

COUNCIL ACTION FORM

SUBJECT: REVISIONS TO PERSONNEL POLICIES AND PROCEDURES MANUAL

BACKGROUND:

The Human Resources Department has identified several areas of the Personnel Policies and Procedures Manual that need to be revised. Explanations are shown below, along with new language shown in bold.

First, the current language regarding Equal Employment Opportunity and Affirmative Action in Chapter 3 references the position of Assistant to the City Manager. This classification has been re-titled as Assistant City Manager and should be corrected in the policy.

3.7 Policy for Compliance with the Americans With Disabilities Act

4. Complaint Procedures

1. City Services and Accommodations

An individual who believes that he/she has been subject to illegal discrimination on the basis of disability may, within ten days, file a complaint with the ADA Coordinator. A Committee consisting of the ADA Coordinator and **one Assistant City Manager** shall investigate the complaint and may conduct a hearing in the matter. The Committee shall issue a written decision to the complainant and any other parties to the case. If the complainant is not satisfied with the decision of the Committee, an appeal may be filed with the City Manager within seven days. The decision of the City Manager shall be final.

Second, the current language regarding emergency leave is being revised to provide more consistent administration of this leave among departments. The proposed language limits the use of emergency leave for serious illness to one occurrence per fiscal year. There will be similar language included in three of the union contracts that go into effect on July 1st.

10.9 Emergency Leave

Emergency leave of up to three days with pay shall be granted to all probationary and regular full-time and regular part-time employees in the event of death or serious illness in the immediate family. Two days of additional emergency leave may be granted and charged to sick leave. Serious illness shall generally be

considered to be an illness or injury causing an individual to be hospitalized in serious or critical condition or placed under hospice care. Days when an employee may be absent from the work place will be determined by the employee and the department head or the appropriate supervisor.

Emergency Leave use for the purpose of serious illness in the immediate family shall be limited to one occurrence per employee per fiscal year.

For the purpose of this section, immediate family includes mother, father, foster parent, **current step-parent, spouse**, son, daughter, foster child, brother, sister, grandchild, grandparent, great-grandparent, mother-in-law, father-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, step-child, step-brother, or step-sister.

Third, with the Iowa Supreme Court's recent decision on same-sex marriages, there is a reference to husband and wife in the policy on employment of relatives that needs to be revised. The revised language would remove this reference and replace it with the word spouse.

20.6 Employment of Relatives

No individual may be hired or transferred into a position in which the employee would be supervised by a member of the immediate family or in which the family member would have administrative discretion over the individual's terms and conditions of employment; or in which the individual would supervise a member of the immediate family or have administrative discretion over the family member's terms and conditions of employment. For purposes of this paragraph, immediate family consists of mother, father, **spouse**, son, daughter, brother, sister, grandparent, grandchild, mother-in-law, father-in-law, brother-in-law, sister-in-law, foster parent, foster child, step-parent, step-child, step-brother, step-sister, cousin, aunt or uncle.

ALTERNATIVES:

1. Adopt the proposed changes to the City's Personnel Policies and Procedures effective July 1, 2009.
2. Do not adopt the proposed changes and retain the existing wording.

MANAGER'S RECOMMENDED ACTION:

These revisions reflect changes made to three of the union contracts, clarify language and/or make the policies easier to administer.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby approving the above revisions to the City's Personnel Policies and Procedures effective July 1, 2009.

