discriminate against employees or applicants for employment with the City on the basis of: age; race; religion; color; sex, sexual orientation; national origin and/or ancestry; gender; disability; military/veteran status, genetic information or other category protected by law. The City may consider age if it is a bona fide occupational qualification.

Department Heads are responsible to ensure that discrimination does not occur in the work place and will establish appropriate procedures to ensure that non-employees (vendors, contractors, residents, trades people, etc.) are also made aware of the intent of this policy.

Any person believing that he or she has been subject to unlawful discrimination should utilize the complaint and resolution procedures set forth in Policy 1.07.

Employees found to be in violation of this policy will face strict discipline up to and including termination.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** General Information

**Chapter Number:** 1

**Section Title:** Harassment

**Section Number:** 1.06

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

---

The City is committed to maintaining a work environment that is free of all harassment. The City does not condone any language or action that would cause its employees to feel unequal, inferior, bullied, or harassed. This conduct is prohibited in any form at the workplace, at work-related functions or outside of work if it affects the workplace. This policy applies to all employees, clients, customers, guests, vendors and persons doing business with the City.

Any employee who engages in harassment; who permits employees under his/her supervision to engage in harassment; or who retaliates or permits retaliation against an employee who reports such harassment is guilty of misconduct and will face strict discipline up to and including termination.

### *Harassment*

Harassment consists of unwelcome conduct, whether verbal, physical or visual and is usually based upon one's age; race; religion; color; sex, sexual orientation; national origin and/or ancestry; gender; disability; military/veteran status, genetic information or any other legally protected group status. The conduct prohibited by this policy includes, but is not limited to, inappropriate comments (epithets, slurs, stereotyping), intimidating or humiliating words or actions, violent or rude conduct, loud and abusive language, cursing or other offensive language, or written or graphic material circulated within or posted in the workplace. Additionally, any physical act of aggression such as hitting, pushing, shoving or threats of physical aggression are strictly prohibited.

Appropriate performance reviews, counseling, or discipline by your manager does not constitute harassment.

### *Sexual Harassment*

The City will not tolerate sexual harassment by any of its employees, elected officials, customers, vendors, volunteers or any other person(s) who interacts in the workplace with our employees. Sexual harassment includes, but is not limited to, making unwelcome

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

sexual advances, requests for sexual favors, any verbal, visual or physical conduct of a sexual nature, or making submission to such conduct, as a basis for employment decisions, or a condition of employment.

Any person who believes, in good faith, that he/she has been discriminated against, harassed or subjected to retaliation, or who has observed harassment, discrimination or retaliation, is encouraged to promptly utilize the complaint and resolution procedure set forth in policy 1.07.

Supervisors and managers receiving information regarding alleged violations of this policy shall forward such information to the Human Resources Manager, Assistant City Administrator, or City Administrator.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** General Information  
**Chapter Number:** 1  
**Section Title:** Procedure for Filing Harassment/Discrimination Complaint  
**Section Number:** 1.07 **Effective Date:** August 2016

---

Employees who believe they are the subject of discrimination or harassment prohibited by Policy 1.05 or Policy 1.06 should take the following steps:

### *Complaint*

The employee should feel free to discuss the issue directly with the party participating in or allowing the conduct to occur. If the employee does not feel comfortable with such discussion, or the discussion does not produce an acceptable result, a complaint describing the nature of the situation should be communicated to the supervisor or Department Head within 30 days of the alleged harassment, unless good cause is shown for the delay. The supervisor receiving the complaint should immediately inform the Human Resources Manager. If the employee's supervisor or Department Head is the source or a party to the harassment, the complaint should be filed directly with the Human Resources Manager within 30 days of the alleged harassment, unless good cause is shown for the delay.

### *Timeliness*

All complaints will be investigated in a timely manner so that any ongoing conduct can be immediately halted and immediate discipline taken, if warranted.

### *Confidentiality*

Details of any complaint will be confidential and only shared to the extent necessary to fully investigate the complaint or if such information is compelled to be disclosed by law.

### *Non-Retaliation*

Employees are assured that retaliation due to such complaints is strictly prohibited and if such retaliation occurs, then discipline up to and including termination will also occur.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** General Information  
**Chapter Number:** 1  
**Section Title:** Conflicts of Interest  
**Section Number:** 1.08

**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

All employees have a duty to further the City's goals and objectives, and to work on behalf of its best interest. Employees should not place themselves in a position where their actions or personal interests may be in conflict with those of the City of Merriam. Each employee shall make prompt and full disclosure in writing to their Department Head of any potential situation which may involve a conflict of interest.

Employees must also remember that the City of Merriam is a tax-supported entity and the individuals paying those taxes should receive the best quality and highest standard of service possible. Public employees should act in a professional manner, using good judgment and courtesy at all times, and should avoid any type of behavior that could appear illegal or unethical. Employees should carry out their work efficiently, honestly and with the intention of keeping good faith with the public.

### ***Financial Interests***

Employees must be independent, impartial and responsible to City interests. Employees may not enter into dealings or financial interests in contracts and services performed by the City. In addition to their own, an employee is deemed to have a financial interest in affairs of any person related to him or her by blood or marriage, including an ex-spouse. This includes deriving any direct or indirect profit resulting from the sale, service, contracting or purchases made on behalf of the city.

City employees may not accept financial benefits that would reasonably tend to influence or appear to influence decisions or encourage that employee to disclose confidential city business. Offers of money, services, benefits, favors or other possible conflicts should be discussed with supervisors and/or City legal counsel.

### ***Political Activity***

It is the right of every employee to register and vote on all political issues. Employees are permitted to join political organizations, civic associations or groups, and to become involved in political activities subject to certain restrictions:

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

- (a) As private citizens, employees may participate in all political activities, including holding public office, except where holding an appointive or elective office is incompatible with the employee's city employment.
- (b) Any employee desiring to become a candidate for a City of Merriam elective office shall first take leave of absence without pay or resign. Should an employee on leave of absence without pay be unsuccessful in seeking such elective office, s/he shall be returned to employment on the same terms and conditions as any other employee who has taken leave of absence without pay. An employee is considered to be a candidate for elective office once all statutory requirements have been met to qualify as a candidate.
- (c) Political activity must not interfere with job attendance or performance. Employees are not permitted to solicit or handle political contributions in city elections. They are not permitted to wear or display political badges, buttons, or signs on their person or on city property during on-duty hours. Nor are they permitted to campaign for any person running for City office during on-duty hours.
- (d) No supervisor or other person in authority shall solicit any city employee for contributions of money or labor for any candidate for elective office, or otherwise compel, or attempt to compel, any employee to support a candidate for elective office or to engage in any political activity.

The purpose of this policy is to prevent and avoid the appearance of impropriety on the part of any city employee. City employees are neither appointed to, nor retained in, the City's service on the basis of their political affiliations or activities.

#### ***Confidential Information***

The revelation or use of any confidential information, data on decisions, plans, or any other information which might be contrary to the interest of the City without prior authorization is prohibited. The misuse, unauthorized access to, mishandling of confidential information, including personnel information, is strictly prohibited.

#### ***Gifts and Gratuities***

City employees and officers shall not accept from any person, business or organization any gift or gratuity if it may be reasonably inferred that the giver either seeks to influence action of an official nature or seeks to affect the performance or nonperformance of an official duty, or has an interest which may be substantially affected by the performance or non performance of an official duty. An employee who has a question regarding the appropriateness of accepting a gift or gratuity should consult the Municipal code or contact his/her department head or human resources.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** General Information

**Chapter Number:** 1

**Section Title:** Oath of Office

**Section Number:** 1.09

**Effective Date:** August 2016

---

Before entering upon the duties of his or her office or employment, each employee shall be required to subscribe in writing to the oath set out in K.S.A. 54-106.

*I do solemnly swear that I will support the constitution and the laws of the United States of America, and the constitution and laws of the state of Kansas, and the laws and ordinances of the City of Merriam, and that I will faithfully and to the best of my ability discharge the duties of << State Position >>. So help me God.*

If an employee is opposed to taking an oath, he/she shall be permitted to substitute the words “sincerely and truly declare and affirm” for the word “swear” and the words “I do this under the pains and penalties of perjury” for “so help me God”.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Health and Safety  
**Chapter Number:** 2  
**Section Title:** Drugs and Alcohol  
**Section Number:** 2.01  
**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

The City has implemented a Drug-Free Workplace policy and program. This includes the prohibition of possession or distribution of any controlled substance or alcoholic beverage at work, or while in a position representing City business during working hours. Unauthorized violations may result in disciplinary action, up to and including termination.

It is also a violation of policy for an employee to illegally use prescription drugs or to report to work under the influence of illegal controlled substances and/or alcohol.

The Drug-Free Workplace policy is distributed during new employee orientation, and again when any changes in the policy take place. The policy outlines the disciplinary action taken when employees violate the City's standards. The City's program provides information about the risks of illegal drug use and alcohol use in the workplace, as well as information about counseling and treatment.

Testing for City employees includes post-offer testing, post-accident testing, and reasonable suspicion. Those employees whose position requires a commercial driver's license (CDL) may also be subject to random alcohol and drug testing.

Any employee who refuses to take a drug or alcohol test under this policy, or who tampers with or attempts to tamper with such a test, will be subject to disciplinary action, up to and including termination.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Health and Safety  
**Chapter Number:** 2  
**Section Title:** On-the-Job Injuries  
**Section Number:** 2.02  
**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

The City requires employees to conduct job tasks safely to protect themselves and others at work. Every accident, near-miss, or injury, regardless of severity, must be reported to a supervisor immediately or as soon as is practicable. The supervisor or department head will file the appropriate workers' compensation reports as required.

In the case of a serious injury requiring medical attention, employees should seek the nearest medical facility. In other cases, the injured employee should seek medical attention using the City's preferred workers' compensation health provider. Upon return to work, a physician's statement of medical condition and release to return to work must be submitted to the Human Resources Manager. The City provides workers' compensation insurance at no cost to employees. If the injury or accident results in lost time, payment of lost wages is governed by state law.

If a workplace injury requires long-term medical attention, the injured employee will work with the supervisor and the Human Resources Manager to determine a return-to-work date, explore temporary restricted duty job opportunities, and eligibility for continuing employment. Temporary restricted duty job assignments need not be confined to the employee's current department or pay rate to which the employee is assigned at the time of injury. Absences due to work related injuries or illnesses may be counted as leave under FMLA.

If you see any potential hazards that need attention, notify your supervisor, department safety representative, or Human Resources immediately.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Health and Safety  
**Chapter Number:** 2  
**Section Title:** Equipment and Property  
**Section Number:** 2.03

**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

Employees are provided adequate tools, equipment, and vehicles to perform their job. It is the responsibility of employees to use them safely and to cooperate in the care and maintenance of equipment owned by the City. Such tools and equipment are not to be removed from City property or taken home without prior authorization from the Department Head. Employees operating a City vehicle are required to have a current driver's license. When using a personal vehicle for conducting City business, employees may be required to provide proof of personal automobile liability coverage.

Any accident involving a City vehicle or personal vehicle while conducting City business must be reported immediately to the appropriate law enforcement agency and to the employee's supervisor. In addition, the employee is required to notify his/her Department Head immediately regarding any traffic violation that may impair their ability to operate a vehicle for City purposes. Failure to do so may result in disciplinary action. Employees who are involved in an accident involving a City vehicle may be subject to a post-accident drug/alcohol test.

Employees driving a city vehicle or utilizing their own vehicle for City business are reminded of the following:

- Seat belts must be worn at all times
- Texting while driving is not allowed under any circumstances
- There is no smoking allowed in a City vehicle

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Health and Safety

**Chapter Number:** 2

**Section Title:** Tobacco Free Environment

**Section Number:** 2.04

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

---

The City of Merriam is committed to providing a safe and healthy work place. Smoking, smokeless tobacco, use of e-cigarettes/pipes and other tobacco and nicotine products is not permitted at any time inside city facilities or vehicles. (Nicotine patches are permitted.)

Smoking areas are designated for each facility and receptacles should be used for depositing cigarettes. Employees who smoke or use smokeless tobacco products must observe the same guidelines as non-smokers for the frequency and length of break periods.

Those employees who smoke and would like to take this opportunity to quit are invited to call the free Kansas Tobacco Quitline (1-800-QUIT-NOW) for telephone cessation counseling and support. Additional smoking cessation support is available through the St. Luke's Employee Assistance Program, 1-800-EAP-1223.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Health & Safety  
**Chapter Number:** 13  
**Section Title:** Weapons in the Workplace    **Effective Date:** July 2016 (Per  
**Section Number:** 2.05    K.S.A. 75-7c01 7/2016 update)  
7/2016)

---

Employees who are not otherwise prohibited by state or federal law, may carry a concealed handgun, consistent with the Kansas Personal and Family Protection Act, as amended, where the carrying of a concealed handgun is allowed under the provisions of state law.

- a) Any employee carrying a concealed handgun, pursuant to the provisions of state law, must keep said handgun completely concealed, in a proper holster or similar product, with all safety features in place, and on his or her person and attended to at all times.
- b) Other than certified law enforcement officers, it is outside the course and scope of employment for any City employee or contractor to brandish, intentionally display, use, discharge, point or threaten any person with the use of a weapon in the workplace or in the exercise of his or her duties.
- c) If an employee chooses to store a firearm within their own vehicle on City property, storage must be outside of plain view and the vehicle must be locked when the employee is not in the vehicle.
- d) Any injury resulting from an employee choosing to carry a concealed handgun will not be considered for workers' compensation.
- e) The election of an employee to carry a concealed handgun should not interfere with the employee's ability to perform his/her job duties.

Subject to other policies and procedures of the City of Merriam and Kansas law, certified law enforcement officers are the only individuals authorized to use deadly force while acting for and on behalf of the City of Merriam. No other employee will have the immunities, nor be entitled to the same indemnity afforded certified law enforcement officers. Additionally, the City will not provide for, reimburse, or pay attorney fees or

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

other costs in defense of any employee who uses deadly force other than law enforcement personnel.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Recruitment, Hiring, and Employment  
**Chapter Number:** 3  
**Section Title:** Employee Relations                      **Effective Date:** January 1, 2005  
**Section Number:** 3.01    **Revision Date:** June 2016

---

The City of Merriam believes that the work conditions, wages, and benefits it offers to its employees are competitive with those offered by other employers in this area and in this industry. If employees have concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisor, Department Head, Human Resources, or Assistant City Administrator.

Experience has shown that when employees deal openly and directly with supervisors, the work environment can be more satisfactory, communications can be clear and attitudes can be positive. The City of Merriam consistently demonstrates its commitment to employees by responding effectively to employee concerns.

Guidelines regarding relations between elected officials and city staff are addressed in the City Council policy No. 105.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Recruitment, Hiring, and Employment  
**Chapter Number:** 3  
**Section Title:** Work Eligibility **Effective Date:** January 1, 2005  
**Section Number:** 3.02 **Revision Date:** June 2016

---

It shall be the policy of the City to provide fair and equal opportunity to all qualified persons without regard to age; race; religion; color; sex, sexual orientation; national origin and/or ancestry; gender; disability; military/veteran status, genetic information or other category protected by law. (The City may consider age if it is a bona fide occupational qualification.)

### *Notice of Open Positions*

When an open position is to be filled, the position may be advertised internally, to the general public, and/or posted on the City's website.

### *Employment Testing*

Tests for job applicants will be limited to skills or performance testing, to determine the level of competence or ability to perform certain tasks associated with the job being sought.

### *Qualifications for Employment*

All applicants for any position with the City shall meet the minimum qualifications established for that position. Each applicant shall complete a job application form.

An applicant may be disqualified for employment if:

- The applicant has established an unsatisfactory employment record, as evidenced by reference check, or similar nature as to demonstrate unsuitability for employment;
- The applicant has made a false statement of material facts in the application; cannot legally hold the position; or offers money, service, or anything of value to win favor during the application process;
- Failure of medical examination (i.e. a medical examination that indicates the applicant cannot perform the essential functions of the job, or poses a direct threat by doing so, and reasonable accommodation is not possible or feasible);

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

- Failure of a drug/alcohol test;
- Unsatisfactory background and/or credit report. A criminal conviction or negative credit history will not necessarily disqualify an applicant. Factors such as the date of the occurrence, seriousness of the occurrence, nature of the offense, and the relationship of the offense or occurrence, and the position applied for, will be taken into consideration.

The City reserves the right to hire the most qualified applicant that best fits the needs of the City and the position.

#### *Medical Examinations and Drug Screening*

A medical examination or other testing, including drug testing, may be required only after an offer of employment has been made, provided that, such exams or testing are required of all such applicants who are offered employment in similar positions or position classifications. The offer of employment is contingent upon applicant successfully passing all required tests.

#### *Driver's License*

For employees who may be required to drive or operate equipment requiring a driver's license, driving records and license validity will be checked. Applicants may be disqualified from further consideration if driving record is determined to be unsatisfactory.

#### *Citizenship Verification*

On or before an employee's hire date, all employees shall complete an employment eligibility verification statement (I-9) in compliance with the federal Immigration Reform and Control Act of 1986. To continue employment, documents confirming employment eligibility must be submitted within three days of hire date for review. Copies of such documents will be kept with each employee's original I-9 form.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Recruitment, Hiring, and Employment

**Chapter Number:** 3

**Section Title:** Nepotism Policy

**Section Number:** 3.03

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

---

The City does not encourage the hiring of members of the immediate family of current City employees for full-time, part-time, or temporary/seasonal employment with the City. For the purposes of this section, immediate family shall be defined as spouse, children, parents, brothers, sisters, grandparents, grandchildren, in-laws (mother, father, brother, sister, daughter, son), aunts, uncles, nieces, nephews, or stepchildren. In no event may immediate family members be employed in situations where one would exercise direct or indirect supervision by another family member.

If two employees become related to each other within the definition herein contained, they may continue to be employed with the City provided that (1) one party does not directly or indirectly supervise the other party; (2) the situation does not create a potential conflict as determined by the City Administrator; or (3) there are not performance problems within the Department caused by the situation. In circumstances where it is determined that the two employees cannot continue to work for the City, the individuals concerned will decide who is to resign. If one of the employees does not voluntarily resign within thirty (30) days, the City will decide.

Immediate family members of the Governing Body are not eligible for any employment with the City. However, an employee who is an immediate family member of the Governing Body, and who is employed prior to such member taking office, shall retain his/her employment with the City.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Recruitment, Hiring, and Employment  
**Chapter Number:** 3  
**Section Title:** Employment Classification  
**Section Number:** 3.04  
**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

Full-time regular employment consists of at least 40 hours of work each week. This includes both exempt and non-exempt classifications (as defined in the Fair Labor Standards Act – FLSA). Regular full-time employees are eligible for benefits.

Part-time benefit-eligible employees are those whose work hours are at least 20 hours per week, but fewer than 40 hours per week. The scope of benefits received may vary proportionately with the number of hours typically scheduled for a part-time benefit-eligible employee. Certain benefits may not be available to part-time benefit-eligible employees.

Regular part-time employees are those employees who are employed on an on-going basis who are not benefit-eligible and in no case may work more than 1,000 hours in a calendar year.

Temporary/seasonal employees are those typically hired for a period of less than six months. Temporary/seasonal employees may be FLSA exempt or FLSA non-exempt, but are only eligible to receive benefits mandated by law (e.g. social security, workers compensation). Temporary/seasonal employees are not entitled to sick leave, vacation pay, or holiday pay. As outlined by the FLSA, seasonal aquatic personnel are not entitled to overtime pay.

### *Classification Plan*

A position compensation plan, based upon and graded according to assigned work duties and responsibilities, is developed and maintained to provide standardization and proper classification of all positions in the service of the City. With approval of the Governing Body, new positions may be established, combined, or abolished.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Conditions of Employment  
**Chapter Number:** 3  
**Section Title:** Introductory Period                      **Effective Date:** January 1, 2005  
**Section Number:** 3.05    **Revision Date:** June 2016

---

All new and rehired employees, with the exception of Police Officers, work on an introductory basis for the first six months after their date of hire. Upon satisfactory completion of the introductory period, employees enter the “regular” employment classification. Any period of time away from the work place in excess of two weeks, excluding a legally protected absence, will not count towards the six month introductory period. (Police Officer introductory period will be established on a case-by-case basis by the Police Department.)

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the position meets their expectations. The City of Merriam uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the City of Merriam may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice. Completion of the introductory period does not entitle the employee to remain employed by the City for any definite period of time. During the introductory period, employees shall have no right to utilize the grievance procedure as it relates to discharge or other discipline.

An employee’s initial introductory period may be extended beyond six months with approval from the Assistant City Administrator or City Administrator, but in no event shall an introductory period last more than one year.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Conditions of Employment

**Chapter Number:** 3

**Section Title:** Outside Employment

**Section Number:** 3.06

**Effective Date:** January 5, 2005

**Revision Date:** June 2016

---

Unless specified in a separate agreement, employees may hold outside jobs as long as they meet the performance standards of their job with the City of Merriam. All employees will be judged by the same performance standards and will be subject to the City's scheduling demands, regardless of any existing outside work requirements.

If the City determines that an employee's outside work interferes with the performance or the ability to meet the requirements of the City as they are modified from time to time, the employee may be asked to terminate the outside employment if s/he wishes to remain with the City.

Outside employment that constitutes a conflict of interest as described in Section 1.08 is prohibited. Employees may not receive any income or material gain from individuals outside the City for materials produced or services rendered while performing their jobs for the City.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Recruitment, Hiring, and Employment  
**Chapter Number:** 3  
**Section Title:** Referral Bonus Program      **Effective Date:** January 2017  
**Section Number:** 3.07

---

It is the mission of the City of Merriam to recruit and hire the most qualified applicants for employment opportunities. The referral bonus program is based on the belief that current employees understand the essential talents, capabilities and character traits of a successful city employee.

If a current employee refers a candidate for employment, they should ensure the applicant place the member's name in the space marked "City Employee" on the application form on the first page, in the lower right hand corner. If the referral is subsequently hired for the position indicated on the application, the employee will receive a referral bonus following the schedule below:

- \$50 after new employee has completed 30 days of active employment within the department
- \$100 after the new employee has completed 6 months of active employment within the department
- \$150 after the new employee has completed 1 year of active employment within the department

Referral bonuses will only be available for full-time openings, unless otherwise noted in the job posting. If an applicant names more than one employee on the application form, the payments will be divided among those named at the time of the application.

All City of Merriam employees qualify to participate in the program with the following exceptions:

- Department Heads and Council members
- Hiring Supervisor or anyone involved in the hiring decision (i.e. Interviewer on a Police Panel, Human Resources Manager, etc.)
- Employees that make a referral, but are no longer an active city employee when bonus is to be paid

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

Referrals may not have been previously employed by the City of Merriam in any capacity.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Employee Conduct

**Chapter Number:** 4

**Section Title:** Attendance

**Section Number:** 4.01

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

---

## *Attendance*

If an employee is going to be absent, s/he must report that absence according to the employee's department guidelines. Failure to report, other than in an emergency situation, may result in disciplinary action. Unexcused and/or excessive absences can lead to disciplinary action up to and including termination. An employee who is absent for three (3) consecutive workdays without properly notifying his/her supervisor will be deemed to have voluntarily resigned his/her position.

## *Timeliness*

Employees are to report for work on time and to be punctual for appointments and meetings. Furthermore, work assignments are to be completed by the due date. Frequent tardiness can result in disciplinary action or termination.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Employee Conduct

**Chapter Number:** 4

**Section Title:** Appearance

**Section Number:** 4.02

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

---

Citizens observe employees of the City of Merriam often in the course of their work. As City representatives, employees are expected to meet high standards both in the quality of their work and in presenting a professional image to the public. While there is not a formal dress code, employees are expected to maintain good physical grooming, have a neat and clean appearance, and display a pleasant disposition to citizens and colleagues.

Uniforms or additional appearance guidelines may be required for certain jobs within the City. Employees will be responsible for complying with all departmental appearance guidelines.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Employee Conduct

**Chapter Number:** 4

**Section Title:** Media Relations

**Section Number:** 4.03

**Effective Date:** August 2016

---

Employees are not authorized to make official statements, issue press releases or place advertisements without prior approval from the City Administrator or his/her designee. In all other circumstances, the City Administrator and/or Assistant City Administrator should be notified immediately upon receipt of media inquiries involving the City of Merriam and its operation(s).

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Employee Conduct

**Chapter Number:** 4

**Section Title:** Use of City Communication Resources

**Section Number:** 4.04

**Effective Date:** August 2016

---

All use of City provided communication resources must be appropriate and business related. Inappropriate use may subject employees to discipline, up to and including termination. Examples of inappropriate use includes:

- Use of the systems in violation of any City policy;
- Use of the systems to create, send, solicit or intentionally receive messages, pictures or computer files which are fraudulent, illegal, pornographic, obscene, sexually suggestive, insulting, sexist, racist, discriminatory or harassing;
- Use of the resources to conduct illegal activities;
- Excessive use of resources for personal or non-business related reasons;
- Loading software which is not approved in advance by the Department Head;
- Making illegal copies of licensed software;
- Using software that is designed to destroy data, provide unauthorized access to the City's computer or communications equipment, or which would disrupt city's computer or communication equipment in any way;
- Using the City e-mail, voicemail systems, or computer resources for personal gain.

Any message or file created, stored, and/or sent using the City's computer or communications equipment is city property and may be subject to the Kansas Open Records Act. Employees should therefore have no expectation of privacy in any message stored, received or sent using City equipment.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Employee Conduct

**Chapter Number:** 4

**Section Title:** Social Media – Employee Guidelines

**Section Number:** 4.05

**Effective Date:** August 2016

---

At the City of Merriam, we understand that social media can be a fun and rewarding way to share your life and opinions with family, co-workers, and friends across the world. However, use of social media also presents certain risks and carries with it certain responsibilities. To assist you in making responsible decisions about your use of social media, we have established these guidelines for appropriate use of social media.

### *Employee Guidelines*

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the Internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or a chat room, whether or not associated or affiliated with the City of Merriam, as well as any other form of electronic communication.

Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks involved. Keep in mind that any conduct that adversely affects your job performance, the performance of fellow associates or otherwise adversely affects citizens and/or people who work on behalf of the City of Merriam, or adversely affects the City's reputation, may result in disciplinary action up to and including termination.

Carefully read the Workplace Discrimination (1.05), Harassment (1.06), and Use of City Communication Resources (4.04) policies and ensure your postings are consistent with guidelines established. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

The City of Merriam prohibits retaliatory action against any associate for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

policy or for cooperating in an investigation will be subject to disciplinary action up to and including termination.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Employee Conduct

**Chapter Number:** 4

**Section Title:** Time Card Regulations

**Section Number:** 4.06

**Effective Date:** August 2016

---

The City of Merriam requires that each employee maintain his or her hours of work through the time and attendance software provided by the city. This will keep a record of work attendance and ensure the accuracy of paychecks. Nonexempt employees are required to accurately record their hours worked each day by clocking in/out each shift. All employees (exempt and non-exempt) will utilize the time and attendance software to request leave time including vacation, sick, and personal. For other types of leave, including bereavement or jury duty, employees are to get prior approval through their supervisor.

Employees must only clock in for themselves and are never to clock in for another employee. Employees who clock in for someone other than themselves will be subject to disciplinary action.

Employees may not punch in more than fifteen minutes before the beginning of their shifts and may not punch out more than fifteen minutes after their shift ends, unless overtime hours were previously approved by their manager.

If an employee experiences any problems with the time and attendance program or payroll discrepancies, they are to speak to their immediate supervisor.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Compensation Policies  
**Chapter Number:** 5  
**Section Title:** Establishment and Compliance  
**Section Number:** 5.01  
**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

## *Authority to Establish Salaries*

The Governing Body has the authority to establish and approve budgets, salary ranges and benefits of the City Administrator, all other officers, and employees.

## *Establishment of Pay System*

The City of Merriam compensates employees in accordance with decisions by the Governing Body as annual budgets are set and adjusted. Pay for any given position is subject to the annual budgetary process and, as such, may be subject to increase, reduction, or status quo maintenance for any time period. The City Administrator may make suggestions about salary and benefit concerns but the final decision rests with the Governing Body.

## *Right to Change Compensation*

The City reserves the right to change compensation for any reasons deemed appropriate by the Governing Body. Compensation may also be adjusted based upon job performance, significant changes in responsible tasks, and the availability of funds to maintain a solvent City budget.

## *Compliance with State and Federal Pay Acts*

The City will comply with all state and federal pay acts respecting the compensation for employees for services performed.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Compensation Policies  
**Chapter Number:** 5  
**Section Title:** Payroll Process and Practices **Effective Date:** January 1, 2005  
**Section Number:** 5.02 **Revision Date:** June 2016

---

### *Pay Schedule*

Employees are paid bi-weekly on alternate Fridays. If the regularly scheduled payday falls on a city designated holiday, paychecks will be issued the day immediately preceding the holiday. Employees will have their payroll checks direct deposited to the financial institution(s) of their choice, or a payroll bank card will be issued.

### *Payroll Deductions*

No payroll deduction will be made from an employee paycheck unless authorized by the employee or required by law. Employees are required to report changes in family status, address, or other information that could affect the amount of deductions withheld. These include Social Security and income taxes, retirement system contributions, court-ordered child support and any other deductions required by law. Additionally, deductions may be authorized for employee contributions to health, vision and dental insurance, supplemental insurance, deferred compensation plans requested by the employee, and others as may be approved by the City Administrator and allowed by payroll system and relevant laws.

### *Reporting Hours Worked*

It is the responsibility of each employee to maintain his/her hours of work through the time and attendance system provided by the city. The time and attendance system will keep a record of hours worked and ensure the accuracy of paychecks. Nonexempt employees are required to accurately record their hours worked by clocking in/out each shift. All employees (exempt and nonexempt) will utilize the time and attendance system to request leave time including vacation, sick and personal. At the end of the reporting period, the supervisor will approve the time entered, including any leave requests, and verify accuracy. If an employee experiences any problems with the time and attendance system, or payroll discrepancies, they are to speak to their immediate supervisor.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Compensation Policies

**Chapter Number:** 5

**Section Title:** Work Schedules

**Section Number:** 5.03

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

---

Work schedules for employees vary throughout the organization. The City's standard hours of operation are 8:00 a.m. to 4:30 p.m., Monday through Friday. Assigned hours of work vary by department and position to meet department goals and schedules. During each eight hour working period employees are allowed two fifteen (15) minute work breaks and a thirty (30) minute unpaid meal break. In all other situations, Department Heads will establish the break policies for their departments. Employees in similar work situations should receive uniform treatment concerning the break policy. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending time as well as variations in the total hours that may be scheduled each day and week. Employees must adhere to their assigned work schedules or be subject to disciplinary action. No employee shall be permitted to work in excess of their normal work week except when so directed and/or allowed by the employee's Department Head.

### *Work Periods*

Pursuant to section 207(k) of the Fair Labor Standards Act and 29 C.F.R. Part 553, the work period for employees engaged in law enforcement is a 14-day work period beginning at 12:00 midnight on Monday.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Compensation Policies  
**Chapter Number:** 5  
**Section Title:** Overtime, Compensatory Time, and Flex Time  
**Section Number:** 5.04  
**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

### *Fair Labor Standards Act (FLSA)*

The City adheres to the Fair Labor Standard Act (FLSA) federal law which specifies the federal minimum wage and calculation of overtime.

### *Exempt vs. Nonexempt Employees*

Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, and professional employees. To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis. Job titles do not determine exempt status. Exempt employees will be designated by City policy, following FLSA guidelines.

All employees shall be classified as exempt or nonexempt for purposes of determining compensation for overtime work. Exempt employees are not entitled to overtime pay, except that exempt employees may be granted time off in such amount and in such fashion as the City Administrator or designee determines appropriate compensation for overtime worked. However, exempt employees are not guaranteed time off in exchange for overtime worked.

### *Overtime Calculations*

Overtime will be approved in advance by the Department Head whenever possible. Overtime is calculated as hours worked in excess of 40 hours per week for all non-exempt employees, except nonexempt police officers and seasonal aquatic personnel. Section 207(k) of the FLSA permits the City to calculate overtime as hours worked in excess of 80 hours per pay period for non-exempt shift police officers. Per FLSA guidelines, seasonal aquatic personnel do not receive overtime pay. All overtime hours are paid at one and one-half times the usual hourly wage.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

For purposes of computing overtime, vacation leave and personal days count as hours worked. Sick leave, bereavement, civil and jury duty leave does not count as hours worked for purposes of computing overtime.

For employees who would normally work on a day that is an observed holiday, but do not work because of the holiday, the holiday will be considered a day of work for the purpose of calculating overtime.

#### *Compensatory Time*

By arrangement with the supervisor, compensatory time off will be calculated at a rate of one and one-half hours for every hour of overtime worked. Accumulation of compensatory time is strongly discouraged.

#### *Flex Time*

A supervisor may allow a nonexempt employee to work hours in excess of the prearranged work day schedule in order to take off time on another day during the same work week. The worked time and the time used are a one for one ratio. The time and attendance system should clearly reflect the actual times worked.

Example 1: An employee who is required to work one hour of overtime on Monday may, with the approval of his/her supervisor, leave one hour early on Thursday instead of receiving pay for the one hour of overtime.

Example 2: An employee who wants to go to a child's school program for one hour on Friday, may be allowed to take shorter lunch periods on Tuesday and Wednesday, arrive early or stay late on a different work day in order to make up the time missed on Friday.

# City of Merriam

## Employee Handbook

**Chapter Title:** Compensation Policies  
**Chapter Number:** 5  
**Section Title:** Overtime in Emergency/Call Back  
**Section Number:** 5.05  
**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

### *Overtime in Emergency*

A Department Head or supervisor may require an employee to work overtime in the case of an emergency.

An emergency is a sudden or unforeseen happening that in the opinion of the Department Head or supervisor requires the unscheduled service of an employee to protect the health, welfare, and safety of the community.

If overtime is required for an emergency situation as defined above, employees will be required to work. Disciplinary action may be taken against employees who without good or sufficient reason: 1) refuse to work overtime; 2) fail to appear when scheduled to work overtime; or 3) having indicated s/he would work overtime fail to appear.

### *Call Back Time*

A Department Head may call an employee in to work on a regular day off or may call an employee back to work after a regular work schedule.

All employees who are eligible to receive overtime, and who are called in to work on a regular day off or are called back to work after a regular work schedule shall be paid at the appropriate rate of pay for the hours worked. Such employees shall be paid for a minimum of two hours.

The minimum of two hours shall not apply if the employee was called in or called back during the two hour period immediately prior to the beginning of the employee's next regularly scheduled work shift. Pay for call back begins at the time the employee reports for duty.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Compensation Policies  
**Chapter Number:** 5  
**Section Title:** Exempt Employee Pay Policy  
**Section Number:** 5.06a  
**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

## *FLSA Salary Basis Rules*

In accordance with the Fair Labor Standards Act, exempt employees who are required to be paid on a salary basis may not have their pay reduced because of variations in the quality or quantity of work performed. Subject to exceptions listed below, an exempt employee must receive their full salary for any workweek in which they perform any work, regardless of the number of days or hours worked. Exempt employees do not need to be paid for any workweek in which they perform no work.

## *Circumstances in Which the City May Make Deductions from Pay*

The few exceptions to the requirement to pay exempt employees on a salary basis are listed below:

- a. Absences of one or more full days for personal reasons other than sickness or disability (partial days must be paid);
- b. Absences of one or more full days due to sickness or disability if the deduction is made in accordance with an existing benefit plan;
- c. Fees received by the employee for jury or witness duty or military leave. These fees may be applied to offset the pay otherwise due the employee for the week. However, no deductions can be made for failure to work for these reasons;
- d. Penalties imposed by infractions of safety rules of major significance;
- e. Unpaid disciplinary suspensions of one or more full days in accordance with the disciplinary policy;
- f. Deductions for the first and last week of employment, when only part of the week is worked by the employee;
- g. Deductions for unpaid leave taken in accordance with a legitimate absence under the Family and Medical Leave Act, whether full or partial day.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

*What To Do If An Improper Deduction Occurs*

If you believe that an improper deduction has been made to your salary, you should immediately report this information to your direct supervisor, or the Human Resources Manager.

Reports of improper deductions will be promptly investigated. If it is determined that an improper deduction has occurred, you will be promptly reimbursed for any improper deduction made.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Compensation Policies  
**Chapter Number:** 5  
**Section Title:** Non-Exempt Pay Policy – Working “Off the Clock”  
**Section Number:** 5.06b **Effective Date:** August 2016

---

The City of Merriam intends to fairly and appropriately pay all non-exempt employees hour-for-hour for all time worked on behalf of the City. Whenever work is performed, whether during the regularly scheduled shift, before or after the regular shift, or during meal breaks, the City intends to pay non-exempt employees for that time. Employees are required to accurately and truthfully record all time they work for the City.

Unless specific advance approval is given by the employee’s manager or supervisor, non-exempt employees are prohibited from taking work home or performing any services (including monitoring email or voice mail) for the City from remote locations and/or outside of normally scheduled hours, via electronic communication devices or otherwise. If it is necessary for a non-exempt employee to respond to a specific request outside of the office and outside of scheduled working hours, the employee must report all such time worked. Employees who perform work off-premises without prior approval may be subject to discipline.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Compensation Policies

**Chapter Number:** 5

**Section Title:** Cell Phones

**Section Number:** 5.07

**Effective Date:** August 2016

---

Employees whose work requires that they be accessible by cell phone will be provided a monthly phone allowance paid to the employee through the payroll system and considered a taxable benefit. The dollar amount of the monthly allowance will be determined by the Department Head and approved by the City Administrator based upon usage. If employees are issued a city cell phone, all records are subject to open records requests.

### *Basic Usage*

Employees in this tier are considered to require basic usage of a cellular phone in that the cellular phone is used primarily to contact the employee when out of the office, in an on-call situation, in an emergency, or attending to City business at locations other than their primary place of work.

### *High Usage*

Employees in this tier generally would spend a great deal of work time out of the office and in the field and do not have easy access to a land-line phone in order to remain in contact with their home base or with clients, customers, or constituents they serve.

### *Extensive Usage*

Employees in this tier, by the nature of their job responsibilities, are required to use cellular communications extensively in the course of their duties.

The employee must provide the cellular phone number to the Department Head or designee for inclusion on the internal mobile phone listing. Department Heads will submit a memo or email to Human Resources authorizing the allowance for payroll processing.

Department Heads are responsible for an annual review of employee business-related cellular phone use to determine if existing cellular phone allowances should be continued as is, changed, or discontinued.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Compensation Policies

**Chapter Number:** 5

**Section Title:** Miscellaneous

**Section Number:** 5.08

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

---

### *Expense Reimbursement*

An employee will be reimbursed for reasonable expenses incurred in completing his/her work-related assignment in accord with the policies established by the City. Each employee is responsible for providing verified receipts for any expense for which reimbursement is required.

### *Promotions, Lateral Job Changes, Demotions, and Change in Status*

Promotions are those job changes that result in advancement to a job classification with a higher salary range as outlined in the Compensation plan. Salary increases for promotions are subject to approval by the Department Head and City Administrator, in accordance with approved budget limits. The amount of salary increase granted upon promotion shall be 5%, or to the minimum of the salary range for that new job classification, whichever is greater. However, the Department Head, subject to approval by the City Administrator, shall have the ability to grant a promotional increase greater than 5% provided it is within the employee's new salary range.

Lateral job moves are changes to another job classification with the same salary range. An employee taking a lateral transfer, whether by the employee's request or the Department Head's, will retain the same amount of accrued leave and seniority. If the employee's current salary is in the approved salary range, they will not receive any reduction or increase in pay as a result of a lateral move.

Demotions require an employee to change to a job classification with a lower salary range. The demotion may be the result of a disciplinary action, a job reclassification or unsatisfactory work performance. The employee's new salary will be determined by the Department Head and City Administrator and there will likely be a reduction in pay.

A change in status occurs when an employee moves from a part-time position to a full-time position. Employees moving from part-time to full-time will not automatically receive an increase in compensation. Typically, a salary increase will not be granted if

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

the full-time position is the same salary range as the part-time position; however the City Administrator has the ability to grant an increase based upon the needs and budgetary limitations of the City upon request of the Department Head.

The City reserves the right to make decisions regarding job changes at its discretion.

#### *Temporary Designations*

A temporary designation to an interim position must be approved by the City Administrator or designee prior to the employee being placed in such position. An employee serving in an interim position will assume all of the duties and authority of the open position and will meet the minimum qualifications as outlined in the job description. Compensation for an employee in an interim position will be increased to at least the minimum of the pay range of the interim position, or 5%, whichever is greater.

A temporary pay increase may also be authorized when an employee is requested to perform higher level responsibilities, in addition to their normal duties, for a minimum of 30 days up to 12 months, due to a vacancy or extended leave of another employee. Compensation for an employee taking on increased duties will be 2.5% and must be approved by the City Administrator or designee prior to the employee taking on the additional responsibilities.

Exceptional circumstances will be considered by the City Administrator for application of this policy on a case-by-case basis.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Compensation Policies  
**Chapter Number:** 5  
**Section Title:** Travel Reimbursement      **Effective Date:** August 1, 2013  
**Section Number:** 5.09      **Revision Date:** June 2016

---

## *General*

This policy applies to all city employees of the City of Merriam when travel requiring an overnight stay is necessary as part of official City business. Consideration must always be given to the most economical location for conferences, seminars or trainings when offered in various cities. Department Head or designees are empowered to authorize the approval of all requests for funds, reimbursements and overnight travel for their employees subject to budget appropriation.

## *Meals and Incidentals [Per Diem]*

The City will adhere to prevailing per diem rates for meals and incidentals that are in accordance with those set forth by the GSA at [www.gsa.gov/perdiem](http://www.gsa.gov/perdiem). Cities not specifically listed on the GSA website will be considered a “standard destination” and receive the prevailing Federal per diem rate for such destinations. Employees shall receive the per diem amount for meals and incidentals incurred on travel days and conference days when the conference sponsor does not provide formal meals as part of the conference cost. Incidental expenses are defined as fees and tips given to porters, baggage carriers, hotel staff, and staff on ships.

Employees seeking per diem travel advances should submit requests to the Finance Department at least 14 days in advance of travel. Employees requesting per diem at the conclusion of travel are not required to produce receipts but should request final payment no later than 14 days after their return. In either case, employees in possession of a City purchasing card should not use it to pay for meals covered by per diem. The costs of alcoholic beverages will not be reimbursed by the City.

## *Lodging Expenses*

The City shall pay the cost of a standard room at the suggested conference hotel unless extenuating circumstances prevent staying there. Expenses for in-room entertainment fees and other personal expenses will not be considered eligible expenses for reimbursement. When traveling on official business not related to a conference, lodging choices should be

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

based upon economy and accessibility to destination of purpose for travel. Whenever possible, advance arrangements should be made whereby lodging costs can be paid by a City purchasing card or billed directly to the City. When making a reservation within the state of Kansas, employees should inform the reservation clerk that a sales tax exemption letter will be presented at check-in if necessary. Expenses incurred by guests are the full responsibility of the employee.

#### *Conference Registration*

Arrangements should be made far enough in advance so payment of conference registrations can be made directly to the sponsoring organization and to also take advantage of any special pricing opportunities. In addition to the cost of basic conference registration and fees, a Department Head or designee may authorize the payment of additional registration fees for certain pre-sessions and post sessions that are clearly a function of the conference and cannot be construed as entertainment.

#### *Travel Costs*

No specific mode of transportation is mandatory; however, employees are expected to use the most economical means available with reasonable consideration given to the time and distance involved.

- *Air Travel*

The City shall pay the costs of coach airfare for travel on City business. If significant monetary savings can be realized by including a Saturday or Sunday in the trip, employees may request or be requested to depart earlier or later than the requested travel day. Charges for baggage not included in the initial airfare are reimbursable if baggage is used for official business.

- *Driving*

Employees are encouraged to use a City vehicle in lieu of a personal vehicle whenever appropriate. When a City vehicle is used the employee will be reimbursed for all gas receipts if the gas is not charged directly to the City. If a City vehicle is not available the employee may choose to drive their own vehicle. In such instances, a mileage allowance at the prevailing IRS rate may be authorized for mileage amounts using City Hall as the starting and ending point. However, in no event shall the City reimburse amounts incurred due to driving [mileage, hotel and meals] which exceed the costs that would have been incurred for air travel. Employees using their own vehicles shall accept personal liability for any damage or injury occurring as a result of that use. Further, no other allowance for additional passengers, repairs, vehicle maintenance or citations shall

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

be allowed. The costs of tolls will be reimbursed by the city if receipts are provided.

- *Ground Transportation*

The City will pay the cost of transportation to and from KCI airport. This will typically be in the form of a mileage reimbursement using City Hall as the starting and ending point. Other associated costs, such as parking, will be reimbursed with actual receipts. Employees are also entitled to be reimbursed for transportation expenses incurred upon arrival and departure of destination city on a travel day or other necessary travel occurring on a conference day. A receipt must be submitted for reimbursement.

#### *Miscellaneous Items and Restrictions*

- *Rental Cars*

The use of a rental car will be authorized only in those situations where such transportation is necessary and must be approved by the City Administrator. Gasoline receipts, tolls and parking fees are reimbursable for approved car rental.

- *Communications*

Employees who travel will not be reimbursed for personal phone calls. However, the purchase of services such as Internet access and office supplies is reimbursable when required for official business if approved by a Department Head or designee.

- *Gratuities*

In some cases, gratuities or tips for service are necessary in the course of travel. Although not mandatory on the part of the employee, the City will reimburse gratuities for services not covered in other sections of this policy. This includes, but is not limited to, ground transportation, storage of luggage and related items, valet parking when no other reasonable parking circumstances exist, and other necessary miscellaneous services. Gratuities over \$10.00 require a receipt.

- *Unforeseen Delays*

If travel is extended due to unforeseen circumstances such as flight delays, the City will pay for additional costs incurred. The employee may charge these additional costs to their purchasing card as long as the costs are allowable costs.

- *Cancellation*

In the event an employee is unable to complete their travel after arrangements have been made they should try and find an alternate attendee. If no alternate attendee

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

can be found, they should make every effort to cancel and have refunded any funds committed to their accommodations [hotel, conference registrations, and airfare less cancellation fees] as soon as possible. If cancellation is not possible, the individual may be responsible for reimbursing the City for any forfeited fees with ownership of the ticket or reservation being transferred to the individual, if possible.

### *Procedures*

- *Approval and Payment*

The Travel Authorization Form shall be completed by the employee and approved by the appropriate Department Head or designee. Department Heads should forward their request forms through the City Administrator or designee.

- If prepayment of per diem is requested, all completed and approved travel forms shall be submitted to the Finance Department at least fourteen [14] days in advance of travel for review and payment preparation. Sample form is attached.
- Advance payment for registrations, airline tickets, and lodging expenses, etc., should be charged or billed directly to the City or made by City purchasing card. Whenever traveling within Kansas, advance arrangements should be made whereby lodging costs will be paid directly by the City to avoid sales tax [if possible].
- Employees seeking post-travel reimbursement for authorized travel expenses must submit the appropriate forms and documentation to their Department Head or designee within fourteen [14] working days of their return.
- Employees are required to submit an Expense Report for every trip requiring an overnight stay, whether or not post-travel reimbursement is requested. See sample form.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*



# City of Merriam

## Employee Handbook

**Chapter Title:** Employee Benefits

**Chapter Number:** 6

**Section Title:** Employee Benefits

**Section Number:** 6.01

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

---

### *Health, Vision and Dental Insurance*

Regular full-time employees (those working at least 40 hours per week) will be eligible to participate in the health, vision, and dental insurance plans offered by the city. Benefit-eligible part-time employees (employees working year-round, an average of 20 or more hours per week and covered under the Kansas Public Employee Retirement System) will be eligible to participate in health, vision, and dental insurance plans offered by the City at a prorated contribution rate. Coverage is effective the first day of the month following employment, or status change to an eligible position.

Regular full-time employees who are covered under a health insurance plan other than the City's (i.e. spouse's plan), may elect to receive an in-lieu payment on each paycheck. The in-lieu payment amount is subject to annual budgetary appropriations and is applied equally based on a formula, to all employees.

### *Social Security and Medicare*

City employees are covered by Social Security and Medicare. The City pays the employer share of Social Security and Medicare taxes. The employee share of such taxes is paid by the employee through payroll deduction.

### *KPERS & KP&F*

Regular full-time and benefit-eligible part-time employees must enroll in the Kansas Public Employees Retirement System (KPERS) upon the first day of employment. Sworn Police employees are covered by the Kansas Police and Fire Retirement System (KP&F) effective upon the first day of employment. The retirement system provides life and long-term disability insurance benefits as well as retirement benefits.

### *Life Insurance*

Active members of KPERS and KP&F are eligible to receive a death benefit. Additionally, the City provides regular full-time and benefit-eligible part-time employees with a life insurance/accidental death & dismemberment policy at no cost to the employee. Coverage is effective the first day of the month following employment.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

Employees have the option to “buy up” to include coverage for their spouse and dependents, or additional coverage for themselves.

*Disability Insurance*

Disability income is provided to members of KPERs and KP&F. There are several variables in this benefit depending on the applicable plan. The City also provides a long term disability policy for regular full-time and benefit-eligible part-time employees.

*Workers Compensation*

All employees of the City receive the benefits of the Kansas Workers’ Compensation Act, in accordance with such law and guidelines. The City pays all Workers’ Compensation insurance premiums.

*Unemployment Compensation*

Employees of the City, except for elected officials, receive the benefits of the Kansas Employment Security (unemployment compensation) Act, in accordance with such law and guidelines. The City pays all unemployment benefit taxes.

*Accident Insurance*

Benefit eligible employees may purchase accident insurance designed to protect them from unforeseen accident related costs. The cost of this benefit is paid entirely by the employee through payroll deduction.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Employee Benefits

**Chapter Number:** 6

**Section Title:** Miscellaneous Fringe Benefits

**Section Number:** 6.02

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

---

### *Section 125 Flexible Spending Account*

The Section 125 Flexible Spending Account allows employees to pay certain unreimbursed medical and dependent daycare expenses with pre-tax income, thereby reducing the taxable income and increasing the employee's take home pay. Money is deducted from the employee's paycheck on a pre-tax basis, then reimbursed as used.

### *Health Savings Account (HSA)*

If an employee is enrolled in the City's high-deductible health plan (HDHP), an HSA helps plan, save and pay for health care expenses. The money contributed to an HSA is tax deductible, up to a legal limit; the savings grow tax free; and any money used to pay for qualified medical expenses is income-tax free. All contributions, either by the employee or employer, are fully vested, and unspent balances remain there until spent. There is no "use it or lose it" rule and the account is portable even if you change jobs.

If an employee chooses to contribute to an HSA, they may elect to have an amount deducted pre-tax from their paycheck and deposited directly into the HSA. Employer contributions, if any, are also deposited directly into the employee's HSA account.

### *401(a) Plan*

KPERS members are eligible to contribute either 0% or 3% to this pre-tax supplemental retirement plan on the first day of employment. The employee contribution is irrevocable throughout the employee's service with the City. The money contributed is invested in investment options selected by the employee. City contributions to the 401(a) plan may vary year to year, are subject to annual budgetary appropriations, and offset the difference between KP&F and KPERS employer contributions.

### *Deferred Compensation*

This is a voluntary program that allows employees to save pre-tax money for retirement. The money contributed is invested in investment options selected by the employee. Participation is open to any employee on the first day of employment. Employees may

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

elect to participate, or to cease participation at any time. Employees contribute an amount they select which is deducted through payroll. Maximum contribution limits are set by IRS regulations. This deduction is exempt from federal taxes and Social Security but subject to state taxes.

#### *Employee Assistance Program*

The Employee Assistance Program provides confidential professional assistance to help employees and their family members resolve problems that affect their personal lives and/or job performance. Problems commonly handled include marital difficulties, parent-child relationships, alcoholism, drug addiction, and stress. The program includes up to eight free visits. The fee for the Employee Assistance Program is paid by the City. Call 1-800-EAP-1223 for confidential assistance.

#### *Tuition Reimbursement*

The City encourages employees to take advantage of educational and vocational courses which will improve job performance and prepare for promotional opportunities. Employees may be reimbursed for the cost of tuition up to \$2,500 per year provided the guidelines for reimbursement are met. See 6.03 for full policy.

#### *Community Center and Swimming Pool Memberships and Health/Fitness Programs*

Employees and retirees (as defined in Chapter 7) of the City and members of their household may take advantage of the fitness facilities at the Irene B. French Community Center and/or amenities at the Merriam Aquatic Center. The membership is free, although employees and retirees will need to purchase an ID card at a nominal fee for themselves and each participating family member.

In addition, employees may take health/fitness courses offered at the Community Center for a reduced fee. Please check with the Community Center for the most current list of applicable courses and their fees.

The value of free/reduced membership and course costs are reported to the employee/retiree as additional compensation on Form W-2 or Form 1099 Misc.

#### *Community Center Room Rentals*

Community Center rooms are available for rental when not otherwise occupied by programs. Regular full-time and regular part-time employees may rent rooms for their personal use at the resident rental rate. Call the Community Center for availability and pricing information.

#### *Clothing and Uniforms*

In some instances, the City may provide employee uniforms or clothing as needed or preferred by the City. Such uniforms or clothing will be classified as a taxable fringe

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

benefit in accordance with federal and state tax law. A non-cash amount will be reported in employee wages and subject to appropriate tax withholdings.

#### *Take-Home City Vehicles*

Departments may assign City vehicles for use by employees if necessary for the performance of job duties. City vehicles, other than “Qualified Non-Personal Use Vehicles” (as defined by the IRS), may be assigned to an employee only upon the written approval of his/her department director and the City Administrator and may be reviewed annually.

Take-home City vehicles are provided to the employee for business use only. Personal use is prohibited except for commuting between the employee’s home and work locations. However, *de minimis* use, such as a small personal detour is permitted. Commuting in a take-home City vehicle is personal use and will be classified as a taxable fringe benefit in accordance with federal and state tax law. A non-cash amount will be reported in employee wages and subject to appropriate tax withholdings.

Commuting in a “Qualified Non-Personal Use Vehicle” by a sworn police officer is not considered a taxable fringe benefit.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Employee Benefits

**Chapter Number:** 6

**Section Title:** Tuition Reimbursement

**Section Number:** 6.03

**Effective Date:** January 2017

---

All regular full-time employees, having completed their introductory period, are eligible to take advantage of educational and vocational courses that may improve performance in their current position and better prepare them for promotion to related and higher level positions in the municipal service. The intent of this benefit is to offset the burden of educational costs not reimbursed otherwise.

The proposed course(s) must show a direct relationship to the employee's work, i.e. to improve the work performance of the present or envisioned future work for the City. Subject to budget availability, upon successful completion of any approved course with a minimum grade of "B," the City will reimburse up to \$2,500 per calendar year.

The application form, available from the Human Resources Manager, must be completed and approved prior to enrollment in the course. This application must indicate the education intent of the student and the anticipated course(s) to be taken. After the form is completed, the employee shall submit it to their Department Head who will determine if the course is beneficial to the employee's current job related duties, or future promotional opportunities. Once the Department Head approves the request; it will be forwarded to the City Administrator for final approval. Tuition reimbursement denials may be appealed to the City Administrator.

After completion of the course, the employee must submit a copy of his or her grades and proof of payment for tuition and books to the department director within 90 days of course completion. Requests received after 90 days will be denied. The department director will submit the request to the Human Resources Manager for reimbursement.

If an employee's request for reimbursement under this policy is approved, he/she will be required to sign a document, in which he/she agrees to re-pay the reimbursement to the City if he/she is separated from employment within one year after receiving the reimbursement. The City's educational assistance plan is intended to qualify for favorable tax treatment under Section 127 of the federal tax code.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Leave Time  
**Chapter Number:** 7  
**Section Title:** Work Leave Time  
**Section Number:** 7.01  
**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

## *Work Leave Time*

Leave time refers to normal working hours not worked by employees. It may be paid time or unpaid. Regular full-time and benefit-eligible part-time employees are eligible for paid holidays, vacation, and sick leave, as well as some other types of leave time required by circumstances. Holidays are those designated days that the City offices are closed for business.

The employee's supervisor or Department Head must approve all leave time. Time off requests should be submitted through the time and attendance system for the period the leave is to be taken.

An unauthorized absence is any absence from work for which the employee did not obtain prior approval; or, if the employee did not notify his/her immediate supervisor of such absence in accordance with department policy. Any unauthorized absence shall be considered unpaid time. Any employee who takes an unauthorized absence may be subject to disciplinary action up to and including dismissal.

Any employee who is absent for three or more consecutive days without authorization, shall be deemed to have voluntarily resigned his/her position.

The Department Head, with approval from the City Administrator, may excuse an unauthorized absence if it is found that there were extenuating circumstances.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Leave Time

**Chapter Number:** 7

**Section Title:** Holidays

**Section Number:** 7.02

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

---

### *Holidays*

The following holidays are typically observed by the City. At the end of each year, the Governing Body designates by resolution the holidays to be observed for the following year.

New Year's Day, January 1<sup>st</sup>

Martin Luther King, Jr. Day, 3<sup>rd</sup> Monday in January

Memorial Day, last Monday in May

Independence Day, July 4<sup>th</sup>

Labor Day, 1<sup>st</sup> Monday in September

Thanksgiving Day and the day after, 4<sup>th</sup> Thursday in November and the next day

Christmas Day, December 25<sup>th</sup>

A recognized holiday that falls on a Saturday will be observed on the preceding Friday.

A recognized holiday that falls on a Sunday will be observed on the following Monday.

### *Payment for Holidays*

The City will grant paid holiday time off to all eligible employees immediately upon assignment to an eligible employment classification. Regular full-time employees will receive eight (8) hours holiday pay. Benefit-eligible part-time employees will receive holiday pay in accordance with the employee's regular work schedule equal to the number of hours they normally and regularly work.

Eligibility for holiday pay requires that the employee be in paid status the scheduled workday before and after the holiday.

All Federal Standards Labor Act (FLSA) non-exempt benefit-eligible employees who are required to work on a city-observed holiday shall be paid holiday pay plus time and one-half their regular rate of pay for all hours worked on the observed holiday. All FLSA exempt benefit-eligible employees will receive their normal weekly salary during a week

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

that includes an observed holiday(s), whether or not they work on the day the holiday is observed.

If the designated and observed holiday differs from the actual holiday, employees who only work on the actual holiday will receive time and one-half their regular rate of pay for the time worked on the holiday in addition to the holiday pay (for the observed holiday). An employee who works both the City observed and designated holiday and the actual holiday will only be paid time and one-half for the hours worked on actual holiday or the observed holiday, but not both.

*Examples:*

City observed and designated holiday is Friday.

Actual holiday is Saturday.

1. Employee works a regular eight (8) hour shift. Employee works his/her regular shift on Friday; Saturday is the employee's regularly scheduled day off.

Employee will be paid for eight (8) hour *holiday pay*, eight (8) hours at time and one-half for hours actually worked on Friday, and receive no compensation for Saturday (day off). Total compensation: 20 hours.

2. Employee works a regular eight (8) hours shift. Employee's regular day off is Friday. Employee works his/her regular shift on Saturday (actual holiday).

Employee will be paid for eight (8) hours *holiday pay*, no compensation for Friday, and time and one-half for all hours actually worked on Saturday. Total compensation: 20 hours.

3. Employee works a regular eight (8) hour shift. Employee's regular work schedule includes working both Friday and Saturday. Employee works a regular shift on both days.

Employee will be paid for eight (8) hours *holiday pay*, eight (8) hours at time and one-half for *either* Friday or Saturday, and eight (8) hours at straight time for *either* Friday or Saturday. Total compensation: 28 hours.

Holiday hours, if on an employee's regularly scheduled shift, shall count as hours worked for purposes of calculating overtime.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Leave Time  
**Chapter Number:** 7  
**Section Title:** Personal Days  
**Section Number:** 7.03  
**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

Regular full-time and benefit-eligible part-time employees are granted three (3) personal leave days per year in addition to the regularly scheduled holidays. Personal leave days will be credited to employees on January 1 of each year. New employees will receive personal leave days based upon their hire date as follows:

Employees hired in the months of January through April will receive three (3) personal days; Employees hired in the months of May through August will receive two (2) personal days; and Employees hired in the months of September through the end of the last pay period in December will receive one (1) personal day.

Personal days are calculated based upon the number of hours an employee normally and regularly works. For example: regular full-time employees receive eight (8) hours of leave for each personal day and benefit-eligible part-time employees receive either four (4) hours or six (6) hours of personal leave for each personal day depending upon their work schedule (at least 20 hours/week or 30 hours/week respectively).

Employee must receive advance approval to use personal days subject to applicable departmental policies for paid time off. Personal days will be forfeited if not used by the end of the last pay period of the year. Employees are responsible for scheduling personal time to avoid forfeiting personal hours. Employees leaving service to the City shall not be compensated for any unused personal days.

Personal leave shall count as hours worked for purposes of computing overtime.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Leave Time

**Chapter Number:** 7

**Section Title:** Vacation

**Section Number:** 7.04

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

Regular full-time and benefit-eligible part-time employees are entitled to paid time off for vacation each year. After completion of the introductory period (or six-months), employees may take their accumulated time off. Vacation accrual will begin the first day of the first complete pay period the employee works. Changes in vacation accrual will be effective the first pay period following the employee's employment anniversary date.

Employees accrue vacation leave per pay period as follows:

Regular Employees			
Yrs. of Service	Days	Hours (Annual)	Per Pay Period
<1	10	80	3.08
1	11	88	3.38
2	12	96	3.69
3	13	104	4.00
4	14	112	4.31
5	15	120	4.62
6	16	128	4.92
7	17	136	5.23
8	18	144	5.54
9	19	152	5.85
10 – 19	20	160	6.15
20+	25	200	7.69

Benefit-eligible part-time employees shall accrue vacation leave based upon the above table at a pro-rata amount based upon average number of hours worked. Benefit-eligible part-time employees who move to a full-time benefited position will continue to accrue vacation leave based upon their original date of hire.

Employees may not carry over from one payroll period to the next more than the following accrued vacation hours: regular full-time time employees 240 hours; benefit-

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

eligible part-time employees 120 hours. Hours in excess of these stated amounts will be forfeited. Employees are responsible for scheduling vacation to avoid forfeiting vacation hours.

Employees leaving service to the City during the introductory period shall not be compensated for accrued vacation leave. Employees leaving service to the City following the introductory period shall be compensated for vacation leave accrued and unused.

Employees with cash handling job functions (may include, but is not limited to finance department employees and court employees) are encouraged to take one 40-hour block of vacation leave per fiscal year.

Vacation leave shall count as hours worked for purposes of calculating overtime.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Leave Time  
**Chapter Number:** 7  
**Section Title:** Sick  
**Section Number:** 7.05

**Effective :** January 1, 2005  
**Revised:** January 1, 2007  
**Revised:** June 1, 2012  
**Revised:** July 23, 2012  
**Revised:** August 27, 2012  
**Revised:** June 2016

---

Sick leave may be used, when it has accrued, if the employee misses work for personal illness or health care appointments or treatments, to care for members of his/her immediate family during illness, or for health care appointments for family members. Immediate family, for the purposes of sick leave, is defined as an employee's spouse, \*domestic partner, children, step-children, or parent, including in-laws.

### *Accrual*

Sick leave accrues per pay period at the following rates: Regular full-time employees 3.70 hours, benefit-eligible part-time employees working 30-32 hours per week 2.78 hours; and benefit-eligible part-time employees working 20 hours per week 1.85 hours. An employee may use sick leave as it is accumulated even during the introductory period of employment.

Employees may not carry over from one payroll year to the next more than the following accrued sick leave: Regular full-time employees 520 hours; benefit-eligible  $\frac{3}{4}$  time employees 390 hours; and benefit-eligible  $\frac{1}{2}$  time employees 260 hours. The City will review each employee's accrued sick leave on an annual basis. Regular full-time, and benefit-eligible part-time employees having balances above the allowed carry over hours will receive a payout based on their salary as of January 1<sup>st</sup> at a rate of 20% for all hours above the maximum allowable accumulation.

### *Usage*

Employees, when using sick leave for health care appointments, are required to notify their supervisor or Department Head at least a day in advance of the requested sick leave day. For all other uses of sick leave, the employee must report to his/her Department Head pursuant to the department guidelines. Failure to report sick leave pursuant to the guidelines may result in the denial of sick leave and/or disciplinary action.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

An employee must keep the Department Head informed daily of his/her condition. A medical certificate may be required for any absence of more than three (3) consecutive work days or in the case of suspected abuse of sick leave. Failure to fulfill these requirements may result in a denial of sick leave and/or disciplinary action.

#### *Miscellaneous Provisions*

Employees who have exhausted their sick leave and request additional time off, must use all other paid leave prior to taking leave without pay.

Time spent recuperating from an illness that strikes an employee while on vacation leave can be taken as sick leave with proper documentation as determined by the Department Head. As soon as possible, the employee's vacation leave should be changed in the time and attendance system to reflect the hours claimed as sick leave.

Sick leave does not count as hours worked for purposes of calculating overtime.

#### *Separation of Employment*

An employee separating employment in good standing after 120 months (10 years) of consecutive full time or benefit-eligible part-time service will be compensated for accrued and unused sick leave as follows:

Payment will be at the rate of pay the employee is earning at time of separation. Payments will be based on one percent (1%) increments per completed year of service at time of separation up to thirty (30) years of service. Partial years of service will not be included for purposes of calculating the applicable percentage.

Example: John Doe is earning \$16.50 per hour. He has 28.50 years of City service. John has accrued 593 hours of sick leave up to his separation date. John will receive payment for 28% of sick hours he accrued through his separation date.

Calculation:

- $593 \text{ (hours accrued)} \times 28\% \text{ (28 full years of service)} = 166.04 \text{ hours}$
- $\text{John will be paid } 166.04 \text{ accrued hours} \times \$16.50 \text{ per hour} = \$2,739.66 \text{ gross}$

The calculation formula is for both full time employees and benefit-eligible part time employees.

#### *Retirement*

Employees retiring from City employment after 120 months (10 years) of consecutive full-time or benefit eligible part-time service will be compensated for 30% of accrued and unused sick leave. Eligibility for retirement with the City of Merriam is defined as being eligible to retire through the KPERS or KP&F Retirement Systems with immediate retirement benefits.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

Employees leaving City employment for purposes other than retirement or termination in good standing will not be compensated for accrued and unused sick leave.

\*Domestic Partner, for the sake of this policy, is defined as a relationship characterized by emotional and financial commitment and interdependence – regardless of gender.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Leave Time  
**Chapter Number:** 7  
**Section Title:** Bereavement  
**Section Number:** 7.06

**Effective Date:** January 1, 2005

**Revision Date:** July 23, 2012

**Revision Date:** June 2016

---

## *Immediate Family Members*

In the event of the death in the immediate family of a full-time or benefit-eligible part-time employee, employees shall be allowed paid time off for personal matters relating to the death according to the following schedule:

- 40 hours/week employees – up to 24 hours
- 30 hours/week employees – up to 18 hours
- 20 hours/week employees – up to 12 hours

Bereavement leave does not count as hours worked for purposes of calculating overtime.

Employees should request the amount of time needed through their supervisor or Department Head who will approve and track bereavement leave in the time and attendance system.

Employees may request time off in addition to paid bereavement leave from the Department Head. If additional time is approved it may be charged against the employee's accumulated vacation leave, sick leave and/or may be taken as a leave of absence without pay.

Immediate Family, for purposes of Bereavement Leave, includes: spouse, child, parent, brother, sister, parent-in-law, sister/brother in-law, daughter/son in-law, grandparent; grandchild, spouse's grandparent, "step relation" on any of the above, domestic partner relationships\*, or blood relative/dependent actually living in the same household as the employee.

## *Other Family Members*

Time off for other deaths include: aunt, uncle, niece/nephew, or spouse's equivalent will receive one (1) day of leave with pay.

\*Domestic Partner, for the sake of this policy, is defined as a relationship characterized by emotional and financial commitment and interdependence – regardless of gender.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Leave Time

**Chapter Number:** 7

**Section Title:** Military Leave and Civil Leave

**Section Number:** 7.07

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

---

## *Military Leave*

The City recognizes and adheres to all applicable state and federal laws regarding leaves for uniformed service to the State of Kansas as well as the United States. Any employee who needs time off for uniformed service is to immediately notify his/her supervisor and the City Administrator.

## *Civil Leave*

An employee shall be given necessary time off with pay, subject to certain restrictions\* (1) when performing jury duty, (2) when appearing in court as a witness in answer to a subpoena or as an expert witness when acting in an official capacity in connection with the City, (3) when performing emergency civilian duty in connection with national defense, or (4) for the purpose of voting when the polls are not open at least two hours before or after the employee's scheduled hours of work.

\*Employees must submit any payment received as a result of civil leave to the Finance Department to receive regular pay for time off.

If an employee is involved in a personal lawsuit, either as a plaintiff or as a defendant in an action not related to his/her duties with the City, the employee may take leave without pay unless s/he elects to utilize any accumulated vacation or personal leave.

Civil leave is not counted towards hours worked for the purposes of overtime.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

<b>Chapter Title:</b>	Leave Time	
<b>Chapter Number:</b>	7	
<b>Section Title:</b>	Family and Medical Leave Act (FMLA)	<b>Effective Date:</b> January 1, 2005
<b>Section Number:</b>	7.08	<b>Revision Date:</b> May 18, 2009 <b>Revision Date:</b> June 2016

---

## *General Provisions*

The Family and Medical Leave Act (FMLA) entitles eligible employees up to 12 weeks in a 12-month period of unpaid, job-protected leave and continuing pre-existing health coverage for specified family and medical reasons. Employees are eligible if they have worked for the City for at least 12 months (does not have to be consecutive, unless there is a break in employment of more than seven years), and for 1,250 hours during the 12-month period immediately preceding the leave.

For purposes of determining the “12-month period” during which an employee may take 12 weeks of FMLA leave, the City uses a “rolling” 12-month period measured backward from the date an employee uses any FMLA leave. Under the “rolling” 12-month period, each time an employee takes FMLA leave the remaining leave entitlement would be any balance of the 12 weeks which has not been used during the immediately preceding 12 months. For example: If an employee takes three weeks leave beginning February 2014, three weeks beginning May 2014, three weeks beginning August 2014, and three weeks beginning November 2014, the employee would not be entitled to any additional leave until February 2015.

## *Reasons for Taking Leave*

Leave must be granted for any of the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee’s child after birth, or placement for adoption or foster care;
- To care for the employee’s spouse, son, daughter or parent who has a serious health condition, or
- For a serious health condition that makes the employee unable to perform the employee’s job.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

### *Military Family Leave Entitlements*

Eligible employees whose spouse, son, daughter or parent is on covered active duty or called to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness.

### *Impact on Existing Leave Policies*

The City requires employees to use all applicable paid leave, in this order, to include sick, personal and vacation before an unpaid leave under this policy will be authorized.

Leave under the FMLA, long term disability, and/or Workers' Compensation may run concurrently.

### *Advance Notice and Medical Certification*

The employee may be required to provide advance leave notice and medical certification. Taking of leave may be denied if the requirements are not met.

- The employee must provide 30 days advance notice when the leave is “foreseeable.” If the employee’s need is not foreseeable, the employee should give as much notice as is practical and reasonable.
- The City requires medical certification to support a request for leave because of a serious health condition and includes service member family leave, and may require second or third opinions (at the employer’s expense) and a fitness for duty report to return to work.
- The City requires certification of the federal active duty call or impending call or order to active duty for an employee who needs leave due to the call to active duty service, or notice of impending call to service, of a family member in the National Guard or Reserves for service as directed by the President of the United States.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

### *Reduced and Intermittent Leave*

Leave may be taken intermittently or on a reduced schedule when medically necessary as certified by the health care provider. Federal law does not require the City to offer intermittent leave or a reduced schedule for the birth or placement of a child (except when medically necessary due to the incapacity caused by child birth itself). Department Heads may authorize or deny a request for a part-time or intermittent leave schedule for the birth or placement of a child based upon departmental operational needs.

### *Job Benefits and Protection*

- For the duration of the FMLA leave, the City will maintain the employee's health coverage under any "group health plan." (Employees will continue to make their contribution towards any "group health plan" during approved leave.)
- Upon return from FMLA leave, employees will be restored to their original or equivalent position with equivalent pay, benefits, and other employment terms. However, an employee who qualifies as a "key" employee, as defined by the Department of Labor, may be denied restoration to employment.
- The use of FMLA cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

### *Administration*

FMLA leave requests should be directed to Human Resources which is responsible for making and administering all leave decisions.

The City of Merriam will comply with applicable state or local law to the extent that such law provides greater family or medical leave rights than those of the FMLA or this policy.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Leave Time

**Chapter Number:** 7

**Section Title:** Lactation Breaks

**Effective Date:** August 2016

**Section Number:** 7.09

---

It is the policy of the City of Merriam to provide, in compliance with the Fair Labor Standards Act (FLSA), reasonable break time and appropriate facilities to accommodate any member desiring to express breast milk for her infant nursing child for up to one year after the child's birth.

Lactation breaks, if feasible should be taken at the same time as the employee's regularly scheduled rest or meal periods. Any time exceeding regularly scheduled and paid break time will be unpaid for non-exempt employees.

The employee's Department will make reasonable efforts to accommodate members with the use of an appropriate room or other location to express milk in private. Such room or place should be in proximity to the member's work area and shall be other than a bathroom or toilet stall. The designated site will be a private location with a locked door to ensure it is shielded from view and free from intrusion from co-workers and the public.

Any member storing expressed milk in any authorized refrigerated area within the Department shall clearly label it as such and shall remove it when the employee's shift ends.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

<b>Chapter Title:</b>	Performance Appraisals	
<b>Chapter Number:</b>	8	
<b>Section Title:</b>	General	<b>Effective Date:</b> January 1, 2005
<b>Section Number:</b>	8.01	<b>Revision Date:</b> June 26, 2006
		<b>Revision Date:</b> June 2016

---

The City's performance appraisal process is a state-of-the-art pay and classification system which was designed specifically for the City of Merriam. The objectives of the performance appraisal system include:

- Provide fair and objective means for measuring an employee's performance in accordance with set guidelines;
- Initiate and maintain a flow of valuable communication between employee and supervisor;
- Identify employee strengths and opportunities for improvement;
- Provide background needed in order to devise goals for improving employee performance;
- Provide information to be used to develop employees for more responsible, higher level positions;
- Identify areas of performance where the employee needs training;
- Provide information to be used as a factor in promotions, pay increases, transfers, reclassifications, layoffs, and successful completion of the introductory period.

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance appraisals are conducted annually on the employee's original anniversary date, with the exception of Department Heads. Department Heads will be evaluated at the end of the calendar year. Special appraisals may occur at any time to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

Employees employed as part-time benefit-eligible who accept full-time employment with the City will retain their original date of hire for purposes of calculating years of service, benefit accruals and anniversary date for annual evaluations.

Employees employed as part-time, but not benefit-eligible, who accept full-time employment with the City will retain their original date of hire for purposes of calculating

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

years of service only. Benefit accruals and anniversary date for annual evaluations will be the date employee moved to full-time.

*General*

An employee must receive a performance appraisal of at least satisfactory/meets expectations or equivalent, on their performance appraisal in order to be eligible for an annual merit increase. An employee's rating on their performance appraisal determines their merit increase, subject to annual budgetary appropriations.

The performance appraisal will be completed by the employee's immediate supervisor. The immediate supervisor is the one who assigns and directs the employee's work, checks or inspects the work for proper methods and results, is responsible for discipline, and is immediately responsible for the work of the employee.

Returning seasonal/temporary employees will not receive a performance appraisal however, may receive an annual salary increase as appropriate for their position.

*Unsatisfactory Rating*

An employee receiving an unsatisfactory rating (or equivalent) overall, shall not be eligible for a merit increase and shall be rated again in thirty (30) to ninety (90) calendar days by the supervisor. An unsatisfactory rating shall be grounds for disciplinary action or dismissal. No employee who has received an overall unsatisfactory rating shall be considered for a promotion while an unsatisfactory rating is in effect.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

**Chapter Title:** Employee Personnel Records

**Chapter Number:** 9

**Section Title:** Personnel/Medical Files

**Section Number:** 9.01

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

---

Each employee will have an official personnel file maintained by the Human Resources Department. In each employee's file, records regarding position, pay, and other employee status actions will be retained. Other items that may be contained in the file are written notes of explanations, grievances filed, employee forms for taxes and retirement application. The file may also contain disciplinary actions, awards received, training records, and performance reviews. Employee access to his/her own personnel file is by appointment with the Human Resources Manager. Former employees will no longer have access to review their personnel file.

Each employee will be responsible for assuring the personal information in his/her personnel file is correct. Employee should promptly notify the Human Resources Manager of any change in personal data such as change of name, address, telephone number, family status, or beneficiary (for insurance).

A separate medical file will be maintained for all persons employed by the City in accordance with federal and state law. The City will collect and retain job related medical information including employment physical reports, drug screen results, FML requests and physical certifications, any doctor's notes for absenteeism and fitness for duty information.

The information contained in the medical file is confidential and will only be released on a need to know basis as determined by the Human Resources Manager in accordance with applicable federal and state laws.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Employee Discipline  
**Chapter Number:** 10  
**Section Title:** General Provisions  
**Section Number:** 10.01

**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

Employees of the City of Merriam are expected to conduct themselves in a professional and law-abiding manner and observe and obey lawful orders and directives received in the course of employment.

Discipline is determined by supervisors and Department Heads and may include a progressive discipline process. The progressive discipline process includes steps such as verbal warning, written reprimand, suspension from duty, and separation by involuntary dismissal. Discipline, however, does not have to be progressive and some actions may result in immediate suspension or dismissal.

Since employees of the City are employed “at-will,” dismissal can take place at any time and for any reason, with or without notice. Because the circumstances vary widely in similar situations, the City retains the right to treat each violation in the Code of Conduct (policy 10.02) on an individual basis without creating a binding precedent for other cases arising in the future. Examples that are given in any rule do not limit the generality of the rule.

In the event of dismissal, the employee will be provided with such notice and rights as required by law.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Employee Discipline  
**Chapter Number:** 10  
**Section Title:** Code of Conduct  
**Section Number:** 10.02

**Effective Date:** January 1, 2005  
**Revision Date:** June 2016

## CODE OF CONDUCT AND PROGRESSIVE DISCIPLINARY ACTION GUIDELINES

- Code:
1. Oral reprimand
  2. Written instruction and cautioning
  3. Written instruction and a minimum of one (1) day suspension
  4. Written instruction and a minimum of three (3) days suspension
  5. Dismissal

	<u>Definition</u>	<u>1<sup>st</sup> Offense</u>	<u>2<sup>nd</sup> Offense</u>	<u>3<sup>rd</sup> Offense</u>	<u>4<sup>th</sup> Offense</u>
<b>1.</b>	<b>Absenteeism:</b>				
	A. Excessive, unexplained, or unexcused tardiness (Guide: 3 times in a 30 day period).	1-2	3	4	5
	B. Excessive, unexplained, or unexcused absenteeism	1-2	3	4	5
	C. Absence without authorized leave or permission (AWOL). Any employee absent for three (3) consecutive work days without authorized leave will have been deemed to have abandoned the position and resigned from City employment.	3	4	5	
<b>2.</b>	<b>Abusive Language:</b>				
	A. The use of profanity or abusive language, which would tend to interfere with the efficient operation of City business, or verbal interference with the job performance of fellow employees.	1-3	4	5	
	B. Verbal threats, intimidation, or coercion, directed toward fellow employees, supervisors or citizens.	4-5	5		
<b>3.</b>	<b>Alcohol, Unauthorized Drugs and Controlled Substances (Use and/or Possession of):</b>				

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

	A. Reporting to work under the influence of intoxicating beverages or drugs or consumption while on duty.	5			
	B. Being in possession of open containers of intoxicating beverages or drugs while on duty.	4-5	5		
	<b>Definition</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
<b>4.</b>	<b>Assault:</b>				
	Fighting or behavior which provokes or is likely to provoke a fight on the job.	4-5	5		
<b>5.</b>	<b>Bribery:</b>				
	Using or accepting bribery to secure appointment or advantage as a City employee.	5			
<b>6.</b>	<b>Carelessness:</b>				
	A. Carelessness that affects the safety of personnel, equipment, tools or property, or causes materials, parts or equipment to be damaged.	1-2	3	4	5
	B. Failure to keep the department and/or the Human Resources Office notified of proper address or telephone number (if any).	1-2	3	4	5
<b>7.</b>	<b>Conduct (on or off the job):</b>				
	A. Unlawful or improper conduct whether on or off the job which tends to affect the employee's ability to conduct his/her job effectively.	3	4	5	
	B. Wanton or willful violation of City policies and procedures or department operating rules and regulations.	4-5	5		
	C. Knowingly request or aid any person to violate an ordinance or any provision of the City, or engage in such violation(s).	4	5		
	D. Failure to disclose to the City Administrator any interest the employee may have in contracts with the City for the furnishing of supplies, materials, labor or services, except employee services, prior to negotiations and award of contracts.	1-2	3	4-5	
	E. Knowingly accept any money or any gift of a value from any person doing business with the City or from any person contracting with the furnishing of supplies to the City.	3	4	5	
	F. Disclosure to any bidder on a municipal contract, prior to the official opening of bids, information concerning the bid of another person, save and except the identity of the bidders.	3	4	5	

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

<b>8. Confidentiality:</b>				
A. Wanton or willful disclosure of confidential information which, if disclosed, could adversely affect the interest of the City or fellow employees.	3-5			
<b>9. Conviction of a Crime (on or off the job):</b>				
A. Any conviction that would tend to affect the employee's performance or ability to perform the job.	3-5	4-5		
B. Conviction of driving under the influence of alcohol or drugs if the conviction would tend to affect the employee's performance or ability to perform the job.	4-5	5		
C. Conviction of a felony offense.	5			

	<b>Definition</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
<b>10. Damaging City Property or Property of Other Employees:</b>					
	Wanton or willful destruction of, misuse of or damage to public property or any City property or equipment of any employee which is located on City occupied premises or used in the performance of City functions.	4-5	5		
<b>11. Damaging Statements:</b>					
	Making or publishing false, vicious, or malicious statements concerning any employee, supervisor or official of the City.	3	4	5	
<b>12. Discrimination:</b>					
	A. Willfully engaging in any act, conduct or activity within the scope of employment which directly or indirectly discriminates against any person, or class of person on the basis of age, sex, race, religion, creed, national origin, disability, or other class protected by law.	3-4	4-5		
	B. Negligently engaging in any act, conduct or activity within the scope of employment which discriminates directly or indirectly against any person or class of person on the basis of age, sex, race, religion, creed, national origin, disability, or other class protected by law.	1-2	3	4	5
<b>13. Disorderly Conduct:</b>					
	Engaging in horseplay, scuffling, wrestling, throwing things, malicious mischief, deliberately	1-2	3	4	5

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

	distracting the attention of others, cat calls or similar types of disorderly conduct which would tend to affect the performance of the employee's duties or to interfere with the legitimate work activities of the City or its employees.				
<b>14.</b>	<b>Failure to Meet Acceptable Work Standards:</b>				
	A. Productivity or workmanship not meeting required performance standards.	1-2	3	4	5
	B. Failure to exercise reasonable judgment and/or discretion in the course of official employment.	1-2	3	4	5
	C. Wanton or willful neglect in the performance of assigned duties.	3	4	5	
<b>15.</b>	<b>Falsification of Applications, Records, Time and Attendance/Payroll Records:</b>				
	Intentional or willful falsification of personal or City records including but not limited to employment applications, accident reports, purchase orders, work reports and time and attendance records.	4-5			
<b>16.</b>	<b>Housekeeping Rules:</b>				
	Creating or contributing to unsafe or unsanitary conditions or poor housekeeping which would tend to interfere with the safe and efficient performance of City business.	2-5	5		
	<b>Definition</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
<b>17.</b>	<b>Insubordination:</b>				
	A. Refusal to perform work assigned, to work emergency overtime, or to comply with written or verbal instruction of a supervisor in a timely manner.	4-5	5		
	B. Failure to work overtime, special hours or special shifts after being scheduled according to overtime and standby duty policy, or failure without good cause or legitimate excuse, to respond to call during adverse weather conditions or emergencies.	3	4	5	
	C. Refusal to cooperate in investigations in which the employee is involved or has relevant information.	3-5	5		
	D. Where operations are continuous, leaving the post at the end of the scheduled shift before being relieved by supervisor or authorized employee on incoming shift.	3-5	5		
<b>18.</b>	<b>Interference with Proper Performance of Work:</b>				

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

	Concerted interference with work in or about the City's work stations including, but not limited to instigating, leading, or participating in any walkout, strike, sit-down, stand-in, slowdown or refusal to return to work at the scheduled time for the scheduled shift.	5			
<b>19.</b>	<b>Loitering/Wasting Time:</b>				
	A. Wasting time or loitering during working hours.	1-2	3	4	5
	B. Leaving the assigned work area during working hours without permission of the supervisor.	3-5	5		
	C. Disregarding job duties by loafing or neglect of work during working hours.	1-3	4	5	
<b>20.</b>	<b>Personal Gain:</b>				
	No employee shall request, use or permit the use, whether directly or indirectly, of any publicly owned, or publicly supported equipment, vehicle, facility, labor service or supplies (new, surplus, scrap or obsolete).	3	4	5	
<b>21.</b>	<b>Political Activity:</b>				
	No City employee shall, during working hours, directly or indirectly solicit, receive, or be in any manner concerned with soliciting or receiving any assessment, subscription, contribution, or political service whether voluntary or involuntary, in any City of Merriam political activity or engage in any partisan political activities which would impair performances as a City employee.	1-2	3	4	5
<b>22.</b>	<b>Rest Breaks and Meal Breaks:</b>				
	Taking more than the specified time for meals or rest periods.	1-2	3	4	5
<b>23.</b>	<b>Safety Rules and Personnel Policies:</b>				
	A. Failure to report an accident or personal injury in which the employee was involved while on the job.	1-2	3	4	5

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

	<b>Definition</b>	<b>1<sup>st</sup> Offense</b>	<b>2<sup>nd</sup> Offense</b>	<b>3<sup>rd</sup> Offense</b>	<b>4<sup>th</sup> Offense</b>
<b>23.</b>	<b>Safety Rules and Personnel Policies:</b>				
	B. Knowingly violating safety rules or safety practices.	1-3	4	5	
	C. Continued abuse of Personnel Policies and Procedures.	4-5	5		
<b>24.</b>	<b>Theft:</b>				
	Theft of any City property or the property of any employee.	5			
<b>25.</b>	<b>Unauthorized Use of City Property:</b>				
	Unauthorized use, possession or operation of any City property, equipment or vehicles or the property and equipment which is located on City premises or used in City functions.	3	4	5	
<b>26.</b>	<b>Weapons (unauthorized use, carrying or concealing):</b>				
	Unauthorized possession or use of firearms, explosives or weapons on City property.	5			
<b>27.</b>	<b>Other Just Causes Not Specifically Listed As a Cause Herein:</b>				
	Discipline: As appropriate, following progressive discipline guidelines.	1-5			

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Dispute Resolution/Grievances

**Chapter Number:** 11

**Section Title:** General Provisions

**Section Number:** 11.01

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

---

It shall be the policy of the City of Merriam to give individual employees an opportunity to discuss their grievance with their supervisors in order to find mutually satisfactory solutions as rapidly as possible. In the presentation of grievances at any level, employees are assured of freedom from restraint, interference, discrimination, or retaliation.

## *General Provisions*

- A. A “grievance” shall be defined as any dispute concerning the application or interpretation of administrative regulations or policies, or working conditions of employees.
- B. At any step in the grievance procedure, the individual charged with responding to the grievance, may elect to conduct a meeting to gather more information prior to responding to the grievance.
- C. The grievant and/or the City may have an attorney or representative of his/her choice present at any step of the grievance procedure; however, the attorney/representative will serve in an advisory capacity only. The attorney/representative will not present opening or closing statements and will not conduct examination of the witness(es). The attorney/representative may advise his/her client(s) and request examination of specific areas of fact at issue. If the grievant desires an attorney, s/he will furnish the attorney at his/her own expense.
- D. The time limits provided shall be strictly observed, unless extended by written agreement of the parties. Failure by the employee to observe the time limits for submission of a grievance at any step will automatically result in the grievance being considered abandoned. Failure by the City to respond to a grievance within the prescribed time limits will allow the aggrieved employee to advance the grievance to the next step.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

- E. A grievant may not partially accept and partially reject a disposition of his/her grievance. The employee must either accept or reject the disposition of his/her grievance, in its entirety.
- F. No employee shall utilize this procedure to file grievances relating to council policies and ordinances, federal or state statutes (except in the instance of civil rights violations) or in matters where the employee has no direct interest.
- G. Grievances arising from the action of an official other than the immediate supervisor of the employee can be initiated with the Department Head at the next appropriate step of the grievance procedure.
- H. Details of grievances and grievance proceedings shall be kept confidential.
- I. Employees serving an initial introductory period shall have no right to utilize this grievance procedure for any matter concerning discharge or other discipline.
- J. Performance evaluations, separations due to reduction in force, changes in work hours, and classification decisions are not subject to review through this grievance procedure. If an employee disagrees with any statement in a performance evaluation, the employee may submit a written statement of rebuttal setting forth the basis of the disagreement for inclusion with the performance evaluation in the personnel file.
- K. Appeals of termination, involuntary demotion, or suspension of more than three (3) days shall be initiated directly at step 3 of the grievance procedure.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Dispute Resolution/Grievances

**Chapter Number:** 11

**Section Title:** Grievance Procedure

**Section Number:** 11.02

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

---

Grievances shall be processed in accordance with the following procedure:

STEP 1: In the event that an employee believes there is a basis for a grievance, the aggrieved employee shall first discuss the alleged grievance with his/her immediate supervisor within five (5) working days of the occurrence or knowledge giving rise to the alleged grievance. The supervisor shall respond to the complainant within five (5) working days after presentation of the grievance.

STEP 2: If, as a result of the informal discussion with the immediate supervisor, an alleged grievance still exists, the aggrieved employee may file a formal written grievance with his/her Department Head within five (5) working days after the immediate supervisor's response is received or is due.

The aggrieved employee shall make a written statement to include: a) name of the employee or group of employees involved, b) state the facts giving rise to the grievance, c) identify the administrative regulations or policies alleged to be violated or misinterpreted, d) state the contention of the grievant with respect to the grievance, and e) indicate the specific relief requested.

The Department Head shall respond in writing to the employee within five (5) working days of receipt of the formal grievance.

STEP 3: If the grievance has not been satisfactorily resolved in Step 2, the aggrieved employee may appeal the grievance by submitting a copy of the grievance to the City Administrator or designee within five (5) working days after the Department Head's response is received or is due.

A hearing with the City Administrator or designee shall be scheduled within five (5) working days of receipt of the appeal. The City Administrator or designee will provide a

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

written response to the grievant within fifteen (15) calendar days following the close of the hearing.

The decision of the City Administrator or designee is final and not subject to further appeal. If, however, the violation alleged was an action initially taken by the City Administrator, the employee has the right to request a hearing in front of a Grievance Committee to be appointed by the Governing Body. Such committee shall consist of three (3) members; one member shall be a City employee of a classification level comparable to the grievant, one member shall be a Department Head, and the third member shall be chosen at-large from among City employees. No member of the grievance committee shall be employed in the department in which the grievance occurred.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Separation from Employment/Re-employment  
**Chapter Number:** 12  
**Section Title:** General  
**Section Number:** 12.01  
**Effective Date:** January 1, 2005  
**Revision Date:** June 26, 2006  
**Revision Date:** June 2016

---

## *Separation*

Separation occurs when employment ends due to resignation, retirement\*, layoff, termination, or death. Two weeks' notice would be appreciated from employees who resign, in order to hire and train a replacement. For separation due to retirement, more notice is requested. Layoff may occur if a position is eliminated or when there is a lack of funding or work.

Payment for final hours worked, regardless of reason for separation, will be made on the next scheduled payday. Employees who have completed their introductory period shall be paid for accrued but unused vacation leave and sick leave pursuant to the sick leave policy.

## *Re-employment*

An employee who leaves City employment in good standing and who is re-employed in the same classification within six (6) months following separation may be reinstated at not more than the salary s/he would have received had s/he remained employed during that time. Such employee will retain the same status as the employee had upon separation.

\*An employee is eligible for retirement with the City of Merriam when also eligible to retire through the KPERS or KP&F Retirement System with immediate retirement benefits.

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Separation From Employment  
**Chapter Number:** 12  
**Section Title:** Insurance Continuation After Separation  
**Section Number:** 12.02 **Effective Date:** January 1, 2005  
**Revision Date:** June 2016

---

The Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) permits employees leaving their employer to have the option of continuing some of their benefits (health insurance, dental and vision insurance) at their own expense. A person employed by the City, and enrolled in the employee health plan, can choose to continue the insurance coverage if his/her position is lost due to reduction in hours or termination of employment. The spouse of an employee can choose to continue the coverage at his/her expense in the case of the death of the employee, termination of the employee, divorce or legal separation from spouse, or if the spouse qualifies for coverage by Medicare. Similar circumstances would permit the child of a separated employee to continue the coverage. Coverage may be continued for eighteen months, and in some circumstances up to three years. (See chart below) The Human Resources Manager will be able to provide more information on the COBRA options for affected employees and dependents.

Qualified Beneficiary	Qualifying Event	Period of Coverage
Employee Spouse Dependent Child	Termination Reduced hours	18 months (may be extended for all qualified beneficiaries if certain conditions are met in cases where a qualified beneficiary is determined to be disabled for purposes of COBRA)
Spouse Dependent Child	Entitled to Medicare Divorce or legal separation Death of covered employee	36 months
Dependent Child	Loss of dependent child status (>25 years of age)	36 months

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam Employee Handbook

**Chapter Title:** Separation From Employment

**Chapter Number:** 12

**Section Title:** Retiree Insurance Benefits

**Section Number:** 12.03

**Effective Date:** January 1, 2005

**Revision Date:** June 2016

---

Employees retiring with KPERS or KP&F retirement or disability benefits with at least ten (10) years of service to the City may be entitled to health care coverage for themselves and/or dependents by paying the full monthly premium cost charged to the City by the provider. Eligible employees must make written application to the City within 30 days following retirement or disability to be eligible for such coverage. Coverage under the employee group health care benefits plan will cease at the earliest of the following:

1. The retired employee attaining age 65;
2. The retired employee failing to make required premium payments on a timely basis;
3. The retired employee becoming covered or becoming *eligible* to be covered under a plan of another employer; or
4. The City ceases to maintain any group health plan.

In the event of the retired employee's death, obtaining coverage elsewhere, or becoming eligible for Medicare, his/her spouse and/or dependents can elect continuation of benefits in accordance with COBRA regulations. (See policy 12.02)

---

*This handbook and the personnel policies referenced do not constitute or imply a contract, agreement, promise or guarantee of employment or continued employment. The City reserves the right to change these policies at any time and without prior notice to employees.*

# City of Merriam

## Employee Handbook

### Table of Contents

A. Welcome

B. Employee Acknowledgment

#### General Information

- 1.01 Purpose
- 1.02 Application
- 1.03 Employment-at-will
- 1.04 Equal Employment Opportunity
- 1.05 Workplace Discrimination
- 1.06 Harassment
- 1.07 Filing Harassment/Discrimination Complaint
- 1.08 Conflicts of Interest
- 1.09 Oath of Office

#### Health and Safety

- 2.01 Drugs and Alcohol
- 2.02 On-the-Job Injuries
- 2.03 Equipment and Property
- 2.04 Tobacco Free Environment
- 2.05 Weapons in the Workplace

#### Recruitment, Hiring, and Employment

- 3.01 Employee Relations
- 3.02 Work Eligibility
- 3.03 Nepotism Policy
- 3.04 Employment Classification
- 3.05 Introductory Period
- 3.06 Outside Employment
- 3.07 Referral Bonus Program

#### Employee Conduct

- 4.01 Attendance
- 4.02 Appearance
- 4.03 Media Relations
- 4.04 Use of City Communication Resources
- 4.05 Social Media – Employee Guidelines
- 4.06 Time Card Regulations

#### Compensation Policies

- 5.01 Establishment and Compliance
- 5.02 Payroll Process and Practices

- 5.03 Work Schedules
- 5.04 Overtime, Compensatory Time, and Flex Time
- 5.05 Overtime in Emergency/Call Back
- 5.06a Exempt Employee Pay Policy
- 5.06b Non-Exempt Employee Pay Policy
- 5.07 Cell Phones
- 5.08 Miscellaneous Compensation Policies
- 5.09 Travel Reimbursement
- 5.09a Travel Expense Report

#### Employee Benefits

- 6.01 Employee Benefits
- 6.02 Miscellaneous Fringe Benefit
- 6.03 Tuition Reimbursement

#### Leave Time

- 7.01 Work Leave Time
- 7.02 Holidays
- 7.03 Personal Days
- 7.04 Vacation
- 7.05 Sick
- 7.06 Bereavement
- 7.07 Military Leave and Civil Leave
- 7.08 Family and Medical Leave Act (FMLA)
- 7.09 Lactation Breaks

#### Performance Appraisals

- 8.01 General

#### Employee Personnel Records

- 9.01 Personnel and Medical Files

#### Employee Discipline

- 10.01 General Provisions
- 10.02 Code of Conduct

#### Dispute Resolution/Grievances

- 11.01 General Provisions
- 11.02 Grievance Procedure

#### Separation of Employment

- 12.01 General Provisions
- 12.02 Insurance Continuation After Separation
- 12.03 Retiree Insurance Benefits

#### Table of Contents