



City of Lewisville, Idaho

## PERSONNEL POLICY

Approved by the City Council

Date: July 13, 2016

# **City of Lewisville PERSONNEL POLICY**

## **I. GENERAL POLICIES**

All employees of the City are At-Will and are employed at the discretion of the Mayor and City Council and will have no right to continued employment or employment benefits, except as may be agreed to in writing and expressly approved by the City Council. This personnel policy is not a contract of employment and is not intended to specify the duration of employment or limit the reasons for which an employee may be discharged. All provisions of this Policy will be interpreted in a manner consistent with this paragraph. In the event of any irreconcilable inconsistencies, the terms of this paragraph will prevail. Only a written contract expressly authorized by the City Council can alter the at-will nature of employment by the City, notwithstanding anything said by an Elected Official or supervisor.

### **A. THE ORGANIZATION IN WHICH YOU WORK**

The City of Lewisville "City" is a political subdivision of the state of Idaho, though it is not a part of state government. The City Council of the City of Lewisville serves as the governing body of the City, carrying out local legislative duties and fulfilling other obligations as provided by law. The City Council is the general policymaker for the City, and has primary authority to establish terms and conditions of employment with the City. The Mayor may appoint personnel to help carry out administrative responsibilities. As with all elected public officials, the Mayor and City Council are ultimately responsible to the voters of the City.

### **B. EQUAL EMPLOYMENT OPPORTUNITY STATEMENT**

All selection of employees and all employment decisions, including classification, transfer, discipline and discharge, will be made without regard to race, religion, sex, age, national origin, or non-job-related disability. No job or class of jobs will be closed to any individual except where a mental or physical attribute, sex or age is a bona fide occupational qualification. All objections to hiring or other employment practices will be brought to the attention of the Mayor or department head or supervisor, or in the case of objection to actions undertaken by that person, to legal counsel for the City.

### **C. VETERAN'S PREFERENCE AND RIGHTS**

The City will accord a preference to U.S. Armed Services veterans, or certain of his/her family members, in accordance with provisions of Idaho Code, Title 65, Chapter 5. In the event of equal qualifications for an available position, a veteran or family member who qualifies for the preference will be employed.



## **D. NEPOTISM/HIRING OF RELATIVES**

No person will be employed by the City when the employment would result in a violation of provisions found in Idaho Code, including but not limited to I.C. § 74-201 et seq., I.C. §18-1359 and their successors. Any such employment made in violation of these sections may be void. The appointment or employment of the following persons is prohibited:

- a. No person related to the Mayor or a City Council member by blood or marriage within the second degree of consanguinity will be appointed to any compensated office, position, employment or duty; and
- b. An employee whose relative is subsequently elected may be eligible to retain his/her position and pay increases as allowed by relevant provisions of Idaho law, including Idaho Code § 18-1359(5).

## **II. EMPLOYMENT POLICIES**

### **A. EMPLOYEE PERSONNEL FILES**

The official employee records for the City will be kept by the City Clerk. The personnel files will contain records related to employee performance, employee status, and other relevant materials related to the employee's service with the City. Only the employee's supervisors, the Mayor, the City Council when acting as a body in the course of its official business, attorneys for the City and the employee are authorized to view materials in a personnel file. Access of others to such files will be allowed only with authorization of the supervising official after consultation with legal counsel for the City. Information regarding personnel matters will only be provided to outside parties with a release from the employee, when deemed necessary by legal counsel for the City, or pursuant to a Court order or a proper subpoena. The City reserves the right to disclose the contents of personnel files to outside state or federal agencies, its insurance carrier or its carrier's agents for risk management purposes, or when necessary to defend itself against allegations of unlawful conduct. Copies of materials in an employee's personnel file are available to that employee without charge, subject to exceptions provided by statutes.

### **B. PERSONAL CONDUCT**

Each employee is expected to perform such obligations as are necessary to carry out the work of the City in an efficient and effective manner at minimal costs and with limited risk to the public and fellow workers and to conduct himself/herself in a manner that is helpful and productive and that does not reflect adversely upon the City.

Each employee shall maintain an accurate time sheet for all hours submitted for compensation, obtain the signature of the appropriate supervisor at the end of the month, where appropriate, and submit the time sheet to the Clerk for approval.

Public employees are subject to additional public scrutiny in their public and personal lives because the public's business requires the utmost integrity and care. Each employee is expected



to scrupulously avoid personal behaviors that would bring unfavorable public impressions upon the City and its officials.

## C. COMPENSATION POLICIES

1. Establishment of Employee Compensation: Employees are compensated in accordance with, and subject to, decisions of the City Council as annual budgets are set and are subject to increase, reduction, or status quo maintenance for any time period. The Mayor or department head may make suggestions about salary compensation and other pay system concerns, but the final decision regarding compensation policy rests with the City Council. The City will comply with all state and federal pay acts governing compensation of its employees.

2. Payroll Procedures and Paydays: Employees are paid every month throughout the year. Paychecks compensate employees for work performed in the pay period preceding the month in which the check is issued. Each employee must monitor the accuracy of compensation received. Information shown on the employee's paycheck stub is provided for information only. Employees are obligated to call to the City's attention any such errors, whether to the advantage or disadvantage of the employee. In the event of a discrepancy, the Employee, Clerk and Mayor will review records and determine the resolution.

3. No payroll deductions will be made from an employee's paycheck unless authorized in writing by the employee or as required by law (Idaho Code § 45-609).

4. Travel Expense Reimbursement: An employee on approved City business will be reimbursed for expenses incurred in completing his/her assignment. Expenses in excess of \$\_\_\_\_\_ will require prior approval of the City Council. Each employee is responsible for providing verified receipts for any expenses for which reimbursement is requested.

5. On-the-Job Injuries: Employees are covered by worker's compensation insurance for on-the-job injuries. All on-the-job injuries must be reported to the employee's supervisor as soon as practicable so that a worker's compensation claim can be filed. Return to employment will be authorized on a case-by-case basis in consultation with the supervising official and the State Insurance Fund and may require a fitness for duty medical review. Concerns associated with injured worker status may be brought before the appropriate Elected Official for review.

## D. EMPLOYEE BENEFITS

Due to the size and workforce of the City, no employee benefits are available to elected officials, appointed officers, full-time regular employees, part-time regular employees or temporary employees other than those set forth herein.

### III. SEPARATION FROM EMPLOYMENT

#### A. EXIT INTERVIEW

Each employee who terminates from employment will be given the opportunity to participate in an exit interview with the Designated Representative of the City. The employee should be invited to inform the interviewer about his/her impressions of employment. An employee exit form may be completed at this point and will be retained in the employee's personnel file.

#### B. RESIGNATION POLICY

Written and oral resignations are effective upon receipt by a supervisor or Elected Official. Oral resignations should be documented by the supervisor after consultation with the Mayor or department head. Evidence of the accepted written or oral resignation should be provided to the employee and placed in the employee's personnel file.

Employees who have an unexcused or unauthorized absence of three (3) working days or more may be considered to have resigned through abandonment of his/her position. If an employee's words or actions indicate an intent to resign, including having an unexcused or unauthorized absence of three (3) or more working days, the City will consider the employee as having resigned and immediately notify him/her of such.

ADOPTED by the City Council on the 13th day of July, 2016.

13 July 2016  
Date

[Signature], Mayor

Attest: [Signature]  
Clerk





## APPENDIX "A"

### ACKNOWLEDGMENT OF RECEIPT OF the City of Lewisville PERSONNEL POLICY

I, \_\_\_\_\_ acknowledge receipt of the \_\_\_\_\_  
Personnel Policy, adopted on \_\_\_\_\_.

- ☐ I understand that it is my responsibility to read and review this Policy.
- ☐ I understand that I am an at-will employee of the City, that this Policy is not an employment contract, that none of the provisions of this Policy can create a contract and that the Policy is not a guarantee of any particular length or term of employment.
- ☐ I understand that I am obligated to perform my duties of employment in conformance with the provisions of this Personnel Policy Manual and any additional rules, regulations, policies or procedures imposed by the office/department in which I work whether or not I choose to read the new Policy.
- ☐ I understand that this Policy may be modified without prior notice to me.
- ☐ I understand that should this Policy be modified that I will be provided with a copy of the modifications.
- ☐ I understand that this Policy may be provided to me in either paper format or by electronic access.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Employee)

I, \_\_\_\_\_, provided a copy (either electronically or by  
paper) of the City of Lewisville Personnel Policy, as adopted by the City Council on  
\_\_\_\_\_ to \_\_\_\_\_, on this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Name - Title)