

# **RESOLUTION NO. 3756**

## **A RESOLUTION REVISING CITY OF MILES CITY PERSONNEL POLICIES REGARDING EMPLOYMENT INFORMATION AND EMPLOYEE BENEFITS**

*WHEREAS*, the City of Miles City has established certain personnel policies for officers and employees of the City of Miles City, which are set forth in the City of Miles City Personnel Manual;

*AND WHEREAS*, revised policies regarding Employment Information and a new policy regarding Employee Benefits have been recommended for approval by the Human Resources Committee of the City Council;

*AND WHEREAS*, the City Council finds that said revised and new policies should be adopted;

### **NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA AS FOLLOWS:**

1. That the policies titled "Section 3: Employment Information," attached hereto as Exhibit "A" and made a part hereof, and "Section 4: Employee Benefits," attached hereto as Exhibit "B" and made a part hereof, are hereby adopted by the City Council.

2. The foregoing policy Sections 3 and 4 shall replace the following existing policies:

- a. All of Section 2: Pay & Classification, with exception of the policy titled "Overtime and Compensatory Time NON-Bargaining Unit;
- b. All of Section 5: Separation, along with updates;
- c. Certain policies within Section 3, Workplace Standards, as follows: policies titled "Employee Record Keeping," "Performance Evaluation," and "Probation."

3. Such changes to the policy shall become effective immediately upon the passage of this resolution.

**SAID RESOLUTION FINALLY PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL OF THE CITY OF MILES CITY, MONTANA, THIS 14<sup>th</sup> DAY OF OCTOBER, 2014.**



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C.A. Grenz, Mayor

ATTEST:




Lorrie Pearce, City Clerk

## **SECTION 3**

### Employment Information



City of Miles City

	<b>CITY OF MILES CITY PERSONNEL POLICY</b>		Effective Date:	
			Last Revised:	
<b>Employee Orientation</b>				
<b>Resolution #</b>				

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

## **PURPOSE**

The City of Miles City believes that employee orientation is critical for new employees. The orientation process familiarizes new employees with the City of Miles City's policies, procedures, regulations, people and the department layout.

## **POLICY**

It is the policy of the City of Miles City that all new employees will meet for general orientation with the Human Resources/Payroll Officer on his or her first day of work.

New employees will be required to sign an acknowledge form that he/she received a copy of the Personnel Manual and Safety Manual and will be responsible for reviewing all the materials therein. New employees will be given the option of receiving these manuals in paper or electronic formats.

All employees new to the City of Miles City will be required to present documentation regarding identity and employment eligibility within three (3) days of hire.

## **PROCEDURE**

### **A. Employee Orientation**

On the first day of employment, the Human Resources/Payroll Officer shall conduct an orientation session with the new employee to complete necessary employment documents, review key City policies and compensation terms, explain City benefits, and provide any other human resource and payroll related information needed to orient and integrate the employee into the City of Miles City service. The topics covered shall be documented on the "Orientation Checklist" form.

During the first week of employment, the employee's Department Director and/or supervisor shall review with the employee the City's organizational structure, job content, performance and safety standards, working conditions, and any other matters of operational importance needed to orient and integrate the employee into City of Miles City service. Any documents used to incorporate the employee into his or her department should be signed by the employee and the Department Director and/or supervisor and shall be provided to the Human Resources/Payroll Office to be placed in the employees personnel file.

The Human Resources/Payroll Officer, Department Director and Supervisors should ensure that new employees are given adequate time to gain a clear understanding of the information they have been provided and have the opportunity to ask questions.

## **CLOSING**

Prior to the new employee's first payday, the Human Resources/Payroll Officer will provide him/her with the following information:

- Employment date
- Longevity date
- Eligibility date for use of sick leave
- Eligibility date for use of vacation leave
- Probationary Wage
- Any applicable stipends/incentives
- Standard Deduction List
  - ✓ Federal Income Tax (FIT)
  - ✓ State Income Tax (SIT)
  - ✓ Retirement (if applicable)
  - ✓ Medicare (if applicable)
  - ✓ Social Security (if applicable)
  - ✓ Union dues (if applicable)
  - ✓ Association/Fund dues (if applicable)
- Voluntary Employee Deductions
  - ✓ Medical Insurance
  - ✓ Deferred Compensation
  - ✓ Other.



## CITY OF MILES CITY ORIENTATION CHECKLIST

To be Completed by HR/Payroll Office

These items should be addressed on the first day of employment. Any items on this checklist that are not applicable should be so noted.

### Human Resource Payroll Office:

### Initials:

HR/Payroll Officer

Employee

I-9 Employment Eligibility Verification

Montana New Hire Form Reporting form

Withholding Statement (W-4)

Retirement Handbook & Enrollment

✓ Employees retirement is: \_\_\_\_\_

Employee Benefit Enrollment Forms

Employee Insurance Benefit Package

Payroll Calendar - information

Direct Deposit Information

Pay Period Deductions

Deferred Compensation Information

Certification of Montana Public Employment

Union Membership & Dues

✓ Employee is represented by: \_\_\_\_\_

Workers Compensation Handout

Vacation/Sick leave usage

Personnel File

Probationary Period

City of Miles City Personnel Policy Manual

✓ Paper: \_\_\_\_\_

✓ Electronic/Email Address: \_\_\_\_\_

City of Miles City Safety Manual

✓ Paper: \_\_\_\_\_ Electronic: \_\_\_\_\_

Employee's Signature \_\_\_\_\_ Date \_\_\_\_\_

(My signature indicates the above information was presented to me. I had the opportunity to review the information and have my questions answered. I understand items in the orientation may be subject to change depending on changes to policy, rules, laws and Collective Bargaining Agreements.)

HR/Payroll Officer Signature \_\_\_\_\_ Date \_\_\_\_\_

(Instructions for HR: The completed checklist goes into the employee's Personnel File. Give the employee a copy of the completed checklist.)



## **CITY OF MILES CITY PERSONNEL POLICY**

Effective  
Date:

Last Revised:

### **Probationary & Trial Period**

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

### **PURPOSE**

The City of Miles City believes that an employee should have time to adjust to new surroundings, assume an increasing workload and prove that he or she is the proper person for the position.

### **POLICY**

The City of Miles City's policy for a newly hired employee is that he or she is subject to a probationary period.

### **PROCEDURE**

#### **A. Probationary Period:**

1. All newly hired employees must serve a period of initial probation. Police Officers, Firefighters and Dispatchers serve a probationary period of one year; all other employees serve a minimum of six months' probation, unless otherwise defined by a Collective Bargaining Unit.
2. The "Employment Confirmation Letter" received by the employee, signed by the Mayor, and shall state length of probationary period.
3. The probationary period is designed to give the employee time to learn the position and to give the Department Director/Supervisor time to evaluate the employee's potential and performance. Probationary employees will be formally evaluated at three (3) months of employment and one (1) month prior to completion of their probationary period, using the City's "Employee Performance Appraisal" form. During the established initial probationary period, the City reserves the right to terminate the probationary employee's service with or without cause, provided; however, the employer shall not discharge or otherwise discipline an employee for protected union activity, public policy or written policies.
4. Rejected probationers shall be notified of such action in writing by the Department Director at any time during the initial probationary period, and copies of said notifications shall be retained in their personnel files.

5. At the end of the initial probationary period, the employee is formally evaluated and provided written documentation of progress. Other evaluations, as noted above, will be conducted during the course of the probationary period to assess performance and to advise employees of expectations regarding performance. Significant job deficiency(ies) shall be documented in the employee's personnel file. These evaluations provide the necessary justification for retention for the person as a permanent employee.
6. Under unusual circumstances, the initial probationary period may be extended. This is only after an evaluation of the situation, the employee's abilities, and demonstrated potential. Probation extension is done only upon recommendation of the Department Director. The Department Director must notify the employee in writing on or before the end of the established probationary period that it will be extended, and the department must inform the employee of the length of the extension.
  - ✓ An employee whose probationary period has been extended does not attain permanent status until the employee successfully completes the additional probationary period.
  - ✓ Provisions of the City Discipline Handling Policy, the Grievance Policy and the Reduction in Work Force Policy do not apply to a probationary employee.
7. The Department is permitted, but not required, to credit time in an approved leave of absence without pay toward completion of a probationary period. This includes leaves of absence between seasons for a seasonal employee. Employees returning from an approved leave of absence without pay are not required to begin a new probationary period.
8. If the employee successfully completes the probationary period, the Department Director will notify the Human Resources/Payroll Office. The Human Resources/Payroll Office will complete a "Payroll Change" sheet to be signed by the Department Director and Mayor. A "Longevity Letter" will then be sent to the employee by the Human Resources/Payroll office informing the employee that he or she has successfully completed his or her probationary period and is now a permanent employee.

#### **B. Confirmation of Firefighters and Police Officers:**

The City Council will confirm all permanent appointments of Police Officers and Firefighters on probation.

1. The Police Chief will review with the Human Resources Committee the performance history of each probationary Police Officer at least thirty (30) days prior to the end of the employee's probationary period. Based on this review, the Committee shall then make a recommendation to City Council regarding the confirmation or non-confirmation on each probationary employee. Confirmation is subject to the vote of the entire City Council.
2. The Fire Chief will make a written recommendation to the Mayor for appointment of a Probationary Firefighter. The Mayor may nominate and, with the consent of the City Council, appoint the Firefighter.



### **C. Trial Period:**

1. After an employee has attained permanent status, a trial period may be established upon promotion, reassignment or reclassification, which shall be used to determine if the employee will be retained in the new position or returned to the former or equivalent position. The trial period shall not exceed six (6) months.
2. Whenever a trial period is a condition of an employee's promotion, reassignment, or reclassification, the Mayor or Department Director will inform the employee at the time the employment offer is made.
3. The immediate supervisor shall conduct a performance appraisal prior to the end of the trial period, using the "Employee Performance Appraisal" form.
4. During the trial period, the Department may return an employee to the former or approximately equivalent position.
5. Any employee who will not be retained in the new position will be so notified in writing by the Mayor or Department Director, with the concurrence of the Human Resources Committee prior to the end of the trial period.
6. The policy on trial periods does not obligate the City to return an employee to a former position or equivalent in lieu of other personnel actions that could be taken in accordance with the City Reduction-in-Force or Discipline Handling Policies.
7. A department may require an employee who has not attained permanent status and who is promoted or reassigned within the department to successfully complete the remaining time of his or her probationary period in the new position.

### **CLOSING**

Vacation and sick leave are accrued during the initial employment period. Sick leave may be used after ninety (90) days of continuous employment and vacation leave may be used after six months of continuous employment.

Employees terminating from the City prior to three (3) months or six (6) months will not receive sick or vacation payout, respectively.



## CITY OF MILES CITY PERSONNEL POLICY

Effective  
Date:

Last Revised:

### Payroll Processing Guidelines

- This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

#### PURPOSE

The City of Miles City believes that employees should be paid uniformly and in a timely manner.

#### POLICY

The City of Miles City distributes paychecks semi-monthly; on the 15<sup>th</sup> of every month, unless the 15<sup>th</sup> falls on a weekend; then the employee is paid on the Friday before the 15<sup>th</sup>; and the last working day of the month. There are 24 pay periods in each year. A Payroll Calendar that specifies payroll cut-off dates and paydays will be provided to every new employee and to every employee prior to the start of the new year.

It is the goal of the Human Resource/Payroll Office that each employee receives correct paychecks.

#### PROCEDURE

##### A. Payroll Processing

Employees are responsible for completing their timecards and giving them to their Department Director at the end of the pay period. Employees should make sure that their timesheets are correct before they sign them.

Department Directors are responsible for certifying that time reports are correct by signing every timesheet and submitting them to the Human Resources/Payroll Office.

Timesheets are due in the Human Resources/Payroll Office within two (2) days after the Payroll Calendar indicates the payroll cutoff date.

Paychecks are distributed by the Human Resources/Payroll Office.

Employees are strongly encouraged to have their paychecks electronically transmitted to the bank of their choice through the Direct Deposit Program (available to all employees). Employees enrolled in Direct Deposit may choose one of the following:

- a hard copy of their payroll stub and an itemized list of payroll deductions;
- email their payroll stub and itemized list of payroll deductions to any desired email account the employee requests (preferred method).

❖ “Direct Deposit” and “Email Direct Deposit” forms may be obtained from the Human Resources/Payroll Office.

If an incorrect paycheck is issued (either overpayment or underpayment), the Department Director should notify the Human Resources/Payroll Office as soon as possible. All adjustments due to errors will be promptly corrected.

## CLOSING

### **FINAL PAYMENT OF WAGES AT SEPERATION**

**39-3-205. Payment of wages when employee separated from employment prior to payday – exceptions** (1) Except as provided in subsection (2) or (3), when an employee separates from the employ of any employer, all the unpaid wages of the employee are due and payable on the next regular payday for the pay period during which the employee was separated from employment or 15 days from the date of separation from employment, whichever occurs first, either through the regular pay channels or by mail if requested by the employee.

(2) Except as provided in subsection (3), when an employee is separated for cause or laid off from employment by the employer, all the unpaid wages of the employee are due and payable immediately upon separation unless the employer has written personnel policy governing the employment that extends the time for payment of final wages to the employee’s next regular payday for the pay period or to within 15 days from the separation, whichever occurs first.

(3) When an employee is discharged by reason of an allegation of theft of property or funds connected to the employee’s work, the employer may withhold from the employee’s final paycheck an amount sufficient to cover the theft if:

- (a) the employee agrees in writing to the withholding; or
- (b) the employer files a report of the theft with the local law enforcement agency within 7 business days of the separation from employment, subject to the following conditions:
  - (i) If no charges are filed in a court of competent jurisdiction against the employee for the alleged theft within 30 days of the filing of the report with a local law enforcement agency, wages are due and payable upon the expiration of the 30-day period
  - (ii) If charges are filed against the employee for theft, the court may order the withheld wages to be offset by the value of the theft. If the employee is found not guilty or if the employer withholds an amount in excess of the value of the theft, the court may order the employer to pay the employee the withheld amount plus interest.



## CITY OF MILES CITY PERSONNEL POLICY

Effective  
Date:

Last Revised:

### Deductions from Salary

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

### PURPOSE

The City of Miles City is committed to following Federal and State laws. The City of Miles City believes that offering employees options regarding additional payroll deductions meets the needs and desires of a diverse workforce.

### POLICY

Examples of “required” and “optional” deductions are below (this list is not all inclusive):

**Required Deductions:** Federal and State Withholding Taxes: Federal and State withholding taxes are deducted according to an employee’s filing status, the number of claimed dependents and salary earned.

**Social Security and Medicare:** Social Security and Medicare taxes are deducted from employee earnings according to U.S. Government regulations. (Uniformed Police Officers and Firefighters do not contribute to Social Security)

**Insurance Plans:** Insurance contributions are made through payroll deduction.

**Retirement Contributions:** Retirement contributions to the employee’s respective retirement system will be deducted each pay period as per State Law.

**Deferred Contribution Plans:** Deferred Contribution Plans through Nationwide and Ameriprise Financial are offered through payroll deduction, if desired.

**Optional Deductions:** AFLAC, Colonial Life and Legal Shield (formally Pre-Paid Legal): deductions which allow employees to participate in select coverage(s) are offered through payroll deduction, if desired.

**Union Deductions:** Each member belonging to a Union may pay “union dues” in

accordance with their Union Contract and may be made through payroll deductions.

**Organizations/Memberships:** Fireman's Association, Fireman's Fund and Montana Police Protection Association are memberships for uniformed Police Officers and Firefighters and may be made through payroll deductions.

**Wage Garnishments/Child Support Payments:** Mandatory deductions will be made in compliance with Federal and State Laws until paid in full or a Release of Execution is received.

❖ **39-2-302, MCA: Discharge or layoff of employee because of attachment or garnishment prohibited.** No employer shall discharge or lay off an employee because of attachment or garnishment served on the employer against the wages of the employee.


## **PROCEDURE**

Federal and State Withholding Taxes: To declare the deductions desired, a W-4 Form must be completed and must be submitted to the Human Resources/Payroll Office.

The Human Resources/Payroll Office must receive written authorization from the employee if he/she desires to participate in optional payroll deductions. If an employee wishes to cancel any optional payroll deductions, he/she may obtain a "Cancellation of Payroll Deductions" form from the Human Resources/Payroll Office.

## **CLOSING**

The Human Resources/Payroll Office will provide employees with written notification when there has been an adjustment to his/her paycheck.

	<b>CITY OF MILES CITY PERSONNEL POLICY</b>	Effective Date:	
		Last Revised:	

<b>Basic Employee Classification and Eligibility for Benefits</b>
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- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

## PURPOSE

To establish policy for guidelines and set definitions for basic employment classifications and to establish criteria for benefit eligibility for the employees of the City of Miles City.

## POLICY

### A. The basic employment classifications of City employment are:

1. **Probationary Employee:** A newly hired employee during the initial period of employment. All newly hired City employees are on a probationary status which, unless provided otherwise in union agreements or other documents, extends for six (6) months, or in certain cases, one (1) year from their date of hire. Probationary periods may be extended under special circumstances.
2. **Permanent Full-Time Employee (regular):** An employee who has successfully completed the initial probationary period, is assigned to a position which is expected to continue for an indefinite duration, and works a shift schedule which totals no less than 2080 hours per year.
3. **Permanent Part-Time Employee (regular):** An employee who has successfully completed the initial probationary period, is assigned to a position which is expected to continue for an indefinite duration, and works a shift schedule of 20 hours or more, but less than 40 hours per week.
4. **Temporary Full-Time Employee:** An employee whose work assignment is limited in duration to twelve months or less and works a shift schedule which on an annual basis would total no less than 2080 hours.
5. **Temporary Part-Time Employee:** An employee whose work assignment is limited in duration to six months or less and works a shift schedule which, on an annual basis would total less than 2080 hours.

6. **Seasonal Employee:** An otherwise permanent employee designated by the City as seasonal, who performs duties interrupted by the seasons, and who may be recalled without the loss of rights or benefits accrued during the preceding season.
7. **Short-term Employee:** An employee whose work assignment is limited in duration to ninety (90) days or less, without regard to the number of hours worked, who is not eligible for permanent status, and who may not be hired into another position by the City without competitive selection process.
8. **Transitional Employee:** A City employee who has been temporarily reassigned to duties other than his normal duties under the City's Reasonable Accommodation and Early Return to Work policies.
9. **Part-Paid Employee:** An otherwise permanent employee designated by the City as Part-Paid, who performs duties on an on-call basis for an indefinite duration.

## **PROCEDURE**

### **A. Eligibility for employee benefits shall be as follows:**

1. Regular full-time employees shall receive all employee benefits provided by the City; provided, however, represented employees shall receive only those benefits provided for by the collective bargaining agreement.
2. Probationary employees, who, upon successful completion of their initial probationary periods, will be regular full-time employees, shall be entitled to the same benefits as regular full-time employees, subject to the applicable eligibility provisions and time periods.
3. Regular part-time and seasonal employees may be entitled to pro rata vacation, holiday, sick leave and retirement benefits provided; however, represented employees shall receive only those benefits provided by the labor agreement. Probationary part-time employees who, upon successful completion of their initial probationary periods, will be regular part-time employees, subject to applicable eligibility provision and time periods.
4. Service time with other City, County or State Agencies does not add to an employee's continuous service with the City of Miles City. However, according to State law, Section 2-18-612, MCA, vacation credits must be calculated based on the total years of employment with any City, County, or State Agency in the State of Montana. Such time will be credited to an employee's records upon receipt of a certified statement from the employing agency, stating time of service and dates.
  - ❖ A "Certification of Prior Employment Hours for Annual Vacation Leave Rate Earned" form may be obtained from the Human Resources/Payroll Office.
5. An approved leave of absence without pay will not interrupt the accumulation of continuous service, provided the employee meets the conditions required by the City for such leaves.

6. Employees taking unpaid leave without pay, temporary disability leave, or Family and Medical Leave, shall not accrue sick leave or vacation time while on such leave.

## **CLOSING**

The Human Resources/Payroll Office will carefully review retirement plan eligibility for all employees who work less than 40 hours per week.





## **CITY OF MILES CITY**

### **PERSONNEL POLICY**

Effective  
Date:

Last Revised:

#### **Position Descriptions**

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

#### **PURPOSE**

To establish policy for providing for Position Descriptions for all City of Miles City positions.

#### **POLICY**

It is the policy of the City of Miles City that all Position Descriptions shall be maintained by the Human Resources/Payroll Office for all positions.

#### **The Position Descriptions shall include:**

- Position
- Department
- Accountable to
- Summary of Work
- Job Characteristics
- Areas of Job Accountability and Performance
- Job Requirements
- Education and Experience
- Minimum Qualifications
- Job Performance Standards
- Approval Signatures
- Effective Date

#### **PROCEDURE**

1. The position description does not constitute an employment agreement between the City and employee, and is subject to change as the needs of the City and the requirements of the job

change.

2. Each job description will be reviewed and evaluated during each employee's annual performance appraisal.
3. Employees may review and/or secure copies of their position description at their request. There will be no charge to obtain a copy. Requests may be made through the Human Resources/Payroll Office.
4. Employees should notify their supervisor in writing of substantial changes in their duties or to request a change in classification.
5. When a new position is requested by a Department Director or the duties of a current position are substantially changed, the Department Director shall submit a written recommendation to the Human Resources Committee. Each request must include a position description and a detailed explanation regarding the need for significant changes in the current position or the need for a new position.

## **CLOSING**

The final authority on all position description concerns rests with the Human Resources Committee.



## CITY OF MILES CITY PERSONNEL POLICY

Effective  
Date:

Last Revised:

### Performance Appraisal - Non Probationary Employees

- This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

### PURPOSE

The City of Miles City believes that performance appraisals are an important tool in assisting Directors and employees in evaluating job performance and strengths, as well as identifying areas for improvement.

### POLICY

It is the policy of the City of Miles City to utilize a performance appraisal program to maximize an employee's overall job performance and professional development. Performance appraisals will be conducted annually by Department Directors for all permanent full time/part time employees.

Performance appraisals provide both Department Directors and employees the opportunity to discuss job tasks, identify developmental needs, encourage and recognize strengths and discuss positive and purposeful approaches to meeting goals. In summary, the objective of the performance appraisal is to:

- Determine if training is needed
- Identify areas where improvement may be needed
- Revise or update individual goals
- Evaluate job performance in terms of meeting goals and job responsibilities.

### PROCEDURE

- A. The Department Director or supervisor shall strive to make an evaluation upon the following occasions:
1. Each anniversary date of employment, or at least annually.
  2. After 90 days when the employee is transferred or promoted to a new position.

The Human Resources/Payroll Office will notify Department Directors of any pending anniversary dates.

All Department Directors will use the "Employee Performance Appraisal" form. Independent forms will be used by the Police, Fire and Dispatch Departments, as they have special criteria in rating job performance. The Mayor will perform evaluations on all Department Directors, also using an independent appraisal form.

Each employee shall be evaluated on job performance as related to their job description, as well as the attainment of a set of objectives or goals. Factors to be considered in the performance evaluation include knowledge of the job, quantity and quality of work, promptness in completing assignments, cooperation, dependability, attention to safety, respect for property, punctuality, work habits, initiative and other factors. At the time of evaluation, each job description is to be reviewed to ensure that an accurate description accompanies each position.

In preparing for and conducting an employee's performance appraisal, Department Directors/supervisors should be guided by the following principles:

1. Allot adequate time for the meeting and arrange for as much privacy as possible.
2. Tell the employee in advance about the appraisal interview. This will give the employee a chance to prepare for the discussion.
3. Give the employee ample time to talk about any problems that may be impeding progress or job satisfaction. Listen attentively.
4. Encourage the mutual establishment of specific goals for improvement in the coming period.

Each written evaluation shall be signed by the Department Director and reviewed and signed by the Mayor. The evaluation will then be submitted to the Human Resources/Payroll Office to be placed in the employees personnel file.

The employee will be provided with a copy of the completed evaluation and reviewer's comments, if any.

If the written evaluation contains an unfavorable comment or rating which the employee believes is unfair and/or unjustified, the employee may submit a written response to the evaluation. The response shall be submitted to the employee's Department Director within five (5) working days and will be retained with the performance appraisal in the employee's personnel file.

## **CLOSING**

No employee may file a grievance based on the content of a performance appraisal. Procedural errors which are subject to the filing of a grievance are failure of an evaluator to:

1. Inform an employee of the performance management plan at the start of an evaluation period or changes to the plan made during the evaluation period.
2. Provide an employee with a copy of the completed evaluation and reviewer's comments.
3. Advise an employee of the right to submit a written response.



## CITY OF MILES CITY Employee Performance Appraisal

To be Completed by Department Director

Name: \_\_\_\_\_ Date: \_\_\_\_\_ Dept: \_\_\_\_\_

Job Title: \_\_\_\_\_ Date of Hire: \_\_\_\_\_ Position Date: \_\_\_\_\_

Annual Review ☐ 90 Day Review ☐ Probationary: ☐ 3month ☐ 6 month Other ☐ \_\_\_\_\_

Date of Last Review: From: \_\_\_\_\_ To: \_\_\_\_\_ Review Period: From: \_\_\_\_\_ To: \_\_\_\_\_

**Performance Rating Categories:** Consider the employee's performance in each category and designate the level of performance that most accurately describes his/her job performance.

**O -- Outstanding:** Employee consistently exceeds position expectations with virtually no detected preventable/controllable errors, requiring little or no supervision.

**E- Exceeds Expectation:** Results clearly exceed position requirements on a regular basis. Performance is of high quality and is achieved on a consistent basis

**M – Meets Expectation:** Competent & dependable performance level. Meets the performance standards and objectives of the job without constant follow-up / direction.

**I – Improvement Needed:** Employee does not meet performance objectives on a regular basis and has difficulty following through with tasks. Requires constant follow-up and/or supervision.

**U – Unsatisfactory:** Performance consistently fails to meet the job requirements. **N/A – Not applicable** or too soon to rate

1. **Quality** – The extent to which an employee's work is completed thoroughly and correctly following established process & procedures:

• Rating: \_\_\_\_\_ Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. **Productivity/Independence/Reliability** – The extent to which an employee produces a significant volume of work efficiently in a specified amount of time. Ability to work independently with little or no direction/follow-up to complete task / job assignment:

• Rating: \_\_\_\_\_ Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. **Job Knowledge** -- The extent to which an employee possesses and demonstrates an understanding of work instructions, processes, equipment and materials required to perform the job. Employee possesses the practical and technical knowledge required of the job:

- **Rating:** \_\_\_\_\_ **Comments:** \_\_\_\_\_

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4. **Interpersonal Relationships/Cooperation/Commitment** – The extent to which an employee is willing and demonstrates the ability to cooperate, work and communicate with coworkers, supervisors, and/or outside contacts. Employee accepts and responds to change in a positive manner. Accepts job assignments willingly, takes responsibility for own performance and job assignments:

- **Rating:** \_\_\_\_\_ **Comments:** \_\_\_\_\_

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5. **Attendance** – The extent to which an employee is punctual, observes prescribed work breaks/lunch hours and has an acceptable overall attendance record:

- **Rating:** \_\_\_\_\_ **Comments:** \_\_\_\_\_

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6. **Adherence to Policy** – The extent to which an employee follows City policies, procedures and work conduct rules. Complies with and follows all safety rules and regulations:

- **Rating:** \_\_\_\_\_ **Comments:** \_\_\_\_\_

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**Overall performance:** Rate employees overall performance: \_\_\_\_\_

a. Accomplishments or new abilities demonstrated since last review: \_\_\_\_\_

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b. Specific areas that need improvement: \_\_\_\_\_

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c. Recommendations for professional development: \_\_\_\_\_

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**Employee Comments:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Follow-up Requested ☐ Yes ☐ No

Date Discussed/Reviewed with employee: \_\_\_\_\_

Next Scheduled Review: \_\_\_\_\_

Employee may submit a written response to the evaluation. The response shall be submitted to the employee's Department Director within five (5) working days and will be retained with the performance appraisal in the employee's personnel file.

Directors Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Employees Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Mayors Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## **CITY OF MILES CITY PERSONNEL POLICY**

Effective  
Date:

Last Revised:

### **Employee Personnel Records**

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

### **PURPOSE**

The City of Miles City defines the “personnel file,” describes its contents and defines rights to access.

**DEFINITION:** The official record relating to an individual City of Miles City employee maintained centrally in the Human Resources/Payroll Office. The personnel file includes, but will not be limited to; letters of appointment, job descriptions, employment application and resume, hiring records, change in pay records, testing documents used to make employment decisions, records relating to promotions or demotions, reference checks, transcripts, signed acknowledgements, training records and certificates, letters of recognition, performance evaluations, formal disciplinary notices or documents, termination records, safety training records, as well as, other records that may be considered public information under State or Federal Law.

### **POLICY**

1. The Human Resources/Payroll Officer will establish, maintain and control access to personnel files of current and former City employees. The information in the employee’s personnel file relates specifically to the employee’s work assignments, qualifications, commendations, promotions, compensation, supervisor performance evaluations and any formal disciplinary action. Personnel files will be maintained in a locked file cabinet located in the City vault, or other location within the City HR/Payroll Office. The Mayor and Human Resources/Payroll Officer will have sole access to the files. Keys will be maintained by Human Resources/Payroll Officer. Access to Personnel Files by any other person is prohibited, except under lawful circumstances on a need to know basis and under the direction of the City Attorney.
2. Certain records and documents are considered confidential, and will not be included in the personnel file. Such documents will be maintained in separate files in a secure and confidential manner by the Human Resources/Payroll Officer. Access will be prohibited,



except under lawful circumstances on a need to know basis and under the direction of the Mayor. Examples of such documents include, but are not limited to: medical records, benefits and insurance records, immigration forms, veteran records, child support or garnishments records, internal investigation records, litigation records, drug testing records, and any records that are considered confidential under State or Federal law.

## **PROCEDURE**

### **A. Access:**

1. Employees may examine their personnel files in the presence of the Mayor or Human Resources/Payroll Officer during normal working hours. Employees may request to obtain a copy of their personnel files at the expense of the City. All requests will be made in writing on a form provided by the Human Resources/Payroll Office. No one else will have access to an employee's personnel file, except those with express written permission of the employee or those City personnel with a "need to know" such as the employee's supervisors and City Attorney. Requests to examine personnel files, or request for copies of documents contained therein, by any other person or entity shall be referred to the City Attorney. The City Attorney will consider the request, review the file and determine what information, if any, shall be disclosed.

### **B. Records added or removed from file/retention:**

1. City Department Directors, supervisors or other administrative staff members shall forward all employment records that should be included in the personnel file to the Human/Resource Payroll Office as soon as practical. The records will then be placed in the employee's personnel file.
2. Records within the personnel file will be retained while the employee is employed with the City, and will not be removed unless upon a court order or directed to do so by the City Attorney.
  - (i) At the request of the employee and on the recommendation of the employee's Director, with final approval from the Mayor, a negative document will be removed from the official Personnel Record after three (3) years, but not if the document may be used to document an on-going problem.
  - (ii) At the discretion of the Director, a negative document may designate a target date for removal, so long as no further incidents have occurred prior to the target date. Upon reaching the target date, and at the written request of the employee, the Director must review the document and then he or she may remove it from the personnel file. If the situation referred to in the document is still relevant, the Director may decide not to remove the negative document and may then assign another removal date in a separate writing, to be attached to the negative document in the personnel file.

3. After employment is terminated, personnel records will be kept and destroyed in accordance with the City's retention schedule.

**C. Records not included in the Personnel File:**

1. An employee's medical records, including worker's compensation records, will be maintained by the Human Resources/Payroll Office in a separate file, contained in a locked file cabinet located in the City vault, or other location within the City HR/Payroll Office. These records are considered confidential, and access will be limited to the employee, the Human Resources/Payroll Officer, the Mayor and the City Attorney. Information will only be released in accordance with law on a need to know basis.
2. Time sheets, vacation and sick leave records, continuing payroll records, retirement records, and other employment records not considered part of the personnel file will be maintained by the Human Resources/Payroll Office.
3. Investigative records related to internal investigations or criminal investigations will be maintained by the appropriate Department Director, Human Resources/Payroll Officer, the Mayor, or other designated City official. Informal records which may constitute discipline, but may be used as a basis for further formal disciplinary action, such as notices of counseling, will be maintained by the appropriate supervisor or Department Director. These records are considered confidential and will be released only upon authorization of the City Attorney.
4. Upon termination from employment these records will be maintained with the employees personnel file, but treated as separate files.

## **CLOSING**

A written reprimand or greater disciplinary document may not be placed in the personnel file without the employee having been first notified of said complaint and given a copy. Only documents contained in the employee's personnel file or documents which the employee has verified by his or her signature that he or she has read and/or received, can be used against the employee. An employee may author a rebuttal to any derogative document, within ten (10) working days of said action, which will be filed together with such document.

In order to maintain up-to-date files, employees must notify the Human Resources/Payroll Officer of any changes in address, telephone number, name, educational accomplishments, recent skill developments, and emergency contacts. All information contained in this file is open for the employee's inspection and review by stopping in the Human Resources/Payroll Office during office hours.



## CITY OF MILES CITY PERSONNEL POLICY

Effective  
Date:

Last Revised:

### Reduction in Force

- This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

### PURPOSE

The City of Miles City defines “Reduction in Force” and describes the process to follow in the event that layoffs are necessary in the workforce.

### POLICY

It is the policy of the City of Miles City that the Mayor and/or his/her designee have authority to determine if City workload, funding or other business decisions are such that terminations via Reduction-in-Force are required.

#### A. Definitions

1. **Reduction in Work Force (RIF):** means a City management action taken for non-disciplinary reasons in which an employee is laid off from employment.
  - a. The RIF may take place for reasons including, but not limited to:
    - Elimination of programs;
    - Reduction in full time employees (FTEs) by the City Council;
    - Lack of work;
    - Lack of funds;
    - Expiration of grants;
    - Reorganization of a City department;
    - Privatization of a service normally or traditionally provided by employees of the department.
2. **Effective Date of RIF:** means the date determined by the City to be the end of employment for an employee, allowing adequate time for appropriate notice of RIF.
3. **Termination Date:** means the date the employee is actually removed from the payroll.
4. **Notice of Anticipated RIF:** means a written notice informing an employee that the City anticipates the employee will be laid off. The notice shall provide a tentative effect date of RIF.
5. **Skill:** means an assessment of qualifications and experience

## **PROCEDURE**

### **A. Consideration of Reduction in Force:**

It is the policy of the City of Miles City to consider any or all of the following when Reduction in Force is necessary.

1. Qualifications and experience to perform the duties of a specific position which will be retained.
  2. General qualifications and experience beneficial to future achievement of City goals and objectives.
  3. The performance on specific, related tasks to those required by the position, which will be retained
  4. General performance history.
  5. Veteran preference to comply with the provisions of Section 39-29-111, MCA.
- Skill shall be applied first. If skill does not differentiate between employees, length of service with the City will then be considered.
  - Temporary, seasonal and short-term workers within the affected department(s) will be terminated before any permanent employees will be laid off.

### **B. Notification requirements of an anticipated RIF:**

An employee should be counseled as much in advance of the anticipated RIF as possible regarding available options and reason for RIF. At the time of counseling, an employee shall be given a written notice of anticipated RIF, which will provide a tentative effective date of lay-off.

- A written notice must be provided to an employee at least fourteen (14) calendar days prior to a reduction in force.
- If a reduction in force is anticipated to last longer than fifteen (15) calendar days, the employee shall be terminated.

A RIF may not be used as an alternative to discharging an employee for cause or disciplinary purposes. Unsatisfactory employees should be terminated subsequent to complete and appropriate evaluation, review and documentation. If an unsatisfactory employee is laid off without appropriate evaluation, review and documentation, the employee must be treated the same as any other RIF'd employee.

### **C. Recall and Reinstatement Rights of the RIF'd Employee:**

If a vacancy occurs within the City within one (1) year of the employee's effective date of lay-off, that employee shall be reinstated to the same or equivalent position.

Employees who have been laid off from the City shall be offered reinstatement on a "last-out/first-in" basis. Specific reinstatement offers must be made to the employee in writing, at

the last address provided by the employee to the City, with notice by certified mail and return receipt requested.

- Employees must keep the City informed of the address and telephone number where they can be contacted in the event of a recall. Employees are directed to contact the Human Resources/Payroll Office with any changes.
- If the City is unable to contact an employee within seven (7) working days of the recall, the employee will be eliminated from the recall list and the City will have no further obligation to recall that employee.

The employee shall accept or reject the reinstatement offer, in writing, within seven (7) working days following receipt of the offer.

- If the employee rejects a reinstatement offer, the employee loses all rights to the employment offered and loses all rights to participate in future internal recruitment.
- The City is not required to make subsequent reinstatement offers to the employee.
- The City will comply with Section 7-32-4106, MCA with regards to Police Department and Section 7-33-4126, MCA with regards to Fire Department.

Acceptance of permanent, seasonal or temporary employment with the City does not end the reinstatement right for one (1) year from the effective date of RIF.

An employee is eligible to be considered as an "Internal Applicant" for job vacancies in the City department from which the employee was laid off for one (1) year from the effective date of lay-off.

An employee who is terminated due to a RIF with a City department is entitled to notice of announcements for jobs for which the employee may qualify that arise within the terminating City department, or within the City government, for one (1) year from the effective date of lay-off. The Human Resources/Payroll Office will distribute the external/internal notices to the RIF'd employees.

## **CLOSING**

An employee may file a grievance under the City's grievance policy based on the receipt of a written notice of layoff due to a reduction in force.



## CITY OF MILES CITY PERSONNEL POLICY

Effective  
Date:

Last Revised:

### Employee Separation

- This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

### PURPOSE

The City of Miles City believes that an advance notice regarding resignation and an exit interview is an important and courteous action.

### POLICY

It is the policy of the City of Miles City to utilize an established procedure for employee termination with the City by service, disability retirement, resignation, discharge, probation period termination, or layoff. The procedures are designated to provide the least disruption and inconvenience to the employee and the City.

#### Definitions:

1. **Resignation:** Resignation is a termination action which is initiated by the employee.
2. **Retirement:** Retirement is a termination action which is initiated by an employee who meets the basic eligibility requirements of his or her appropriate retirement system.
3. **Discharge:** Discharge is a termination action which is a result of employee misconduct.
4. **Reduction-in-Force:** Reduction-in-Force is a termination action which is a result of insufficient funds or other business reasons and is not a disciplinary action.

### PROCEDURE

- A. Employees who are voluntarily resigning from the City are requested to give a written notice with a minimum of two (2) weeks. Employees will be provided their final paycheck within 15 days or the next scheduled pay period, whichever is sooner.
- B. Depending on the circumstances surrounding the resignation, employees who resign from the City may be eligible for re-employment. Employees who have separated from employment from the City of Miles City, will be required to complete an application and proceed through the regular hiring procedure as other applicants. A former employee who is re-hired by the City will be considered a new employee and required to complete the applicable probationary period. Date of service, for seniority purposes, will be the date of

instatement of the subsequent hiring. Subsequent employment and participation in the retirement system will be made in accordance with the rules and regulations of the retirement plan, as well as all applicable Federal and State laws.

- C. Employees terminated by the City will have a letter issued stating the reason and the effective date of the termination. Employees who are on their initial probation may be discharged, with or without cause as the City deems appropriate, within the six (6) or twelve (12) month probationary period, as appropriate.
- D. The City will follow the procedure outlined in the Employee Discipline section to terminate a non-probationary employee. An employee terminated for cause does not retain his or her job or benefits pending any grievance appeal, but if he or she wins the grievance, such salary and benefits may be restored retro-actively.
- E. An employee who has passed the 90-day qualifying period and who separates employment from the City of Miles City shall be entitled upon termination to cash compensation pay-out for any unused sick leave credits equal to one-fourth the accumulated sick leave. The payout will be based upon the employee's salary at the time of termination.
- F. An employee who has passed the 180-day qualifying period and who separates employment from the City of Miles City shall be entitled upon termination to cash compensation pay-out for all unused vacation credits. The payout will be based upon the employee's salary at the time of termination.

#### **Exit Interview:**

Prior to leaving, Human Resources will conduct an exit interview using the "Retirement – Exit Checklist" or Employee-Exit Checklist" form.

The exiting employee may choose to fill out the "Employee - Exit Interview & Questionnaire" form.

#### **CLOSING**

The Human Resources/Payroll Office will work in conjunction with the insurance company and/or its designee to ensure relevant benefit information is forwarded to the employee at his or her last known address.

Employees must return all City property (keys, uniforms, etc.) to their immediate supervisors prior to being issued their final check from Human Resources/Payroll Office.

The Human Resources/Payroll Office will provide a copy of the City Grievance procedures to all employees who leave employment with the City.



# CITY OF MILES CITY

## RETIREMENT – EXIT Checklist

To be Completed by HR/Payroll Office

Name: \_\_\_\_\_ Date of Retirement: \_\_\_\_\_

The following is information that employees leaving the City of Miles City need to be informed about:

- **FINAL PAYCHECK** with accrual payout – Issue Date: \_\_\_\_\_
  - ☐ **Sick Leave Hours:** \_\_\_\_\_ \* cash compensation pay-out for the unused leave equal to one-fourth the accumulated sick leave
  - ☐ **Vacation Hours:** \_\_\_\_\_
  - ☐ **Comp Hours:** \_\_\_\_\_
- **INSURANCE-** Health, Dental, Vision, Life Insurance (*eligible if under 65 & not on SS Disability*):
  - ☐ **NO to Retiree Insurance Coverage**
    - ✓ Coverage Ends: \_\_\_\_\_
  - ☐ **YES to Retiree Health:** \$ \_\_\_\_\_ /mo
  - ☐ **YES to Dental** \$ \_\_\_\_\_ /mo
  - ☐ **YES to Vision** \$ \_\_\_\_\_ /mo
  - ☐ **YES to Life** \$ \_\_\_\_\_ /mo
  - ☐ **YES to Additional Life** \$ \_\_\_\_\_ /mo
    - **TOTAL** \$ \_\_\_\_\_ /mo
    - Payment due on: \_\_\_\_\_
    - MPERA Health Insurance Authorization form provided
- **RETIREMENT**
  - ☐ Not Applicable
  - ☐ **PERS** (form provided): \_\_\_\_\_
  - ☐ **FURS** (form provided): \_\_\_\_\_
  - ☐ **MORPS** (form provided): \_\_\_\_\_
- **MISC**
  - ☐ Deferred Compensation Information
  - ☐ Optional Deductions: \_\_\_\_\_
  - ☐ Exit Interview: Any feedback regarding your employment with the City is appreciated
  - ☐ GRIEVANCE: *Procedure for your group*

❖ I ACKNOWLEDGE RECEIPT OF THIS INFORMATION

Signature: \_\_\_\_\_ Date: \_\_\_\_\_





## CITY OF MILES CITY

### EMPLOYEE – EXIT Checklist

To be Completed by HR/Payroll Office

Name: \_\_\_\_\_ Date of Resignation/Termination: \_\_\_\_\_

The following is information that employees leaving the City of Miles City need to be informed about:

- **FINAL PAYCHECK** with accrual payout – Issue Date: \_\_\_\_\_
  - ☐ **Sick Leave Hours:** \_\_\_\_\_ \* cash compensation pay-out for the unused leave equal to one-fourth the accumulated sick leave
    - Must be employed with the City 3 months to be eligible
  - ☐ **Vacation Hours:** \_\_\_\_\_
    - Must be employed with the City 6 months to be eligible
  - ☐ **Comp Hours:** \_\_\_\_\_
- **INSURANCE-** Health, Dental, Vision, Life Insurance: MMIA will send you COBRA information
  - ❖ Date Coverage Ends: \_\_\_\_\_
  - ❖ Current Address: \_\_\_\_\_
- **RETIREMENT: Public Employees Retirement Administration Refund Application:**
  - ☐ Not Applicable
  - ☐ **PERS – MPORS – FURS:** As a resigned/terminated employee, you have some decisions to make regarding your account. Please follow the detailed instructions on the application.
- **DEFERRED COMPENSATION**
  - ☐ Deferred Compensation Information/
  - ☐ Optional Deductions: \_\_\_\_\_
    - On a monthly basis the City updates elected deferred compensation/optional deduction vendors of changes in enrollment
- **EXIT INTERVIEW**
  - ☐ Any feedback regarding your employment with the City is appreciated
    - ❖ Date Completed: \_\_\_\_\_ Date Declined: \_\_\_\_\_
- **GRIEVANCE PROCEDURE**
  - ☐ You are receiving this notice of your rights under the Grievance Procedure

❖ I ACKNOWLEDGE RECEIPT OF THIS INFORMATION

❖ Signature: \_\_\_\_\_ Date: \_\_\_\_\_



# CITY OF MILES CITY

## EMPLOYEE - EXIT Interview & Questionnaire

To be Completed by Resigning Employee: Optional

Name: \_\_\_\_\_ Job Title: \_\_\_\_\_

Department: \_\_\_\_\_ Date of Resignation/Termination: \_\_\_\_\_

### Reason for Termination:

☐ Another position    ☐ Personal Reasons    ☐ Relocation    ☐ Retirement

☐ Other: \_\_\_\_\_

Employee Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Interviewer Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Questionnaire:

1. What are your primary reasons for leaving? \_\_\_\_\_

\_\_\_\_\_

2. What did you find most satisfying about your job? \_\_\_\_\_

\_\_\_\_\_

3. What did you find most frustrating about your job? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. As an employee were you given all of the information you needed to perform your job? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. How did you feel about the quality of training you received in your job? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. How did you feel about the Department Director/Supervisor in your department? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
7. What was the most common complaint of fellow employees? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
8. How did you feel about your rate of pay in relation to the type of work you did? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. Would you refer your friends to the City of Miles City? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
10. Is there anything the City of Miles City could have done to prevent you from leaving? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employees Signature: \_\_\_\_\_ Date: \_\_\_\_\_


Interviewer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **SECTION 4**

### Employee Benefits



City of Miles City

 <b>CITY OF MILES CITY PERSONNEL POLICY</b>	Effective Date:	
	Last Revised:	
<b>Health Insurance</b>		
Resolution #		

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

## **PURPOSE**

The City of Miles City believes that providing health insurance is an important benefit for employees.

## **POLICY**

The City of Miles City maintains a self-funded insurance plan through Montana Municipal Interlocal Authority (MMIA) for full-time employees, retirees, and eligible dependents. Allegiance Benefit Plan Management (Allegiance) is responsible for medical claims administration. The City of Miles City presently, at the date of the adoption of this policy, pays 100% of the premium for the "Madison Plan" for the employee only. The City of Miles City reserves the right to enroll in a different plan of substantial similarity at any time. The Human Resources/Payroll Officer oversees administration of the plan.

## **PROCEDURE**

Insurance coverage begins the 1<sup>st</sup> day of employment for new hires. Employees may be required to make premium contributions, depending on the dependent coverage the employee chooses. Any deductions will be made directly through payroll, and payments will be split equally between the semi-monthly payroll cycles.

Retirees pay their own premiums, either by making payment directly to the Human Resources/Payroll Office by the 1<sup>st</sup> of the month, or by authorizing deduction of health insurance premiums from their retirement benefits (preferred method). Authorization forms and deduction changes for retirees must be initiated through the Human Resources/Payroll Office.

If an employee waives coverage for dependent(s) during the initial enrollment, the employee's next

opportunity to elect coverage for dependent(s) will be during the open enrollment period of May 15<sup>th</sup> through June 15<sup>th</sup>, unless there is a change in family status during the year (birth, death, marriage, divorce, adoption) or loss of coverage.

All employees will receive a "Health Information" packet from the Human Resources/Payroll Office detailing health insurance coverage and expense.

#### **When Coverage Ends:**

If an employee terminates before the 15<sup>th</sup> of the month, coverage is extended to the last day of that month. Employees who terminate after the 15<sup>th</sup> of the month will have coverage through the last day of the following month.


MMIA will send COBRA benefit information to employees who have resigned or have been terminated from the City.

#### **CLOSING**

The Human Resource/Payroll Officer will carefully review plan eligibility for all employees who work less than 40 hours per week.

Employees should contact the Human Resources/Payroll Office for more detailed information regarding insurance coverage during a leave of absence.

Employees who come in with questions about claims will be directed to the customer service department of Allegiance. The City of Miles City cannot handle private health information for its employees. Privacy laws under the Health Insurance Portability and Accountability Act (HIPAA) does enforce violations of private health information breeches and will fully investigate complaints.

 <b>CITY OF MILES CITY</b> <b>PERSONNEL POLICY</b>	Effective Date:	
	Last Revised:	
<b>Dental Insurance</b>		

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

## **PURPOSE**

The City of Miles City believes that providing dental insurance is an important benefit for employees.

## **POLICY**

The City of Miles City maintains a self-funded insurance plan through Montana Municipal Interlocal Authority (MMIA). Delta Dental is responsible for dental claims administration for full-time employees, retirees, and eligible dependents. The City of Miles City presently, at the date of the adoption of this policy, pays 100% of the premium for the “Dental Plan I” for the employee only. The City of Miles City reserves the right to enroll in a different plan of substantial similarity at any time. The Human Resources/Payroll Officer oversees administration of the plan.

## **PROCEDURE**

Dental insurance coverage begins the 1<sup>st</sup> day of employment for new hires. Employees may be required to make premium contributions, depending on the dependent coverage the employee chooses. Any deductions will be made directly through payroll, and payments will be split equally between the semi-monthly payroll cycles.

Retirees and employee dependent(s) are not required to be on the medical insurance plan to be eligible to participate in this coverage, if minimum participation requirements are met.

Retirees pay their own premiums, either by making payment directly to the Human Resources/Payroll Office by the 1<sup>st</sup> of the month, or by authorizing deduction of dental insurance premiums from their retirement benefits (preferred method). Authorization forms and deduction changes for retirees must be initiated through the Human Resources/Payroll Office.

If an employee waives coverage for dependent(s) during the initial enrollment, the employee's next opportunity to elect coverage for dependent(s) will be during the open enrollment period of May 15<sup>th</sup> through June 15<sup>th</sup>, unless there is a change in family status during the year (birth, death, marriage, divorce, adoption) or loss of coverage.

All employees will receive a "Health Information" packet from the Human Resources/Payroll Office detailing dental insurance coverage and expense.

#### **When Coverage Ends:**

If an employee terminates before the 15<sup>th</sup> of the month, coverage is extended to the last day of that month. Employees who terminate after the 15<sup>th</sup> of the month will have coverage through the last day of the following month.

MMIA will send COBRA benefit information to employees who have resigned or have been terminated from the City.

#### **CLOSING**

The Human Resource/Payroll Officer will carefully review plan eligibility for all employees who work less than 40 hours per week.

Employees should contact the Human Resources/Payroll Office for more detailed information regarding dental insurance coverage during a leave of absence.

Employees who come in with questions about claims will be directed to the customer service department of Delta Dental. The City of Miles City cannot handle private health information for its employees. Privacy laws under the Health Insurance Portability and Accountability Act (HIPAA) does enforce violations of private health information breeches and will fully investigate complaints





## **CITY OF MILES CITY PERSONNEL POLICY**

Effective  
Date:

Last Revised:

### **Vision Insurance**

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

### **PURPOSE**

The City of Miles City believes that providing vision insurance is an important benefit for employees.

### **POLICY**

The City of Miles City maintains a self-funded insurance plan through Montana Municipal Interlocal Authority (MMIA). VSP Vision Care is responsible for vision claims administration for full-time employees, retirees, and eligible dependents. The City of Miles City presently, at the date of the adoption of this policy, pays 100% of the premium for the "Vision Plan C" for the employee only. The City of Miles City reserves the right to enroll in a different plan of substantial similarity at any time. The Human Resources/Payroll Officer oversees the administration of the plan.

### **PROCEDURE**

Vision insurance coverage begins the 1<sup>st</sup> day of employment for new hires. Employees may be required to make premium contributions, depending on the dependent coverage the employee chooses. Any deductions will be made directly through payroll, and payments will be split equally between the semi-monthly payroll cycles.

Retirees and employee dependent(s) are not required to be on the medical insurance plan to be eligible to participate in vision coverage, if minimum participation requirements are met.

Retirees pay their own premiums, either by making payment directly to the Human Resources/Payroll Office by the 1<sup>st</sup> of the month, or by authorizing deduction of vision insurance premiums from their retirement benefits (preferred method). Authorization forms and deduction changes for retirees must be initiated through the Human Resources/Payroll Office.

If an employee waives coverage for dependent(s) during the initial enrollment, the employee's next opportunity to elect coverage for dependent(s) will be during the open enrollment period of May 15<sup>th</sup> through June 15<sup>th</sup>, unless there is a change in family status during the year (birth, death, marriage, divorce, adoption) or loss of coverage.

All employees will receive a "Health Information" packet from the Human Resources/Payroll Office detailing vision insurance coverage and expense.

#### **When Coverage Ends:**

If an employee terminates before the 15<sup>th</sup> of the month, coverage is extended to the last day of that month. Employees who terminate after the 15<sup>th</sup> of the month will have coverage through the last day of the following month.

MMIA will send COBRA benefit information to employees who have resigned or have been terminated from the City.

#### **CLOSING**

The Human Resource/Payroll Officer will carefully review plan eligibility for all employees who work less than 40 hours per week.

Employees should contact Human Resources/Payroll Office for more detailed information regarding vision insurance coverage during a leave of absence.

Employees who come in with questions concerning claims will be directed to the customer service of department of VSP. The City of Miles City cannot handle private health information for its employees. Privacy laws under the Health Insurance Portability and Accountability Act (HIPAA) does enforce violations of private health information breeches and will fully investigate complaints



# **CITY OF MILES CITY**

## **PERSONNEL POLICY**

Effective  
Date:

Last Revised:

### **Life Insurance**

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

### **PURPOSE**

The City of Miles City believes that providing life insurance is an important benefit for employees.

### **POLICY**

The City of Miles City maintains a self-funded insurance plan through Montana Municipal Interlocal Authority (MMIA). UNUM Life Insurance Company is responsible for life insurance claims administration for full-time employees, retirees, and eligible dependents. The City of Miles City presently, at the date of the adoption of this policy, pays 100% of the premium for "Basic Life and Accidental Death and Dismemberment (AD&D) Plan" for the employee, and 100% for the "Dependent Life Plan". The City of Miles City reserves the right to enroll in a different plan of substantial similarity at any time. The Human Resources/Payroll Officer oversees the administration of the plan.

### **PROCEDURE**

Life insurance coverage begins the 1<sup>st</sup> day of employment for new hires.

The employee may obtain Additional Voluntary Term Life and AD&D benefits for themselves and/or dependent child(ren) with premiums paid 100% by the employee. Any deductions will be made directly through payroll and payments will be split equally between the semi-monthly payroll cycles.

Retirees and employee dependent(s) are not required to be on the medical insurance plan to be eligible to participate in life insurance coverage, if minimum participation requirements are met.

Retirees pay their own premiums, either by making payment directly to the Human Resources/Payroll Office by the 1<sup>st</sup> of the month, or by authorizing deduction of life insurance

premiums from their retirement benefit (preferred method). Authorization forms and deduction changes for retirees must be initiated through the Human Resources/Payroll Office.

All employees will be required to submit beneficiary information when completing a life insurance enrollment form. It is the employee's responsibility to report any changes in beneficiary information to the Human Resources/Payroll Office.

If an employee waives coverage for dependent(s) during the initial enrollment, the employee's next opportunity to elect coverage for dependent(s) will be during the open enrollment period of May 15<sup>th</sup> through June 15<sup>th</sup>, unless there is a change in family status during the year (birth, death, marriage, divorce, adoption) or loss of coverage.

All employees will receive a "Health Information" packet from the Human Resources/Payroll Office detailing life insurance coverage and expense.

#### **When Coverage Ends:**

If an employee terminates before the 15<sup>th</sup> of the month, coverage is extended to the last day of that month. Employees who terminate after the 15<sup>th</sup> of the month will have coverage through the last day of the following month.

MMIA will send COBRA benefit information to employees who have resigned or have been terminated from the City.

#### **CLOSING**

The Human Resource/Payroll Officer will carefully review plan eligibility for all employees who work less than 40 hours per week.

Employees should contact Human Resources/Payroll Office for more detailed information regarding life insurance coverage during a leave of absence.

Employees who come in with questions concerning claims will be directed to the customer service of department of UNUM. The City of Miles City cannot handle private health information for their employees. Privacy laws under the Health Insurance Portability and Accountability Act (HIPAA) does enforce violations of private health information breeches and will fully investigate complaints.



## **CITY OF MILES CITY PERSONNEL POLICY**

Effective  
Date:

Last Revised:

### **Employee Assistance Program**

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

### **PURPOSE**

The City of Miles City believes in assisting employees in identifying personal problems, which affect work performance and/or their private life and wellness.

### **POLICY**

The City of Miles City maintains a self-funded insurance plan through Montana Municipal Interlocal Authority (MMIA). MMIA has contracted with Reliant Behavioral Health (RBH) to offer this completely confidential Employee Assistance Program (EAP). The EAP can help an employee to privately resolve problems that may interfere with work, family, and life in general. EAP is provided for free to employees and dependents, living at or away from home, as well as household members, related or not. EAP services are always confidential

### **PROCEDURE**

**24-Hour Crisis Help** – toll-free access for employees or family members experiencing a crisis: #866-750-1327

**In-Person Counseling** – up to 6 face-to-face counseling sessions for each new issue. For access to qualified local counselors who can help an employee with a variety of problems such as family, parenting, relationship, stress, anxiety and other challenges: #866-750-1327

**Online Consultations** – convenient access to online consultations with licensed counselors through RBH eAccess at: [www.MyRBH.com](http://www.MyRBH.com)

### **CLOSING**

All employees will receive a “Health Information” packet from the Human Resources/Payroll Office, with detailed information concerning EAP services.



# CITY OF MILES CITY

## PERSONNEL POLICY

Effective  
Date:

Last Revised:

### Retirement

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

### PURPOSE

To provide an outline of retirement programs and benefits available to the employees of the City of Miles City.

### POLICY

It is the policy of the City of Miles City that participation in the retirement system will be made in accordance with the rules and regulations of retirement plans, as well as all applicable Federal and State laws.

**A. Public Employees' Retirement System (PERS) is administered by Montana Public Employee Retirement Administration (MPERA):**

- Membership is Mandatory for all regular full-time employees in a PERS-covered position.
  - Membership is Mandatory if an employee is currently an active or inactive member of PERS and have current contributions on file.
  - Membership is Optional for an employee working 960 hours or less in a PERS-covered position.
  - Membership is Optional if elected to a local government position.
  - If an employee is a retired member of PERS, the working retiree restrictions apply: Section 19-3-1106, MCA.
- ❖ The City and the employees contribute a percentage of Income to the fund as determined by the plan administrator.

**B. Municipal Police Officers' Retirement System (MPORS) is administered by Montana Public Employee Retirement Administration (MPERA):**

- Membership is Mandatory for all Police Officers or eligible employees

- ❖ The City and the employee contribute a percentage of the employee's Base Salary as determined by the plan administrator.

**C. Firefighters' Unified Retirement System (FURS)** is administered by Montana Public Employee Retirement System (MPERA):

- Membership is Mandatory for all Firefighters or eligible employees
- Membership is Optional for Part-Paid Firefighters
- ❖ The City and the employee contribute a percentage of the employee's Base Salary as determined by the plan administrator.

**D. Social Security (FICA)**

- Contributions are Mandatory by all employees, regardless of employment status, with the exception of:
  - ✓ Police Officers and Firefighters hired prior to March 31, 1986
  - ✓ Police Officers and Firefighters hired after March 31, 1986
- ❖ The City and the employee contribute a percentage of the employee's Gross Wages.

**E. Medicare**

- Contributions are Mandatory by all employees, regardless of whether or not they are subject to Social Security taxes.
- ❖ The City and the employee contribute a percentage of the employees Gross Wages.

**F. Creditable Time:** As provided by Montana State law, the time an employee has worked for City, County or State Government in the State of Montana, including the Montana National Guard, may be counted towards retirement. Employees may "buy back" military time for inclusion towards retirement.

## **PROCEDURE**

The Human Resources/Payroll Office has on file a copy of each handbook for the Public Employees' Retirement System (PERS), the Montana Firefighters Unified Retirement System (FURS), and the Municipal Police Officers Retirement System (MORPS). New employees will be provided a handbook for their respective retirement. New Employees will be required to complete all necessary retirement paperwork during their "Employee Orientation" process.

## **CLOSING**

**Retirement Process:** Employees who wish to retire should inform the Human Resources/Payroll Office as soon as possible to receive exit counseling.

All terminating employees will receive information regarding their respective retirement during the "Exit Checklist" process.

Please contact the Human Resources/Payroll Office for information concerning:

- ✓ Purchase Service
- ✓ Withdraw of Funds
- ✓ Update Beneficiary Information
- ✓ Update any other information





## **CITY OF MILES CITY PERSONNEL POLICY**

Effective  
Date:

Last Revised:

### **Workers Compensation**

- This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.

#### **PURPOSE**

The City of Miles City provides Workers' Compensation Insurance to all City employees to provide a remedy for injuries that occur in the course and scope of employment.

#### **POLICY**

The City of Miles City maintains a self-funded Workers Compensation Insurance Plan through Montana Municipal Interlocal Authority (MMIA). Workers Compensation is a no fault, sole remedy insurance. The main objective for the City of Miles City is to return an employee who has suffered a work-related injury or disease return back to work as soon as possible.

#### **Workers Compensation Information**

- A. Injuries and Occupational diseases are covered
- B. An exposure is not covered by workers' compensation unless:
  - ✓ an injury occurs with the exposure; or
  - ✓ a disease is proven to have been caused by the exposure.
- C. An Injury is normally caused by an accident which is:
  - ✓ an unexpected traumatic incident or unusual strain;
  - ✓ identifiable by time and place of occurrence;
  - ✓ identifiable by member or part of the body affected;
  - ✓ caused by a specific event on a single day or during a single work shift.
- D. An Occupational Disease is a disease or medical condition that is not caused by an accident:
  - ✓ arises out of employment or is contracted in the course and scope of employment;
  - ✓ condition established by objective medical findings;
  - ✓ events occurring on more than a single day or work shift are the major contributing cause of the disease or medical condition.

## PROCEDURE

### Reporting:

Although the Montana Workers' Compensation statutes allow for injuries to be reported to an employer within thirty (30) days of the occurrence, it is strongly recommended that an employee report all injuries to his or her immediate Supervisor and Department Director within twenty-four (24) hours or as soon as possible. An employee has one (1) year to report an occupational disease (once symptoms appear). It is also strongly recommended, whether or not an employee receives medical treatment, that the employee report minor injuries to his or her immediate Supervisor and/or Department Director.

Employees are responsible for reporting all injuries to their immediate supervisor and Department Director within twenty-four (24) hours, or soon as possible. Once an employee has reported his or her injury, a First Report of Injury and/or Occupational Disease form will be completed by the Human Resources/Payroll Office, signed by the employee and submitted to the workers' compensation insurance carrier within six (6) days of the report.

Claims must be completed by the Human Resource/Payroll Officer with assistance from the employee involved and only:

- When paid medical treatment will be necessary (beyond on-the-job first aid).
- When there is lost time from work (with a note from treating physician).
- When the employee requests a claim to be filed.

### Benefits:

Worker's Compensation benefits consist of two parts:

- Medical Benefits
- Wage Loss Benefits

The medical benefits cover allowable medical cost associated with the injury.

Wage loss benefits begin after the injured employee has been unable to work for thirty-two (32) scheduled work hours or four (4) days, whichever comes first. An employee is eligible for compensation starting with the fifth (5) day. If the employee is totally disabled and unable to work in any capacity for twenty-one (21) days or longer, compensation must be paid retroactively to the first day of total wage loss. An employee who is entitled to receive retroactive compensation benefits, but took sick leave may elect to repay the City the amount of salary for the sick leave received, or waive the retroactive payment of benefits.

The employee will receive compensation benefit equal to the average actual earnings for the four pay periods immediately preceding the injury. An exception is if the term of employment for the same employer is less than four pay periods, the employee's wage is the hourly rate times the number of hours in a week for which the employee was hired to work.

- The rate is based on 66 2/3% of the employee's average weekly wage at the time of injury.

- The maximum weekly compensation benefits may not exceed the state's average weekly wage at the time of injury.
- Usage of vacation leave by a worker may not affect the worker's eligibility for temporary total disability benefits.
- Augmentation of temporary total disability benefits with sick leave by an employer pursuant to a collective bargaining agreement may not disqualify a worker from receiving temporary total disability benefits.

**Specific to Police Officers and Firefighters:** Pursuant to MCA 7-32-4132 and 7-33-4133, Police Officers and Firefighters who are injured in the line of duty will receive additional compensation from the City in an amount equal to the difference between compensation paid by workers' compensation and his or her regular net pay. Police Officers and Firefighters continue to accrue sick and vacation leave credits while off work due to a work related injury or disease.

- The calculations on the above City payment will be done by subtracting the workers' compensation payment from the Officer's or Firefighters adjusted gross salary (less taxes and retirement).
- All other personal payment obligations that the Police Officer or Firefighter may have authorized as payroll deduction payments will be the responsibility of the employee.
- This additional compensation is only payable until the disability has ceased, as determined by workers compensation, or for a period not to exceed one (1) year, whichever occurs first.

The employee will be responsible to remain in close contact with his or her Department Director, and furnish the Director with current physician's reports on his or her physical condition.

## CLOSING

Employees will be carried in "employment status" for a period of three (3) months while on Workers' Compensation leave. Extensions of this time may be granted by the Mayor upon submission of evidence from the treating physician that the employee will be able to return to work within a reasonable time and be able to perform the essential functions of the position. If the employee's physician does not release the employee to return to his or her former position within this time frame, the City may elect to terminate the employee.

- An injured worker who was terminated in accordance with this policy, is capable to return to work within two (2) years from the date of injury, has received a medical release to return to work, will be given a preference over other applicants for a comparable position that becomes vacant, provided the position is consistent with the workers physical condition and work abilities.

Whenever possible, light duty will be made available to the employee upon authorization of the physician. Please reference the City of Miles City "Early Return to Work" policy.



## **CITY OF MILES CITY PERSONNEL POLICY**

Effective  
Date:

Last Revised:

### **Early Return to Work**

- **This policy supersedes all previous policies and/or handbooks published by the City of Miles City. Negotiated labor contracts that conflict with this policy will take precedence to the applicable extent.**

#### **PURPOSE**

The City of Miles City believes providing an Early Return to Work Program is a benefit to City employees who suffer work-related injuries or occupational diseases so that they may return to work as soon as medically appropriate to a temporary position with modified work duties.

#### **POLICY**

The City of Miles City strives to promote a successful recovery from a work-related injury or illness and has set up these guidelines for Department Directors to follow when a position may be temporarily modified to accommodate the injured employee's physical limitations, thereby allowing him or her to return to work at the earliest medically appropriate date.

#### **PROCEDURE**

The Department Director, Human Resources/Payroll Officer and the injured employee working in conjunction with the employee's physician shall, if medically appropriate, strive to implement a program that will meet the needs of the injured employee and the needs of the City that will permit the employee's return to a transitional employment position. At no time will an employee be assigned to perform work that could pose a safety and/or health risk to the employee or others.

For the injured employee to be authorized to participate in the Early Return to Work program, the employee shall obtain a return-to-work recommendation from his or her physician detailing:

- Physical Limitations;
- Estimated return to work date for both full duties and modified duties.

Upon receipt of the physician's recommendation, the Department Director and Human Resources/Payroll Officer shall work to develop a transitional employment program, if medically feasible. This may include reducing the number of hours worked in a shift or redesigning duties to create safe, meaningful and productive work for the employee.

**Transitional employment:** includes only short-term duties having some or all of the following characteristics:

- Limited physical ability requirements;
- Can be taught to the injured employee quickly;
- May be subject to a flexible work schedule, including shortened workdays;
- Will minimize exposure of the worker to further injury and will not slow down the worker's recovery time.

**Steps in Transitional Employment:**

1. The job duties of the transitional position shall be communicated to the employee. The employee shall have the opportunity to suggest adjustments to accommodate the employee's needs and restrictions.
  - As the employee's condition improves, job duties shall be reviewed and modified.
2. Once the job description is approved, the offer of transitional employment shall be extended to the injured employee.
  - a. Transitional employment is temporary and must have a designated start date and end date set at the time of the employee's return to work.
  - b. The end date may be extended if the employee requires additional time to recover, or the employee may be assigned to other transitional duties with a specific start and end date.
  - c. Transitional employment assignments will normally not exceed a term of forty-five (45) days. In extra ordinary cases, the temporary assignment may be extended for an additional forty-five (45) days.
  - d. At any time it appears the employees are not showing sufficient improvement in their condition, they are to be returned back to sick leave to allow them additional recovery time.
3. The employee must notify the Worker's Compensation Claims Adjuster of the offer so any adjustment to wage benefits may be made. This adjustment occurs whether the employee accepts the offer of employment or not.
4. The City will notify the Claims Adjuster when the employee accepts or refuses the offer for the purpose of calculating wage benefits adjustments.
  - If the injured employee refuses an offer of transitional employment, it is possible that the employee may lose wage benefits paid by Worker's Compensation.

**CLOSING**

Department Directors and Supervisors are key players in promoting safety at work, encouraging workers to return to their jobs, keeping costs associated with accidents and work-related illnesses low, and managing the work so productivity is not lost while the employee is temporarily disabled.

All information, including medical information that is obtained by an injured worker to participate in this Return to Work program, is confidential. This information will not be used or disclosed for any purpose other than:

- Providing return to work program services to the injured worker;
- Managing and administering the return to work program by the City of Miles City;
- Advising the City's workers compensation carrier for purposes of administering workers' compensation benefits for the injured worker.