

**VILLAGE OF WATERLOO  
RESOLUTION NO. 01-11-22-11**

**WHEREAS**, the Board of Trustees of the Village of Waterloo adopted the Personnel Policies Manual of the Village of Waterloo on February 25, 2008; and

**WHEREAS**, proposed revisions to said manual discontinues the provision that allows for employees to use paid time off before it has been earning.

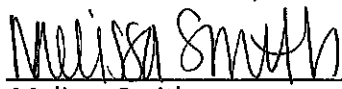
**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WATERLOO, NEBRASKA, AS FOLLOWS:**

**THAT**, the Personnel Policies Manual of the Village of Waterloo, as revised, and attached hereto as Exhibit "A", is hereby adopted and,

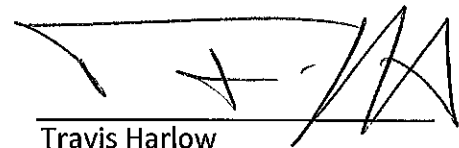
**FURTHER, THAT**, the Personnel Policies Manual of the Village of Waterloo, as it previously existed, is hereby repealed.

PASSED AND APPROVED this 11 day of January, 2022.

ATTEST:

  
\_\_\_\_\_  
Melissa Smith  
Clerk



  
\_\_\_\_\_  
Travis Harlow  
Chairperson

## 6.2 VACATION LEAVE

### Paid Vacation Leave

Vacation pay is awarded based on the employee's years of employment. Vacation credits are awarded at each payperiod.

### Vacation Leave Accrual

Eligible full-time employees accrue vacation leave from their date of hire according to the following schedule:

<u>Years of Continuous Service</u>	<u>Annual Vacation</u>
• After one year	5 days or 40 hours
• Two through five years	10 days or 80 hours
• Six through ten years	15 days or 120 hours
• Eleven through fifteen years	20 days or 160 hours
• After sixteen years	25 days or 200 hours

Eligible part-time employees shall earn paid vacation credits as defined in Section 6.13, "Part-time employee Staggered Benefit Plan".

Vacation leave must be used within one (1) year after the calendar year in which it is earned or it shall be deemed forfeited; provided however that a maximum of forty (40) hours per year (and 200 hours maximum accumulation at any one time) may be carried forward from one year to another.

~~Vacation leave may be used prior to accrual on a case by case basis with written approval from the Department Trustee. If the employee leaves their employment with the Village with a negative vacation balance, the remaining hours must be reimbursed to the Village, by methods including but not limited to deduction from their final paycheck.~~

Upon separation of employment from the Village, an employee shall be paid his/her accumulated vacation leave.

### Restrictions

- Vacation leave may be used only after one (1) year of continuous employment.
- Where practical, vacation days shall receive prior approval of the Trustee in charge of the particular department.
- While Department Heads and/or Trustees will in all cases attempt to approve vacation schedules as requested, the needs of the department and/or Village shall take precedence in the scheduling process.

## **I GENERAL INFORMATION**

### **1.1 INTRODUCTION**

The Village of Waterloo is incorporated as a village. It has adopted village government as provided by state law and is considered a political subdivision. Nebraska State Statutes govern the powers and authority of a village.

### **1.2 ORGANIZATION**

The Village of Waterloo operates under the Village Board (Governing Body) which consists of five (5) members, including a Chairperson and four Trustees. Any person who is a citizen of the United States, a resident of the Municipality and a registered voter may be eligible to be elected to the Board of Trustees. Every elected Trustee is in office for a term of four years. The Village Chairperson is selected at the first regular meeting of the Board of Trustees in December from its own membership. At this time, the Board also assigns each Trustee responsibility for one or more Village Departments and/or functions.

Departments, Boards and functions regulated by the Board of Trustees include the Planning Board, the Park & Tree Board, the Fire Department, the Police Department, the Maintenance Department, the Library, and the Water & Sewer Department.

Planning Board: The Waterloo Planning Board consists of five members appointed by the Chairman and approved by the Board of Trustees, who serve without compensation and are required to hold a minimum of one regular meeting in each calendar quarter. The Planning Board is responsible for adopting plans for the physical development of the Village. It is their job to ensure that public and private lands ultimately are used for the purposes which are most appropriate and most beneficial from the standpoint of the Village. This Board may not take any action on its own without approval from the Board of Trustees. They make recommendations to the Board of Trustees regarding development and zoning.

Park and Tree Board: The Park and Tree Board shall consist of five members appointed and approved by the Board of Trustees. This Board meets on an as need basis or as directed by the Board of Trustees. Their main responsibility is the management, use and operation of all parks and recreational facilities that belong to the Village.

Fire Department: In order to provide the residents of Waterloo with fire and rescue protection, the Governing Body has entered into contractual arrangements with the Rural Fire District. Such an agreement provides for mutual aid, protection, and a sharing of expenses between the Village and the Rural Fire Department. The Waterloo Fire & Rescue Department is authorized to have up to forty (40) volunteer members, including firefighters, EMTs and paramedics.

Police Department: The Waterloo Police Department consists of a Police Chief and any number of part time and full-time officers as approved by the Board of Trustees. Every Village Police Officer has the power and authority to enforce the laws of the State and the

Municipality. The Police Chief, subject to the direction of the Board of Trustees, has control and management of all matters relating to the Police Department.

Village Library: The Village owns and manages the Agnes Robinson Waterloo Library through the Library Board. The Library Board sets general rules and penalties for damages to Library grounds, rooms, books, or other property, or for failure to return books. All actions by the Library Board are under the supervision of the Governing Body.

The Governing Body has the power and authority to appoint the librarian and to hire other employees as they deem necessary. They may also establish other rules and regulations for the Library as may be needed for an efficient operation.

### **1.3 AUTHORITY AND RESPONSIBILITY**

The Board of Trustees has the power to pass ordinances to prevent and remove nuisances; to license and regulate amusements; to establish police protection; to regulate business; to maintain public ways and property and to maintain good government.

The Village Board must operate in accordance with State and Federal Laws relating to government and municipalities. The Municipal Code of Waterloo contains all ordinances of the Municipality of a general nature. The Municipal Code and State Statutes dictate the policies and procedures for government functions for the Village of Waterloo.

Government exists to serve the needs of the citizens of that government. The attitudes citizens have about their local government is a direct reflection on how well the elected officials and the employees handle their responsibilities.

## **II DEFINITIONS**

**ANNIVERSARY DATE:** The date permanent employment with the Village began.

**ABSENCE WITHOUT LEAVE:** The unauthorized absence of an employee from the place of work during normal work hours.

**APPEAL:** The written request of an employee for review of disciplinary action submitted to higher authority.

**APPLICANT:** An individual who has completed and submitted an application for employment with the Village.

**APPROVALS:** Whenever these policies require the approval by a department head or trustee, the applicable trustee shall give the approval for the department head's personal request.

**CALL OUT PAY:** Compensation paid to employees who are called out to work during off duty hours.

**CERTIFICATION:** Endorsement as meeting required minimum standards for a position.

**CIVIC DUTY:** Jury Duty, Witness Duty or any other local, state or federal obligation approved by the Board of Trustees.

**COMPENSATION:** The standard rate of pay and benefits established for a position.

**CONFLICT OF INTEREST:** An outside business interest which competes with present or prospective activities of the Village; has business dealings with the Village as a customer or vendor; interferes with an employee's obligation to devote full time and attention to Village job responsibilities during work hours or operates in a manner that reflects adversely upon the Village.

**DISCIPLINARY ACTIONS:** Any corrective action initiated or requested by a Supervisor, Department Head or the Board of Trustees in response to unacceptable behavior or performance.

**EMERGENCY:** A sudden and unforeseen happening that requires the unscheduled service of an employee to protect the health, safety or welfare of the community.

**EMPLOYEE:** Any person in the employment of the Village who receives a salary or wage. For the purposes of Worker's Compensation Insurance ONLY, volunteer firefighters are considered employees.

**EMPLOYMENT AT WILL:** Employment is terminable at will by either the Company or the employee at any time, for any reason, with or without notice.

**EXEMPT EMPLOYEE:** An employee who is paid a set salary and is not eligible for overtime pay.

**EVALUATION PERIOD:** A trial period of employment during which the employee is required to demonstrate their fitness by actual performance of the position to which they are hired to perform.

**GRIEVANCE:** A complaint concerning employment, working conditions or relationships between an employee and employer or other employees.

**HARASSMENT:** Behavior which is offensive to individuals or groups based on: race, gender, disability, color, national origin, sexual orientation, religion, age, veteran status or any other status protected under state or federal law.

Such conduct is considered harassment when it:

- Is unwelcome or uninvited
- Adversely impacts an individual's employment, or
- Creates an offensive or hostile work environment

**HOLIDAY:** A twenty-four hour period officially recognized by the Village as a Holiday, wherein eligible employees may be exempted from scheduled work hours with pay at their regular rate.

**HOSTILE WORK ENVIRONMENT:** A work environment that both a reasonable person would find hostile or abusive and one that the particular person who is the object of the harassment perceives to be hostile or abusive. Hostile work environment is determined by looking at all of the circumstances, including the frequency of the allegedly harassing conduct, its severity, whether it is physically threatening or humiliating, and whether it unreasonably interferes with an employee's work performance.

**IMMEDIATE FAMILY:** The employee's or their spouse's natural and step parents, natural and step children, brothers, sisters, grandparents, grandchildren, current son-in-law(s) and daughter-in-law(s) and legal dependent of an employee.

**LEAVE OF ABSENCE:** A Leave of Absence is necessary when you need to be gone from work for an extended period. Leave of Absence requests, whether paid or unpaid, must be submitted to your Department Head and approved by the Board of Trustees.

**MAJOR VIOLATION:** Employee infractions that are illegal, immoral, unethical, indecent, dishonest or that demonstrate any other conduct that may reasonably be expected to affect the confidence of the public in Village government; or that provide an immediate or potential threat to the safety of the community, elected officials or

employees; or are substantial impediments to the operation of the Department or the Village.

**MINOR VIOLATION:** Employee infractions that do not affect the safety of citizens, elected officials or employees, but are considered by the supervisor or department head to be an impediment to the operation of the Department or the Village.

**MUNICIPAL CODE:** The Municipal Code of Waterloo, Nebraska, contains all ordinances of the Municipality of a general nature. The Municipal Code is published in book format and available for public view at the Village Office.

**MUNICIPALITY:** An urban political unit with corporate status and powers of self-government. The Village of Waterloo is a Municipality.

**ORDINANCE:** Regulations, bylaws, rules and resolutions written and/or approved by the Village Board of Trustees, to operate and maintain government, protect the welfare of the public and to adhere to State Statutes and Federal Regulations.

**PAY PERIOD:** Hourly employees are paid on a bi-weekly (every other week) basis with time registered from Monday to Sunday. Employees who terminate their employment during a pay period will be paid at the end of that pay period for the actual time worked. Village Trustees are paid monthly.

**POSITION:** A group of duties and responsibilities assigned or delegated by proper authority, which requires the full or part-time services of an employee.

**PROGRESSIVE DISCIPLINE:** A series of verbal and/or written warnings of violations of work rules or policies or substandard job performance, requiring the employee to take action(s) to improve or termination can result.

**PROTECTED LEAVE:** A Protected Leave is one that is covered by the Family and Medical Leave Act (FMLA). This law applies only to employers who have more than 50 employees.

**PUBLIC RELATIONS:** Manners, courtesy, tact, diplomacy and ability to meet and work with the public.

**REGULAR HOURS:** The hours normally assigned to a specific position.

**RESIGNATION:** Voluntary termination of employment by an employee.

**RETALIATION:** Adverse treatment which occurs because of opposition to unlawful workplace harassment.

**SEASONAL OR TEMPORARY EMPLOYMENT:** Employment of an intermittent or seasonal nature.

**SOLICITATION:** Includes, but it not limited to, buying, selling, seeking contributions, posting literature and offering tickets or membership in organizations not approved by the Board of Trustees.

**STATUTE:** A law enacted by a legislative body. The State of Nebraska enacts statutes that apply to local and state government.

**WORKER'S COMPENSATION:** Benefits received by an employee injured in the performance of official duties as provided by State law.



### **III GENERAL POLICIES**

#### **3.1 AFFIRMATIVE ACTION/EQUAL EMPLOYMENT OPPORTUNITY**

The Village of Waterloo is an Equal Opportunity Employer, and is committed to providing equal employment opportunity to all qualified employees with respect to initial appointment, advancement, transfers, compensation, training, benefits and general working conditions, and to prohibit discrimination in employment because of race, age, gender, sexual orientation, color, religious belief, national origin, marital status, military status, or disability. (Except where specific age, gender, or physical requirements constitute a bona fide occupational qualification necessary to proper and efficient administration.)

The rules and regulations provide for appeals to the Village Board of Trustees in cases of alleged discrimination, whose determination shall be binding upon a finding of discrimination.

The Village of Waterloo further recognizes that the effective application of a policy of equal opportunity in employment involves more than a policy statement. It will, therefore, undertake a progressive program of affirmative and positive action. The full intent and spirit of federal employment opportunities are provided on the basis of individual qualifications, and all persons are encouraged to seek employment with the Village of Waterloo, and to strive for advancement on this basis.

The Village Administrator is designated as the Affirmative Action Manager for the Village to ensure that the equal employment opportunity policies are followed.

#### **3.2 CODE OF ETHICS FOR GOVERNMENTS**

Public employees and public officials should not have any interest, financial or otherwise, direct or indirect, or engage in any business, transaction, or professional activity or incur any obligation of any nature which is in conflict with the proper discharge of his/her duties in the public interest.

An employee shall not use or attempt to use his/her official position to secure unwarranted privileges or exceptions for himself or others.

Employees and public officials will conduct themselves so as not to give reasonable basis for the impression that any person can improperly influence them in the performance of their official duties, or that they are improperly affected by the rank, kinship, position or influence of any party or person. This shall not prohibit political activity allowed by law except during office hours or when otherwise engaged in the performance of his/her duties.

Employees shall not accept gifts, services, concessions or loans from any person or company doing business with the Village. Employees shall refuse or return all gifts not related to specific job requirements.

### **3.3 CONFLICT OF INTEREST POLICY**

No public employee or public official shall engage in any activity or enterprise which conflicts with their duties as a Village employee or with the duties, functions and responsibilities of the department in which employed.

No employee of the Village or public official shall have any financial interests in the profits of any contract, service or other work performed by the Village or shall personally profit directly or indirectly for any contract, purchase, sale, or service between the Village and any person or company; or personally or as an agent provide any surety, bail, or bond required by law or subject to the approval of the Village Board.

If a Public Official or employee discloses a potential conflict of interest under Section 49-1499 of the Accountability Act, they must complete the **Nebraska Accountability and Disclosure Commission Form C-2, Potential Conflict of Interest Statement**, and submit the completed form to the Village Administrator.

### **3.4 DRUG FREE WORK PLACE**

The Village of Waterloo has a vital interest in maintaining safe and efficient working conditions for its employees. Being impaired as a result of the use of drugs or alcohol may pose serious safety and health risks not only to the user but to all employees who work with the user. The possession, use or sale of an illegal drug or alcohol in the work place poses unacceptable risks for safe and efficient operations.

Therefore, it is the policy of the Village of Waterloo that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance in the Village workplace is prohibited. All employees violating this policy will be subject to discipline up to and including termination.

The Village of Waterloo Drug-Free Workplace Policy states the following:

- Any employee who uses or gives or in any way transfers a controlled substance to another person or sells or manufactures a controlled substance while on the job on the Village premises will be subject to discipline up to and including termination.
- The term "controlled substance" means any drug listed in 21 U.S.C. Section 812 and other federal regulations. Generally, these are drugs which have a high potential for abuse. Such drugs include, but are not limited to Heroin, Marijuana, Cocaine, PCP and Crack. They also include legal drugs which may or may not be prescribed by a licensed physician.
- Each employee is required by law to inform the Village within five (5) days after he/she is convicted for a violation that occurred on the Village's premises. A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury in any federal or state court.
- The Village of Waterloo, as required by the Drug-Free Workplace Act of 1988, must notify the U.S. Government Agency with which any contacts have been

made within ten (10) days after receiving notice from the employee or otherwise receives actual notice of such a conviction.

- If an employee is convicted of violating any criminal drug statute while at the workplace, he/she will be subject to discipline up to and including termination. Alternatively, the Village may require the employee to successfully finish a drug abuse program sponsored by an approved private or government institution.
- No employee may report to work, remain on duty, or drive or operate a Village vehicle or machine while under the influence. Under the influence is defined as being unable to perform work in a safe and productive manner, being in a physical or mental condition which creates a risk to the safety of the individual, other employees, the public or Village property; and/or having any detectable level of illegal drugs in the body or blood/alcohol in excess of .05 percent. Excluded are prescribed drugs when used in the manner, combination and quantity as prescribed unless job performance could be affected. Any employee who must use an over-the-counter or a prescription drug that may affect their ability to perform work in a safe and productive manner must notify their Department Head prior to starting work. The Department Head, with the advice of the Board of Trustees will decide if the employee can remain at work and what work restrictions, if any, are necessary.
- A pre-employment drug screening may be required of Village applicants. The Village may also require an unscheduled screening of Village employees if there is reasonable suspicion that the employee may be drug involved, following a work place accident or unsafe practices.

### **3.5 EMERGENCY CLOSING POLICY**

The Emergency Closing Policy is designed to protect the safety and welfare of the employees of the Village of Waterloo, yet provide enough staffing in essential departments to meet the needs of the residents of Waterloo.

When the D.C. West Community School District cancels school or closes early due to a weather emergency, non-essential personnel (defined below) are not required to report to work and/or are authorized to close their office and leave early. Employees will not be paid for time missed due to an emergency closing, but may request to use vacation hours for time missed.

Essential personnel (as defined below) are required to report to work during an emergency closing. If they are unable to do so because of travel or other conditions they must contact their Department Head or member of the Board of Trustees to report their absence. Essential personnel are expected to plan ahead for these emergencies and extend every effort to make it to work and keep essential operations open.

**Non-Essential Operations**  
The Village Office  
The Waterloo Library

**Non-Essential Personnel**  
Village Administrator/Assistant  
Library Director/Assistant

**Essential Operations**  
Maintenance  
Police Department

**Essential Personnel**  
Maintenance Supervisor  
Chief of Police/Police Officers

### **3.6 EMPLOYMENT OF IMMEDIATE FAMILY MEMBERS**

In most cases, members of the same family should not be employed in the same department or allowed to supervise the work of the other, nor should members of the immediate family of an elected official of the Village be eligible for Village employment during the term of said elected official.

While employment of immediate family members shall be discouraged, it is not always preventable in a small town or village due to a limited population of potential elected officials and/or employees.

Public officials or employees employing, recommending employment, or supervising the employment of an immediate family member must disclose the employment by completing the **Nebraska Accountability and Disclosure Commission Form C-4, Employment of Immediate Family Members Disclosure Statement** and submit the completed form to the Village Administrator.

### **3.7 OUTSIDE EMPLOYMENT POLICY**

Employees of the Village may work other jobs if there is no conflict with assigned working hours, the work efficiency of the employee is not reduced and there is no conflict with the interests of the Village. Whenever extra hours are necessary at the Village job, such extra duty shall take precedence over outside employment.

### **3.8 PERSONAL PROPERTY**

Village employees are responsible for their own personal property and it is best that valuables are left at home. The Village does not cover loss of personal property under any circumstances. Theft or disappearance of personal property should be reported to the Department Head immediately. Any unauthorized personnel or strangers in the office or on job sites should also be reported to the Department Head immediately.

### **3.9 SAFETY POLICY**

The Village of Waterloo shall ensure that all employees are trained to work safely, and that safety rules and regulations are posted. The Village of Waterloo shall periodically conduct safety inspections of the work site to detect hazardous areas or practices for correction as appropriate. The Village of Waterloo shall post the location of all exits from the work place and emergency procedures.

Employees shall obey all safety rules, wear protective clothing and equipment as required, and keep the work place neat and clean.

A Safety Committee consisting of all Department Heads and one Elected Official shall be charged with the responsibility to maintain and update the Village Safety Policy; to

review work environments; to review accidents that involve Village employees and/or equipment; and to conduct periodic safety inspections of all work areas.

Employees shall report all accidents and injuries to the Department Head as soon as possible. Minor injuries requiring only first aid may be treated at the work site. Employees incapacitated by serious injury shall be transported to a medical facility by an emergency vehicle. The Department Head shall be responsible for the filing of an accident-injury report by the employee with the Village Administrator within twenty-four (24) hours of the incident.

### **3.10 WORKPLACE HARASSMENT POLICY**

It is the intent of the Village of Waterloo to provide a work environment that is free from discrimination, harassment and retaliation. Harassment in the workplace on the part of any employee or elected official is prohibited and any employee found to have engaged in harassment will be subject to disciplinary action including termination.

#### **A. Sexual Harassment**

Sexual harassment is a form of misconduct which interferes with work productivity and wrongfully deprives employees of the opportunity to work in an environment free from unsolicited and unwelcome sexual overtones. Sexual harassment includes all unwelcome sexual advances, requests for sexual favors, sexual comments, and other such verbal or physical misconduct. Sexual harassment is a prohibited practice and is in violation of the law.

The U.S. Equal Employment Opportunity Commission has issued guidelines interpreting Section 703 of Title VII as prohibiting sexual harassment. Sexual harassment is defined in those guidelines as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical misconduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

It shall be a violation of Village of Waterloo policy to harass another employee sexually, or to permit the sexual harassment of an employee by another employee, or by a non-employee. Sexual harassment may take many forms, including, but not limited to:

1. Verbal harassment or abuse;
2. Subtle pressure or requests for sexual activity;
3. Unnecessary touching of an individual; e.g., patting, pinching, hugging, repeated brushing against another person's body;

4. Requesting or demanding sexual favors accompanied by implied or overt threats concerning an individual's employment status; or
5. Requesting or demanding sexual favors accompanied by implied or overt promise of preferential treatment with regard to an individual's employment status.

## **B. Bullying**

Bullying may be intentional or unintentional. However, it must be noted that where an allegation of bullying is made, the intention of the alleged bully is irrelevant, and will not be given consideration when meting out discipline. As in sexual harassment, it is the effect of the behavior upon the individual which is important. The Village of Waterloo considers the following types of behavior as examples of bullying:

- Verbal Bullying: slandering, ridiculing or maligning a person or his/her family; persistent name calling which is hurtful, insulting or humiliating; using a person as butt of jokes; abusive and offensive remarks
- Physical Bullying: pushing; shoving; kicking; poking; tripping; assault or threat of physical assault; damage to a person's work area or property
- Gesture Bullying: non-verbal threatening gestures, glances which can convey threatening messages
- Exclusion: socially or physically excluding or disregarding a person in work-related activities

In addition, the following examples may constitute or contribute to evidence of bullying in the workplace:

- Persistent singling out of one person
- Shouting, raising voice at an individual in public and/or in private
- Using verbal or obscene gestures
- Not allowing the person to speak or express him/herself (i.e. ignoring or interrupting)
- Personal insults and use of offensive nicknames
- Public humiliation in any form
- Constant criticism on matters unrelated or minimally related to the person's job performance or description
- Ignoring/Interrupting an individual at meetings
- Public reprimands
- Repeatedly accusing someone of errors which cannot be documented
- Deliberately interfering with mail or other communications
- Spreading rumors or gossip regarding individuals
- Encouraging others to disregard a supervisor's instructions
- Manipulating the ability of someone to do their work (e.g. overloading, underloading, withholding information, setting meaningless tasks, setting deadlines that cannot be met, giving deliberately ambiguous instructions)
- Inflicting menial tasks not in keeping with the normal responsibilities of the job

- Taking credit for another person's ideas
- Refusing reasonable requests for leave in absence of work-related reasons not to grant leave
- Deliberately excluding an individual or isolating them from work-related activities (meetings, etc.)
- Unwanted physical contact, physical abuse or threats of abuse to an individual or an individual's property (defacing or marking up property)

### **C. REPORTING PROCEDURE**

If an individual should feel that he/she has been discriminated against, harassed or bullied they should be able to report so without the fear of retaliation.

To report such actions, please follow the procedure listed in Section X: Grievances

### **3.11 SOLICITATION POLICY**

Employees are expressly prohibited from engaging in solicitation of money, memberships, or any other matter during the work hours and workplace of the employee doing the soliciting or during the work hours and workplace of the employee being solicited. Employees may not distribute literature or printed material of any kind in working areas at any time. The Public is prohibited from distributing material or soliciting employees on Village premises at any time.

### **3.12 USE OF VILLAGE PROPERTY**

Employees shall be responsible for the proper use and care of Village property issued to them for the performance of their duties. No employee shall use or permit the use of Village employees, Village owned vehicles, buildings, equipment, materials or property for personal convenience or profit or political purposes, except when such services are available to the public generally or provided as Village policy for the use of such employee in the conduct of Village business. Employees and/or family members shall not use Village facilities during non-scheduled work hours.

Employees shall be responsible for proper operation and care of Village vehicles, equipment, tools and supplies. The following guidelines must be followed:

- The use of any Village owned vehicle for personal use is prohibited.
- Any employee who drives a Village-owned vehicle must have a valid Nebraska driver's license, which must be on his person when driving. All traffic violations are the personal responsibility of the operator.
- Any accident involving a Village-owned vehicle will be reported immediately to the Police Department. An accident form must be filled out at that time and the Board of Trustees will be notified.
- All Village equipment must be kept inside and buildings locked.
- No Village equipment may be loaned or rented out without approval of the Board of Trustees.

### **3.13 OFF-PREMISE WORK**

No office work on behalf of the Village shall be done from home or other non-Village premises without first obtaining the approval of the Trustee in charge of the particular department. No Village files or records shall be removed from Village offices. Any off-premise errands to be done before punching in must be preapproved by the department trustee.

### **3.14 PURCHASING POLICY**

This policy is applicable to all Village employees, agents or trustees. All supplies of a general nature will be ordered through the Clerks' Office. (Specific instructions can be found at the back of this manual.)

Any single purchase over \$150.00 shall receive written approval by the Trustee in charge of the particular department; or in the case of a purchase by a Trustee, by the Chairman. Single purchases over \$500.00 shall first be approved by the Board of Trustees, with supporting documentation. (Meeting minutes or Resolution). No purchases on the Village account shall be made for items of a non-official nature.

### **3.15 VILLAGE FUEL POLICY**

Those fueling vehicles or tanks for Village business shall record the date, odometer reading, the amount of fuel pumped and the name of the individual fueling. Fueling records shall be reported to the Village Administrator each week.

### **3.16 INTERNET AND EMAIL POLICY**

The purpose of this policy is to provide guidelines regarding the use of the internet and email services by employees of the Village of Waterloo who are authorized for such uses by the Village. These services are financed by the Village of Waterloo to support the access and exchange of information. Use of the internet and email shall be primarily for job-related purposes. Time away from regular work duties shall not be taken to either send or receive personal email or for personal use of the internet. There may be occasions when personal messages may either be received or sent on email. This is permissible as long as messages are brief, privileges are not abused, and it does not affect the job performance of the employee or their co-workers. Employees using the Village's account to access these services represent the Village during their use, and such use shall reflect ethical behavior and appropriate use of Village resources.

#### **A. ACCEPTABLE USES:**

**Village Business:** The internet and email are to be used as they pertain to the employee's job including work assignments and services.

**Communications with Co-Workers, Outside Entities:** Email may be used to communicate with Village employees, governments, educational institutions, professional colleagues or organizations, businesses, and other individuals or agencies related to the employee's job assignments and duties.

#### **B. UNACCEPTABLE USES:**

**Personal use:** No employee shall use the internet or email services for personal use



except in the case of necessity provided messages are brief, privileges are not abused, and it does not affect the job performance of the employee or their coworkers. Personal use is any use that is not related to an employee's job assignments and duties.

**Workplace harassment:** No employee shall use the internet or email services to obtain or transmit text or images that are in violation of the workplace harassment policy of the Village. In addition, no employee shall use the internet or email services of the Village in reply to inquiries of Village policy without prior consent of the Board.

**Profanity:** No employee shall use the internet or email services to generate, store, transmit or use text, images, or data that is abusive, profane, obscene or offensive.

The internet and email systems, as well as all communication or information transmitted or received from these systems, is the property of the Village of Waterloo. The Village reserves the right, and intends to exercise the right to review, audit, and disclose, without prior notification to employees, any and all messages and data created or received via on-line services. Employees who use the email and internet systems cannot assume the systems afford them any level of confidentiality or privacy. Employees found to have engaged in unauthorized uses of this policy are subject to the Village's progressive discipline policy as found in Section VIII.

Employees must respect the confidentiality of other people's electronic communications and may not attempt to read, access other employee's communications, or breach computer or network security measures, or monitor electronic files or communication of other employees or third parties except by explicit direction of the Board in investigating unauthorized use under this policy.

### **3.17 TELEPHONE USE POLICY**

The Village's telephones, Village-issued cellular phones, and Village-reimbursed cellular phones are for conducting necessary business of the Village. Long distance calls in any department may be made only for official Village business. Local personal telephone calls by an employee are permitted. However, use to the point of interference with the performance of job duties may result in progressive discipline as provided in Section VIII.

Cellular phones have become a common convenience to many employees. However, such convenience should not interrupt your work for the Village. Therefore, except in emergency situations, employees are not to make or receive calls on their cell phones during working time. You, of course, may use your cell phones during breaks and lunch periods.

In addition, use of a cell phone while driving is dangerous and specifically prohibited while on working time. You are also prohibited from using a cell phone at any time while driving a Village vehicle. If you must make an emergency call while driving, you should normally pull to the side of the road and stop before making the call.

If the employee is provided with a cellular telephone, said employee is expected to keep the phone on at all times for Village personnel calls.

The Village recognizes that work-related activities and situations, such as the necessity to work unanticipated overtime or family emergencies, may require the use of the Village cellular phone by an employee for personal business. Employees should keep such personal calls brief and to the point.

Excessive use of a personal cellular phone for personal business during work hours is also a violation of this policy.

### **3.18 SOCIAL MEDIA POLICY**

#### **Policy/Purpose**

It is the policy of the Village of Waterloo, Nebraska, that the Village may use social media and social network sites to further enhance communications with various stakeholder organizations and individual citizens in support of Village goals and objectives. Village employees and officials have the ability to publish articles, facilitate discussions, and communicate information through various media related to conducting Village business. Social media facilitates further discussion of Village issues, operations, and services by providing members of the public the opportunity to participate in many ways using the Internet.

#### **Definitions**

**Social Media and Social Networking:** Both terms are used to refer to social Internet sites or website wherein information is created, exchanged, or provided by/to third parties and individuals. Examples of social media include Facebook, blogs, MySpace, YouTube, Second Life, Twitter, LinkedIn, Delicious, and Flickr.

**Village of Waterloo author:** An authorized Village of Waterloo employee or official that creates and is responsible for posted articles and information on social media sites.

**Article:** An original posting of content to a Village of Waterloo social media site by a Village of Waterloo author.

**Commenter:** A Village of Waterloo employee or official or a member of the public who submits a comment for posting in response to the content of a particular Village of Waterloo article or social media content.

**Comment:** A response to a Village of Waterloo article or social media content submitted by a commenter.

**Village of Waterloo moderator:** An authorized Village of Waterloo official, who reviews, authorizes and allows content submitted by Village of Waterloo authors and public commenters to be posted to a Village of Waterloo social media site.

#### **General Provisions**

(a) All Village of Waterloo social media sites shall be (1) approved by the Board and the requesting Department Head; (2) published using approved Village social

networking platform and tools; and (3) administered by the Village Clerk or his/her designee. Designees can be any Village employee or official designated by the Village Clerk that has a complete understanding of this policy and has appropriate content and technical experience.

(b) All Village of Waterloo social networking sites and entries shall adhere to applicable state, federal and local laws, regulations and policies including all Information Technology and Records Management Village policies and other applicable policies.

(c) Nebraska Public Records Law and e-discovery laws and policies apply to social media content and therefore content must be able to be managed, stored, and retrieved to comply with these laws.

(d) All social network sites and entries shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure.

(e) Content submitted for posting that is deemed not suitable for posting by a Village of Waterloo social networking moderator because it is not topically related to the particular social networking site objective being commented upon, or is deemed prohibited content based on the criteria in 3.10 of this policy, shall be retained pursuant to the records retention schedule along with a description of the reason the specific content is deemed not suitable for posting.

(f) The Village reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law.

(g) Each Village of Waterloo social networking site shall include an introductory statement which clearly specifies the purpose and topical scope of the blog and social network site. Where possible, social networking sites should link back to the official Village of Waterloo internet site for forms, documents, and other information.

(h) Village of Waterloo social networking content and comments containing any of the following forms of content shall not be allowed for posting:

- (1) Comments not topically related to the particular site or blog article being commented upon;
- (2) Profane language or content;
- (3) Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
- (4) Sexual content or links to sexual content;
- (5) Solicitations of commerce;
- (6) Conduct or encouragement of illegal activity;
- (7) Information that may tend to compromise the safety or security of the public or public systems; or
- (8) Content that violates a legal ownership interest of any other party.

(i) All Village social networking moderators shall be trained regarding the terms of this Village of Waterloo policy, including their responsibilities to review content submitted for posting to ensure compliance with the policy.

(j) All social networking sites shall clearly indicate they are maintained by the Village of Waterloo and shall have Village of Waterloo contact information prominently displayed.

(k) Where appropriate, IT security policies shall apply to all social networking sites and articles.

(l) Employees representing the Village government via social media outlets must conduct themselves at all times as a representative of the Village and in accordance with all provisions of this Manual.

(m) Employees found in violation of this policy will be subject to the Village's progressive disciplinary policy found in Section VIII.

### **Employee Guidelines for Participating in Social Networking**

The Village of Waterloo understands that social networking and Internet services have become a common form of communication in the workplace and among stakeholders and citizens. Social networks are online communities of people or organizations that share interests and/or activities and use a wide variety of Internet technology to make the interaction a rich and robust experience. Employees that choose to participate in social networks while a Village employee should adhere to the following guidelines:

(a) Village policies, rules, regulations and standards of conduct apply to employees that engage in social networking activities while conducting Village business. Use of your Village e-mail address and communicating in your official capacity will constitute conducting Village business.

(b) Employees who participate in social media outlets on or off-duty are subject to the same standards for such communications as set forth elsewhere in this Manual.

(c) Although minimal personal computer usage is allowed during the work day under article 3.16, participating in non work-related social media outlets while on duty impacts productivity and causes performance issues and therefore is prohibited.

(d) Village employees shall notify the Board, supervising Department Head, and the Village Clerk if they intend to create a social networking site or service to conduct Village business.

(e) Departments have the option of allowing employees to participate in existing social networking sites as part of their job duties. Department Heads may allow or disallow employee participation in any social networking activities in their Departments.

(f) Confidential or proprietary information or similar information of third parties who have shared such information with the Village of Waterloo should not be shared on social media outlets.

(g) Employees shall follow all copyright laws, public records laws, retention laws, fair use and financial disclosure laws and any other laws that might apply to the Village or their Department.

(h) Employees shall not cite vendors, suppliers, clients, citizens, co-workers, or other stakeholders without their approval.

(i) When participating in social networking sites not related to Village business, an employee shall make it clear that they are not speaking on behalf of the Village of Waterloo but speaking in their capacity as a private citizen. If an employee publishes content on any website outside of the Village of Waterloo and it has something to do with the employee's employment at the Village or subjects associated with the Village, the employee shall use a disclaimer such as: "The postings on this site are my own and don't necessarily represent the Village's positions or opinions." It should be noted however that a disclaimer will not prevent an employee from being disciplined if their communication has the effect of violating any Village policy.

(j) Employees shall not use ethnic slurs, profanity, personal insults, or engage in

any conduct that would not be acceptable in the Village's workplace. Employees shall further not use social media in violation of Village's workplace harassment policy found at article 3.10.

(k) If an employee identifies one's self as a Village employee, the employee shall ensure that their profile and related content is consistent with Village of Waterloo performance and conduct standards regarding how to present one's self to colleagues, citizens, and other stakeholders.

(l) When speaking on behalf of the Village, employee comments should add value to the Village of Waterloo and interaction should provide worthwhile information and perspective.

(m) While the Village of Waterloo encourages its employees to enjoy and make good use of their off-duty time, Village employees may be subject to discipline if their activities on or off duty have the effect of disrupting the functioning or efficiency of the workplace. Activities which are considered disruptive include, but are not limited to, harassing, demeaning, or creating a hostile working environment for any official or employee; disrupting the smooth and orderly flow of work within the Village; or disrupting working relationships. In addition, employees are subject to discipline for inappropriate activities, on or off duty, if they are acting pursuant to their official duties, or if they engage in inappropriate conduct or speech on private employment matters.

(n) Violations of these employee guidelines shall subject employee to the Village's progressive disciplinary policy found in Section VIII.

## **IV EMPLOYEE INFORMATION**

### **4.1 EMPLOYEE SELECTION AND APPOINTMENT**

The Village seeks qualified applicants to fill entrance positions through active recruitment methods, including advertising open positions in the local newspaper. All aspects of employment including, but not limited to, hiring and promotion are handled without regard to applicant's race, sex, political affiliation, age, handicap, marital status, religion or national origin.

Final selection of Village positions is determined by the Chairperson and the Board of Trustees. Depending on the nature and status of the position or when the vacancy occurs, examinations and interviews may be held to determine the candidate best suited to fill the vacancy.

Appointed positions shall be filled in the manner prescribed by State Statutes and Village Ordinances.

### **4.2 EVALUATION PERIOD**

New employees will complete a three-month evaluation period in which they are expected to perform the duties of their job on a training basis. During this period the employee's job performance is evaluated. After 90 days, the supervisor will meet with the employee and the board regarding job performance. After successfully completing the evaluation period, the employee is eligible for any applicable benefits.

### **4.3 HOURS OF WORK**

Full-time employees work anywhere from 32 to 40 hours a week, which may not necessarily occur from Monday through Friday. The Police Department hours are set according to a plan adopted by the Chief of Police. Office staff work schedules are set by the Village Administrator. The Library Board approves the work schedule for Library employees. All other positions, as well as the positions listed above must also be approved by the Department Head and the Village Board of Trustees.

### **4.4 EMPLOYEE RECORDS**

The Village Administrator shall be responsible for maintaining records on each employee to include pertinent personal data such as name, address, telephone number, title of position held, the department to which assigned, current salary and changes in employment status. Records shall also include information relative to completion of training schools as well as professional and technical courses, accomplishment of work, awards, and such other information as appropriate. Each employee shall be advised as to the content of his or her records upon request.

Personnel records shall be treated as confidential information not to be released to unauthorized personnel without written authorization of the respective employee except as required by law. Internal release and use of personnel records by offices and officers of the Village will not be allowed. Employees shall report to the Village Administrator

any change of name, dependents, address, telephone number or other information related to employment status.

#### **4.5 EMPLOYEE CLASSIFICATIONS**

**Probationary Employee:** An employee who is in the first ninety (90) days of employment and not eligible for benefits.

**Full Time Employee:** An employee who works a regular, scheduled work week of thirty-two (32) hours or more as required by the job description for the position.

**Part Time Employee:** An employee working an average of twenty (20) hours, but less than thirty-two (32) hours a week on a regular basis.

**Seasonal or Temporary Employee:** An employee who is hired to work full time or part time, for a limited period of time, or for the duration of a specific task or project. Seasonal or Temporary Employees are not eligible for benefits.

#### **4.6 OVERTIME PAY/EXCESS HOURS**

Overtime in excess of four (4) hours per work week shall receive prior approval. In the event of extenuating circumstances, the Trustee will be notified of the overtime or excess hours after the fact. Hourly employees working in excess of 40 hours in one work week will be compensated at time and one-half for hours worked in accordance with the Fair Labor Standards Act provisions.

#### **4.7 LUNCHESES/BREAKS**

Employees who work eight (8) or more hours during their shift are entitled to either a thirty (30) minute or sixty (60) minute unpaid lunch period and two fifteen (15) minute breaks. Each Department Trustee is responsible to set his/her department's hours of work, including starting and ending times and length of meals and breaks.

#### **4.8 APPEARANCE AND CONDUCT**

Village Employees shall manage their appearance and conduct while working for the Village as follows:

- Maintain a clean, well-groomed appearance consistent with the position and responsibilities.
- Serve the public in a courteous, impartial manner.
- Comply with the directives and work instructions of the supervisor.
- Abstain from fighting, disruptive arguments and interference in the transaction of public business.

#### **4.9 ATTENDANCE**

All employees of the Village are responsible for being at work and on time. We realize, however, that occasionally you may be absent from work due to illness or for other personal reasons.

In order to balance the needs of our employees with our obligation to provide our citizens with the best possible service, we discourage absences that can be reasonably avoided.

Regardless of your reason for being absent from work, you must notify your immediate supervisor or the Village Administrator when you are going to be absent. If you are unable to call in yourself, you are responsible for having someone do so for you. Excessive or unwarranted absenteeism can result in disciplinary action, including termination.



## **V EMPLOYEE COMPENSATION**

### **5.1 COMPENSATION ADMINISTRATION**

The Village Board is responsible for the establishment, administration and maintenance of a uniform and equitable pay plan. A number of factors may be considered in setting salaries, including but not limited to: local economic conditions, statutory lids and spending limitations and the skills, duties and responsibilities of the position.

Full-time and part-time employees shall receive no less than the legal minimum wage set by law.

### **5.2 SALARY REVIEW**

Salary increases for each position may be reviewed annually (prior to the end of the current fiscal years) and approved/not approved by the Board of Trustees. Salary increases will be set by Ordinance and take effect at a date chosen by the Board of Trustees.

### **5.3 RECORD OF TIME WORKED**

Hourly employees are required to use the “uAttend Employee Management System” for recording time worked. Department Heads or Supervisors are responsible for notifying the Payroll Department by email of missing punches or when their employees are scheduled for training, travel or other time when they are not present to record their time. All vacation and sick hours have to be communicated by email through the Supervisor to the Payroll Department. Where practical, vacation days shall receive prior approval of the Trustee in charge of the particular department.

Changes or additions to payroll must be emailed to the Payroll Department as soon as possible. All emails will be maintained in the Village records.

### **5.4 PAY PERIOD**

All Village employees are paid biweekly, on Fridays, for a total of 26 pay periods per year. Employees who terminate their employment during a pay period will be paid for the time worked through the end of that pay period and any accrued time. Pay periods begin on alternate Sundays, 12:00 a.m. and end on alternate Saturdays at 11:59 p.m.

Trustees of the Village Board are paid once a month, on the last pay period of the month.

### **5.5 PAYDAY**

Paychecks are automatically deposited to your Bank of Record once you have completed the “Payroll Direct Deposit Authorization” Form and submitted it to the Village Administrator. Paydays are alternating Fridays.

### **5.6 PAYROLL DEDUCTIONS**

Wages are subject to deductions for Federal Income Tax, State Income Tax, and Social Security/FICA. The amount deducted for income tax depends on the information

recorded on the W-4 Form completed by the employee upon hire. When authorized by the employee and/or the Village Board of Trustees, payroll deductions may also be used for other items, such as Health and Life Insurance Premiums, Pension Plans or other approved donations or deductions.

Requests for changes in payroll deductions must be submitted to the Village Administrator.

### **5.7 OVERTIME PAY**

Hourly employees, except Police Officers, shall be paid at a rate of one and one-half times (1 ½) the employee's regular rate of pay for hours worked in excess of 40 hours in one workweek. Police Department employees shall be paid at a rate of one and one-half times (1 ½) the employee's regular rate of pay for hours worked in excess of 80 hours in a 2 week payperiod.

Employees who are members of Waterloo's Fire and Rescue will be paid overtime when emergency calls cause them to exceed their 40 (forty) hour work week. Fire & Rescue personnel are limited to two (2) hours paid time daily for rescue calls.

Holidays, sick leave, vacation time, funeral leave, jury duty, military leave and other compensatory time will not be considered as time worked for overtime purposes.

### **5.8 CALL-BACK PAY**

Employees subject to an unscheduled call back to work as a result of an **emergency** (as defined by the Board of Trustees), shall receive a minimum of two hours pay. If such additional work results in overtime as defined under "Overtime Pay" the employee shall be paid at the rate of one and one-half times (1 ½) the employee's base rate of pay. If this time falls on a holiday, the employee is expected to work two hours less during the remainder of their work week.

## **VI EMPLOYEE BENEFITS**

### **6.1 SICK LEAVE**

#### Purpose

The purpose of paid sick leave is to reimburse employees for those occasional instances when absence is required due to illness or injury of an employee or a member of his or her immediate family and to provide some measure of income protection for extended illness. Employees shall not be paid for unused sick leave upon retirement or termination of employment.

#### Definition

Sick leave is defined as a period in which the employee is incapacitated from the performance of job duties by sickness or injury not arising from the course of employment; or for medical, surgical, dental or optical examinations or treatment; or when by reason of the employee's exposure to a contagious disease, the employee's presence at work would jeopardize the health of others; or when a member of the employee's immediate family residing in his or her household, demands his or her presence for any of the same purposes.

#### Eligibility

Eligible full-time employees shall earn sick leave credits at the rate of ten (10) days per calendar year. Sick leave is awarded on January 1 of each year after three months of employment.

Eligible part-time employees shall earn paid sick leave credits as defined in Section 6.13, "Part-time employee Staggered Benefit Plan".

#### Sick Leave Abuse

Abuse of sick leave shall be grounds for disciplinary action and will be addressed as defined in the Village of Waterloo Disciplinary Policy, Section VIII.

#### Accrued Sick Leave

Accrued but unused sick leave may accumulate from year to year up to a maximum of seven hundred twenty (720) hours, provided that such accumulated sick leave shall be converted to and be credited to the eligible employee's paid disability leave.

Such disability leave may be used only for absences resulting from a hospital stay of more than five calendar days, or for convalescence outside of hospitalization pursuant to a written physician's statement that requires the employee to recuperate for a period of eight or more days, or any combination of the two resulting in an absence from work in excess of 10 days. In no case shall the accumulated disability leave be used or substituted for sick leave.

Eligible employees may utilize up to eighty (80) hours of accrued sick leave annually to cover a situation which qualifies as a Family and Medical Leave (FMLA) like covered

event other than the employee's own illnesses.

## **6.2 VACATION LEAVE**

### Paid Vacation Leave

Vacation pay is awarded based on the employee's years of employment. Vacation credits are awarded at each payperiod.

### Vacation Leave Accrual

Eligible full-time employees accrue vacation leave from their date of hire according to the following schedule:

<u>Years of Continuous Service</u>	<u>Annual Vacation</u>
• After one year	5 days or 40 hours
• Two through five years	10 days or 80 hours
• Six through ten years	15 days or 120 hours
• Eleven through fifteen years	20 days or 160 hours
• After sixteen years	25 days or 200 hours

Eligible part-time employees shall earn paid vacation credits as defined in Section 6.13, "Part-time employee Staggered Benefit Plan".

Vacation leave must be used within one (1) year after the calendar year in which it is earned or it shall be deemed forfeited; provided however that a maximum of forty (40) hours per year (and 200 hours maximum accumulation at any one time) may be carried forward from one year to another.

~~Vacation leave may be used prior to accrual on a case by case basis with written approval from the Department Trustee. If the employee leaves their employment with the Village with a negative vacation balance, the remaining hours must be reimbursed to the Village, by methods including but not limited to deduction from their final paycheck.~~

Upon separation of employment from the Village, an employee shall be paid his/her accumulated vacation leave.

### Restrictions

- Vacation leave may be used only after one (1) year of continuous employment.
- Where practical, vacation days shall receive prior approval of the Trustee in charge of the particular department.
- While Department Heads and/or Trustees will in all cases attempt to approve vacation schedules as requested, the needs of the department and/or Village shall take precedence in the scheduling process.

- Employees may not take over two weeks vacation leave in one month without the written approval of the Board of Trustees.
- Payment for vacation leave shall be in increments of hours. Holidays that occur during vacation leave shall not be charged against the employee's vacation hours.

### **6.3 HOLIDAYS**

#### Eligibility

Eligible full-time employees shall be paid holiday leave as defined by the Village Board after one full year of employment.

Eligible part-time employees shall be paid holiday leave as defined in Section 6.13, "Part-time employee Staggered Benefit Plan".

#### Holidays recognized by the Village:

#### **HOLIDAYS**

New Year's Day  
Martin Luther King Jr. Day  
President's Day  
Memorial Day  
Independence Day  
Labor Day  
Veteran's Day  
Thanksgiving Day  
Christmas Day  
Personal Day

#### **DATE OBSERVED**

January 1<sup>st</sup>  
Third Monday in January  
Third Monday in February  
Last Monday in May  
July 4<sup>th</sup>  
First Monday in September  
November 11<sup>th</sup>  
Fourth Thursday in November  
December 25<sup>th</sup>  
At Employee's Request

#### Provisions

- Holidays which occur on Saturday will be observed on the preceding Friday.
- Holidays which occur on Sunday shall be observed on the following Monday.
- Payment for holiday leave shall be limited to employees who worked the day immediately preceding and the work day immediately following the holiday unless the employee is on scheduled vacation or the day before and day after are a regularly scheduled day off.
- If an employee is absent the work day immediately preceding or the work day immediately following the holiday due to a serious illness, hospitalization, or death of a family member, they may be paid for the holiday with approval of their direct supervisor and appropriate documentation. (Doctor's note, Obituary, etc.)
- Employees who are required to work on a holiday because of special or emergency circumstances may receive regular pay plus holiday pay for the hours worked, equating to double time, or they may substitute another day off to replace a holiday.
- The Personal Day must be taken during each calendar year and may not be carried over from year to year. The Personal Day cannot be taken prior to completing one year of employment.

- Employees who leave their employment will not be paid for unused holidays or their personal day.
- Holidays are assumed to be 8 hours, regardless of regular schedule

**Exception:** Police, regardless of full-time or part-time status, shall receive Holiday pay for hours worked up to 8 hours.

## **6.4 FUNERAL LEAVE**

### Definition

Funeral Leave is provided to employees to attend the funerals of members of the employee's immediate family. Immediate family as defined by the Village includes the following: The employee's or their spouse's natural and step parents, natural and step children, brothers, sisters, grandparents, grandchildren, current son-in-law(s) and daughter-in-law(s) and legal dependent(s) of an employee.

### Eligibility

Full-time employees who have been employed with the Village for three months or more are eligible for up to three days paid funeral leave per occurrence.

Eligible part-time employees shall be paid funeral leave as defined in Section 6.13, "Part-time employee Staggered Benefit Plan".

If an employee requires additional time off due to the death of an immediate family member, they need to contact their Department Head or Assigned Trustee. Vacation leave may be used by employees for funeral attendance and handling arrangements for relatives and others not covered by this policy.

## **6.5 CIVIC DUTY**

### Eligibility

All employees shall be eligible from the date of hire for paid leave to perform civic duties when such performance conflicts with regular work hours.

### Use

Use of civic duty leave shall be limited to:

- Jury Duty
- Witness Duty
- Any other local, state or federal obligation approved by the Board of Trustees.

### Payment

Payment for civic duty leave shall be limited to the actual hours the employee is absent to perform civic duties. Employees requesting payment for such absences shall be paid the difference between any pay received from performance of civic duties and regular pay due the employee from the Village for a normal work shift.

## **6.6 MILITARY LEAVE**

All employees who are members of the National Guard or a Uniform Service Reserve shall be granted a leave of absence not to exceed fifteen (15) days per calendar year, when ordered to report for active training duty, duty with troops or field exercises. Employees requesting payment for such leave shall be paid the difference between any pay received from performance of military leave and regular pay due the employee from the Village.

## **6.7 WORKERS COMPENSATION**

Absences in excess of 30 days due to a job-related injury or illness compensated by Workman's Compensation Insurance would be treated as an approved leave of absence for the purpose of continuation of benefits. Employees shall resume their position at the end of recuperation from injury or illness with current pay scale, accrued benefits and leave provisions.

## **6.8 INJURY/ILLNESS-ON THE JOB**

An employee who is injured in the performance of his/her duties is entitled to benefits under Workers Compensation as stated above. When an employee is injured in the performance of his/her duties, he/she must report the injury to the Village Administrator immediately. It is also the employee's responsibility, if able, to complete a "First Report of Alleged Occupational Injury or Illness" and give it to the Village Administrator. (Blank forms are available at the Village Office)

If the injury is severe, an emergency rescue call must be made, for transportation to a medical facility. If the injury is minor, but requires treatment, the employee should seek medical care as soon as possible. The employee should notify his/her Department Head prior to leaving work.

If the employee is released for regular duty and no time has been lost from the job, the attending physician must certify that the employee can return to work. If the employee is off work for one (1) or more days after an injury/illness, he/she must also get a release from a physician. The release must specify if the employee is able to return to regular or light duty work.

An employee will continue to accrue sick leave and vacation while on a disability leave related to an on-the-job injury or illness.

The Village, at any time during the period of light duty, may require the employee, at Village expense, to submit to a physical examination to determine whether or not the employee needs to continue on light duty, or return to his/her original position.

## **6.9 INJURY/ILLNESS-OFF THE JOB**

An employee who is unable to perform the duties of his/her position due to a non-service related injury or a major illness shall use all regular and accumulated sick leave. When the employee has used all available sick leave, he/she may use all regular and accumulated vacation leave. Should the employee continue to be unable to assume the

duties of his/her position at the expiration of all available leave, he/she shall provide a doctor's letter as evidence of his/her inability to work.

Upon receipt of a letter from a doctor, the employee shall be placed in an unpaid leave of absence status for a period of thirty days. After the thirty-day leave of absence, if the employee is still unable to assume regular duties, the continued employment of the employee will be reviewed by the Governing Body of the Village. A decision will be made to extend another thirty-day leave of absence, or to terminate employment.

**6.10 HEALTH INSURANCE**

Full-time employees are offered health insurance benefits. The Village pays up to \$500 of the monthly health insurance premium for eligible employees, employees not using the Village offered health insurance must provide proof of premiums to receive reimbursement. Employees are eligible after three months of employment.

**6.11 LIFE INSURANCE**

The Village shall pay 100% of the premium costs for a \$15,000 term life insurance policy as selected by the Village for eligible employees. Full-time employees are eligible after three months of employment.

**6.12 RETIREMENT BENEFITS**

The Village of Waterloo offers its full-time employees the opportunity to participate in a 457 Retirement Savings Plan. The Plan allows eligible employees to make voluntary contributions to the plan through payroll deductions. The Village, as the employer will match the employee's contribution up to 4%. Employer contributions may be changed from year to year. Employees are eligible for the Employer contribution after three months of employment.

**6.13 PART-TIME EMPLOYEE STAGGERED BENEFIT PLAN**

Percentage	Tenure	<u>VACATION</u>	<u>HOLIDAYS</u>	<u>SICK LEAVE</u>	<u>FUNERAL LEAVE</u>	<u>PERSONAL DAY</u>
		0%	0-1 years	0 hours	0 days	0 hours
25%	2-5 years	20 hours	2.25 days	20 hours	6 hours	2 hours
50%	6-10 years	60 hours	4.50 days	40 hours	12 hours	4 hours
75%	11-15 years	120 hours	6.75 days	60 hours	18 hours	6 hours
100%	16-20 years	200 hours	9 days	80 hours	24 hours	8 hours



## **VII TRAVEL POLICIES**

### **7.1 GENERAL**

The Village Board of Trustees may approve employee attendance at seminars, conferences and other training sessions that require the employee to travel outside the Village. Approval is based on the employee's need to receive additional training, job certification or general opportunities to improve their knowledge and efficiency on the job. Travel expenses are reimbursable with proper documentation.

### **7.2 AUTHORIZATION**

Employee travel beyond the Village limits for training purposes shall be authorized in advance by the Department Head and the Board of Trustees.

### **7.3 DOCUMENTATION AND ACCOUNTING**

Pre-registration is the preferred method of payment for training seminars. Oftentimes there is a discount for pre-registration. The Village Expense Report must be completed by the employee after travel and submitted to the Village Administrator for processing within ten (10) days of return to work. The report must include receipts for all expenses incurred including lodging, car rental, meals and other official expenses. Expense reports also must be included in Trustee Board Meeting Packets no later than 15(fifteen) days following the return from travel.

### **7.4 TRANSPORTATION**

Mileage for travel by an employee owned vehicle shall be reimbursed at the current state mileage rate of reimbursement as approved by the Governing Body. Mileage is paid for travel for conducting routine Village business, attending meetings, schools, seminars, conventions or court appearances by Village Police Personnel. A "Mileage Reimbursement Request" Form must be completed and signed by the Chairperson of the Board prior to reimbursement.

### **7.5 LODGING**

Lodging for trips requiring overnight stays may be direct billed to the Village or is reimbursable with proper receipts. Reimbursement for lodging is limited to the minimum number of nights required to conduct Village business.

### **7.6 MEALS**

Employees may be reimbursed for meals up to \$45.00 (forty-five) a day as evidenced by receipts. Alcoholic beverages are not reimbursable.

### **7.7 REPORTING**

Expense reports for overnight travel must be presented to the Board of Trustees the meeting following the travel.

## **VIII DISCIPLINARY POLICIES**

### **8.1 PURPOSE**

The Village does not feel that discipline should be used to punish employees, but rather to provide a framework to correct and/or improve employee performance; to reposition an employee to a more fitting position; or to remove the employee from Village employment when conditions are warranted.

Employee discipline may be initiated for various reasons including, but not limited to, violations of work rules or substandard job performance. Disciplinary action will depend on the nature of the offense and the circumstances surrounding a violation, and may take the form of a verbal warning, written warning, or termination.

This policy is not a guarantee that any particular disciplinary procedure will or must be followed prior to disciplinary action or discharge. The method of discipline will generally depend on the circumstances surrounding each transgression, the seriousness of the infraction, the effect on overall operations and the employee's previous work record. This means that the Village of Waterloo is not required to follow any particular steps regarding disciplinary action.

Any written warnings are documented and placed in the employee's personnel file.

### **8.2 MINOR/MAJOR INFRACTIONS/VIOLATIONS**

Reasonable work rules are necessary to maintain an organized work environment and to ensure the efficient operation of the Village of Waterloo.

The infractions listed below are only intended as a general guide. It is not possible to list or define all of the policy violations that could occur. The following are only common examples of rule violations that might result in a verbal warning, written warning, or ultimate termination.

- Excessive absenteeism
- Excessive tardiness
- Violation of safety practices
- Poor work performance
- Failure to report an accident
- Failure to follow dress standards
- Discourtesy to customers or co-workers
- Negligence or carelessness in performing work

**Major infractions/violations, which may result in immediate termination without warning include but are not limited to:**

- **Drinking or being under the influence of alcohol or drugs while on Village property or worksite**

- **Possession, use, receipt, sales or distribution of alcohol or unauthorized or illegal drugs while at work**
- **Gambling or betting on Village property or worksite**
- **Any harassment or abuse of an employee, visitor or customer**
- **Stealing or unauthorized removal of Village or employees property**
- **Destruction/Theft of Village property or funds**
- **Operating equipment, machines or tools that you are not authorized to use**
- **Using company vehicles, equipment or facilities for personal use without advance permission**
- **Possessing firearms on Village property (This excludes those individuals who are authorized to possess firearms)**
- **Falsifying a time card or having someone alter a time card**
- **Failure to accurately record time worked**
- **Falsifying records**
- **Any act that endangers the lives or safety of others**
- **Refusal to accept a job assignment**
- **Insubordination**
- **Dishonest, unethical, immoral or prejudicial conduct**

### **8.3 AUTHORITY AND DISCIPLINE**

Verbal reprimands may be issued by the employee's immediate supervisor, Department Head, or Board Trustee. Written reprimands may be delivered by the employee's immediate supervisor or Department Head. Recommendations to terminate an employee must be approved by the employee's immediate supervisor and/or Department Head and the Board of Trustees.

### **8.4 PROGRESSIVE DISCIPLINE**

The Village's general policy is one of progressive discipline, and encompasses varying forms of disciplinary action. The form of discipline used is based upon the circumstances and seriousness of the infraction.

1. Verbal reprimands will generally be the first step in progressive discipline for incidents that are not gross violations of policy.
2. Formal disciplinary actions consist of written reprimands, suspensions, demotions and/or termination. Any of these forms of discipline may be used for first offenses if the offense is of such serious nature as to threaten the health or safety of citizens or employees or to discredit the Village Governing Body or Village Department. These forms of disciplinary action may also be used for repeat minor violations.
3. Minor violations are those that do not affect the safety of citizens or employees, but are considered by the supervisor or Department Head to be an impediment to the operation of the Department or Village.
4. Major violations are those that are illegal, immoral, unethical, indecent, dishonest and disgraceful or demonstrate any other conduct that may reasonably be expected to affect the confidence of the public in Village Government; or that provide an immediate or potential threat to the safety of the community and/or

- employees; or are substantial impediments to the operation of the Department or Village.
5. All disciplinary actions require the exercise of responsible judgment so that an employee will not be penalized out of proportion to the offense. Disciplinary action shall be taken only after it has been determined that a less severe penalty is inadequate.
  6. Minor infraction guidelines:
    - First Offense: Verbal or written reprimand
    - Second Offense: Written reprimand to a 3-day suspension.
    - Third Offense: 5-day suspension to termination
  7. Major infraction guidelines:
    - First Offense: 5-day suspension to termination
    - Second Offense: 15-day suspension to termination
    - Third Offense: Termination

All forms of disciplinary actions other than verbal warnings will be placed in the employee's personnel file.

All employees subject to disciplinary action shall have the opportunity to respond to charges made. Employees who have received a form of discipline may appeal the decision. The appeal process is documented in Section X of this manual.

## **IX RESIGNATION/TERMINATION POLICIES**

### **9.1 VOLUNTARY RESIGNATION**

We sincerely hope that your association with the Village will be a long and pleasant one. If, however, circumstances are such that you must leave your position with the Village, you should give advance written notice to your immediate supervisor or Department Head of not less than fourteen (14) calendar days. Advance notice helps us prepare your records, and to secure a replacement. Failure to provide such notice may result in a forfeiture of accrued vacation pay.

### **9.2 INVOLUNTARY RESIGNATION**

An employee who, without valid reason, fails to report for work for three consecutive work days without authorized leave shall be reported as an involuntary resignation. Said employee may forfeit all accrued benefits.

### **9.3 LAYOFF**

Any involuntary separation not based on separation for cause, incompetence, insubordination or misconduct shall be considered a layoff. A layoff may occur as a result of the elimination of services, to meet budget restrictions, change of work methods or the reduction in the number of personnel needed. Principles of merit and seniority within the job classification shall be given consideration in determining the order in which employees shall be laid off. The Governing Body may retain an employee if that employee is essential to the operation of the department because he/she possesses special skills or abilities.

### **9.4 ADMINISTRATIVE NOTIFICATION**

Employees who resign or are separated or terminated from the Village for any reason, shall notify the Village Administrator to coordinate the payment of any and all benefits due to them, and the termination date of any insurance and/or retirement benefits. Further, all debts owed to the Village shall be paid at the time of resignation or termination, or such amounts may be deducted from the employee's final paycheck.

## **X GRIEVANCES**

### **10.1 GENERAL**

The Village of Waterloo believes that a good working relationship between you, your Department Head and the Board is essential to the smooth operation of your department. Any controversy, complaint, dispute or misunderstanding must be handled in an expedient manner to prevent the disruption of Village business. This Grievance Policy is intended to provide a systematic and timely approach to the resolution of grievances.

### **10.2 POLICY**

It shall be the policy of the Village of Waterloo to give employees an opportunity to discuss their grievances with the Governing Body in order to find mutually satisfactory solutions as quickly as possible. The Grievance Procedures are designed to provide a just and equitable method for the resolution of grievances without coercion, restraint or reprisal against any employee who may submit or be involved in a grievance.

A grievance is defined to be any disagreement concerning the interpretation or application of any of the provisions of the Personnel Policies Manual or applicable municipal ordinances relating to compensation, working conditions, benefits or policies.

### **10.3 PROCEDURE**

1. If an employee feels that he has a grievance, it must be presented to his or her Department Head within five (5) working days after its occurrence. The Department Head shall then attempt to resolve the matter and to respond to the employee within five (5) working days after presentation of the grievance.
2. If the grievance is not resolved to the satisfaction of the employee in Step 1, the employee may submit the grievance to the Chairman of the Board of Trustees. The grievance shall be in writing on the Employee Grievance Form, and shall state the following:
  - a. The exact nature of the grievance;
  - b. The acts or omissions which gave rise to the grievance;
  - c. The dates of said acts or omissions;
  - d. The identity of the party or parties who claim to be aggrieved;
  - e. The identity of the party or parties alleged to have caused the grievance;  
and
  - f. The desired remedy.
3. The Chairman of the Board will arrange a hearing before the Governing Body. The Governing Body shall hold a hearing with the employee or his/her representative within ten (10) working days after receipt of the grievance.
4. The Governing Body shall provide a written response to the grievance as presented by the employee or his or her representative within thirty (30) days after the hearing. The decision and recommendation of the Governing Body shall be final and binding.

## **VILLAGE OF WATERLOO, NEBRASKA**

### **11.1 DISCLAIMER**

The contents of the Personnel Policies Manual summarize present Village programs and policies and are intended as guidelines only. The employee should be aware that these programs and policies may be amended at anytime, and that depending upon the particular circumstances of a given situation, the Village's actions may vary from written policy. As such, these contents **DO NOT CONSTITUTE THE TERMS OF A CONTRACT OF EMPLOYMENT.**

Nothing contained in this manual should be construed as a guarantee of continued employment; but rather, employment with the Village is on an **at will basis**. This means that the employment relationship may be terminated at anytime by either the employee or the Village for any reason not expressly prohibited by law.

Any written or verbal statement to the contrary by a supervisor, Department Head, or appointed or elected official of the Village is invalid and should not be relied upon by any prospective or existing employee.

**VILLAGE OF WATERLOO, NEBRASKA**  
**11.2 CONSENT FORM FOR**  
**DRUG and SUBSTANCE TESTING**

I hereby give my consent for the Village of Waterloo to collect body fluids/parts (hair) from me and to conduct other necessary medical tests to determine the presence or use of drugs or controlled substances. Further, I give my consent for the release of the test(s) results, and other relevant medical information to authorized Village personnel for appropriate review. I also understand that, if I refuse to consent, I may be subject to disciplinary action, including termination of employment.

**AGREED TO:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

**REFUSED:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

Reason(s) for Refusal: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**NOTICE TO APPLICANTS/EMPLOYEES**

Consent to drug testing is a condition of employment. Failure to sign this consent form will result in loss of employment opportunity/termination.



**VILLAGE OF WATERLOO, NEBRASKA**  
**11.3 ACKNOWLEDGEMENT OF RECEIPT OF**  
**PERSONNEL POLICY MANUAL**

I hereby acknowledge that I have received the Personnel Policies Manual for the Village of Waterloo adopted on **February 25, 2008**. I have read the Manual and I understand its contents. I further understand that no representative of the Village has any authority to enter into any agreement for employment for any specific period of time, or to make any agreement contrary to the Manual, other than in writing signed by the Chairman of the Board and approved by the Board of Trustees.

I agree to conform to the policies and regulations of the Village of Waterloo, as outlined in this Manual. It is also understood that my employment and compensation may be terminated, with or without cause, and with or without notice, at any time, at the option of the Village Board of Trustees.

Employee Name Printed: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Chairperson Signature: \_\_\_\_\_

Administrator Signature: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

**VILLAGE OF WATERLOO  
 PERSONNEL POLICIES MANUAL**

**11.4 ACKNOWLEDGEMENT OF RECEIPT OF AMENDMENTS TO  
 PERSONNEL POLICIES MANUAL**

**AMENDED AS FOLLOWS:**

<b>Section</b>	<b>Authorization</b>	<b>Summary of Amendment</b>
3.13-Off Premise Work	Board	Require department trustee preapproval for errands ran before clocking in
5.3 Record of Time Worked	Board	To change work time recording system
5.4 Pay period	Board	To remove Village Inspectors
6.2 Vacation Leave	Board	To change how vacation is awarded
6.10 Health Insurance	Board	To eliminate named health insurance provider and set employer contribution
6.12 Retirement Benefits	Board	To add full-time verbiage
7.5 Lodging	Board	To add the option to direct bill overnight training stays

I hereby acknowledge that I have received and read the amendments and/or additions to the Village of Waterloo Personnel Policies Manual. If I do not understand these changes or additions, I will contact my Supervisor or Department Trustee for clarification.

**Employee Name Printed:** \_\_\_\_\_

**Employee Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Supervisor:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Village Administrator:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**ADOPTED:** February 25, 2008  
**Last Amended:** November 28, 2017