

**RESOLUTION NO. 636**

A resolution by the Governing Body of the City of Columbus, Kansas, adopting Article XII, entitled, Special Provisions, of the Personnel Regulations for the Employees of the City of Columbus, Kansas.

WHEREAS, the City has reviewed Article XII, Special Provisions, that updates Special Provisions for City employees.

NOW THEREFORE, be it resolved by the Governing Body of the City of Columbus Kansas, that Article XII, Special Provisions, of the Personnel Regulations for the Employees of the City of Columbus, Kansas, shall be adopted. Article XII, revised November 7, 2022, attached to this Resolution, shall be incorporated by reference and shall replace the previous Article XII.

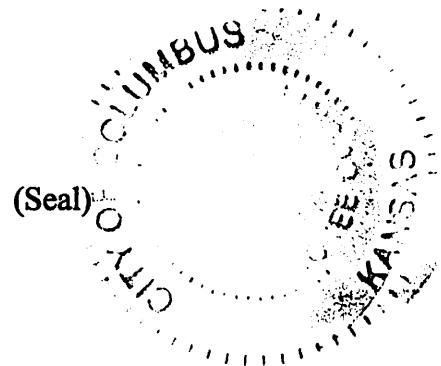
Passed and approved by the Governing Body of the City of Columbus, Kansas, this 7th day of November, 2022.

CITY OF COLUMBUS, KANSAS

  
\_\_\_\_\_  
Grant Spieth, Mayor

ATTEST:

  
\_\_\_\_\_  
Cherri Chancellor, City Clerk



**ARTICLE XII  
SPECIAL PROVISIONS**

**XII-1 Political Activity.**

- A. It is the right of every employee to register and vote on all political issues. Employees are permitted to join political organizations, civic associations, or civic betterment groups.
- B. As private citizens, employees may participate in all political activities including holding public office, except where holding an appointive or elective office is incompatible with the employee's City employment.
- C. The purpose of this policy is to prevent and avoid the appearance of impropriety on the part of any City employee. City employees are neither appointed to hired , nor retained in, the City's service on the basis of their political affiliations or activities.

**XII-2 Membership on boards and commissions.**

Employees are not permitted to be members of councils, boards or commissions that are advisory or administrative to the City except where such membership is specifically authorized by City ordinance.

**XII-3 Residency.**

It is the policy of the City to employ its residents whenever possible; however, the City recognizes that employment of persons outside its geographic boundaries is sometimes necessary and desirable. Except where residency is required, employees may reside outside the City limits.

- A. The City Administrator shall be a bona fide resident of the City of Columbus, at the time of employment, or shall establish residency in the City of Columbus within six (6) months. Residency within the City of Columbus shall be maintained for the duration of the employee's employment. Provided, however, the Governing Body may grant an extension not to exceed six (6) months for establishment of residency upon the request of an employee. Appointed employees, employees under separate contract, ordinance or job description residency requirements, or positions with Kansas Statutory residency requirements must abide by the strictest applicable standard.
- B. The Property & Parks Director, Utilities Director, Property & Parks Operator, Utility Operator and Utility Technician positions shall reside within distance to accommodate a thirty (30) minute required response time.
- C. The Fire Chief, Fire Driver, and Volunteer Firefighter positions shall reside within distance to accommodate a ten (10) minute response time.
- D. The Police Chief will reside within Cherokee County.
- E. There shall be no residency requirement for all other employees.

**XII-4 Insurance.**

- A. All regular full-time employees shall be eligible for the City's group healthcare insurance after sixty (60) days of employment. Exceptions to this policy may be granted on a case-by-case basis at the City Administrator's discretion. Insurance eligibility

must meet guidelines in accordance with Article IV: Salary Administration of the personnel handbook.

- B. When an individual employee is required to pay premiums because of participation in the City's group health insurance plans, the amount of such premium shall be a payroll deduction.
- C. All costs for healthcare insurances shall be paid by the employee during any period the employee is on leave without pay, suspension without pay, on unauthorized leave, or participating in any unlawful work stoppage, or if electing insurance coverage through COBRA provisions.
- D. Healthcare insurance coverage may be extended to the employee in addition to workers' compensation payments.
- E. No employee shall be entitled to a cash payment of any kind in lieu of medical insurance coverage.

#### **XII-5 Retirement.**

All eligible employees of the City shall be members of the Kansas Employees Retirement System (KPERs) and shall be subject to all laws and supplemental regulations governing such membership.

#### **XII-6 Gifts and gratuities.**

Employees should always act in the best interest of the City and not permit outside interests to interfere with their job duties. Contact the City Administrator regarding situations that could be viewed as a potential conflict of interest.

- A. It shall be the responsibility of each City employee to remain free from indebtedness or favors that could create a conflict of interest between personal and official interests or might reasonably be interpreted as affecting the impartiality of the individual employee. If an employee is tendered or offered a gift or gratuity which could, in the eye of the public or public officials, be construed to be an attempt to bribe, influence or to encourage special consideration with respect to Municipal operations, such offer shall be reported without delay to the employee's department head who in turn will inform the City Administrator.
- B. If any employee shall knowingly accept any gift or gratuity that creates undue influence or results in special consideration that benefits the giver, then, with the approval of the City Administrator that employee shall be subject to a disciplinary action in accordance with Article XI-Discipline & Separations.

#### **XII-7 Outside employment.**

Outside employment constitutes a City employee holding a second job with another employer.

- A. No employee shall engage in any other employment, whether public, private or self-employment, during scheduled work hours nor outside work hour if such employment conflicts with the City's legal, financial, or ethical interests or adversely affects the employee's availability and performance of duties. Supervisors are responsible for

informing all employees under their supervision of the provisions of this regulation and the enforcement of it.

- B. For the guidance of all management personnel and employees, the following types of other employment are considered contrary to the City's interest and do adversely affect the availability and performance of employees:
1. Preparing financial reports subject to City audit or review.
  2. For department heads or supervisory positions, to serve as an officer of any union or association of City employees other than one representing such supervisory position. This provision shall not apply to any employee holding such office at the time of adoption of this regulation.
  3. Actively participating in management of any business organization that obtains, or is attempting to obtain, funds or business from the City wherein the City business is 50% or more of such business' gross fiscal receipts.
  4. Other employment wherein data or information to which access is provided by City employment is used.

#### **XII-8 Travel expenses.**

When employees are required to travel on behalf of the City, adopted travel policies in Article XVII-Travel Policies and Procedures shall be observed by the employees.

#### **XII-9 No right to strike.**

No City employee shall have the right to strike. A strike is defined as a concerted failure to report to duty, willful absence from work, a work stoppage, or an abstinence from the full and proper performance of duties for the purpose of inducing or coercing a change in working conditions or compensation. The term strike includes any refusal to perform regular duties while other City employees, or any other persons, are engaged in picketing or any other work stoppage slowdown, or refusal.

#### **XII-10 City property, equipment, and security access.**

Personal or private use of City property or equipment is strictly prohibited. Violation of this provision by an employee is grounds for disciplinary action. The City's e-mail, computer, internet, voice mail systems and cell phone service are company property and solely for business use. Personal use is prohibited. The City may intercept, monitor, copy, review and download any communications or files created or maintained on these systems.

- A. Materials of a sensitive nature or that constitute confidential information should be properly encrypted to prevent interception by third parties when using the internet. Employees have no expectation of privacy while accessing social media at work or on City-owned equipment.
- B. Employee communications and use of City e-mail, computer, internet, voice mail and cell phones will be held to the same standard as all other communications, including compliance with anti-discrimination and anti-harassment policies.
- C. Employees should notify their Department Supervisor of unsolicited or offensive materials received on any of these systems.

- D. It is the responsibility of each employee to adhere to IT security protocols. No employee shall share usernames, pass codes, or passwords with any other person unless expressly authorized in order to perform the employee's job duties. An employee shall immediately inform their supervisor and the IT Department if he or she knows or suspects that any username, pass code, or password has been compromised.
- E. Any City business performed on an employee's personal device is subject to the Kanas Open Records Act (KORA). Employees refusing to provide data requested under KORA, may be subject to discipline up to and including termination.
- F. Consent and compliance with this policy is a term and condition of employment. Failure to abide by these rules or to cooperate with any interception, monitoring, copying, reviewing, and downloading of any communications or files is grounds for discipline, up to and including termination.
- G. Access to City Hall facilities is controlled to maintain security. This policy applies to City employees and all other City identification access cards and key fobs.
  - 1. All City employees with a need to access secured areas of City Hall are issued an access identification card and/or key fob which provide access through specific doors within City Hall.
  - 2. Each time a door is entered, it is automatically recorded as a matter of record; cards or key fobs are not necessary to exit an area.
  - 3. Do not prop doors open except for brief periods of time to allow movement of items such as deliveries through the doors. When a door is propped open, City personnel with access to the area must monitor the door to prevent unauthorized access.
  - 4. Employees are not allowed to be followed through a secured door unless that person is authorized to access the area.
  - 5. Lost cards or key fobs must be immediately reported to the employee's department head or supervisor for deactivation to avoid misuse.
  - 6. Employees who lose their cards or key fobs should contact their supervisor who will assist them with entry and access until a new card or key fob can be issued.
  - 7. A replacement card shall be issued at a cost of \$5.00 to the employee. A replacement key fob shall be issued at a cost of \$6.00 to the employee. Payment for the replacement is due within 30 days after the replacement card or fob is issued. The employee may sign an optional authorization form to have the cost of replacement deducted from his or her paycheck.
  - 8. Fire Department employees and volunteers shall not share the access code to the Fire Department keypad. The Fire Department shall immediately notify the City Clerk when an employee or volunteer terminates his or her position with the Department.

**XII-11 City Credit Purchase Card.**

The City of Columbus, Kansas credit card policy provides a City issued credit card to each department supervisor and may, in the sole discretion of the City Administrator provide a City credit card to certain employees for business-related purposes such as travel expenses, or items needed immediately and not suited to the City's routine

Purchasing procedures. Employees may only use their City issued credit card to incur expenses that are reimbursable under this policy.

- A. Department supervisors shall each have a per expenditure limit in the amount of \$3,000. The City Administrator shall have a per expenditure limit in the amount of \$7,000.
- B. Credit card limits for each department supervisor shall be double their expenditure limit. The credit card limit for the City Administrator shall be equal to their expenditure limit.
- C. The City shall maintain two (2) \$1,000. Limit temporary issue purchase cards for employee use for business and travel related purposes. Cards are administered by the City Clerk's Office. Department supervisors must schedule use of the cards by contacting the City Clerk.
- D. Cards are to be used only by the employee to whom the card is issued and for authorized City purchases. Any lost or misplaced credit card shall be reported immediately to the City Administrator and City Clerk. Employees may not incur personal expenses on City credit cards. In the event a personal charge is made in error, the employee will be required to reimburse the City. Any such use may result in disciplinary action and/or possible termination of employment.
- E. Each cardholder shall obtain and be responsible for the required purchase documentation in the form of a detailed written sales receipt obtained at the time of purchase. The cardholder shall provide the original receipt to the City Clerk or designee for entry into the purchase log. The receipt shall be stamped and include the following information: date amount, vendor information, the budgetary account number to be charged, a notation by the card holder stating the exact business purpose of the purchase, and signature. In the event that a receipt is lost or unavailable, the card holder shall submit a lost receipt form including a written, detailed statement describing the business purpose of the charges.
- F. Continued failure to submit detailed receipts to support monthly charges will be reported to the City Administrator and could result in the loss of credit purchase card privileges and/or disciplinary action from the City Administrator.
- G. The cardholder is responsible for informing the merchant when a purchase is tax exempt and to provide the merchant with a copy of the City's tax exemption certificate.
- H. Availability of the purchase cards does not modify or invalidate the City's official purchasing policies and procedures regarding bids, price quotes, etc.
- I. The City Clerk or designee shall review all charges and maintain records of each card including detailed written receipts and invoices, purchase and activity logs showing all activity on each card, and reconciliation of each billing statement. Periodic audits of the credit purchase card accounts will be conducted by the City Clerk, City Administrator, Treasurer and Mayor, or independent auditors.

- J. Credit purchases and payments shall be included in the Appropriations Ordinance prepared for council.

#### XII-12 Personal Cell Phones and Communication Devices

The City of Columbus may acquire cellular phones for those employees and departments where such technology will allow the City to contact an employee at all times for work-related issues and/or for the employee to have the ability to maintain contact after business hours. A City issued cellular phone will enhance the ability for City employees to provide innovative, cost effective, efficient and effective customer service.

To better ensure the safety of employees and the efficient operation of City departments, the following policies are established:

- A. Personal telephone calls should not be made or received on city telephones except in the event of an emergency or due to unusual circumstances.
- B. Personal use of cell phones during working hours should be kept to a minimum.
- C. Cell phones are not to be used while operating any vehicle or machinery of the City.

#### XII-13 Social Media Usage

The City understands that social media can be a fun and rewarding way to share life experiences and opinions with family, friends and co-workers around the world; however, the use of social media also presents certain risks and carries a lot of responsibilities. To assist employees in making responsible decisions about their use of social media, the following guidelines have been established for appropriate use of social media. The City respects 1<sup>st</sup> Amendment rights.

Postings that include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may result in disciplinary action up to and including termination. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law or City policy.

Keep in mind that any conduct adversely affecting employee job performance, the performance of fellow employees or that otherwise affects member of the public, customers, suppliers, people who work on behalf of the City, may result in disciplinary action up to and including termination.

- A. Employee use of personal social media at work is prohibited. City employees may not use social media on any of the City's resources while they are scheduled to be working unless it is within their job duties to post on the City's social media pages.
- B. Employees must include in any post on a personal site which relates to the City or their job, a disclaimer that the posting reflects their own opinion and not that of the City of Columbus.
- C. No employee or governing body member may ask for access to another employee or governing body member's private social media page(s). The City is not prohibited from

receiving information from a third party or source or viewing public social media pages.

- D. No employee of the City of Columbus shall be punished for expressions, or litigation, made as a private citizen regarding matters of public concern unless those expressions, or that litigation substantially disrupts the efficient and effective delivery of public services by the City.

**XII-14 Media Contact**

Employees should refrain from speaking to the media on the City's behalf. All media inquiries should be directed to the City Administrator or Public Information Officer (PIO).