

CITY OF ALVA

The City of Alva has prepared this manual as a guide for policies, benefits, and general information. However, neither this manual, nor any other City communication or practice, creates an employment contract. The City reserves the right to make changes in content or application of its policies as it deems appropriate, and these changes may be implemented even if they have not been communicated, reprinted, or substituted in this manual. It is also understood that nothing in this manual or any other policy or communication changes the fact that employment is at-will for an indefinite period unless terminated at any time by the employee or the City.

It is also understood that no employee or representative of the City has any authority to enter into an employment contract or to change the at-will employment relationship, or to make any agreement contrary to the foregoing.

SECTION 100

GENERAL INTRODUCTION

101 - Purpose

The purpose of this manual is to provide statements of personnel policy, practices and benefits of the City of Alva. It is designed to serve as a working guide and a source of information for all employees of the City. It does not constitute a legal document nor is it a contract of employment. The City reserves the right to amend, supplement, rescind or delete any provisions of this manual at any time.

102 - Effective Date

This manual was adopted by the City of Alva on October 1, 2007. All modifications have been made as of March 03, 2014.

For the purpose of having an efficient and working document, this manual will be updated as necessary.

103 - Gender

The use of masculine and feminine terms is meant to be neutral.

104 – Chain of Command

The City expects all employees to follow the chain of command on all inquiries, requests, or reports. Supervisors are expected to enforce this policy and resolve grievances or questions at their level, when possible, or to seek answers or resolutions to questions or requests for assistance from their subordinates.

SECTION 200 EMPLOYMENT PRACTICES

201 - Equal Employment Opportunity Policy

The City of Alva is committed to providing equal opportunity to all its employees and applicants for employment in regard to race, color, creed, religion, national origin, age, sex, and handicap or veterans status. This commitment extends to every aspect of employment, including recruitment, selection, placement, training, compensation, promotion, transfer, layoff, recall, and disciplinary action.

202 – Harassment Policy

The City of Alva maintains a policy of “zero” tolerance for harassment on the basis of race, color, age, religion, sex, national origin, disability, marital or veteran status. The City will not tolerate conduct that creates a hostile or offensive working environment. Reporting violations or complaints pertaining to this policy is not restricted to use of the chain of command.

203 – Alcohol and Drug Free Work Place Policy

The City of Alva, pursuant to the Oklahoma Standards for Workplace Drug and Alcohol Testing Act, has adopted a Drug and Alcohol Free Workplace Policy as specified in O.S. Title 40 § 551 et seq.

It is the policy of the City that unlawful manufacture, distribution, dispensing, possession, use of, or being under the influence of, a controlled substance is prohibited in the workplace. Any employee determined to be in violation of this policy while on duty or when wearing a City uniform on or off duty, is subject to disciplinary action, which may include termination.

204 – Weapons and Violence Policy

It is the policy of the City that the transportation, possession, or use of any firearm, or any other weapon, is not allowed on any city owned

property, vehicle, or equipment and employees who violate this policy are subject to disciplinary action which may include termination. This does not include sworn law enforcement officials in the performance of their duties.

Employees who participate in behavior, such as fighting and destruction of property, are also subject to disciplinary action which may include termination.

205 – Americans with Disabilities Policy

The City will comply with the Americans with Disabilities Act, (ADA). It is the City's policy not to discriminate against qualified individuals with disabilities and to provide reasonable accommodations as required by law to otherwise qualified applicants with disabilities in all employment practices.

This policy does not create an express or implied contract of employment. Applicants with conditional job offers are subject to withdrawal of offers or termination at any time, for any reason, except as otherwise prohibited by law.

SECTION 300 LEAVES AND HOLIDAYS

301 - Holidays

All employees, except temporary part-time, are granted nine (9) paid holidays per calendar year. The authorized holidays are as follows:

New Year's Day - January 1st
Presidents Day-Third Monday in February
Memorial Day - Last Monday in May
Independence Day - July 4th
Labor Day - 1st Monday in September
Thanksgiving - 4th Thursday in November and
Friday following Thanksgiving
Veteran's Day-November 11th
Christmas - December 25th

When a holiday falls on Saturday, it will be observed on the preceding Friday. When a holiday falls on Sunday, the following Monday will be observed.

Birthday. All employees, except temporary and part-time employees, shall be entitled to a day off, with pay, for their birthday. The day may be taken on any day during the week of the birthday or as approved by the Business Manager.

An employee on an authorized leave with pay on the day the holiday falls will be paid for the holiday rather than the authorized leave. Holidays cannot be used to build up time over the normal scheduled hours in a calendar work week.

Any employee working full time shall be allowed straight time pay for the time not worked during the normally scheduled period on any recognized holiday which occurs in the normally scheduled work week.

In addition to holiday pay allowed, straight time pay shall be paid for any time actually worked on any recognized holiday (12:00 midnight to 12:00 Midnight) during the normally scheduled work period.

302 – Vacation

Upon completion of one (1) year of continuous service with the City, vacation leave may be taken.

Regular full-time employees receive vacation leave in accordance with the number of years of continuous service as follows:

One (1) through nine (9) years	Ten (10) days (80 hours)
Ten (10) year or more	Fifteen(15) days (120 hours)
Twenty (20) years or more	Twenty (20) days (160 hrs)

Employees may take only the amount of leave time accrued. Vacation time cannot be advanced to employees. Vacation leave must be expended during the year following the year of accrual, except as approved by the Business Manager. Maximum accrual of vacation leave for years one through nine is ten days (80) hours, or years 10 and more fifteen days (120) hours.

Any employee who terminates employment with the City and is subsequently re-employed will be considered a new employee and previous service will not be referred to when computing vacation leave.

Vacation is granted as an earned privilege, not a right. All vacation time must be approved in advance to assure the operation of the department is not impaired.

Accrued vacation leave, up to the maximum allowed, will be paid at separation. Leave cannot be taken until the end of one year of employment as stated above.

303 - Illness and Injury Leaves

A. **Sick Leave** - Upon completion of six (6) months of continuous service with the City, sick leave may be taken when a regular full-time

employee is unable to perform his/her duties because of personal injury or illness. The immediate supervisor must be notified one (1) hour prior to employee taking sick leave.

Regular full-time employees accrue one hundred twenty (120) hours of sick leave per year. The accrual rate is 10 hours per month.

In the event of a serious illness, surgery, or injury in which case the employee requires medical attention, a release for full duty is required from the attending physician.

Employees may take only the amount of sick leave earned. Unearned sick leave cannot be advanced to an employee. The minimum use of sick leave is one (1) hour.

False or fraudulent use of sick leave may be cause for disciplinary action, including termination.

Sick leave is not the property of the employee. No part of the sick leave accrual is paid upon separation of employment except on retirement. On retirement the City will buy back 325 hours.

B. On the job Injury - When an employee is injured or exposed to body fluids or hazardous materials during the performance of his/her duties, he/she must report the injury or incident immediately, regardless of the extent, to the City Business Manager or his/her designee.

If the injury requires medical treatment, it will be given as soon as possible. If the attending physician reports the employee is unable to return to work after treatment, the employee will be paid as specified in Title 85, Workers Compensation Act. Payment of normal wages will not be made during the period payment of benefits under the provisions of Title 85 are being paid. This will ensure "double payment" is not made during period of Workers' Compensation payment for on the job injuries or illnesses. Upon release from the approved physician, the employee is required to return to work and the Workers Compensation leave will cease. The employee must submit the release to his supervisor prior to returning to work.

304 - Civil Leave Provisions

A. **Civil Leave** - An employee is given time off with pay while performing jury duty or when subpoenaed to serve as a witness for the City in any court of law.

If an employee is involved in a personal court action, he/she may be granted leave to attend to his/her business, however the time off will be charged to his/her accrued compensatory time or vacation leave.

305 – Military Leave Provisions

A. **Military Service** – Employees, other than temporary or part-time, who enter Military service directly from City employment shall be placed on military leave. The employee shall present a copy of his/her orders to report for duty to the City Business Manager.

The employee entering military service shall be paid for his/her accrued vacation leave at the time of entering on military leave. Accrued sick leave shall be “frozen” and remain on the employment record and if the employee returns to City employment within ninety days of completion of military service sick leave shall continue to accrue.

The returning employee must request reinstatement to his/her former position or in any other vacant position with like pay and status within ninety (90) days of separation from active duty. An employee who remains on active duty for more than four (4) years shall be considered as resigned. If not able to perform the duties of his/her former position by reason of disability, he/she shall be restored to a position of like seniority, status and pay or the nearest approximation thereof for which qualified and able to perform the duties of the position.

Seniority will accrue but vacation and sick leave do not accrue while an employee is on military leave.

- B. **Military Reserve Training** – All employees who are members of a reserve component of the Armed Forces or the National Guard shall, when ordered by proper authority to active service for the purpose of attending annual military training, be entitled to leave of absence for the period of such active service without loss of pay during the first twenty work days of the Federal Fiscal Year, (Oct 1 thru Sep 30). Employees shall not be entitled to any supplemental pay during military training.

When an authorized holiday falls within an employees Military Reserve Training, the day(s) will be considered a holiday. The employee will not be required to use military leave on an authorized holiday.

The employee shall present his/her department head with a copy of orders to report for training ten (10) days prior to departure, if possible.

306 – Family and Medical Leave

The City will comply with the Family and Medical Leave Act of 1993 as amended. All questions or areas of concern will be governed by the terms of the Act. See the posted FMLA Policy.

307- Funeral or Bereavement Leave

Employees may use up to five (5) days sick leave to attend the funeral of or complete the associated business of the employee's immediate family member. All funeral leave must be approved by the City Business Manager.

SECTION 400 EMPLOYMENT BENEFITS

401- Health Insurance - A Health Insurance policy may be provided to employees as approved by the City. The insurance carrier, terms and conditions of benefits, specific coverage, deductibles, maximum out of pocket expenses, and administration of the insurance program shall be determined by the City. The City shall determine the amount of payment made by the City subject to availability and appropriation of funds by the City Council.

402-Social Security and Medicare - All employees are subject to Social Security and Medicare payroll deductions. City and Employee contributions are made in accordance with the law.

403-Retirement-A retirement program may be provided to employees as approved by the City. The terms and conditions of the benefits and the administration of the program will be determined by the City. The City shall determine the amount of the payment made by the City subject to availability and appropriation of funds by the City Council.

404- Dental Insurance - A Dental Insurance policy may be provided to employees as approved by the City. The insurance carrier, terms and conditions of benefits, specific coverage, deductibles, maximum out of pocket expenses, and administration of the insurance program shall be determined by the City. The City shall determine the amount of payment made by the City subject to availability and appropriation of funds by the City Council.

SECTION 500 HOURS OF WORK AND ATTENDANCE

501 - Work Period

The work period is a standard seven (7) day work period which begins Sunday morning at 7:00 AM and ends the following Sunday morning at 7:00 AM.

The regular work hours will be from 8:00 AM to 5:00 PM with a one (1) hour lunch break. There will also be one (1) fifteen (15) minute break in the AM and one (1) fifteen (15) minute break in the PM.

502 - Overtime

Non-exempt employees are paid time and one-half (1 1/2) for all hours worked over forty (40) hours in the standard seven (7) day work period addressed in section 401 above. Overtime should be approved in advance by the supervisor.

503 - Absenteeism

Any employee absent from work is responsible for notifying their Supervisor in advance when he/she is to be off and when he/she will report back to work. Any employee who fails to comply with this rule will be subject to disciplinary action.

Any employee whose absence from work is unreported for three (3) consecutive work days will be considered as having abandoned his/her job and will be considered as resigned and removed from the payroll.

504 - Tardiness

Each employee must be ready to work at starting time and work up to quitting time. Habitual tardiness will be grounds for disciplinary action to include dismissal.

505 - Voting Time

The City will provide time off to vote in accordance with O.S. Title 26 § 7-101.

SECTION 600 SALARY ADMINISTRATION

601 – Exempt and Non-Exempt Classifications

Positions that are exempt from payment of overtime pay are generally those that are supervisory or professional in nature. These positions are determined to be exempt by the City as defined by the Fair Labor Standards Act (FLSA).

All positions not exempted are eligible to receive overtime compensation under the conditions and terms of the Fair Labor Standards Act, (FLSA).

602 – Merit or Performance Pay Increases

This pay action is designed to reward employees who have performed their assigned duties above that level which is expected of them. Supervisors are required to recommend such action which can only be approved by the Business Manager. This is not an automatic pay action.

603 – Promotions

Employees may be considered for promotion to a vacant position prior to recruiting action being initiated for that vacancy, however, this consideration for promotion does not indicate promotions from within the workforce are automatic. The Business Manager will make the selection for promotion from qualified individuals.

604 – Employee Performance Evaluation

The purpose of a system of employee performance evaluation is to develop a better City service and employees through periodic evaluation and recording of the employee's performance on the basis on consistent standards. Performance reports should reflect the true performance of the employee.

605-Seasonal Employees

Seasonal employees are not eligible for pay increases.

SECTION 700 HEALTH AND SAFETY

701 – Workers Compensation Payment

All workers compensation reports and payments shall be as required by Title 85, O.S., Oklahoma State Workers' Compensation Law.

702 – City Vehicles and Equipment

City owned and operated vehicles and equipment will not be used to transport passengers not engaged in official City business. Each supervisor is charged with the responsibility of informing all personnel and enforcing this policy.

City equipment and vehicles are to be used for official business only and should never be used for personal reasons.

All employees who are required to have a current Oklahoma Driver's License shall maintain a driver's record that is acceptable to the City. Failure to maintain a current Oklahoma Driver's License and an acceptable driving record may result in suspension or termination of employment with the City, if the driver's license is required in the performance of essential job duties.

The Business Manager may grant exceptions in the case of an emergency as determined by the Manager or in the case of natural disaster.

703-Safety Program

The Safety Manual of the City of Alva is hereby adopted as part of this Policy Manual. As safety rules and regulations are added, amended or deleted in the Safety Manual, those rules and regulations automatically become a part of this Policy Manual.

SECTION 800 DISCIPLINARY ACTION

801 - Policy

Regulations for the acceptable conduct of employees are necessary for the orderly operation of the City and for the benefit and protection of the rights and safety of all employees. Certain regulations which may be established from time to time and the procedure for disciplinary action for same are designed to promote understanding of what is considered “unacceptable conduct” and to encourage consistent action in the event of violations.

802 - Degrees of Discipline

The following normal progression is determined by the specific violation or degree of misconduct and the degree of discipline shall be determined by the Business Manager and may or may not follow in the order specified below.

1. The first reprimand is written and will be placed in the employees Personnel file.
2. The second reprimand may be a suspension without pay for up to three (3) days.
3. The third reprimand may be a suspension of pay for an unspecified amount of time or termination of employment.

803 - Factors to be Considered

Factors such as circumstances, motive, past performance, conduct and the severity of the violation will be considered in determining the appropriate action. Violations set forth below are considered for either suspension or dismissal, but are not limited to the following:

1. Incompetence, inefficiency, or negligence in the employee’s performance of duties;

2. Discrimination, harassing, coercive, or disruptive action toward fellow workers, “horseplay” and malicious rumors and reports, including sexual harassment;
3. Insubordination resulting from failure to carry out written or verbal orders;
4. Theft, deliberate destruction or waste of City property;
5. Unauthorized absences, failure to report for work promptly, and abuse of sick and vacation leave;
6. Acceptance of valuable consideration which was given with the expectation of influencing the employee in the performance of his/her duties;
7. Falsification of records or misrepresentation about material information;
8. Fighting, gambling, or unauthorized possession of weapons while on duty;
9. Drunkenness or use of illegal drugs or intoxicants while on duty;
10. Misuse of City vehicles or equipment or computers.
11. Any on or off duty conduct contrary to acceptable standards resulting in the embarrassment of, or offensiveness to the City of Alva and/or other employees;
12. Any violation of safety rules and notices;
13. Any illegal act on the part of an employee;
14. Any use of official position to influence, accomplish or encourage the committing of illegal acts on the part of any City employee;
15. Flagrant disregard for the established “chain of command”.

804 - Grievance Procedure.

An employee may appeal disciplinary action to the Business Manager within five (5) business days of the action. The appeal shall be in writing. The Manager will respond within five (5) business days and his/her decision is final.

SECTION 900 SEPARATION

901 – General

The separation date is the last day worked except when an employee becomes disabled in which case the last day of pay is considered the separation date. When an employee leaves his/her employment with the City the City Clerk will prepare a separation document which explains his/her final pay and other information the employee may need to know.

The employee is required to turn in all property belonging to the City before his/her final pay check is issued. It is the responsibility of the Supervisor to see that all property is returned.

902 – Death

All benefits due the employee at the time of his/her death shall be paid to the designated beneficiary, usually the spouse, or paid to the estate of the deceased. These payments are wages due, accrued vacation and all other payments required by law.

903 – Resignation

Employees resigning from employment should do so in writing. A two week notice is preferred, if possible. The resignation may be made effective at an earlier date by the action of the Business Manager.

Payment of all benefits due the employee at the time of resignation shall be paid no later than the payday following the date of resignation.

904 – Retirement

Retirement benefits and procedures will be as directed by the retirement plan provider. Payment of monies due the employee at the time of retirement shall be paid as defined in section 902 above.

905 – Termination/Dismissal

An employee may be discharged at any time from employment for the good of the service at the discretion of the Business Manager. All benefits due the employee shall be paid no later than the payday following dismissal.

906 – Layoff

Layoff may be made by the Business Manager when it is deemed necessary by shortage of work or funds or the abolishment of a position. All money due to the employee being laid off shall be paid no later than the payday following separation. All accrued sick leave shall be cancelled and all accrued vacation leave shall be paid.

907 – Job Abandonment

An employee who fails to report to work, or fails to report the need to be absent to his supervisor or Business Manger, shall be considered to have resigned after the third day of absence.

SECTION 1000 MISCELLANEOUS INFORMATION

1001 - Personnel Records

Employees' personnel files are maintained in the City Clerk's office. The City Clerk has the responsibility for the security and control of these records. Employees have the right to review their personnel files during regular business hours upon appointment with the City Clerk. The review time shall be controlled by the City Clerk and documents may not be removed from the file.

1002 - Financial Interest

No employee shall have a financial interest in any contract, service or other work performed by, or for the City. Employees shall not accept any free or preferred service, benefits or consideration from any person or company in return for special interest.

1003 - Political Activity

Employees shall not campaign for any candidate seeking election to public office while on duty or in the City uniform.

1004 - News Releases

News releases to the press or to the media by employees concerning City business must be approved by the Business Manager.

1005 - Public Relations

City employees shall conduct themselves in a courteous and helpful manner when dealing with the public.

SECTION 1100 SEXUAL HARASSMENT

1101-Definitions

There are two basic types of sexual harassment:

- The quid pro quo situation created by an employer or supervisor who wants sexual favors in exchange for advancement or salary increase.
- The offensive or hostile environment characterized by sexual talk or touching; not tied to money or promotion but unreasonably interfering with a person's job.

Sexual harassment can be summed up: it is unwelcomed or unwanted sexual behavior by either sex.

1102-Reporting Procedure

Should a person feel that they are the victim of sexual harassment; a report should be made to the Business Manager or the Human Resources Manager.

If a supervisor receives a complaint it will be passed on to the Human Resources Manager or the Business Manager.

The Business Manager will designate a person to investigate the complaint or will assume that role. The results of the investigation will be made known to the Business Manager within ten (10) days of the notification. All information will be confidential and discretion will be used during the investigation.

1103-Disciplinary Procedure

The Business Manager will make the determination as to what disciplinary action, if any, will result from the investigation. If the Business Manager is the alleged offender, the Mayor will be contacted. Disciplinary action resulting in the violation of this policy will follow the policy on progressive discipline.

SECTION 1200 WORKPLACE VIOLENCE

1201- Definitions

For the purpose of this section, “violence” includes threats of any type to an employee of the City of Alva.

Employees may be subjected to violence by other employees, family members, customers, vendors and visitors to city facilities. If the threat of violence exists or an act occurs, the subject employee will report it immediately to their supervisor.

1202-Reporting Procedure

The supervisor will immediately make a report in the form of a memo to the City Business Manager. The City Business Manager will make a determination as to the method of investigation.

Depending on the offender, the outcome may be disciplinary action or a police report for the purpose of prosecution.

Police officers, Animal Control Personnel and Inspectors can be targets of violence while engaged in their official duties. In those cases where there is violence or the threat of violence, police reports will be made for the purpose of criminal prosecution.

1203-Disciplinary Procedure

If the offender is a city employee, the employee will be subject to disciplinary action as outlined in this manual.

SECTION 1300 VEHICLE TAKE HOME POLICY

1301-Purpose: To establish guidelines for employees of the City of Alva who are authorized to take city owned vehicles to be used for transportation during functions related to their respective positions. This policy does not include the Alva Police Department personnel. The policy established by the police department will apply to the police personnel.

1302-Policy: The City of Alva may allow employees to take a vehicle home in order to respond quickly to a call for service in their respective departments. On-call employees will be able to respond quicker and more efficiently as they will have their equipment with the vehicle.

1303-Procedure: For the purpose of this policy, a Take-Home Vehicle is a marked vehicle that is assigned to a particular department.

Off-duty use of the vehicle is restricted to official city business such as emergency calls for service and to and from regular on duty use. As the operator of the vehicle, the employee will be responsible for the care, custody and control of the vehicle and will not allow unauthorized persons to operate the vehicle.

1304-Eligibility: Personnel who are considered on-call during weekends and holidays are allowed to take a city vehicle home. Persons who live within three (3) miles of the city limits will be eligible. Department Directors are responsible for determining the eligibility of an employee.

1305-Use of City Vehicles While Off-Duty: The vehicle will be used only for transportation to and from calls for service.

1306-Off-Duty Dress Requirements: Employees of the Public Works Division will wear the Division's official work shirt while on calls for service and while operating any City of Alva equipment.

1307-Dispatch Notification: Employees will notify the E911 dispatcher when they on and/or off service calls.

1308-Miscellaneous: No unauthorized persons will operate or ride in the city vehicle. Authorized ride-a-longs will be made by and at the discretion of the Department Director or Asst. Director.

The Alva Police Department shall maintain a policy for Police Vehicles.

SECTION 1400 VEHICLE MAINTENANCE POLICY

1401-Frequency of Inspections: All vehicles owned by the City of Alva will be inspected weekly at a minimum. Exceptions are police, fire and ambulance vehicles. Police, fire and ambulance vehicles may require a more rigorous schedule.

1402-Department Directors are directly responsible for the completion of the inspections and may at their discretion assign other personnel the duty.

1403-Extent of inspection: All motor vehicle such as cars and trucks will be checked for the following:

- a. All fluid levels as per specifications.
- b. Tires are at proper pressures, including spares if applicable.
- c. Attached equipment is in proper working order and attached properly.
- d. All lights and light attachments are in good working order.
- e. All electrical equipment is working properly.
- f. Trailer hitches are tight and stable.
- g. All other inspections or checks as applicable.

All equipment except motor vehicles will be checked and recorded on a monthly basis at a minimum. All equipment will be checked prior to use regardless when the last inspection was completed.

1404-Repairs Required: All equipment that is in need of repairs will be repaired immediately or downed for repairs. The Department Director or Supervisor will be advised as to the reason the equipment is not in use.

1405-Maintenance Frequency-All vehicles and equipment will receive maintenance services as per manufacture specifications. Motor vehicle will receive maintenance at 3,000 mile intervals.

1406-Maintenance Records-Records will be completed and maintained as long as the City of Alva owns the particular vehicle or

piece of equipment. The records will be maintained by the Public Works Support Supervisor.

SECTION 1500 TRAFFIC SIGNS/ROADWAY INSPECTION

1501-Purpose- The purpose of this policy is to assure that defective or missing traffic signs are replaced as soon as possible to assure the motoring public is safe and informed. The Street Department is responsible for the following areas:

- a. Assure that all regulatory and advisory signs are in good condition and are properly installed.
- b. All street hazards, such as potholes, overhead wires, poles or posts and limbs are free from contact with the motoring public.
- c. To respond as soon as possible to requests for repairs and document the request and the resulting repairs.

1502-Inspection Frequency- It is understood that the street department is directly responsible for this policy, any city employee or citizen can report a defective street or sign. It is hereby established that a traffic sign inspection will be held and documented quarterly to determine those signs that may need repair or replaced. Any defective sign that is noted on the inspection sheet will be remedied before the next inspection.

1503-MUTCD Conformity- All traffic signs and controls will comply with the Manual on Uniform Traffic Control Devices if at all possible.

1504-Procedure for reporting damaged or missing signs- All sign replacement or repairs will be reported to Public Works at 327-3342.

SECTION 1600

Communication System, Computer System & Software Use Policy

Communications systems are defined as computers, telephones, fax machines, scanners, printers, copies and cellular telephones. The systems created for today's business technology allows most of these machines to be interconnected. As a result, the formulation of policies and regulation governing their use must be considered in total. Therefore, the following policy is intended to govern the use of all types of communication devices and systems.

A. COMPUTER SOFTWARE POLICY

The City of Alva has purchased designated computers for its employees to use in daily completion of their employment tasks. In conjunction with the hardware, the City of Alva has licensed the use of several software applications from outside companies. It is the intention of the City of Alva to purchase the necessary software for the employees to perform their assigned duties. The City of Alva does not condone the illegal duplication or use of software whether purchased by the City of Alva or brought to the workplace by others. There are laws with criminal penalties to be applied to those persons involved in illegal duplication of such software and the City of Alva warns its employees to be aware of and follow these laws in the performance of their duties.

Should an employee desire to use software other than that purchased by the City of Alva, it should be pre-approved and tested for viruses by the network manager before installation. At that time, verification of licenses will be documented.

No employee is authorized or allowed to take or install City of Alva software on personal computers that may be taken home or give or allow outside parties to take or duplicate City of Alva Software.

B. COMMUNICATIONS SYSTEMS POLICY

The communications systems belonging to the City of Alva, which includes the telephone system, telephonic and personal computer facsimile systems, both internal and external electronic mail (e-mail) systems and internet access are owned, provided and maintained by the City of Alva to assist its employees in efficiently and effectively conducting its business. The systems are solely for the business use and the City of Alva reserves the right to review, monitor, audit and disclose all matters sent over the systems or placed on it. Therefore, employees should have no expectation of privacy when using the Systems.

Additionally, all messages composed, sent or received on the Systems are owned by and remain the property of the City of Alva; they are not the private property of any employee. Systems users should be mindful that information transmitted through electronic media is susceptible to unlawful interception by persons outside the organizational structure of the City of Alva.

The following shall apply to the use of the Communication System:

1. The systems are reserved solely for the conduct of business of the City of Alva, and should not be used for personal business. Occasional personal use of the Systems is permitted; however, abuse of this limited privilege shall be grounds for discipline. Any use of the systems to view sexually-oriented material is prohibited. Employees do not have the authority to allow non-employees to use the computer, cell phones or other types of communication devices without the approval of a supervisor or department director.
2. The Systems shall not be used to solicit or advertise for commercial ventures, religious or political causes, outside organizations, or other non-job-related solicitations.
3. The Systems shall not be used to create or communicate any messages that are defamatory, derogatory, disruptive, obscene, offensive, or in any way inappropriate. Among those messages which are considered inappropriate are message that contain

sexual implications, racial slurs, gender-specific comments, or any other comment that offensively address a person's age, sexual orientation, religious or political beliefs, national origin or disability

4. The Systems shall not be used to send (upload) or receive (download) copyrighted materials, trade secrets, proprietary financial information, or similar material without prior approval.
5. The City of Alva reserves and intends to exercise the right to review, audit, intercept, and access all messages created, received or sent for the purpose. Information obtained for legitimate business purposes may be disclosed within the City of Alva without the permission of the employee.
6. Regarding the e-mail system, the confidentiality of any message should not be assumed. Even when a message is erased, it is still possible to retrieve and read that message. Further, the use of passwords for security does not guarantee confidentiality.
7. Regarding the e-mail system, notwithstanding the City of Alva's right to retrieve and read any messages, such messages shall be treated as confidential by other employees and accessed only by the intended recipient. Employees are not authorized to retrieve or read any e-mail messages not sent to them. Any exception to this policy must receive prior authorization.
8. Regarding the e-mail system, employees shall not use a code, access a file, or retrieve stored information, unless authorized to do so. Employees should not attempt to gain access to other employee's messages without the latter's permission.
9. When specific authorization is required by this policy, the authorization shall be obtained from the City Business Manager or the Systems Administrator.

Any employee who observes or discovers a violation of this policy shall notify the City Business Manager. If the Business Manager is the alleged offender the Mayor will be contacted. Failure to adhere to this policy may result in disciplinary action up to and including termination from employment with the City of Alva.

SECTION 1700
Reserved