



Willows City Council Regular Meeting

September 22, 2026
Willows City Hall
6:00 PM

City Council
Evan Hutson, Mayor
Richard Thomas, Vice Mayor
Gary Hansen, Council Member
Lorri Pride, Council Member
John Lowe, Council Member

City Manager
Marti Brown

City Clerk
Karleen Price

201 North Lassen Street
Willows, CA 95988
(530) 934-7041

Agenda

Watch the Council meeting online via Zoom: <https://us06web.zoom.us/j/84204937689>

Remote viewing of the City Council meeting for members of the public is provided for convenience only. In the event that the remote viewing connection malfunctions for any reason, the City Council reserves the right to conduct the meeting without remote viewing.

If you have documents you would like to submit to the Council, please deliver or mail them to the City Clerk at 201 N. Lassen St., Willows, CA 95988, or email cityclerk@cityofwillows.org.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CHANGES TO THE AGENDA**
5. **CEREMONIAL**
 - a. **Proclamation: Breast Cancer Awareness Month**
 - b. **Proclamation: Fire Prevention Week**
 - c. **Proclamation: Global War on Terrorism/Desert Storm Veterans Appreciation Day**

6. **PRESENTATION**

- a. **Annual Library Presentation**

7. **PUBLIC COMMENT & CONSENT CALENDAR FORUM**

All items on the Consent Calendar are considered routine and may be approved with a single vote unless removed for separate discussion by the Council or City Manager. Individuals wishing to speak on Consent items or matters *not* on the agenda are asked to complete a Speaker Card and submit it to the City Clerk. All remarks shall be directed to the Mayor and Councilmembers and are limited to three minutes. By law, the Council cannot discuss or take action on items not listed on the posted agenda.

- a. **Register Approval**

Recommended Action: Approve general checking, payroll, and direct deposit check registers.

Contact: Joei Harrison, Finance Director, jharrison@cityofwillows.org

b. **Minutes Approval**

Recommended Action: Approve the minutes of the September 8, 2026, City Council Meeting.

Contact: Karleen Price, City Clerk, kprice@cityofwillows.org

c. **Northern California Cities Self Insurance Fund (NCCSIF) Board of Director Appointments**

Recommended Action: Adopt Resolution XX-2026 approving the appointment of the Finance Director to the Northern California Cities Self Insurance Fund (NCCSIF) Board of Directors to represent the City's insurance interests, and the City Manager as the Alternate.

Contact: Marti Brown, City Manager, mbrown@cityofwillows.org

d. **Commercial Sewage Utility Billing**

Recommended Action: Accept California Water Service Company's letter terminating sewer billing services on behalf of the City of Willows and approve the staff recommendation to use the Tyler Utility Module for in-house commercial sewer billing on a quarterly basis.

Contact: Joei Harrison, Finance Director, jharrison@cityofwillows.org

8. **DISCUSSION & ACTION CALENDAR**

All matters on the Discussion & Action calendar will be discussed and acted on individually. Individuals wishing to speak on these items are asked to complete a Speaker Card and submit it to the City Clerk. Comments should be directed to the Mayor and Councilmembers and are limited to three minutes. By law, the Council cannot discuss or take action on items not listed on the posted agenda.

a. **Cannabis Dispensaries - Hours of Operation**

Recommended Action: Discuss and consider WWCRS Cannabis Dispensary's request to amend the City's ordinance to extend permitted dispensary operating hours from 7:00 p.m. to 9:00 p.m., and provide direction to staff.

Contact: Marti Brown, City Manager, mbrown@cityofwillows.org

b. **Interim City Manager Appointment**

Recommended Action: Appoint Joseph Gorton as Interim City Manager effective Monday, October 19, 2026, and authorize the City Attorney and City Manager to execute a contract in an amount not to exceed \$173,000 annually.

Contact: Marti Brown, City Manager, mbrown@cityofwillows.org

c. **Permanent City Manager Recruitment**

Recommended Action: Authorize the City Manager and City Attorney to execute a contract with Bob Murray & Associates executive recruiting firm to recruit for the permanent City Manager position in an amount not to exceed \$30,000.

Contact: Marti Brown, City Manager, mbrown@cityofwillows.org

d. **2026 Personnel Rules**

Recommended Action: Consider and adopt the 2026 Personnel Rules or continue the item to the October 13, 2026, Council meeting for further consideration and discussion.

Contact: Marti Brown, City Manager, mbrown@cityofwillows.org

e. **2026 Executive and Mid-Management Handbook**

Recommended Action: Consider and adopt the 2026 Executive and Mid-Management Benefits

Summary & Handbook or continue the item to the October 13, 2026, Council meeting for further consideration and discussion.

Contact: Marti Brown, City Manager, mbrown@cityofwillows.org

f. **City of Willows Donations Policy**

Recommended Action: Adopt Resolution No. XX-2026 (Attachment 1) approving the City of Willows Donations Policy (Exhibit A) establishing uniform procedures for the acceptance, administration, and recognition of donations made to the City.

Contact: Marti Brown, City Manager, mbrown@cityofwillows.org

g. **Community Facilities District to Fund Rebuilding the Police Department**

Recommended Action: Consider pausing efforts to establish a Community Facilities District to fund the re-establishment of the Willows Police Department while the City explores alternative funding options. No staff report.

Contact: Marti Brown, City Manager, mbrown@cityofwillows.org

9. COMMENTS & REPORTS

a. **Council Correspondence**

b. **City Council Comments & Reports**

c. **City Manager's Report**

10. ADJOURNMENT

This agenda was posted on September 18, 2026.

Karleen Price, City Clerk

A complete agenda packet, including staff reports and back-up information, is available for public inspection during normal work hours at City Hall at 201 North Lassen Street in Willows or on the City's website at www.cityofwillows.org. In compliance with the Americans with Disabilities Act, the City of Willows will make available to members of the public any special assistance necessary to participate in this meeting. If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). The public should contact the City Clerk's office at (530) 934-7041 to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

The City of Willows is an Equal Opportunity Provider.



CEREMONIAL MATTERS



City of Willows

Proclamation

Breast Cancer Awareness Month

WHEREAS, breast cancer is one of the most commonly diagnosed cancers and affects hundreds of thousands of individuals and families across the nation each year; and

WHEREAS, October is recognized nationally and globally as *Breast Cancer Awareness Month*, providing an opportunity to raise awareness, promote early detection, and support continued research toward prevention, treatment, and a cure; and

WHEREAS, early detection through screenings, self-exams, and regular medical checkups significantly increases survival rates, making education and outreach efforts essential; and

WHEREAS, the City of Willows recognizes the courage and resilience of breast cancer survivors, honors the memory of those whose lives were lost, and stands in solidarity with families, friends, and caregivers who provide unwavering support; and

WHEREAS, the City of Willows commends healthcare professionals, researchers, and advocates dedicated to advancing treatment, increasing awareness, and working tirelessly to end breast cancer.

NOW, THEREFORE, BE IT RESOLVED, I, Evan Hutson, Mayor of the City of Willows and on behalf of the Willows City Council and the Citizens of Willows, do hereby proclaim **October 2026 as Breast Cancer Awareness Month** in the City of Willows, and encourage all residents to join in activities that increase awareness, support those affected, and promote regular screenings and preventive care.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 22nd day of September, 2026.

Evan Hutson, Mayor





**FIRE
PREVENTION
WEEK™**

City of Willows

Proclamation

National Fire Prevention Week

WHEREAS, Fire Prevention Week is observed annually to raise awareness about the dangers of fire and the importance of education and preparedness; and

WHEREAS, this year's theme, "*Charge into Fire Safety: Safe Charging is a Superpower*," focuses on the everyday charging habits that can help reduce the risk of lithium-ion battery fires and keep homes and communities safer; and

WHEREAS, misused or damaged lithium-ion batteries can overheat or catch fire, but residents can reduce hazards by following safety steps such as using the correct chargers, keeping batteries away from heat, and recycling them properly; and

WHEREAS, the Willows Fire Department, along with national fire safety organizations, is dedicated to educating the public and promoting practices that protect lives, homes, and the environment; and

WHEREAS, the City Council encourages all residents to learn about lithium-ion battery safety, participate in Fire Prevention Week activities, and support the year-round work of our fire service professionals.

NOW, THEREFORE, BE IT RESOLVED, I, Evan Hutson, Mayor of the City of Willows and on behalf of the Willows City Council and the Citizens of Willows, do hereby proclaim the week of **October 4-10, 2026**, as **Fire Prevention Week** in the City of Willows and urge every citizen to take steps to reduce fire risks in their homes and the community.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 22nd day of September, 2026.

Evan Hutson, Mayor



City of Willows

Proclamation

Global War on Terrorism & Desert Storm Veterans Appreciation Day

WHEREAS, we solemnly honor the memory of the American service members who made the ultimate sacrifice while defending our nation and its freedoms during Operation Desert Storm and the conflicts and military operations associated with the Global War on Terrorism; and

WHEREAS, we recognize the courage and sacrifice of the thousands of American service members who were wounded in combat and acknowledge that many veterans continue to bear both visible and invisible wounds as a result of their military service; and

WHEREAS, we pay tribute to the millions of Americans who answered our nation's call to serve, deployed far from home, and sacrificed time with their families and loved ones in defense of the United States and its allies; and

WHEREAS, we honor the American service members who served with courage and distinction in the Middle East and other regions throughout the world, and recognize the families whose steadfast support and sacrifice sustained them throughout their service; and

WHEREAS, we will never cease in our duty to remember, support, and honor the post-9/11 American service members who have lost their lives to suicide and recognize the invisible burdens of war carried by our veterans and their families.

NOW, THEREFORE, BE IT RESOLVED, I, Evan Hutson, Mayor of the City of Willows and on behalf of the Willows City Council and the Citizens of Willows, do hereby proclaim **October 7, 2026**, as **Global War on Terrorism & Desert Storm Veterans Appreciation Day** in the City of Willows. On this day, we encourage all citizens to reflect on the strength, sacrifice, and sense of duty of our veterans, to honor their service, and to express deep gratitude for the freedoms secured through their courage.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 22nd day of September, 2026.

Evan Hutson, Mayor





PRESENTATION



WILLOWS PUBLIC

LIBRARY

2025 - 2026

Year in Review
Christine Watson MLIS
City of Willows Librarian



COMPLETED

- **Complete backroom renovation**
- **Technology Upgrades**
- Evaluate full library collection
 - Discard items from unused nonfiction sections
 - Immediate purchasing
- **Clean and organize all library spaces**
 - Focus on safety and accessibility
- **Hire full -time Children's Librarian**
- Ensure staff have all necessary keys to the library building
- Migrate the library website to the City of Willows
 - Update all pages
 - Ensure accessibility and best practices
- Complete at least 4 public programs that require community partnerships
 - Santa's Visit
 - Clifford the Big Red Dog with KIXE PBS
 - Glenn County Health & Human Services
 - Enloe Hospital
 - Glenn County Office of Education
 - Joshua Ray Magician
- Modify processing to streamline the section designations
- Discontinue participation with e-Rate/CENIC broadband internet to support MI migration
- Participation in local, state, and national-level grant opportunities

GOALS

2025-2026

INCOMPLETED

- Create more storytime kit backpacks using children's donation funds
- Migrate IT support to Matson & Isom as directed and supported by the City of Willows
- Expend all 2008 Impact fees
 - Library of Things
 - **Outdoor space**



DATA



Willows Unified School District PK & Kindergarten classes during library visit



Light Table - EmPOWERing Access Grant

GOALS 2026 - 2027

- Increase programs & attendance
- Evaluate print collection
- Increase Digital Resources

- Circulation
- eBook Circulation
- Library Visitors
- New Patrons
- Computer Usage
- Programs
- Program Attendance
- Grant Funding
- Acquisitions



Children's Books - Pilcrow Foundation Grant

DATA COMPARISON

CIRCULATION

62%

Data Gap: Discontinued
Interlibrary Loan Services

NEW PATRONS

29%

LIBRARY VISITORS

16%

Data Gap: Visitors by age &
method change

PROGRAMS

78%

Data Gap: Discontinued
Storytime To-Go Kits

EBOOK CIRCULATION

28%

ACQUISITIONS

113%

PUBLIC COMPUTER USE

46%

Data Gap: Copier or Print
services via Phone/Email

PROGRAM ATTENDANCE

18%

Zip Books

Awarded: \$4,752
Purchased 237 of items
Patrons Served: 77
Discontinued by CA State Library June 2026

EmPOWERing Access

Awarded: \$19,261
Charlie Cart, 2 Sewing Machines, 1 Light Table
One-time grant by CA State Library



CA Library Literacy Services

Awarded: **\$35,000** (diminished due to late submissions)
Cash Match GCOE & Willows: \$32,000
Brian Berry - Literacy Coordinator, GCOE Collaboration
Fully Reconstructed Literacy Program 25-26
Annual grant by CA State Library

Supports low - literacy individuals with FREE private tutoring services throughout Glenn County

GRANTS

\$102,402

CA Parks Pass

Awarded: \$1,500
CA State Parks Parking Pass
Annual grant by CA State Library

Building Forward

Awarded: \$73,800
Cash March Willows: \$65,400
Unspent: \$8,400
Replaced library HVAC & Replace library doors
One-time grant by CA State Library
Grant Extended through Dec. 2026

Lunch at the Library

Awarded: \$6,402
Books Distributed: 2,047
Meals Served: 49,947
Willows Unified Collaboration
Annual grant by CA State Library
Grant Extension to Summer 2026

Willows Thrift Store

Awarded: \$500
Directly supports Children's
Services & Programming
Bi-annual grant awarded by
local Willows business



Pilcrow Foundation

Awarded: \$1,925
Cash Match Willows: \$400
104 print items added to youth collections
One-time grant

CENIC eRate Broadband

Awarded: \$8,828 23-24 FY
Provided access to the internet at a very low cost
Discontinued due to lack of technology updates
Annual grant by CA State Library

MORE GRANTS!

Glenn County Quality Counts

Awarded: \$2,000
Phadie Irons GCOE Collaboration
Provides Summer Reading Funding, and Children's
Services & Youth Programming Supports
Annual grant by Glenn County GCOE

Rural Health Connections

Awarded: \$3,834
Provided hybrid meeting technology, blood
pressure monitors, and printed health-related
items
One-time grant by CA State Library

Carnegie Library Foundation

Awarded: \$10,000
Funds remain unused - Will potentially support
the installation of the Library of Things
One-time grant

Lunch at the Library*

Awarded: \$Unknown
Books Distributed: TBD
Meals Served: TBD
Willows Unified Collaboration
Annual grant by CA State Library

Rural Leaders Cohort

Awarded: **CLA Conference** &
ARSL Conference
Scholarships + Support
One-time grant by
CA State Library

Building Forward

Awarded: \$73,800
Cash March Willows: \$65,400
Unspent: \$8,400
Replaced library HVAC & Replace library doors
One-time grant by CA State Library
Grant Extended through Dec. 2026

2026 - 2027 GRANTS

CA Library Literacy Services*

Awarded: \$42,000
Cash Match GCOE & Willows: \$18,000
Brian Berry - Literacy Coordinator, GCOE
Collaboration
Annual grant by CA State Library

Supports low-literacy individuals with
FREE private tutoring services throughout
Glenn County

CA Parks Pass*

Awarded: \$1,500
CA State Parks Parking Pass
Annual grant by CA State Library

Glenn County Quality Counts*

Awarded: \$2,000
Phadie Irons GCOE Collaboration
Provides Summer Reading Funding, and Children's
Services & Youth Programming Supports
Annual grant by Glenn County GCOE

MEMBERSHIP

- Dues based on library operating expenditures
 - 181 of 188 participating libraries
- Provides Califa membership & services (\$150)
- Includes Disaster Buddy System
- Manages California Library Services Act Funding
- Overdrive/Libby aka Library-to-Go
 - **\$4,550 FY 25-26**
 - **\$7,724 FY 26-27** (Zip Books Discontinued)
 - eBooks - 113,155
 - eAudiobooks - 33,988
 - eMagazines - 6,561
- Kanopy Access - FREE TV & Movie Streaming
- Book Club in a Box (shipping cost)
- Professional Development Funding
 - **\$1,200 FY 25-26**
 - \$1,200 FY 26-27
- Liaison to California State Library
 - Provides clarity on statewide initiatives

NORTHNET

& North State Cooperative Library System

- WPL Director is a voting member of NLS & NSCLS
 - 3 hybrid meetings annually
- NLS - **FY 25- 26 Dues \$637**
- NSCLS - CalPERS Obligations
 - **Dues \$2,126 FY 25 - 26**
 - 13 retirees remain

NEEDS:

NSCLS lacks a **courier service** to support Interlibrary Loans between county and wider partner libraries.

CALIFA

MEMBERSHIP

- New York Times Newspaper Access
- Amazon Prime Business Membership
- Advantage Archives
- Compass Databases
 - Gale Science
 - Gale Environmental Studies
 - National Geographic Kids
 - Teaching Books
 - + more
- ABC Mouse
- Pebble Go K-2
- Capstone Interactive K-6
- InfoPeople Professional Development
- Mango Languages
- Rural Library Leaders* FY 26-27
- enki eBooks



FACILITIES

- Ensure space is accessible
- Provide staff with line of sight to all areas
- Update technology infrastructure
- Clean



BACKROOM UPDATE

- Cleaned
- Painted
- Discarded Unnecessary Items
- Organized
- Carpeted

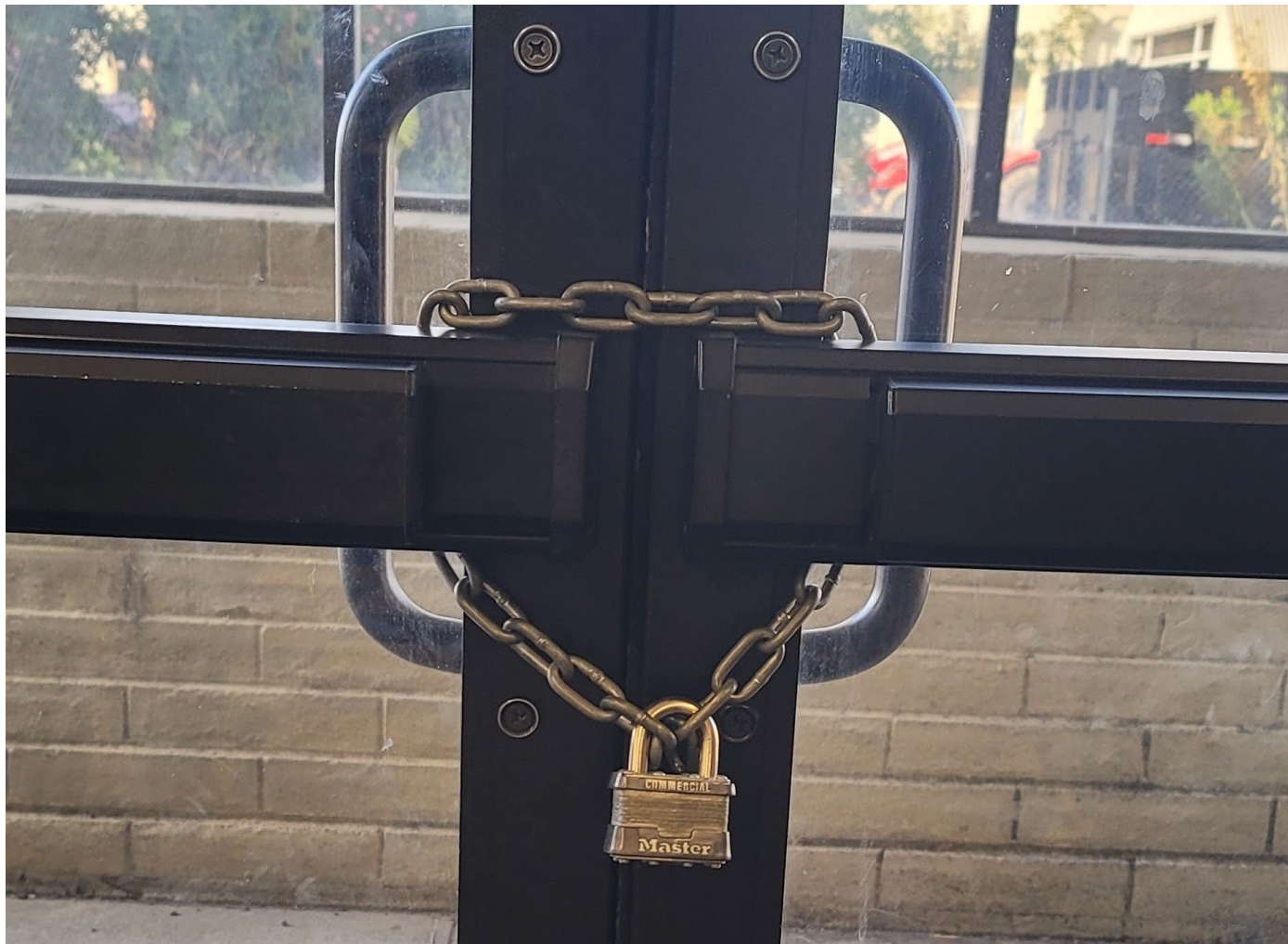
MAIN LIBRARY SPACE

- Widened walkways
- Removed items
 - Lack of use
 - Disrepair
- Cleaned
- Paint Touchups



FACILITIES- NEEDS

- Updated Flooring & Cleaning
- Accessible Circulation Desk
- Completion of library door project
- Completion of internet expansion



FUTURE PLANS:

- Library of Things
- Outdoor Patio



STAFF

We have 6 staff members
Collaborative Team
Asset to library & city

» Full - Time Staff

1. City Librarian - MLIS required
2. Children's Librarian - *Vianka R.

» Part - Time Staff

1. Library Clerk - Colleen W.
2. Library Clerk - *Cristina S.
3. Library Clerk - Kevin M.
4. Library Clerk - *Yadira G.



*Bilingual

NEEDS:
2 PT Library
Technicians instead
of 2 PT Library Clerks

VOLUNTEERS

We have 6 volunteers

An asset to the library & city

Mostly Teens & Young Adults

» **Glenn County Work Experience**
1. Aiden 120 Hours

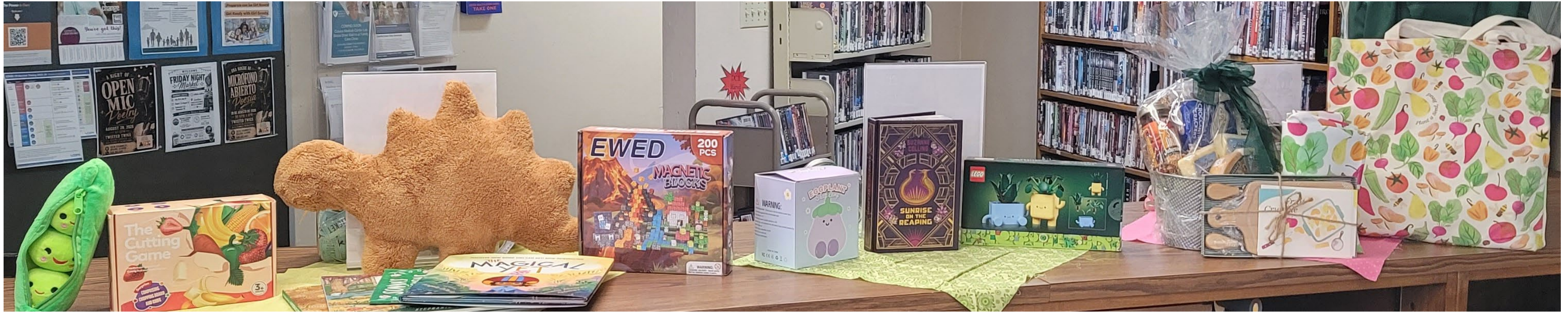
» **Teens & School Requirements**
1. Harper B.
2. Elizabeth F.
3. Lunch @ the Library Teen
4. Lunch @ the Library Teen

» **Adults**
1. Lori P. Storytime



NEEDS:
Adult literacy tutors!

COMMUNITY PARTNERSHIPS



- Glenn County Office of Education
 - CLLS
 - QCC
 - First Five
- Glenn County HHSA
- Glenn County Transportation
- Pride Homes & Land
- Fidelity National Title
- Sierra Nevada Cheese Co.
- Willows Community Thrift
- Willows Alumni Association
- Willows Community School District
- Willows Post Office
- Walden Academy
- Willows Toast Masters
- Glenn County Grand Jury
- Butte College
- WPL Friends of the Library
- Enloe Health
- Willows Chamber of Commerce
- Willows Starbucks
- Mar-Val Food Store
- TCCAP
- ACE Hardware
- Papa Murphy's
- PBS KIXE
- Glenn County Farm Bureau
- Valley Mirror News

NEEDS:

Places to advertise





- Willows Wellness Walk
- Glenn County Youth Leadership Summit
- Willows Lamb Derby
- Santa Claus
- Clifford the Big Red Dog - PBS
- Magician Josh Gray
- Glenn County Week of the Child
- Summer Reading 2026 Kick-Off event



COMMUNITY EVENTS



COMMUNITY EVENTS 26 - 27

- Petting Zoo
- Glenn County Farm Bureau
- Willows Car & Bike Show
- Willows Water Fest
- Willows Fall Festival
- Willows Recovery Happens
- Willows Lamb Derby
- Glenn County Senior Expo
- Willows Wellness Walk



QUESTIONS

THANK YOU



PUBLIC COMMENT & CONSENT CALENDAR FORUM



City of Willows

Payment Register

APPKT00643 - CHECK RUN 9-10-26
01 - Vendor Set 01

Bank: Gen Chk - General Checking

Vendor Number	Vendor Name	Total Vendor Amount			
2584	CHRIS HINDE	600.00			
Payment Type	Payment Number	Payment Date	Payment Amount		
Check	57089	09/10/2026	600.00		
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount
091026WWB	PERMORM WHITEWATER BANK - WATER FEST	09/10/2026	09/10/2026	0.00	600.00

Vendor Number	Vendor Name	Total Vendor Amount			
2454	EDWARD GOMEZ	600.00			
Payment Type	Payment Number	Payment Date	Payment Amount		
Check	57090	09/10/2026	600.00		
Payable Number	Description	Payable Date	Due Date	Discount Amount	Payable Amount
091026GPR	COMBO & OBSTACLE COURSE RENTAL - WATER FEST	09/10/2026	09/10/2026	0.00	600.00

Payment Summary

Bank Code	Type	Payable Count	Payment Count	Discount	Payment
Gen Chk	Check	2	2	0.00	1,200.00
Packet Totals:		2	2	0.00	1,200.00

Cash Fund Summary

Fund	Name	Amount
999	CASH CLEARING	-1,200.00
Packet Totals:		-1,200.00



City of Willows

Check Register

Packet: APPKT00644 - CHECK RUN 9-14-26

By Check Number

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: Gen Chk-General Checking						
1014	ACCESS	09/14/2026	Regular	0.00	117.31	57091
1052	AMAZON CAPITAL SERVICES	09/14/2026	Regular	0.00	17.35	57092
1194	CALIFORNIA STATE DISBURSE	09/14/2026	Regular	0.00	162.92	57093
1211	CASCADE FIRE EQUIPMENT	09/14/2026	Regular	0.00	390.21	57094
2583	COLANTUONO, HIGSMITH & WHAT	09/14/2026	Regular	0.00	2,624.08	57095
1261	COMCAST CABLE	09/14/2026	Regular	0.00	370.63	57096
1277	CORNING LUMBER WILLOWS	09/14/2026	Regular	0.00	117.73	57097
1283	COUNTY OF GLENN - AIR POLLUTION	09/14/2026	Regular	0.00	519.30	57098
1288	CREATIVE COMPOSITION	09/14/2026	Regular	0.00	217.71	57099
1388	EMPLOYERS INVESTIGATIVE S	09/14/2026	Regular	0.00	466.25	57100
1429	FEDEX	09/14/2026	Regular	0.00	5.67	57101
1463	GANDY & STALEY OIL CO	09/14/2026	Regular	0.00	3,310.05	57102
1467	GAYNOR TELESYSTEMS, INC.	09/14/2026	Regular	0.00	2,132.20	57103
2551	GREAT WEST FIRE & SAFETY INC	09/14/2026	Regular	0.00	18,147.24	57104
2468	HARRIS & ASSOCIATES	09/14/2026	Regular	0.00	35,901.25	57105
1534	HI-TECH EMERGENCY VEHICLE	09/14/2026	Regular	0.00	2,610.75	57106
1566	INFRAMARK LLC	09/14/2026	Regular	0.00	58,344.36	57107
1564	ITF - INDUSTRIAL TRUCK & FARM	09/14/2026	Regular	0.00	386.80	57108
1606	JEREMY'S PEST STOMPERS	09/14/2026	Regular	0.00	100.00	57109
1665	KNIFE RIVER CONSTRUCTION	09/14/2026	Regular	0.00	1,438.61	57110
2582	MASTEC	09/14/2026	Regular	0.00	212.73	57111
1760	MATSON & ISOM TECHNOLOGY	09/14/2026	Regular	0.00	2,930.00	57112
2580	MIKE'S AIR DUCT CLEANING	09/14/2026	Regular	0.00	1,295.00	57113
1792	MJB WELDING SUPPLY, INC	09/14/2026	Regular	0.00	54.56	57114
2312	NAPA AUTO PARTS	09/14/2026	Regular	0.00	829.68	57115
1896	PAPE' MACHINERY JOHN DEERE	09/14/2026	Regular	0.00	36.04	57116
2475	PAXTON FAMILY INSPECTION SERVIC	09/14/2026	Regular	0.00	5,942.26	57117
1143	PEDRO BOBADILLA	09/14/2026	Regular	0.00	576.92	57118
1917	PG & E	09/14/2026	Regular	0.00	15,425.36	57119
	Void	09/14/2026	Regular	0.00	0.00	57120
	Void	09/14/2026	Regular	0.00	0.00	57121
	Void	09/14/2026	Regular	0.00	0.00	57122
2332	PRENTICE LONG, PC	09/14/2026	Regular	0.00	16,585.06	57123
2556	RADIAL POWER LLC	09/14/2026	Regular	0.00	1,167.65	57124
2041	SACRAMENTO VALLEY MIRROR	09/14/2026	Regular	0.00	313.10	57125
2103	STANDARD INSURANCE CO.	09/14/2026	Regular	0.00	2,382.00	57126
2334	STREAM IT NETWORKS LLC	09/14/2026	Regular	0.00	85.00	57127
2520	THE TRAFFIC SIGN STORE	09/14/2026	Regular	0.00	769.41	57128
1798	UBEO WEST, LLC	09/14/2026	Regular	0.00	768.92	57129
2223	UNITED PUBLIC EMPLOYEES A	09/14/2026	Regular	0.00	266.53	57130
2248	VERIZON WIRELESS	09/14/2026	Regular	0.00	428.75	57131
2433	VESTIS	09/14/2026	Regular	0.00	372.98	57132

Check Register

Packet: APPKT00644-CHECK RUN 9-14-26

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
2295	WILLOWS ACE HARDWARE	09/14/2026	Regular	0.00	286.62	57133

Bank Code Gen Chk Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	70	40	0.00	178,108.99
Manual Checks	0	0	0.00	0.00
Voided Checks	0	3	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	70	43	0.00	178,108.99

Fund Summary

Fund	Name	Period	Amount
999	CASH CLEARING	9/2026	178,108.99
			178,108.99



City of Willows

Payroll Check Register Checks

Pay Period: 8/24/2026-9/6/2026

Packet: PYPKT00722 - PAYROLL 8-24-26 TO 9-6-26 PAY DATE 9-11-26

Payroll Set: Payroll Set 01 - 01

Employee	Employee #	Check Type	Date	Amount	Number
----------	------------	------------	------	--------	--------

*** No Checks Created In This Packet ***



City of Willows

Payroll Check Register

Direct Deposits

Pay Period: 8/24/2026-9/6/2026

Packet: PYPKT00722 - PAYROLL 8-24-26 TO 9-6-26 PAY DATE 9-11-26

Payroll Set: Payroll Set 01 - 01

Employee	Employee #	Date	Amount	Number
HANSEN, GARY L	HAN02	09/11/2026	227.62	2456
LOWE, JOHN	LOW00	09/11/2026	227.62	2457
PRIDE, LORRI A	PRI00	09/11/2026	227.62	2458
THOMAS, RICHARD	THO00	09/11/2026	227.62	2459
BROWN, MARTHA	BRO01	09/11/2026	4,100.33	2460
PRICE, KARLEEN	PRI01	09/11/2026	1,787.30	2461
HARRISON, JOEI	HAR01	09/11/2026	2,348.63	2462
HAZLETT, ROBIN	HAZ01	09/11/2026	1,606.56	2463
BROTT, SHERRY	BRO02	09/11/2026	45.52	2464
CORUM, RAYMOND	COR02	09/11/2026	45.52	2465
MCNEIL, MICHAEL JAMES	MCN00	09/11/2026	45.52	2466
NYGARD, ROBYN	NYG00	09/11/2026	45.52	2467
RICHARDSON, TARYN	RIC00	09/11/2026	1,401.85	2468
RUSTENHOVEN, TARA L	RUS01	09/11/2026	1,886.97	2469
GAMBOA, YADIRA	GAM00	09/11/2026	449.66	2470
LUNA-SARINAS, CRISTINA	LUN00	09/11/2026	470.36	2471
MYERS, KEVIN M	MYE00	09/11/2026	449.13	2472
RUBALCAVA-TORRES, VIANKA	RUB01	09/11/2026	1,631.56	2473
WATKINS, COLLEEN	WAT00	09/11/2026	386.37	2474
WATSON, CHRISTINE	WAT01	09/11/2026	2,806.43	2475
CONNELLY, WILLIAM	CON00	09/11/2026	1,015.57	2476
ENOS, KYLE	ENO00	09/11/2026	2,584.76	2477
FUENTES, JAIME	FUE01	09/11/2026	1,872.77	2478
HUTSON, EVAN C	HUT01	09/11/2026	227.62	2479
LOMBARD, TYLER JOSEPH	LOM00	09/11/2026	5,382.59	2480
LOPEZ, MATTHEW	LOP03	09/11/2026	1,148.36	2481
RAKESTRAW, SHANE	RAK00	09/11/2026	140.50	2482
SANDOVAL, CONNER	SAN01	09/11/2026	4,478.36	2483
MINGS, MICHAEL E	MIN00	09/11/2026	1,715.13	2484
RANDOLPH, MATTHEW	RAN01	09/11/2026	1,454.33	2485
REED, JOSHUA	REE00	09/11/2026	1,436.11	2486
VASQUEZ, PEDRO CEASAR	VAS01	09/11/2026	1,711.86	2487
ZOLLER-HARRIS, TRAVIS	ZOL00	09/11/2026	2,290.75	2488
BETTENCOURT, JOSEPH	BET01	09/11/2026	3,691.18	2489
MONCK, NATHANIAL T	MON00	09/11/2026	1,000.00	2490
MONCK, NATHANIAL T	MON00	09/11/2026	3,560.25	2490
PFYL, NATISA N	PFY00	09/11/2026	2,145.71	2491



City of Willows

Payroll Check Register

Employee Pay Summary

Pay Period: 8/24/2026-9/6/2026

Packet: PYPKT00722 - PAYROLL 8-24-26 TO 9-6-26 PAY DATE 9-11-26

Payroll Set: Payroll Set 01 - 01

Employee	Employee #	Payment Date	Number	Earnings	Deductions	Taxes	Net
BETTENCOURT, JOSEPH	BET01	09/11/2026	2489	5,052.08	404.17	956.73	3,691.18
BROTT, SHERRY	BRO02	09/11/2026	2464	50.00	0.00	4.48	45.52
BROWN, MARTHA	BRO01	09/11/2026	2460	6,838.08	948.42	1,789.33	4,100.33
CONNELLY, WILLIAM	CON00	09/11/2026	2476	1,200.00	0.00	184.43	1,015.57
CORUM, RAYMOND	COR02	09/11/2026	2465	50.00	0.00	4.48	45.52
ENOS, KYLE	ENO00	09/11/2026	2477	3,735.84	629.91	521.17	2,584.76
FUENTES, JAIME	FUE01	09/11/2026	2478	2,449.12	355.48	220.87	1,872.77
GAMBOA, YADIRA	GAM00	09/11/2026	2470	516.60	0.00	66.94	449.66
HANSEN, GARY L	HAN02	09/11/2026	2456	250.00	0.00	22.38	227.62
HARRISON, JOEI	HAR01	09/11/2026	2462	4,899.07	1,892.50	657.94	2,348.63
HAZLETT, ROBIN	HAZ01	09/11/2026	2463	2,128.32	337.06	184.70	1,606.56
HUTSON, EVAN C	HUT01	09/11/2026	2479	250.00	0.00	22.38	227.62
LOMBARD, TYLER JOSEPH	LOM00	09/11/2026	2480	8,104.64	906.95	1,815.10	5,382.59
LOPEZ, MATTHEW	LOP03	09/11/2026	2481	1,377.03	0.00	228.67	1,148.36
LOWE, JOHN	LOW00	09/11/2026	2457	250.00	0.00	22.38	227.62
LUNA-SARINAS, CRISTINA	LUN00	09/11/2026	2471	516.60	0.00	46.24	470.36
MCNEIL, MICHAEL JAMES	MCN00	09/11/2026	2466	50.00	0.00	4.48	45.52
MINGS, MICHAEL E	MIN00	09/11/2026	2484	2,726.76	513.11	498.52	1,715.13
MONCK, NATHANIAL T	MON00	09/11/2026	2490	7,581.42	807.98	2,213.19	4,560.25
MYERS, KEVIN M	MYE00	09/11/2026	2472	498.15	0.00	49.02	449.13
NYGARD, ROBYN	NYG00	09/11/2026	2467	50.00	0.00	4.48	45.52
PFYL, NATISA N	PFY00	09/11/2026	2491	3,431.35	528.93	756.71	2,145.71
PRICE, KARLEEN	PRI01	09/11/2026	2461	2,508.93	271.24	450.39	1,787.30
PRIDE, LORRI A	PRI00	09/11/2026	2458	250.00	0.00	22.38	227.62
RAKESTRAW, SHANE	RAK00	09/11/2026	2482	154.32	0.00	13.82	140.50
RANDOLPH, MATTHEW	RAN01	09/11/2026	2485	2,066.13	251.43	360.37	1,454.33
REED, JOSHUA	REE00	09/11/2026	2486	2,066.13	426.47	203.55	1,436.11
RICHARDSON, TARYN	RIC00	09/11/2026	2468	1,954.41	207.60	344.96	1,401.85
RUBALCAVA-TORRES, VIANCA	RUB01	09/11/2026	2473	2,257.20	196.06	429.58	1,631.56
RUSTENHOVEN, TARA L	RUS01	09/11/2026	2469	2,601.47	347.43	367.07	1,886.97
SANDOVAL, CONNER	SAN01	09/11/2026	2483	6,814.38	0.00	2,336.02	4,478.36
THOMAS, RICHARD	THO00	09/11/2026	2459	250.00	0.00	22.38	227.62
VASQUEZ, PEDRO CEASAR	VAS01	09/11/2026	2487	2,468.28	417.22	339.20	1,711.86
WATKINS, COLLEEN	WAT00	09/11/2026	2474	424.35	0.00	37.98	386.37
WATSON, CHRISTINE	WAT01	09/11/2026	2475	4,277.92	328.44	1,143.05	2,806.43
ZOLLER-HARRIS, TRAVIS	ZOL00	09/11/2026	2488	3,070.68	276.79	503.14	2,290.75
Totals:				83,169.26	10,047.19	16,848.51	56,273.56



City of Willows

Payroll Check Register Report Summary

Pay Period: 8/24/2026-9/6/2026

Packet: PYPKT00722 - PAYROLL 8-24-26 TO 9-6-26 PAY DATE 9-11-26

Payroll Set: Payroll Set 01 - 01

Type	Count	Amount
Regular Checks	0	0.00
Manual Checks	0	0.00
Reversals	0	0.00
Voided Checks	0	0.00
Direct Deposits	37	56,273.56
Total	37	56,273.56



Willows City Council Regular Meeting Action Minutes

September 8, 2026
Willows City Hall
Closed Session: 5:00 PM
Open Session: 6:00 PM

201 North Lassen Street
Willows, CA 95988
(530) 934-7041

City Council

Evan Hutson, Mayor
Richard Thomas, Vice Mayor
Gary Hansen, Council Member
Lorri Pride, Council Member
John Lowe, Council Member

City Manager
Marti Brown

City Clerk
Karleen Price

1. **CALL TO ORDER – 5:00 PM**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Councilmembers Present: Mayor Hutson, Vice Mayor Thomas, Councilmember Hansen, Councilmember Pride, and Councilmember Lowe

Councilmembers Absent: None

4. **CHANGES TO THE AGENDA**

5. **CLOSED SESSION – 5:05 PM**

Public Comment

Public Comment #1: Marlana Sparkman

a. **Public Employee Performance Evaluation (§ 54957)**

Title: City Manager

Report Out: Council met; No reportable action

b. **Conference with Legal Counsel - Initiation of Litigation (54956.9(d)(4)) (one case)**

Report Out: Council met; No reportable action

c. **Conference with Real Property Negotiators (§ 54956.8)**

Property: 139 North Lassen Street, Willows, CA 95988 / APN #002-101-009-000

Agency Negotiator: Marti Brown

Negotiating Parties: None

Under Negotiation: None

Report Out: Council met; No reportable action

RECONVENE IN OPEN SESSION – 6:00 PM

6. **CEREMONIAL**

a. **Proclamation:** Patriot Day - received by Fire Chief Monck

b. **Proclamation:** National POW/MIA Recognition Day – received by Carol Lemenager and Tom Kelly

Vice Mayor Thomas left the meeting at 6:06 p.m.

7. PRESENTATION

a. Annual Community Development & Services Presentation

Action: Received the annual Community Services & Development Presentation from Community Services & Development Director, Joe Bettencourt.

b. Park Grant Presentation

Action: Received the Park Grant Presentation from Community Services & Development Director, Joe Bettencourt.

8. PUBLIC COMMENT & CONSENT CALENDAR FORUM

Public Comments

Public Comment #1: LaVonne Hinton

Public Comment #2: Tom Kelly

Public Comment #3: Michelle Knight

Public Comment #4: Maria Ehorn

a. Register Approval

Action: Approved general checking, payroll, and direct deposit check registers.

b. Minutes Approval

Action: Approved the minutes of the August 25, 2026, City Council Meeting.

c. Social Media Policy

Action: Approved the City of Willows Social Media Policy establishing standards for the use and management of official City social media accounts and employee use of social media in connection with City business.

d. Artificial Intelligence Use Policy

Action: Approved the City of Willows Artificial Intelligence (AI) Use Policy to establish guidelines for the responsible and appropriate use of artificial intelligence tools by City employees.

e. Privacy Policy

Action: Approved the City of Willows Privacy Policy establishing guidelines regarding the collection, use, disclosure, retention, and protection of personal information obtained through City services, websites, official communications, and social media platforms.

f. Federal Excess Personal Property

Action: Adopted Resolution 41-2026 approving continued participation in the Federal Excess Personal Property (FEPP) Program; approve Cooperative Agreement No. 992509 between the California Department of Forestry and Fire Protection (CAL FIRE) and the Willows Fire Department; and authorized Fire Chief Nathan Monck to execute the agreement and related program documents on behalf of the City.

g. **Police Officer - Job Classification & Salary Schedule**

Action: Approved the Police Officer job classification and salary schedule as part of the re-establishment of the Willows Police Department.

h. **Police Sergeant - Job Classification & Salary Schedule**

Action: Approved the Police Sergeant job classification and salary schedule as part of the re-establishment of the Willows Police Department.

i. **Police Administrative Services Technician - Job Classification & Salary Schedule**

Action: Approved the Police Administrative Services Technician classification and salary schedule as part of the re-establishment of the Willows Police Department.

j. **Police Community Service Officer - Job Classification & Salary Schedule**

Action: Approved the Police Community Service Officer job classification and salary schedule as part of the re-establishment of the Willows Police Department.

Motion to approve the consent calendar as presented.

Moved/Seconded: Councilmember Hansen/Councilmember Lowe

Yes: Mayor Hutson, Councilmember Hansen, Councilmember Pride, Councilmember Lowe

No: None

Absent: Vice Mayor Thomas

9. PUBLIC HEARING

a. **Chapter 2.65 of the Willows Municipal Code**

Public Hearing Open: 7:34PM, Closed 7:35 PM

Motion to adopt Ordinance 770-2026 acknowledging the re-establishment of the Willows Police Department and amending Chapter 2.65 of the Willows Municipal Code, by title only and waive the full reading of the text.

Moved/Seconded: Councilmember Pride/Councilmember Hansen

Yes: Mayor Hutson, Councilmember Hansen, Councilmember Pride, Councilmember Lowe **No:** None

Absent: Vice Mayor Thomas

10. DISCUSSION & ACTION CALENDAR

a. **Library Board of Trustee Appointments**

Motion to appoint Susan Domenighini, Laurel Hill-Ward, and Joyce Welch-Ksander to the Library Board of Trustees for terms ending June 30, 2029.

Moved/Seconded: Councilmember Pride/Councilmember Hansen

Yes: Mayor Hutson, Councilmember Hansen, Councilmember Pride, Councilmember Lowe **No:** None

Absent: Vice Mayor Thomas

b. **Willows Mobility, Recreation and Beautification Project**

Motion to adopt Resolution 42-2026 authorizing the City Manager to execute an agreement with REM Construction, Inc. in the amount of \$3,468,154.30 (base bid plus Alternates 1 and 2), with a 15% construction contingency of \$520,223.00, and to execute an agreement for construction management and inspection services, provided the total project cost does not exceed the total project funding of \$4,715,000.00 for the Willows Mobility, Recreation and Beautification Project at Sycamore Park and Community Pool Complex.

Moved/Seconded: Councilmember Hansen/Councilmember Lowe

Yes: Mayor Hutson, Councilmember Hansen, Councilmember Pride, Councilmember Lowe

No: None

Absent: Vice Mayor Thomas

11. **COMMENTS AND REPORTS**

a. **Council Correspondence**

Mayor Hutson reported receiving a PGE Flyer regarding Natural Gas Tips.

b. **City Council Comments & Reports**

Councilmembers reported on various community events and meetings attended. Councilmember Pride announced the kick-off of the Willows Municipal Code Update Committee meetings and requested an update on the Street Banner Program.

Councilmember Lowe has been meeting with local business owners and will bring forward items for Council consideration.

Mayor Hutson requested that the interview and appointment process for the Planning Commission and the Library Board of Trustees be considered at a future meeting.

c. **City Manager's Report**

City Manager Marti Brown reminded the public about the upcoming Willows Water Fest, on Thursday, September 10, 2026, from 4:00 to 8:00 p.m. at Central Park. The event will feature a free barbecue, live music by Whitewater, a kids' cardboard boat race with trophies, water-themed activities, a Willows Fire Department spray demonstration, a drawing for an energy-efficient washing machine, food and treat vendors, and other family activities. Brown encouraged the community to attend and participate in the celebration. Brown noted that the City's portion of the event was made possible through grant funding provided by Pacific Gas and Electric Company.

12. **ADJOURNMENT – 7:56 PM**

Karleen Price, City Clerk



Date: September 22, 2026

To: Honorable Mayor and Councilmembers

From: Marti Brown, City Manager

Subject: Northern California Cities Self Insurance Fund (NCCSIF) Board of Director Appointments

Recommendation:

Adopt Resolution XX-2026 approving the appointment of the Finance Director to the Northern California Cities Self Insurance Fund (NCCSIF) Board of Directors to represent the City's insurance interests, and the City Manager as the Alternate.

Rationale for Recommendation:

NCCSIF requires a resolution (Attachment 1) from the governing board appointing a City staff member to serve on the Board, along with an Alternate.

Background:

The City is a member of the NCCSIF to receive various insurance and risk management services. Membership requires appointment of a City employee to the Board of Directors to represent the City's insurance interests.

On March 24, 2026, the City Council appointed the City Manager as the primary representative and the Finance Director as the Alternate.

This item updates the City's appointments to generically reflect the Finance Director position as the Director and the City Manager position as the Alternate.

The updated resolution must be submitted to Alliant, the agency that administers the NCCSIF Joint Powers Authority, to ensure their records accurately reflect the City's current representatives.

Discussion & Analysis:

Since the Council's March 24, 2026, appointment, the City Manager has attended NCCSIF Board meetings and represented the City's insurance interests. In light of the City Manager's recent resignation, staff recommend that the City Council appoint the Finance Director as the City's

primary representative to the NCCSIF Board of Directors, with the City Manager serving as the alternate representative.

Municipal representation on the NCCSIF Board typically consists of Finance and Human Resources Directors or other staff responsible for overseeing an agency's risk management and insurance functions. Given the Finance Director's responsibilities and ongoing role in these areas, it is appropriate for the Finance Director to serve as the City's primary representative on the Board.

Fiscal Impact:

There is no fiscal impact by approving this recommendation.

Attachment:

- Attachment 1: Resolution No. XX-2026



**City of Willows
Resolution XX-2026**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS
APPROVING APPOINTMENT OF THE FINANCE DIRECTOR TO THE NORTHERN CALIFORNIA
CITIES SELF INSURANCE FUND (NCCSIF) BOARD OF DIRECTORS TO REPRESENT THE CITY'S
INSURANCE INTERESTS, AND THE CITY MANAGER AS THE ALTERNATE**

IN WITNESS WHEREOF, the following positions have been designated as the Northern California Cities Self Insurance Fund (NCCSIF) Director and alternate for the City of Willows.

Director: Finance Director
Alternate: City Manager

PASSED, APPROVED, AND ADOPTED on this 22nd day of September 2026 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

ATTESTED:

Evan Hutson, Mayor

Karleen Price, City Clerk



Date: September 22, 2026

To: Honorable Mayor and Councilmembers

From: Joei Harrison, Finance Director
Marti Brown, City Manager

Subject: Commercial Sewage Utility Billing

Recommendation:

Accept California Water Service Company's letter terminating sewer billing services on behalf of the City of Willows and approve the staff recommendation to use the Tyler Utility Module for in-house commercial sewer billing on a quarterly basis.

Rationale for Recommendation:

California Water Service Company formally notified the City that it will discontinue commercial sewer billing services at the end of fiscal year 2026-27, requiring the City to develop an alternative method of billing effective July 1, 2027.

Background:

California Water Service Company has provided commercial sewer billing services for the City of Willows since March 15, 2011. In its September 3, 2026, letter, Cal Water stated that it is moving away from sewer billing services to focus on its water and wastewater operations.

Pursuant to Section 6 of the applicable agreement or agreements, California Water Service Company provided advance written notice that its sewer billing services will terminate June 30, 2027. California Water Service Company's final billing cycle will cover service through that date. Beginning July 1, 2027, the City will be responsible for the applicable sewer billing, collection, customer inquiries, and remittances previously handled by California Water Service Company.

In the spring of 2025, staff started planning for and recommended to the Council that the City should prepare for this impending notification by purchasing Tyler Technologies Utility Module and bring sewage billing in-house to the Finance Department. To that end, the Council approved purchasing the module as part of the FY 2025-26 budget and staff started preparing to transition all of the sewage billing to the City's Finance Department.

Discussion & Analysis:

As discussions started to ensue with the Council and community earlier in 2026, it became apparent that the Council and community would prefer residential sewage billing to remain on the County tax rolls and billing rather than receive a monthly sewage bill from the City. As a result, it was concluded that the residential billing would remain on the County property tax bill and only the commercial sewage billing would be billed by the City's Finance Department on a quarterly basis.

Accordingly, staff is currently executing this transition plan to assume direct management of commercial accounts. This ensures a seamless handoff from California Water Service Company and the City's ability to meet the July 1, 2027 deadline.

Fiscal Impact:

There is no immediate fiscal impact associated with accepting the Cal Water letter and implementing the transition plan as the Council already approved the budget for the Tyler Technologies billing software module. Future costs associated with City-administered commercial billing will be paid by the Sewer Fund and incorporated into the fiscal year 2027-28 budget.

Attachment:

- Attachment 1: California Water Service Company Notice of Termination



CALIFORNIA WATER SERVICE

1720 North First Street
San Jose, CA 95112-4598 Tel: (408) 367-8200

James P. Lynch
Senior Vice President, Chief Financial Officer & Treasurer

September 3, 2026

Marti Brown
City Manager
City of Willows
201 N. Lassen Street
Willows, CA 95988

Re: Advance Notice of Termination of Sewer Billing Agreement

Dear Marti:

As you know, California Water Service Company (Cal Water) has been performing sewer billing for the City of Willows (Willows) since executing an Assignment Agreement, effective March 15, 2011, of the 2008 and 2010 Sewer Billing Agreements between Willows and CWS Utility Services. As we have discussed informally, Cal Water is moving away from sewer billing services to focus on our water and wastewater services.

Pursuant to Section 6 of the Sewer Billing Agreement(s) Cal Water hereby provides written notice of termination of the Agreement(s). Termination shall be effective at the end of the fiscal year on June 30, 2027. This notice is given in advance of the required thirty (30) days to allow time for an orderly transition of sewer billing and collection responsibilities to Willows.

To help Willows fully prepare to assume billing and collection functions without disruption to customers, we propose the following milestone schedule. We request that Willows designate a primary transition contact within 15 days of receipt of this letter so that coordination can begin promptly.

Initial transition kickoff meeting	No later than October 1, 2026	Confirm scope, data needs, system interfaces, customer communication approach, and key personnel.
------------------------------------	-------------------------------	---



CALIFORNIA WATER SERVICE

City transition plan outline	October 30, 2026	City provides high-level plan covering billing system readiness, staffing, data migration approach, and any third-party vendor involvement.
Detailed data and process requirements as well as City budget proposal	December 15, 2026	Final list of required data fields, historical usage extracts, rate schedule formats, and testing protocols. Draft budget proposal should be prepared so that City Council approval is likely
Parallel / test billing period and City Budget adoption	March 1 – April 30, 2027	Limited parallel processing or data exchange test to validate accuracy of sewer charge calculations and reporting. During this period, the City Budget should be adopted for fiscal year 2027-2028
Final readiness confirmation & customer notice plan	May 15, 2027	Written confirmation that City systems and staff are ready; joint review of any customer notification materials.
Final Cal Water billing cycle	Bills issued in June 2027 for service through June 30, 2027	Last period for which Cal Water will calculate, bill, and collect sewer charges on behalf of the City.



CALIFORNIA WATER SERVICE

City assumes full responsibility	July 1, 2027	City is solely responsible for all sewer billing, collection, customer inquiries, and remittances.
----------------------------------	--------------	--

We are prepared to meet these milestones and will provide reasonable assistance with consistent with the terms of the existing Agreement. Additional services beyond routine data transfer (special programming, extensive historical extracts, or custom reports) will be subject to mutual agreement on scope and cost under the existing additional-services provision in Section 8.

If Willows is not ready to assume billing responsibilities by June 30, 2027, any temporary continuation of services by Cal Water will require a written extension agreement. Because the current fee structure does not reflect present operating costs, regulatory requirements, or the administrative burden of a short-term extension, any such extension will necessitate a significant increase in the per-account billing fee. We will provide a revised fee proposal if an extension becomes necessary.

Please acknowledge receipt of this notice in writing and confirm the City's designated transition contact. We look forward to a cooperative and orderly transition.

Sincerely,

James P. Lynch
Senior Vice President, Chief Financial Officer & Treasurer
California Water Service Company
Willows District

cc: [Appropriate internal parties]



DISCUSSION & ACTION CALENDAR



Date: September 22, 2026
To: Honorable Mayor and Councilmembers
From: Marti Brown, City Manager
Subject: Cannabis Dispensaries – Hours of Operation

Recommendation:

Discuss and consider WWCRS Cannabis Dispensary's request to amend the City's ordinance to extend permitted dispensary operating hours from 7:00 p.m. to 9:00 p.m., and provide direction to staff.

Rationale for Recommendation:

Extended evening operating hours would provide dispensaries with additional opportunities to generate revenue while improving customer convenience and access.

Background:

The City of Willows first adopted a Retail Cannabis Dispensary Ordinance in 2017. In 2024, the City amended the ordinance to reduce the zoning buffer qualifying more areas of the City for dispensaries. In January 2025, the City advertised for the two permitted dispensary licenses, received three applications, and selected two applicants and dispensaries. The Dispensaries opened in 2026.

Discussion & Analysis:

On August 20, 2026, the City received a request from WWCRS, Inc to extend the operating hours for retail Cannabis dispensaries in the city limits from 7:00 pm to 9:00 pm (Attachment 1). The City's current ordinance includes the following provision for hours of operation for Cannabis Dispensaries within the city limits:

WMC

§ 9.20.080 General conditions for all retail/dispensary cannabis business licenses.

(2) Hours of Operation. All permitted retail/dispensary cannabis business premises shall be closed to the general public and transporter deliveries and pick-ups shall be prohibited between the hours of 7:00 p.m. and 8:00 a.m.

In contrast, State law allows for longer hours of operation until 10:00 pm as stated in the State Code:

California Code

4 CCR § 15403 — Hours of Operation

“A licensed retailer shall sell and deliver cannabis goods only between the hours of 6:00 a.m. Pacific Time and 10:00 p.m. Pacific Time.”

The dispensary’s proposed change to its hours of operation would require an amendment to the City’s Retail Cannabis Dispensary Ordinance. Accordingly, staff is seeking Council direction regarding whether to proceed with an ordinance amendment.

Consistency with Council Priorities and Goals:

The requested ordinance amendment is consistent with the Council’s Priority #1: Financial Stability, Goal 2, Seek Cost Savings and Revenue Generation Opportunities.

Fiscal Impact:

Other than staff time, there is no fiscal impact by amending the Retail Cannabis Dispensary Ordinance.

Attachments:

- Attachment 1: Email from WWCRS, Inc Dispensary

From: [Margaret Hicks](#)
To: [Joe Bettencourt](#); [Marti Brown](#)
Subject: Permitted Operating Hours & Revenue
Date: Thursday, August 20, 2026 1:57:31 PM

Hi Mr. Bettencourt and Ms. Brown,

RE: Request to Amend Permitted Hours of Operation from 7:00 p.m. to 9:00 p.m.

Dear Mr. Bettencourt and Ms. Brown,

This is a request for consideration in amending the current daily closing time for licensed cannabis retail businesses in the City of Willows from 7:00 p.m. to 9:00 p.m.

I understand this request is early in the process but would like direction on consideration for an amendment to the city of Willows Cannabis Ordinance to modified hours more inline with the statewide rule set by **California Code of Regulations, Title 4, Section 15403: Licensed cannabis retailers may sell and deliver cannabis goods only between 6:00 a.m. and 10:00 p.m. Pacific Time.**

The basis for this request is due to the following:

1. Lost evening revenue: There are a significant number of customers who are unable to reach our store before 7:00 p.m. and currently travel to retailers in Chico, and other markets that permit later hours, resulting in a direct loss of local sales and local community benefit revenue to the city. In addition, unrealized revenue related to the Friday night market which closes at 8pm and other local evening activities beyond 7pm also result in a loss of local sales.
2. Travelers passing through in the early evening currently have no opportunity to visit and shop resulting in missed incremental revenue a fixed local customer base wouldn't generate.
3. Consistency with other retail and service businesses in the city, many other retail, restaurant, and service businesses in Willows are permitted to operate past 7:00 p.m. without a special hour restriction. Two additional hours of operation is a reasonable adjustment that would bring our retail into closer alignment with standard commercial hours in the city while remaining below the state mandate of 10pm closing times for retail dispensaries.
4. Consistency with state law, most California cities have adopted the state standard closing time of 10pm. without reported adverse impact. California itself has already determined 6am–10pm is a safe operating window statewide.

Thank you in advance for consideration and direction for a future amendment to the Willows Cannabis Ordinance.

Margaret Sharkey



Date: September 22, 2026

To: Honorable Mayor and Councilmembers

From: Marti Brown, City Manager
Gretchen Stuhr, City Attorney

Subject: Permanent City Manager Recruitment

Recommendation:

Authorize the City Manager and City Attorney to execute a contract with Bob Murray & Associates executive recruiting firm to recruit for the permanent City Manager position in an amount not to exceed \$30,000.

Rationale for Recommendation:

On September 16, the current City Manager submitted her 30-day notice of resignation. As a result, the City Council will need to discuss and provide direction regarding the recruitment and selection process for the City's next City Manager.

Background:

On September 16, the City Manager submitted her 30-day resignation notice. As a result, the City needs to undergo a recruitment process for a new permanent City Manager.

Discussion & Analysis:

The City Manager informally canvassed four executive recruitment firms to obtain estimated costs for conducting a City Manager recruitment: Bob Murray & Associates (\$30,000), Ralph Andersen & Associates (\$29,000–\$33,000), Peckham & McKenney (\$30,000), and Bob Hall & Associates (\$28,000–\$32,000).

Based on this preliminary review, staff recommend engaging Bob Murray & Associates. The firm has more than 25 years of experience conducting executive recruitments for public agencies and has extensive experience with municipal executive recruitments throughout Northern California. Attachment 1 includes a formal proposal from Bob Murray & Associates, as well as a sample recruitment brochure (Attachment 2).

Unlike public works construction contracts, professional services are generally not awarded solely on the basis of the lowest price. The City may consider qualifications, experience, approach, scope of

services, and overall value in selecting a professional services provider. This is particularly relevant in comparing executive recruitment firms because the services, reimbursable expenses, and other incidental costs included in each firm's pricing may vary.

Bob Murray & Associates' proposed \$30,000 fee is all-inclusive, providing the City with greater certainty regarding the total cost of the recruitment and minimizing the potential for additional expenses during the process.

Fiscal Impact:

The recommended action will cost a not-to-exceed amount of \$30,000, of which, \$22,500 will be allocated to the General Fund and \$7500 will be allocated to the Sewage Fund.

Attachments:

- Attachment 1: Bob Murray & Associates Executive Recruitment Proposal
- Attachment 2: Sample Recruitment Brochure



**BOB MURRAY
& ASSOCIATES**

Experts In Executive Search

A Proposal to Conduct an Executive Recruitment
for the Position of
CITY MANAGER
on behalf of



1544 Eureka Road, Suite 180
Roseville, CA 95661
(916) 784-9080
(916) 784-1985 fax

September 15, 2026

Mayor Evan Hutson and
Members of the City Council
City of Willows
201 North Lassen St.
Willows, CA 95988

Submitted via email to: Mbrown@cityofwillows.org

Dear Mayor Hutson:

Bob Murray & Associates is pleased to submit a proposal to conduct the City Manager recruitment for the City of Willows. The following details our unique qualifications and describes our systematic–yet flexible–method of identifying, recruiting, and screening outstanding candidates on your behalf. Bob Murray & Associates is proud to offer straightforward, ***all-in pricing***, eliminating surprises and making the experience simple and stress-free. This proposal includes information on our proven process, a timeline, and a guarantee.

As the premier public sector executive search firm specializing in positions that report directly to elected boards/councils, we understand the unique dynamics, high expectations, and political acumen required of leaders in these critical roles. We don't just fill positions—we ensure the candidates we present to City of Willows are well-aligned with your organization's goals, values, and culture. Our team is composed of experienced executive recruiters and former public-sector executives—professionals who are passionate about public service and attuned to current trends in government leadership. With over 34 years of experience and a network of more than 40,000 professionals and organizations, we've built a strong reputation for delivering exceptional candidates and achieving repeat success with our clients.

Bob Murray & Associates recognizes that we work at the pleasure of the City Council and our job is to facilitate the Council in finding the City's next City Manager. Our best practice is to establish a strong partnership with the Council, to ensure the placement of a City Manager who is ideally suited to its needs. In developing this collaborative approach, we will seek the opportunity to meet with the council members individually to discuss their expectations for the City's new City Manager. The feedback received from the council members will be essential in providing guidance when recruiting and screening candidates for the position.

Current and recent recruitments we have completed similar in scope to your upcoming search include the following:

2026

- Compton, CA (City Manager) - *Current*
- California City, CA (City Manager) - *Current*
- St. Helena, CA (City Manager) - *Current*
- Pacific Grove, CA (City Manager) - *Current*
- Pleasanton, CA (City Manager) - *Current*
- Auburn, CA (City Manager) - *Current*
- Lemon Grove, CA (City Manager)
- Lawndale, CA (City Manager)
- Arvin, CA (City Manager)
- Sonoma, CA (City Manager)
- South Lake Tahoe (City Manager)
- Concord, CA (City Manager)
- Pacifica, CA (City Manager)
- Santa Rosa, CA (City Manager)
- Monterey, CA (City Manager)
- Eugene, OR (City Manager)
- Apple Valley, CA (Town Manager)
- Hanford, CA (City Manager)
- Cathedral City, CA (City Manager)
- Marina, CA (City Manager)

2025

- Hayward, CA (City Manager)
- Davis, CA (City Manager)
- Live Oak, CA (City Manager)
- Oakdale, CA (City Manager)
- Fowler, CA (City Manager)
- Louisville, CO (City Manager)

2024

- Vancouver, WA (City Manager)
- Vernon, CA (City Administrator)
- Folsom, CA (City Manager)
- Murrieta, CA (City Manager)
- Aliso Viejo, CA (City Manager)
- Manhattan Beach, CA (City Manager)
- Emeryville, CA (City Manager)
- Reno, NV (City Manager)
- Clovis, CA (City Manager)
- Clayton, CA (City Manager)
- Orinda, CA (City Manager)
- Pinole, CA (City Manager)
- Novato, CA (City Manager)

- Saratoga, CA (City Manager)
- Sparks, NV (City Manager)
- Salinas, CA (City Manager)
- Marin County, CA (County Administrator)

We work as a team on every search at Bob Murray & Associates. Your Project Lead would be Gary Phillips who would not only direct and supervise the project team from beginning to end but also serve as the Recruiter for the project as well.

To learn first-hand about the quality of our services and why the majority of our engagements come from repeat and referred clients, we invite you to contact the references listed on page 14 of the attached proposal.

We look forward to your favorable consideration of our qualifications. Please do not hesitate to contact us at (916) 784-9080 with any questions.

Sincerely,



Valerie Gaeta Phillips
President, Bob Murray & Associates

TABLE OF CONTENTS

THE RECRUITMENT PROCESS.....	2
STEP 1 DEVELOP THE CANDIDATE PROFILE.....	2
STEP 2 DESIGN/DISTRIBUTE BROCHURE AND ADVERTISEMENTS	3
<i>Reaching Diverse Candidates</i>	4
STEP 3 RECRUIT CANDIDATES	4
STEP 4 SCREEN CANDIDATES.....	4
STEP 5 CONDUCT PRELIMINARY INTERVIEWS.....	5
STEP 6 SEARCH PUBLIC RECORDS	5
STEP 7 MAKE RECOMMENDATIONS	5
STEP 8 FACILITATE FINAL INTERVIEWS	6
STEP 9 CONDUCT BACKGROUND AND REFERENCE CHECKS	6
STEP 10 ASSIST IN NEGOTIATIONS.....	6
COMPLETE ADMINISTRATIVE ASSISTANCE	7
COSTS AND GUARANTEE	8
PROFESSIONAL FEE AND EXPENSES	8
<i>Optional Services</i>	8
GUARANTEE	9
RECRUITMENT SCHEDULE.....	10
FIRM PROFILE.....	11
REFERENCES.....	14

THE RECRUITMENT PROCESS

Bob Murray & Associates' recruiters are specialists in finding positive placements and providing security and fairness to candidates and clients while ensuring the integrity of the search process. Outlined below are the steps in our proven recruitment process, refined through our 34+ years of experience in executive recruiting.

STEP 1 DEVELOP THE CANDIDATE PROFILE

Our understanding of the City of Willows's needs will be key to a successful search. Mr. Phillips will meet virtually with the City and key stakeholders to learn as much as possible about the ideal candidate for the City Manager position. Key stakeholders often include:

- Council/Board Members - up to **five** virtual one-on-one meetings with the Recruiter
- Internal Stakeholders (e.g. Department Heads) - up to **two** virtual group meetings with the Recruiter
- External Stakeholders (e.g. Chamber of Commerce, Community Groups) - **one** virtual one-on-one or group meeting with the Recruiter

Internal and External Stakeholders

We find that many of our clients value a recruitment process that opens the opportunity for employees, community members, business leaders, and organization representatives to provide input regarding the ideal candidate. Our recruiters are skilled in virtually facilitating group staff meetings, forums for the business community, and/or town hall meetings that provide for equitable involvement from a variety of constituencies.

If the City of Willows desires, we will work with the City to create a customized virtual community and/or staff input process. *Please note: Virtual facilitation of stakeholder meetings is included in the professional fee. On-site Recruiter facilitation is available for an additional fee - please refer to "Costs and Guarantee" on page 7 for pricing information.*

Online Stakeholder Surveys

Sometimes clients are seeking input from a wider range of stakeholders—such as community members, business leaders, and organization representatives—online surveys are ideal to solicit input regarding qualities of the ideal candidate. Our experienced recruiters excel at crafting targeted, thoughtful, open-ended questions and can design a customized survey, providing a link for easy sharing on your website. After closing, your dedicated Recruitment Coordinator will send you the survey response data for your review and analysis. This proposal includes one Online Survey.

Additional Online Surveys are available under Optional Services (please refer to page 8).

We want to become familiar with the values and culture of the organization, as well as to understand the current and future issues, challenges, and opportunities in the City of Willows.

Mr. Phillips will review and help define the City's wish-list regarding the ideal candidate's personality, management style, knowledge, skills, and abilities and will work with the City to identify expectations regarding education and experience. The City and Mr. Phillips will discuss compensation, benefits, and other key information necessary to ensure that outstanding candidates are attracted to this opportunity. The profile we develop together at this stage will drive subsequent recruitment efforts.

STEP 2 DESIGN/DISTRIBUTE BROCHURE AND ADVERTISEMENTS

Mr. Phillips and your dedicated Recruitment Coordinator will use the candidate profile developed with the City of Willows to create a professional recruitment brochure, with the assistance of our professional graphic designer. The four-page, full-color brochure will describe the community, organization, position, ideal candidate, and compensation and will include pictures provided by the City of Willows that you feel best represent your organization and your community.

Upon your approval, Mr. Phillips will send the brochure by email (and postal mail if desired) to a targeted audience, personally inviting potential candidates to apply for the City Manager position. We will also place the recruitment brochure on our [website](#), which attracts over 11,000 unique hits weekly and is a trusted resource for candidates seeking executive and professional positions. Two sample brochures are included in this proposal package for your reference.

Mr. Phillips will also design an effective advertising campaign appropriate for the City Manager recruitment. Our broadest outreach comes through our active social media involvement on LinkedIn as well as our monthly newsletter where upcoming and current positions are featured. Sources such as *Western City Magazine*, PublicCEO, and the Careers in Government website will be used to reach an extensive local government audience, while position-specific postings will be chosen to attract candidates who have built their careers in and are committed to the City Manager field.

Suggested City Management-specific advertising sources for the City of Willows' search include but are not limited to:

- League of California Cities
- National League of Cities
- International City/County Management Association
- League of Women in Government

Bob Murray & Associates does not typically place ads with job aggregators or general job posting sites such as CareerBuilder, Monster, or Indeed, as we have found that the broad reach of these sites does not necessarily lead to quality candidates for executive and professional positions.

Reaching Diverse Candidates

Bob Murray & Associates, a woman- and minority-owned business, is **proud of its commitment to attracting and placing diverse candidates**. Nearly 50% of our last 100 placements were women; Hispanic placements 25%; African American placements 13%; Asian placements 21%; and Native American placements at 1%. Not only do we place advertisements with websites designed to attract minority and female candidates, but our President, Valerie Phillips, is a member herself of many diversity-focused organizations including the Local Government Hispanic Network, the League of Women in Government, the Professional Women's Network, Mexican Professionals, and Women Leading Government. She networks frequently with fellow members to gain insight into which potential candidates are leaders in their field.

Mr. Phillips will seek to reach candidates in communities and organizations with demographic profiles and populations served like that of the City of Willows, to maximize the potential for individuals from a wide variety of backgrounds, cultures, and life experiences to be considered for the City Manager position.

STEP 3 RECRUIT CANDIDATES

The strongest candidates are often those who are successful and content in their current positions and need to be sold on a new opportunity. Our extensive network of contacts, developed through **over 2,100 successful placements**, is a primary source for identifying and obtaining referrals for these candidates. Our in-house database of 40,000 current and former executive and professional candidates is a valuable resource that can only be built over time—time that we have invested into perfecting our process for finding the right candidates for our clients. Our aggressive outreach efforts are focused on phone calls to personally invite potential applicants, answer questions, and allay any reservations, and these efforts are essential to the success of the City Manager recruitment.

STEP 4 SCREEN CANDIDATES

Following the closing date for the recruitment, Mr. Phillips will screen all resumes we have received, using the criteria established in the candidate profile as a basis upon which to narrow the field of candidates. Internal candidates receive sensitive consideration, and Mr. Phillips will discuss with the City how the City of Willows wishes to proceed with these candidates.

STEP 5 CONDUCT PRELIMINARY INTERVIEWS

Mr. Phillips will personally interview the top 10 to 15 candidates from the resume screening, with the goal of determining which candidates have the greatest potential to succeed in your organization. To reduce travel-related expenses to our clients and increase efficiency in the search process, these interviews are typically conducted via Zoom, Teams, or other convenient videoconferencing applications.

STEP 6 SEARCH PUBLIC RECORDS

Under the direction of Mr. Phillips, your dedicated Recruitment Coordinator will conduct a review of published print and online articles for each recommended candidate. Sources include Lexis-Nexis™, Google, social media, and our contacts in the field. This will alert Mr. Phillips to any further detailed inquiries we may need to make before our recommendations are finalized.

STEP 7 MAKE RECOMMENDATIONS

Based on our findings during the preliminary interview process, Mr. Phillips will meet with the City virtually or on site to share the complete applicant list and recommend a limited number of candidates for your further consideration. Mr. Phillips will make specific recommendations and will help facilitate discussions regarding the candidate pool, but the final determination of interviewees will be up to you.

We typically recommend 6-8 candidates that we feel best match your expectations and prepare a detailed report on each candidate. This virtual “Recommended Finalist” eBook is provided to each member of the decision-making body and includes:

- Candidate list with Recommended Finalists identified in *Group 1* and *Group 2* (primary and secondary recommendations), as well as *Internal* candidates
- Summary of experience and education for each Recommended Finalist candidate
- Complete cover letter and resume for each Recommended Finalist candidate
- List of *Other Applicants* (those who did not meet minimum qualifications or were otherwise unsuitable, based on our screening process)

Bob Murray & Associates maintains all search records for a period of seven (7) years following each recruitment, and we are happy to forward cover letters and resumes for each applicant by postal mail or email as soon as the recruitment closes to new applications.

STEP 8 FACILITATE PANEL INTERVIEWS

Our years of experience will be invaluable as we help you develop an interview process that objectively assesses the qualifications of each candidate. We will work with the City of Willows to craft and implement an interview approach that fits your needs. This may include panel and/or individual interviews by the City; key stakeholders, community/employee interview panels; writing and presentation samples; meet-and-greets; or other specialized process elements Mr. Phillips helps the City of Willows to design.

Mr. Phillips will be present on-site during the panel interviews to facilitate as necessary during the process and to guide discussion to consensus regarding final candidates. Bound interview books will be provided for each interview panel member containing:

- Recruitment brochure with candidate profile
- Interview schedule
- Suggested interview questions
- Experience summary, cover letter, resume, and rating form for each candidate
- Ranking forms for use during the panel interview process

We will work closely with your staff to coordinate and schedule interviews. Our goal is to ensure that each candidate has a positive experience, as the way the entire process is conducted will influence the final candidates' perception of your organization.

STEP 9 CONDUCT BACKGROUND AND REFERENCE CHECKS

Mr. Phillips and your Recruitment Coordinator will conduct detailed reference checks for up to two (2) final candidates. To gain an accurate and honest appraisal of the candidates' strengths and weaknesses, we will talk candidly with people who have direct knowledge of their work and management style. In addition to gaining a 360-degree view of candidates from the perspective of their supervisors, subordinates and peers for the past several years, we will make a point of speaking confidentially to individuals who may have further insight into a candidate's abilities but who may not be on their preferred list of contacts.

Your Recruitment Coordinator will work with the two (2) final candidates and our professional backgrounding firm, HireRight, to conduct credit, civil litigation, and motor vehicle record checks and verify candidates' degrees.

STEP 10 ASSIST IN NEGOTIATIONS

We recognize the critical importance of successful negotiations and can serve as your representative during this process. Mr. Phillips knows what other organizations have

done to put deals together with great candidates and what the current market is like for City Manager positions in organizations like the City of Willows's. Your Recruiter will be available to advise you regarding current approaches to difficult issues, such as housing and relocation. We will represent your interests and advise the chosen candidate and you regarding salary, benefits, and employment agreements, with the goal of putting together a deal that results in the appointment of your chosen candidate. With our proven experience and vested interest in a positive outcome, we can turn a very difficult aspect of the recruitment into one that is straightforward and agreeable for all parties involved.

COMPLETE ADMINISTRATIVE ASSISTANCE

We receive many unsolicited testimonials each year from clients and candidates alike noting our prompt, considerate, accurate, and professional service during the search process. Throughout the recruitment, in time intervals that suit the City of Willows, we will provide you with updates on the status of the search and attend to all administrative details on your behalf.

Candidates receive immediate acknowledgement of their applications, as well as personal phone calls and/or emails (as appropriate) advising them of their status at each critical point in the recruitment. Candidates who receive preliminary or final interviews and are not chosen to move forward in the interview process will receive personal calls from Mr. Phillips on behalf of the City of Willows.

It is our internal company standard that all inquiries from clients and candidates receive a response within the same business day whenever possible, and certainly within 24 hours if the inquiry is received during the work week. Mr. Phillips will be available to the City of Willows by office phone, cell phone, and email at any time to ensure a smooth and stress-free recruitment process.

COSTS AND GUARANTEE

PROFESSIONAL FEE AND EXPENSES

The **all-inclusive professional services fee** for conducting the City Manager recruitment on behalf of the City of Willows is **\$30,000**. Services provided for in this fee consist of all steps outlined in this proposal, including design and distribution of the recruitment brochure, advertising, marketing and promotion, administrative support, public records research, comprehensive background reporting on the final candidates, postage, technology, and three days of on-site meetings. **The price is fixed and will remain the same even if the client decides not to have Bob Murray & Associates carry out some of the specific steps outlined in this proposal.** This proposal is valid for 60 days from the date of the proposal.

*Optional Services are listed below and are in addition to the professional services fee. Expense reimbursement for **Consultant travel** related to additional on-site meeting days is billed at the actual rate (airfare/mileage, lodging) and is the responsibility of the City of Willows.*

The professional fee does not limit the amount of time invested by Bob Murray & Associates in promoting a successful outcome for this project. In fact, our mission for this project is to ensure we assist in identifying the right candidate for the City of Willows. Therefore, Mr. Phillips will contact the City at the first anniversary of the placement to confirm an effective transition has occurred.

Optional Services

- ✦ **Additional virtual stakeholder meetings:** \$250/meeting
- ✦ **Additional on-site meeting days:** \$1,500/day/Consultant, plus travel expenses
- ✦ **Online Surveys:** \$500/each (includes preparing recommended questions, preparing and sharing the survey link, closing the survey, and sending the survey response data for your review and analysis)
- ✦ **Additional background checks:** \$300/candidate
- ✦ **Additional reference checks:** \$500/candidate
- ✦ **Additional hires:** \$9,000/candidate

GUARANTEE

In the event a candidate recommended by our firm resigns or is terminated within the first 12 months of employment, Bob Murray & Associates will provide the City of Willows with professional services to secure a replacement. Services will be provided at no cost, aside from the following *reimbursable* expenses incurred on the City of Willows's behalf during the new search:

- ✦ Brochure design and distribution (\$695 reprint only, \$1,275 edit/reflow/reprint)(*if needed*)
- ✦ Advertising actual costs (estimated at \$2,975)
- ✦ Public records search for all new candidates (\$500)
- ✦ Background Checks (\$300/candidate)
- ✦ Reference Checks (\$500/candidate)
- ✦ Consultant travel reimbursement (if travel is needed)
- ✦ *Plus any applicable Optional Services, if desired*

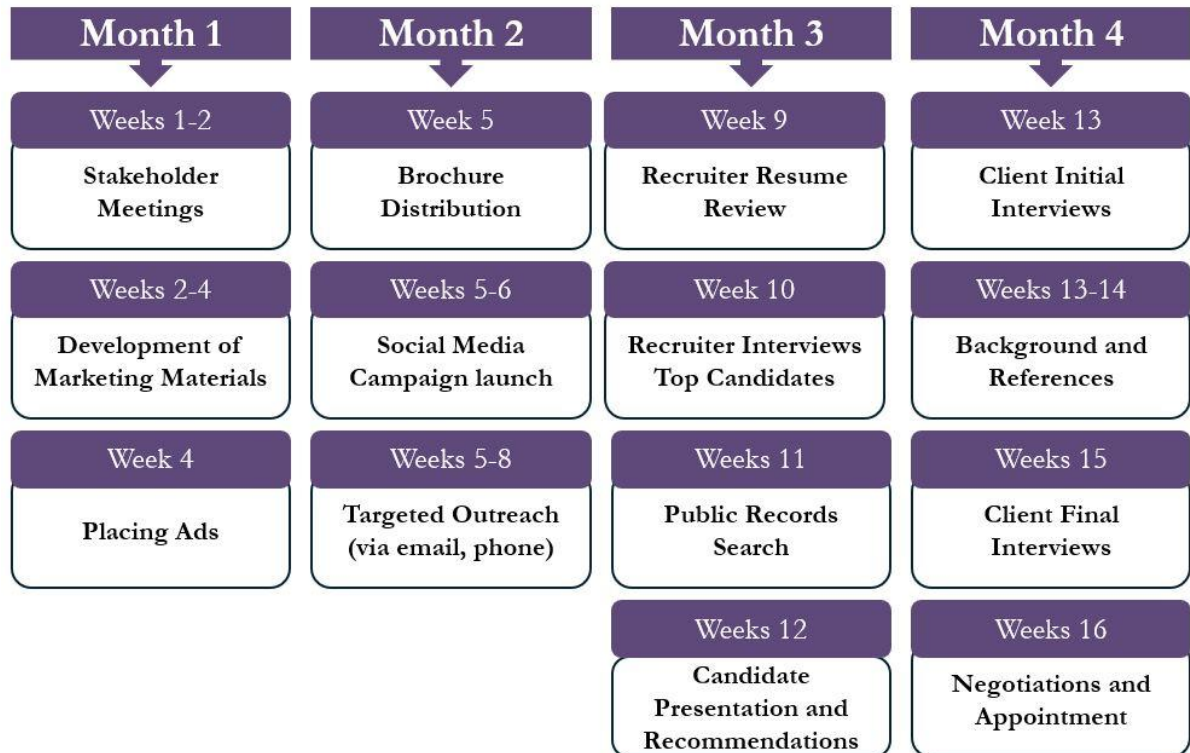
In the event that a placement is not made from the initial recruitment, Bob Murray & Associates will provide professional services to conduct one additional recruitment. Services will be provided at no cost. However, the City of Willows will be responsible for the *reimbursable* expenses as noted above.

We are confident in our ability to recruit outstanding candidates and do not expect the City to find it necessary to exercise this provision of our proposal.

RECRUITMENT SCHEDULE

We are prepared to start work on this assignment upon receipt of a signed professional services agreement or other written, authorized notification. A full search can be completed in 13-16 weeks from the date of initial meetings with our client.

The final recruitment schedule will be determined in collaboration with City of Willows. A typical timeline of tasks and events is included here for reference.



FIRM PROFILE

OUR STAFF

Bob Murray & Associates is a small firm focusing exclusively on executive search services. We have a team of sixteen (16):

- Valerie Gaeta Phillips, *President and Owner*
- Gary Phillips, *Executive Vice President*
- Yasmin Beers, *Vice President & Senior Executive Recruiter*
- Adele Fresé, *Senior Executive Recruiter*
- Stacy Stevenson, *Senior Executive Recruiter*
- Jon Lewis, *Senior Executive Recruiter*
- Jeff Mori, *Executive Recruiter*
- Michael Ishii, *Executive Recruiter*
- Ian Schmutzler, *Executive Recruiter*
- Troy Brown, *Executive Recruiter, Career Coach*
- Stephanie Dietz, *Career Coach*
- Melanie Richardson, *Career Coach*
- Kathy Lolas, *Executive Recruitment Coordinator and Operations Manager*
- Grace Owens, *Senior Recruitment Coordinator*
- Steph Souza, *Recruitment Coordinator*
- Alexandria Huesca, *Recruitment Support*

Please see your lead recruiter's biography below:

GARY PHILLIPS, EXECUTIVE VICE PRESIDENT AND RECRUITER



Gary Phillips is a Senior Executive Recruiter, Executive Vice President who brings a fast-paced, results-driven private sector approach to public sector talent acquisition. With a corporate pedigree built within Fortune 100 and Fortune 500 companies, he leverages sophisticated executive search methodologies to source elite leadership for local government, non-profit, and private organizations. Throughout his distinguished career, Gary has successfully placed over 600 City Managers, County Executives, General Managers, Police Chiefs, and Department heads establishing a reputation for building world-class leadership teams.

Gary is highly regarded for his ability to work seamlessly with elected officials, city councils, and boards of directors. He serves as a trusted advisor during high-stakes transitions, navigating complex political landscapes with diplomacy, transparency, and strategic alignment. Deeply committed to an elite standard of customer service, Gary prioritizes rigorous communication, responsiveness, and tailored recruitment strategies to ensure long-term organizational success for his clients.

Gary also deeply committed to philanthropy, dedicating his time to fundraising and raising awareness for organizations such as Autism Speaks, Special Olympics and the Epilepsy Foundation along with his wife and business partner, Valerie.

CORPORATION

Bob Murray & Associates was founded in May 2000 and operated under the corporation name MBN Services, Inc. until June 2014; our new corporation name is GVP Ventures, Inc., incorporated in California in 2014. Contact information for the corporation and the firm is as follows:

GVP Ventures, Inc. OR Bob Murray & Associates
1544 Eureka Road, Ste. 180
Roseville, CA 95661
(916) 784-9080
apply@bobmurrayassoc.com

Our corporation and firm are financially sound (and have been so since 2000), with documentation from our accountant available to your organization prior to final execution of a professional service agreement. We have never been involved in any litigation, aside from our personnel serving as expert witnesses when called to do so.

PROFESSIONAL ASSOCIATIONS

Our firm, represented by either our President or our Executive Vice President, are involved in the following organizations to remain engaged with current and future issues relevant to the work we conduct on behalf of clients like City of Willows:

- California Special Districts Association
- California City Management Foundation (CCMF)
- Engaging Local Government Leaders (ELGL)
- International City/County Management Association (ICMA)
- International Network of Asian Public Administrators (I-NAPA)
- League of California Cities
- League of Women in Government
- Municipal Management Association of Northern California (MMANC)
- Municipal Management Association of Southern California (MMASC)
- National Forum for Black Public Administrators (NFBPA)

Members of our leadership team not only attend events sponsored by these associations but are also frequently called upon to serve as panel members and to provide specialized lectures regarding industry-specific issues. Recent and upcoming speaking engagements and trainings provided by our staff include:

- "Role of the Chief" class, annually presented by Jon Lewis on behalf of the California Police Chiefs Association;
- MMANC and MMASC annual mock interviews;
- Annual League of California Cities Booth; and
- Annual League of California Cities City Manager's Conference (City Manager hosted event).

REFERENCES

Clients and candidates are the best testament to our ability to conduct quality searches. Clients for whom Bob Murray & Associates has recently conducted similar searches are listed below:

CLIENT: City of Lawndale, CA
POSITION: City Manager
REFERENCE: Ms. Raylette Felton, Deputy City Manager/Human Resources Director
rfelton@lawndale.ca.gov

CLIENT: City of Louisville, CO
POSITION: City Manager
REFERENCE: Mayor Chris Leh
(303) 668-3916

CLIENT: City of Reno, NV
POSITION: City Manager
REFERENCE: Mayor Hillary Schieve
(775) 378-5589

CLIENT: City of Monterey, CA
POSITION: City Manager
REFERENCE: Mayor Tyller Williamson
(831) 760-5173

We appreciate the City of Willows' consideration of our proposal and look forward to working with you.





CITY MANAGER



**BOB MURRAY
& ASSOCIATES**
EXPERTS IN EXECUTIVE SEARCH

THE COMMUNITY

Sharing borders with the Pacific Ocean, Pebble Beach, and the City of Monterey, Pacific Grove combines an unparalleled quality of life with an ambience of charm, grace, and beauty. Located on the very tip of the scenic, tree-shrouded Monterey Peninsula, Pacific Grove boasts a beautiful, fully accessible coastline. The community encompasses a total of less than three square miles, with more than 3.5 miles of beaches, rocky outcroppings, and shoreline parks. Primarily a residential community, Pacific Grove has a population of 15,698 and over 1,300 registered historic homes and other structures.

Founded in the 1870s as a Methodist summer retreat, Pacific Grove continues to bear the look and feel of yesteryear. The original retreat area remains, with homes dating back to the late 1800s and early 1900s. Many of Pacific Grove's homes reflect a vintage style, diverse architecture, and individuality. Among the historic buildings in Pacific Grove are stately Victorian mansions, many of which have been converted into bed and breakfast inns. Annual special events showcase Pacific Grove's historic homes and inns, including the Victorian Home Tour and Christmas at the Inns. In addition, a variety of annual festivities – such as the Good Old Days and the Butterfly Parade – celebrate the community's history.

Besides its scenic beauty and idyllic neighborhoods, Pacific Grove has five shopping districts including an eclectic downtown experience with small boutiques, gift shops, art galleries, antique stores, and restaurants. Other vibrant shopping areas are located throughout the community, including a Certified Farmer's Market offering local fare.

Point Pinos is the oldest continuously operating lighthouse on the west coast as its beacon has flashed nightly since 1855 as a guide and warning to ships off the rocky California coast. The Stanford University Hopkins Marine Station was founded in 1892 as the first marine laboratory on the west coast of North America, and faculty offer undergraduate and graduate courses in a variety of oceanic and marine sciences.

Lovers Point Park and beach is a 4.4-acre landscaped community park used for picnicking, fishing, swimming, water sports, and surfing. Asilomar State Beach offers beach and coast trail walks past the Marine Reserve, a short boardwalk loop through the Natural Dune Preserve, and overnight room lodging and conference facilities.

Golfers have a unique opportunity to play a scenic 18-hole course at the oceanfront Pacific Grove Municipal Golf Links. Others may explore the City's award-winning Natural History Museum. Not only does Pacific Grove offer breathtaking views combined with a variety of recreational and cultural activities, but the City provides excellent public safety services; the City has one of the lowest crime rates in Monterey County; and a small-town hospitality and friendliness in a place that locals call simply "P.G."

THE CITY

Incorporated in 1889, Pacific Grove is a Charter City operating under the Council-Manager form of government. The seven-member City Council appoints the City Manager, City Attorney, and members of the City's advisory boards and commissions.



Renowned for its historic character, stunning coastal setting, and thriving visitor economy, Pacific Grove benefits significantly from tourism while balancing the needs of residents, businesses, and visitors. As a tourism-dependent community, the City must thoughtfully address the fiscal challenges associated with maintaining and improving aging infrastructure while preserving its unique character and exceptional quality of life.

City amenities include a historic Carnegie public library, natural history museum, community center, youth center, senior center, an 18-hole golf course, cemetery, butterfly habitat preserve, shoreline recreation trails, and numerous parks. Departments within the city organization include the City Manager's Office (including the City Clerk, Human Resources and Information Technology), Administrative Services (including Finance, and Risk Management), Library, Community Development (including Building & Safety, Housing and Code Enforcement), Public Works (including Recreation), and Police. City Attorney, Fire services and golf course operations are provided on contract.

THE POSITION

The City Manager is responsible for planning, organizing, and directing the overall administrative activities of the City as well as advising and implementing the City Council's policies and goals. The City Manager performs all duties as specified by the City Charter. Pursuant to Article 19 of the City Charter the following duties include but are not limited to:

- Ensuring that all ordinances are enforced;
- Appointing all heads of departments, subordinate officials, and employees, and removing the same, and having general supervision and control over the same;
- Exercising general supervision over all privately owned public utilities operating within the City so far as the same are subject to municipal control;
- Ensuring that the provisions of all franchises, leases, contracts, permits and privileges granted by the City are fully observed and reporting to the Council any violations thereof;
- Acting as purchasing agent for the City (the City Manager shall know the exact condition of the treasury



at all times and shall approve all demands before the same have been allowed by the Council if the City Manager is satisfied that the money is lawfully due);

- Attending all meetings of the Council unless excused therefrom by three members thereof or by the Mayor;
- Examining, or causing to be examined, without notice, the conduct, or the official account and records of any officer or employee of the City;
- Keeping the Council advised as to the needs of the City;
- Supervising the management of all City property, including public buildings, parks, and playgrounds;
- Appointing such advisory boards as the City Manager may deem desirable to advise and assist the City Manager provided the members of such boards shall receive no compensation;
- Generating a quarterly statement of all funds in the treasury for submission to the Council (such statements shall be submitted not later than the first meeting in November, February, May, and August); and,
- Assuming general control of the City government and all of its branches in case of riot, insurrection or extraordinary emergency, and responsibility for the suppression of disorders and the restoration of normal conditions.



THE IDEAL CANDIDATE

The City of Pacific Grove is seeking a calm, level-headed, and visionary leader to serve as its next City Manager. The ideal candidate will be an engaged and highly visible executive who enjoys being out in the community, building authentic relationships with residents, businesses, employees, and community partners. The ideal candidate will be a responsive, approachable, and humble leader who is committed to mentoring and developing staff. With exceptional emotional intelligence, they will listen carefully, value diverse perspectives, communicate openly, and foster a culture of trust, collaboration, and professional growth through integrity, transparency, and sound judgment. The successful candidate will possess the political acumen to navigate complex issues while balancing the interests of the City Council, residents, businesses, and visitors. They will appreciate Pacific Grove's unique historic character and understand the importance of preserving its historic resources while thoughtfully balancing quality of life for residents with the economic benefits of tourism.

The incoming City Manager will be a collaborative and supportive organizational leader who fosters a positive workplace culture, connects with staff at all levels, empowers employees, and confidently makes difficult decisions—including the ability to say “no” when appropriate—while clearly communicating the rationale behind those decisions. Strong fiscal management skills, including budget development, long-range financial planning, and the ability to effectively communicate the City's financial story to diverse audiences, are essential.

The ideal candidate is:

- A seasoned municipal executive with demonstrated success leading a full-service local government organization and providing strategic, collaborative leadership.
- A calm, steady, and thoughtful leader who performs well under pressure, resolves conflict effectively, and maintains professionalism during challenging or politically sensitive situations.
- A highly engaged and visible leader who is committed to being present throughout the community, accessible to residents, businesses, employees, and community organizations, and responsive to constituent needs.
- A politically astute executive who understands the roles of elected officials and staff, provides sound and impartial advice, and successfully navigates complex public policy issues while building consensus among diverse stakeholders.
- A skilled communicator who can clearly explain complex issues, including the City's budget and financial priorities, helping residents, employees, and elected officials understand the “story behind the numbers.”
- An experienced fiscal steward with a strong background in budgeting, long-term financial planning, fiscal sustainability, and responsible resource allocation.
- A confident decision-maker who exercises sound judgment, can establish priorities, set appropriate boundaries, and make difficult decisions—even when those decisions may not be universally popular.
- A collaborative leader who values employees, develops and mentors staff, promotes accountability, and cultivates a positive, inclusive, and high-performing organizational culture.
- An executive with experience in labor relations, collective bargaining, and productive union negotiations who can build positive working relationships while protecting the City's long-term interests.
- A relationship builder who creates strong partnerships with Department Heads, the City Council, community



organizations, educational partners, regional agencies, businesses, and residents.

- A leader who appreciates Pacific Grove's unique identity and understands the importance of preserving its historic character, protecting environmental resources, maintaining a high quality of life for residents, and thoughtfully balancing those priorities with a vibrant tourism economy and thriving downtown.
- An individual committed to providing stable, long-term leadership while advancing the City's strategic priorities, infrastructure investments, and continued fiscal sustainability.

MINIMUM QUALIFICATIONS

Any combination equivalent to experience and education that provides required knowledge and abilities described below.

Education: Equivalent to a Bachelor's degree from an accredited college or university with major course work in public or business administration or a closely related field. A Master's degree is desirable.

Experience: A minimum of 10 years of increasing responsibility in an administrative or managerial capacity in a municipal organization including as a city manager, assistant city manager or department head in a California community of similar size and complexity to Pacific Grove.

COMPENSATION AND BENEFITS

The salary for the previous City Manager was \$266,468; the salary for the incoming City Manager is negotiable and based on qualifications and experience. Additionally, a 3% Management Incentive will be provided (3% x base salary). The City also offers an attractive benefits package including:

Retirement - CalPERS retirement - 2% at 55 for "Classic" members (employees hired on or before December 31, 2012) and 2% at 62 for PEPRA members (employees hired on or after January 1, 2013). The employee contribution toward CalPERS is currently 7% for Classic Miscellaneous members plus 5% cost share (for a total of 12%).

Health Plan - Employees shall be entitled to participate in the City-sponsored health plans including medical, dental, and vision, as well as optional benefits.

Employer Health Contributions - The City provides a monthly contribution towards healthcare premiums for up to \$2,084 per month based on enrollment level.

Paid Time Off (PTO) - Beginning at 6 weeks off per year for employees with less than five years of service and capping at 8.5 weeks per year for employees with 20 or more years of service. The City also offers a PTO Buy-Back program to eligible employees. Buyback is up to 80 hours per year.

Holidays - Employees receive nine (9) paid holidays annually and six (6) floating holidays each fiscal year.

Holiday Closure for 2026 - Employees will receive up to 32 hours of paid leave between Christmas and New Year's.

Short & Long-Term Disability -

Paid supplemental short-term and long-term disability insurance.

Deferred Compensation Plan -

Voluntary participation in City's deferred compensation program is available to employees through Empower Retirement with an employer match of up to \$100 per pay period.

Fitness Reimbursement Program -

City will reimburse up to \$500 per calendar year for employee's personal fitness costs.

Group Life, Death and Dismemberment Insurance -

The City shall provide, at its cost, group life insurance with a benefit of \$75,000.

Tuition Reimbursement -

The City may pay up to \$3,000 per fiscal year per employee.

Cell Phone Allowance -

A personal cell phone allowance of \$50 per month or issued City cell phone in lieu.

TO APPLY

If you are interested in this outstanding opportunity, please apply online at:

www.bobmurrayassoc.com

Filing Deadline:

October 6, 2026

Following the closing date, resumes will be screened according to the qualifications outlined above. The most qualified candidates will be invited to personal interviews with Bob Murray & Associates. A select group of candidates will be asked to provide references once it is anticipated that they may be recommended as finalists. References will be contacted only following candidate approval. Finalist interviews will be held with the City of Pacific Grove. Candidates will be advised of the status of the recruitment following selection of the City Manager.

If you have any questions, please do not hesitate to call:

Gary Phillips
(916) 784-9080





Date: September 22, 2026
To: Honorable Mayor and Councilmembers
From: Marti Brown, City Manager
Gretchen Stuhr, City Attorney
Subject: 2026 Personnel Rules

Recommendation:

Consider and adopt the 2026 Personnel Rules or continue the item to the October 13, 2026, Council meeting for further consideration and discussion.

Rationale for Recommendation:

The 2026 Personnel Rules provide the framework for consistent and equitable administration of personnel policies, benefits, workplace expectations, and employment practices. The proposed 2026 Personnel Rules represent a comprehensive update to the City's existing 2017 rules and are intended to reflect current laws, organizational practices, and operational needs. Adoption will provide employees and management with clear, updated guidance while promoting consistency, accountability, and effective personnel administration.

Background:

The City's Personnel Rules were last comprehensively updated in 2017 (Attachment 1). Working with Regional Government Services (RGS), staff reviewed and revised the Rules to reflect changes in federal and state employment law, current City practices, the City's organizational structure, and contemporary human resources standards.

Discussion & Analysis:

The proposed 2026 Personnel Rules (Attachment 1) have been reorganized from eight chapters totaling 71 pages into ten chapters and three appendices totaling approximately 94 pages. Many of the revisions are administrative or technical, including updated terminology, gender-neutral language, revised department titles, improved formatting, corrected cross-references, and the consolidation or relocation of related provisions.

The proposed Rules also add or substantially expand policies addressing:

- Discrimination, harassment, and retaliation;

- Reasonable accommodations for disabilities, pregnancy, religious practices, and victims of qualifying acts of violence;
- Whistleblower protection;
- Lactation accommodations;
- Family and medical leave, pregnancy disability leave, and reproductive-loss leave;
- Paid sick leave and expanded permissible uses of sick leave;
- Workplace violence prevention and bullying;
- Employee personnel records and access rights;
- Volunteers;
- Resignation, retirement, job abandonment, layoffs, and other forms of separation; and
- The return of City property upon separation from employment.

In addition to these legal and administrative updates, the proposed Rules contain other policy changes for the Council's consideration.

Personnel and Appointing Authority

The 2017 Rules designated the Administrative Services Director as the Personnel Director and generally provided that department heads served as the appointing authorities for employees under their supervision. The proposed Rules recognize the City Manager as the Personnel Officer and appointing authority for City officers and employees, consistent with the Willows Municipal Code, while allowing the City Manager to delegate specified personnel responsibilities.

Employee Categories

The proposed Rules add a formal definition of "volunteer" and require City Manager authorization before an individual performs volunteer services for the City. The definition of a part-time employee is also revised from an employee generally scheduled to work fewer than 30 hours per week to an employee expected to work fewer than 1,040 hours during a fiscal year. This definition should be reconciled with the definition contained in the Municipal Code.

Discipline and Employee Appeals

The proposed Rules retain the employee's right to receive written notice of the proposed discipline and an opportunity to respond before discipline is imposed. Once determined, the City Manager's written disciplinary decision is designated as final and binding.

The 2017 Rules permitted an employee to appeal a written warning, counseling memorandum, or performance improvement plan initially to the appointing authority and ultimately to the City Manager. The proposed Rules provide that these corrective actions are not subject to the grievance process.

These changes would streamline personnel administration with most individual employment disputes being resolved at the City Manager level. Any rights established by an applicable memorandum of understanding, employment agreement, or state or federal law would continue to apply and would take precedent over the 2026 Personnel Rules.

Grievance Procedure

The 2017 Rules broadly defined a grievance as a dispute involving the interpretation or application of a statute, ordinance, resolution, labor agreement, or departmental rule. The proposed Rules define a grievance more narrowly as a dispute concerning the interpretation, application, or alleged violation of the Personnel Rules.

The proposed grievance process continues to provide successive review by the employee's supervisor, department head or appointing authority, and City Manager, with further review as provided in the Rules. However, disciplinary actions and corrective measures such as written warnings, counseling memoranda, and performance improvement plans are expressly excluded from the grievance procedure. These measures are provided for in the Memorandums of Understanding with both UPEC bargaining units.

Vacation and Sick Leave

The proposed Rules retain the existing vacation accrual schedule and the requirement that employees take at least one consecutive five-day block of vacation annually. Significant changes include:

- Allowing regular part-time employees to accrue vacation on a prorated basis;
- Reducing the minimum increment for using vacation from four hours to two hours;
- Requiring one month's advance notice only for vacations of three or more days; and
- Clarifying that vacation generally does not accrue during unpaid leave unless required by law.

The sick-leave provisions are updated to reflect current California law. Employees may begin using accrued sick leave on the 90th day of employment rather than after completing probation. Permissible uses are expanded to include preventive care, additional family members, a designated person, qualifying victims of violence, and certain judicial proceedings. The proposed Rules also revise the circumstances under which the City may require medical certification.

Bereavement and Other Protected Leaves

The 2017 Rules provided up to three days of paid bereavement leave for regular full-time employees. The proposed Rules provide five days of bereavement leave to employees who have worked for the City for at least 30 days. However, the City only compensates for the first three days. Employees may use available vacation, sick leave, personal leave, or compensatory time for the other two days in order to remain in paid status during the leave.

The proposed Rules also add or expand leave provisions for victims of violence, reproductive loss, pregnancy disability, family and medical care, jury and witness service, voting, and other legally protected absences.

Public Safety Employees

Once the City re-establishes its Police Department, the Personnel Rules should include appropriate references to sworn police employees, applicable probationary periods, and the Public Safety Officers Procedural Bill of Rights Act. The proposed Rules currently reference the Firefighters Procedural Bill of Rights Act but do not fully incorporate corresponding protections applicable to peace officers. These additions should be made as the Police Department is being re-established and in collaboration with the City's law enforcement consultant.

Conclusion

Overall, the proposed 2026 Personnel Rules provide a more comprehensive and current framework for administering the City's workforce. Most revisions update the Rules for legal compliance, clarify existing practices, or improve organization and readability.

The Council may adopt the proposed Rules as presented, direct staff to make specified revisions, or continue the item to October 13, 2026, Council meeting to allow additional review of the Personnel Rules.

Fiscal Impact:

There is no fiscal impact by adopting the attached 2026 Personnel Rules.

Attachments:

- Attachment 1: 2026 Personnel Rules
- Attachment 2: 2017 Personnel Rules

CITY OF WILLOWS

PERSONNEL RULES

MARCH 2026



TABLE OF CONTENTS

CHAPTER 1: PURPOSE AND SCOPE	3
CHAPTER 2: CATEGORIES OF EMPLOYMENT, RECRUITMENT, APPLICATIONS, AND SELECTION	8
CHAPTER 3: HARASSMENT, DISCRIMINATION, AND RETALIATION PROHIBITED	15
CHAPTER 4: REASONABLE ACCOMMODATION	19
CHAPTER 5: WHISTLEBLOWER PROTECTION	21
CHAPTER 6: HOURS AND ATTENDANCE	22
CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT	30
CHAPTER 8: PERFORMANCE EVALUATIONS	45
CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE	47
CHAPTER 10: EMPLOYEE RESPONSIBILITIES	63
ACKNOWLEDGEMENT OF RECEIPT OF 2026 PERSONNEL RULES	81
APPENDIX A: FAMILY AND MEDICAL LEAVES AS PROVIDED BY FMLA/CFRA	82
APPENDIX B: CALIFORNIA PREGNANCY DISABILITY LEAVE (PDL)	88
APPENDIX C: DRUG FREE WORKPLACE	92



CHAPTER 1: PURPOSE AND SCOPE

1.1 INTRODUCTION

The City of Willows places the highest value on its employees. We wish to see satisfied workers, with the support necessary to achieve the objectives of each position. The City believes that clear, consistent personnel policies contribute to greater job satisfaction. All employees and new hires are required to be familiar with these policies. If questions arise, please begin with a discussion with your supervisor or Department Head. Employees are encouraged to offer ideas or suggestions for improvement of these policies.

These personnel policies serve as a general guide to the City of Willows' current employment practices and procedures. As such, we hope they will help employees better understand how the City operates and what is expected of an employee, and what the employee can expect in return. These policies also describe the compensation, benefits and other support provided by the City.

1.2 INTENT OF POLICIES

These policies are not intended to be a contract, express or implied, or any type of promise or guarantee of specific treatment upon which an employee may rely, or a guarantee of employment for any specific duration. Although the City desires long-term employment relationships, it is recognized this may not always occur and either the employer or employee may decide to terminate employment. Unless specific rights are granted in employment contracts, Memorandum of Understanding or elsewhere, all employees of the City are considered at-will employees and may be terminated from City employment at any time, with or without cause and with or without notice.

No supervisor, Department Head or representative of the City, other than the City Manager, has authority to enter into any agreement with an employee for employment for any specified period or duration, or to make any written or verbal commitments to the contrary. It is the City's intent these policies be interpreted as providing a reasonable approach to specific problems and situations; they should be considered as a total set of working procedures rather than interpreting each section, subsection, sentence or phrase separately and out of context.

It is the City's intent that implementation of these policies, including any future revisions of these policies, will result in no change, increase or decrease to wages, benefits, or working conditions of represented employees that are determined in the bargaining process. The City recognizes the terms and conditions of existing bargaining agreements; implementation of these policies is not intended to change the terms and conditions of any agreement between unions and the City.



CHAPTER 1: PURPOSE AND SCOPE

1.3 SCOPE OF POLICIES

These personnel policies apply to all City of Willows employees. In cases where these policies conflict with any provisions of a collective bargaining agreement, City ordinance or state or federal law, the terms of that law, rule or agreement prevail. In all other cases, these policies apply. In the event of the amendment of any ordinance, rule, or law incorporated in this document or upon which these provisions rely, these personnel policies will be amended in conformance with those changes.

1.4 CHANGING THE POLICIES

As required, the City Council may modify these policies and, by ordinance or resolution, may enact changes to compensation or benefit levels. The City Manager may deviate from these policies in particular situations, especially in an emergency, to achieve the primary mission of serving the City's citizens. Employees may request specific changes to these policies by submitting suggestions to their Department Head or the City Manager.

These policies do not create an employment contract or implied contract rights for employees, nor do they create a promise or guarantee of specific treatment in a specific situation. The City retains the right to administer or implement these policies appropriate to the situation or occurrence. The City also retains the right to revise, supplement or rescind these policies without prior notice to employees. However, the City will meet and confer with representatives of respective bargaining units for reasonable periods prior to implementation.

1.5 DEFINITIONS

Appointing Authority: The person with authority to appoint and/or remove employees from City positions, or persons delegated by the appointing authority to perform duties which legally may be delegated. Department Heads are the appointing authorities for those positions under their management; the City Manager is the appointing authority for Department Heads; and the City Council is the appointing authority for the City Manager and City Attorney.

At-will Employee: Unless specific rights are granted to an employee in a collective bargaining agreement or elsewhere, an employee of the City is an at-will employee pursuant to California law whose employment may be terminated at any time, with or without cause and with or without notice. Such at-will status also encompasses the City's right to transfer, demote, reduce pay and make other employment changes at any time, with or without cause and with or without notice.

City: The City of Willows.



CHAPTER 1: PURPOSE AND SCOPE

City Business: Includes work or job duties directly arising out of a work assignment or work duties that directly benefit the City and its operations.

City Council: The City Council is the elected five-member body responsible for the governing of the City of Willows.

City Facility: Any building or other real property that is owned or leased by the City. Except as otherwise provided herein, the term does not include City parks, parking lots, sidewalks, or streets.

City Manager: A professional, non-political local government official, appointed by and serving at the pleasure of the city council, responsible for overseeing day-to-day operations, implementing council policies, and managing city services.

Class/Classification: Systematic arrangement of job titles into categories according to positions sharing similar job functions and/or responsibilities. A representative sample of the City's classification system includes classifications such as Management, Technical/Professional, Skilled Trades.

COBRA Rights: Federal law which permits employees who are separating from City employment to continue eligible group medical coverage at their personal expense for a specified period of time determined by federal law.

Compensatory Time Off: Or "comp time" is authorized time off in lieu of paid overtime.

Days: References to "days" in these policies means calendar days unless otherwise stated.

Department Head: An employee responsible for directing one or more City departments or divisions.

Emergency: A circumstance that, if not immediately addressed, may cause injury or damage to persons or property.

Employee Assistance Program: A program designed to assist City employees and their family members to solve problems through professional counseling.

Exempt Employee: An exempt employee is one who is expected to work such hours as are necessary to perform the duties of their position and is not eligible to be paid overtime.

Finance Department or Finance Director: The Finance Department or Finance Director.



CHAPTER 1: PURPOSE AND SCOPE

General Notification: Notification on employee bulletin boards or through an employee newsletter, email or similar form of notification.

Good Driving Record: Less than two moving violations within the preceding three years; no reckless driving or driving while intoxicated violations within the preceding five years. Maximum of one motor vehicle accident within the preceding three (3) years for which the applicant received a traffic or criminal citation and was convicted, forfeited bail, or pleaded guilty.

Human Resources, Personnel or Finance Director: The City Manager shall be the personnel officer. The City Manager may delegate any of the powers and duties conferred as personnel officer under this chapter to any other officer or employee of the city or may recommend that such powers and duties be performed under contract as provided in WMC § 2.60.140.

Immediate Family: Includes the following: spouse; domestic partner; parent; child; brother or sister; mother or father-in-law; son or daughter-in-law; grandparent; grandchild; or any relative who lives in the employee's home. An individual is considered a relative whether related by blood, marriage or adoption or as defined by a specific law or regulation.

Merit Raise: An advance in pay in the appropriate pay range of the adopted salary schedule to recognize satisfactory job performance by the employee. This is based on a performance evaluation which clearly demonstrates the employee has improved their value to the City by consistently meeting and/or frequently exceeding the standards of performance set for the position.

Non-Exempt Employee: A “non-exempt” employee is one who is eligible to be paid overtime as required by California and federal law.

Non-public Area of a City Facility: An area which has been declared by the City Manager or Department Head in charge of the facility as not being open on a regular basis to members of the public.

Non-represented Employee: An at-will employee who is not a member of a bargaining unit and is not represented by a bargaining agent in matters of wages, benefits, and working conditions.

Pro-rata Basis: The ratio between the number of hours in an employee’s normal work schedule and forty (40) hours per week, as it applies to leaves and benefits.

Represented Employee: An employee who is a member of a bargaining unit and represented by a bargaining agent in matters of wages, benefits, and working conditions.



CHAPTER 1: PURPOSE AND SCOPE

Sick Leave Abuse: Excessive absenteeism or repeated absence from work without adequate medical explanation.

Vacation Leave: Includes employee choice days and bank days, in addition to annual vacation leave.

Volunteer: A “volunteer” is not a City employee but is instead an individual who provides services to the City for civic or philanthropic reasons and receives no compensation or benefits other than nominal fees and reimbursement of expenses.

Weapon: Any object, instrument or incendiary device which is (1) designed to inflict harm or injury to another person, or (2) used in a manner threatening harm or injury to another person. This includes, but is not limited to: firearms, knives (not including pocket knives with blades less than 3 inches in length), chako sticks and blackjacks.

1.6 EQUAL EMPLOYMENT OPPORTUNITY

The City of Willows encourages and expects its work force to reflect the diversity of its citizens. The City of Willows is an equal employment opportunity employer. The City employs, retains, promotes, disciplines and otherwise treats all employees and job applicants strictly on the basis of job-related qualifications and competence.

The City prohibits discrimination against employees and applicants for employment based on the employee or applicant’s race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age (40 and over), sexual orientation, or military and veteran status or any other basis protected by law.



CHAPTER 2: CATEGORIES OF EMPLOYMENT, RECRUITMENT, APPLICATIONS, AND SELECTION

2.1 CATEGORIES OF EMPLOYMENT

- A. A “regular employee” has completed a probationary period and occupies a part-time or full-time position with the City with no defined date for the end of such employment.
- B. A “full time” employee is one who is regularly scheduled to work forty (40) hours per week.
- C. A “limited-term” employee is an employee hired to perform in a special, mandated, or seasonal program, or for a specified and limited period of time. Whenever funds are no longer available for the program, or whenever there is no longer a need for the special or seasonal work, these employees will be separated from City service. Limited-term employees have no rights to layoff procedures but are otherwise entitled to the rights and benefits discussed in this chapter.
- D. A “part-time” employee includes regular, seasonal, on-call, and other part-time non-benefited employees (e.g., employees, other than those listed elsewhere in this section, who are employed less than half time, which is hereby defined as employees who are expected to or do work less than 1,040 hours in any one fiscal year).
- E. A “temporary employee” is any person hired full-time or part-time in an ad hoc or a regular authorized position for a limited period not to exceed twelve months unless the Personnel Officer approves an extension in writing. The employment of a temporary hire may be terminated without notice and is not eligible for the benefits and rights of this chapter unless specifically stated herein.
- F. A “probationary employee” is an employee tentatively appointed to a position in any category by the appointing authority, whether as a new hire or through reemployment, promotion, or demotion, who has not completed a probationary period following appointment to the position.
- G. A “volunteer” is not a City employee but is instead an individual who provides services to the City for civic or philanthropic reasons and receives no compensation or benefits other than nominal fees and reimbursement of expenses. A volunteer serves at-will and at the pleasure of the appointing authority, has no property right in continued employment, and is not entitled to any pre- or post-disciplinary procedural due process or evidentiary appeal. All volunteer activities must be authorized by the City Manager prior to engaging a volunteer.
- H. A “non-exempt” employee is eligible to be paid overtime as required by California and federal law.



CHAPTER 2: CATEGORIES OF EMPLOYMENT, RECRUITMENT, APPLICATIONS, AND SELECTION

- I. An “exempt” employee is not eligible to be paid overtime. An exempt employee is expected to work the necessary hours to perform the duties of their position, and may have to work beyond forty hours per week as work demands require. These employees generally work in direct managerial positions, hold professional, scientific or senior administrative positions, and/or have independent control over most aspects of their jobs. They generally hold positions of responsibility with the City requiring a high level of skill and learning.

2.2 RECRUITMENT

Appointments to vacant positions in the competitive service will be made in accordance with the Personnel Rules. Appointments and promotions are based on merit and fitness to be determined so far as practicable by competitive examination. Examinations may be used and conducted to aid in the selection of qualified employees and will consist of selection techniques which will test fairly the qualifications of candidates such as achievement and aptitude tests, written tests, personal interview, performance tests, physical agility tests, evaluation of daily work performance, work samples or any combinations of these or other tests. Physical, medical and drug tests may be given as a part of any examination.

- A. Locating, attracting and promoting the best-qualified personnel available, either internally or externally, are at all times the primary objectives of any recruitment for personnel.
- B. The City Manager is the appointing authority for all City officers and employees.
- C. The Council is the appointing authority for the positions of City Manager and City Attorney.
- D. Regular, limited term, and temporary positions are filled through the following process:
 1. Announcement.
 - a. Following the Council’s approval to fill a vacant position, a formal announcement of the position will be published which includes a description of the minimum job qualifications and relevant testing criteria.
 - b. The announcement will occur within a department or within City service as prescribed by the Finance Director with the objective of ensuring the most complete internal dissemination, which may include any and all means of communication available.



CHAPTER 2: CATEGORIES OF EMPLOYMENT, RECRUITMENT, APPLICATIONS, AND SELECTION

- c. If the recruitment occurs outside City service, the Finance Director will provide written notification to the general public by publishing a position announcement in a newspaper of general circulation within Glenn County, or such other county or counties as the Finance Director may determine, for a minimum of five (5) days, which time may be increased at the discretion of the Finance Director.
 - d. In all instances the last day of publication will be at least five (5) days before the final date for submission of applications.
- 2. Employment Applications. Personnel will accept applications during a recruiting period and retain them for one year, subject to the following:
 - a. Every applicant must submit a completed application, in a form specified by the Finance Director, and signed by the applicant by pen or electronically.
 - b. All applications must identify the specific open position(s) to which they pertain; and
 - c. All applications must be complete and received by the Finance Director within the time specified in the announcement, unless the closing date is extended by the appointing authority, City Manager.
 - d. Applications will not be returned.
- 3. It is the applicant's obligation to resubmit an application or a letter requesting consideration or reconsideration of an application for subsequent position openings.
- 4. Application packets will vary with the position sought and include all documents identified in the job announcement by the Finance Director in consultation with the appointing authority; provided that at a minimum an application packet will include the City of Willows application and a handwritten or typed cover letter discussing why the applicant wants the position and why they are the best candidate for the position. Incomplete application packets will not be considered.



CHAPTER 2: CATEGORIES OF EMPLOYMENT, RECRUITMENT, APPLICATIONS, AND SELECTION

2.3 SELECTION

- A. After the stated or extended closing date for submission of applications, Personnel will screen the application packets for completeness and satisfaction of the minimum job qualifications, including but not limited to relevant experience, education, training, skills, other abilities relating to the position to be filled, references and, in the case of an existing or former city employee, pertinent information found in the employee's personnel file.
- B. The Finance Director will determine which of the qualified applicants will move to the next step in the recruitment process.
- C. When a recruitment has been publicly announced pursuant to section 2.2.D.1 above and the number of applicants meeting the minimum qualifications for the position is three (3) or less, the Finance Director, after consultation with the appointing authority, may:
 - 1. Cancel the recruitment entirely; or
 - 2. Modify the conditions of the recruitment.
- D. When a position is posted internally only, and there are no qualified internal applicants, outside recruitment is mandatory if the appointing authority wishes to move forward with the recruitment.
- E. Scheduled selection procedures may be postponed, cancelled or extended by the Finance Director notifying all affected persons and publishing appropriate notice based on the area of recruitment.

2.4 PROVISIONAL APPOINTMENTS

In the absence of appropriate employment lists, a provisional appointment may be made not to exceed six (6) months by the appointing authority of a person meeting the minimum training and experience qualifications for the position. A provisional employee may be removed at any time without the right of appeal or hearing. During the period of suspension of an employee or pending final action on proceedings to review suspension, demotion or discharge of an employee, such vacancy may be filled by the appointing authority subject to the provisions of this chapter and the personnel rules.



CHAPTER 2: CATEGORIES OF EMPLOYMENT, RECRUITMENT, APPLICATIONS, AND SELECTION

2.5 PROBATIONARY PERIOD

All regular appointments, including promotional appointments (unless otherwise authorized), are for a probationary period of six (6) months or eighteen (18) months if hired as career firefighting staff (e.g., Engineer, Captain), and may be extended for an additional period of up to three (3) months if deemed necessary by the appointing authority. Any such extension must be made in writing addressed to the employee.

- A. All employees will be evaluated for continued employment prior to the conclusion of the probationary period.
- B. The appointing authority may terminate the employment of a probationary employee at any time during the probationary period by providing the employee notice stating the ending date of the employment relationship.
- C. An employee in probationary status is not entitled to appeal the termination of their employment with the exception of firefighters in situations recognized by the Firefighters' Procedural Bill of Rights.
- D. A separated probationary employee who was in probationary status due to promotion may, on the recommendation of the appointing authority, be returned to the employee's prior position with the City.
- E. An employee in the competitive service promoted or transferred to a position not included in the competitive service may be reinstated to a position in the class from which he was promoted or transferred if action is taken to reject them unless they are discharged in the manner provided in this chapter and the personnel rules for positions in the competitive service.

2.6 DEVIATION FROM RULES

The City Manager and/or the Finance Director may deviate from these procedures for recruitment if the best interests of the City are served by such deviation.



CHAPTER 2: CATEGORIES OF EMPLOYMENT, RECRUITMENT, APPLICATIONS, AND SELECTION

2.7 VERIFICATION OF LAWFUL WORK STATUS

The City of Willows is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

- A. Each employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9, and prior to commencement of employment, present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form. In addition, every employee whose documentation for either identity or employment eligibility expires must complete a new Form I-9. In the event an employee loses for any reason their employment eligibility or lawful U.S. residence, the employee must immediately inform their supervisor in writing.
- B. Employees with questions or seeking more information on immigration law issues are encouraged to contact the Finance Director.

2.8 DISCIPLINARY ACTION FOR FRAUD

Any applicant who has made a false or misleading statement or has practiced any deception, fraud or misconduct in connection with their application may be eliminated from consideration for employment at the City. Any employee who is discovered to have made a false or misleading statement or has practiced any deception, fraud or misconduct in connection with their application is subject to disciplinary action, up to and including termination.

2.9 PROMOTIONS

- A. The City encourages promotion from within the organization whenever possible. The City Manager determines whether the promotional process for a position will be competitive or appointive. The City reserves the right to seek qualified applicants outside of the organization at its discretion.
- B. Before advertising a position to the public, the City Manager may choose to circulate a promotional opportunity within the City. Promotional opportunities may be posted on the City bulletin board.
- C. New Probationary Period: After promotion to a new position, a new probationary period of six (6) months must be completed, unless waived or reduced by the City Manager. A probationary period for Fire Department employees is 18 months including promotional positions. The City Manager may authorize a Department Head to extend a trial period for up to an additional three (3) months. In the case of unsatisfactory performance, the employee may be transferred back to the previous position held by the employee, if vacant, or to another position fitting the employee's skills and qualifications, within the limits of vacant authorized positions.



CHAPTER 2: CATEGORIES OF EMPLOYMENT, RECRUITMENT, APPLICATIONS, AND SELECTION

2.10 EMPLOYMENT OF RELATIVES

- A. Generally, employment of relatives and spouses of employees or Council members is strongly discouraged. The employment of relatives to work in the same area of an organization, or together in a small organization such as the City of Willows, may lead to serious conflicts and problems damaging to employee morale, including claims of favoritism. Therefore, for reasons of business necessity, safety, supervision and morale, the City will not employ two or more members of the same family in the same department and/or division, or in a position where one person is supervised, directly or indirectly, by a relative, spouse, or domestic partner.
1. A relative is a child, stepchild, parent, grandparent, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, niece, nephew, or in-laws of those enumerated by marriage or domestic partnership. A spouse is one of two persons in a marriage, or two people who are registered domestic partners as defined by state law.
 2. A supervisory relationship is one in which one employee exercises the right or responsibility to control, direct, reward, or discipline another by virtue of the duties and responsibilities assigned to their City appointment.
- B. If one or more of the above conflicts arises in the case of an employee and employee relative, only one of the employees will be permitted to stay with the City unless reasonable accommodations can be made to eliminate present and potential problems. The decision as to which employee will remain will be made by the City at its sole discretion based on business necessity. In the case of a relative of a Council member, the employee will be treated with the same fairness as other City employees in every respect, and no undue influence stemming from their relationship with a Council member will be a factor in supervision, promotion, discipline or any other employment decision of any kind.



CHAPTER 3: HARASSMENT, DISCRIMINATION, AND RETALIATION PROHIBITED

3.1 HARASSMENT AND DISCRIMINATION PROHIBITED

- A. The City of Willows is committed to providing a work environment free of harassment and discrimination. The City has zero tolerance for any conduct that violates this policy. Conduct need not violate either federal or state laws to constitute a violation of this policy. A single act by a City employee may constitute a violation of this policy and provide sufficient grounds for the City to discipline the City employee.
1. This policy establishes a complaint procedure by which the City will investigate and resolve complaints of discrimination, harassment, and retaliation by and against City covered individuals. The City encourages all covered individuals to report any conduct that they believe violates this policy as soon as possible.
 2. The City expressly prohibits any retaliation against an employee because they filed or supported a complaint or because they participated in the investigation or complaint resolution process. Individuals found to have retaliated against an employee in violation of this policy will be subject to appropriate sanction or disciplinary action, up to and including termination of employment.
 3. This policy covers the following individuals: applicants for employment at the City; City employees regardless of rank or title; elected or appointed officials of the City; interns; volunteers; and contractors.
 4. This policy applies to all terms and conditions of employment, internships, and volunteer opportunities, including, but not limited to, selection, hiring, placement, promotion, disciplinary action, layoff, recall, transfer, leave of absence, compensation, and training.
- B. This policy prohibits discrimination, harassment or retaliation because of an individual's protected classification. Protected Classification includes race, religion, creed, color, national origin, ancestry, physical or mental disability, genetic information, gender, gender identity, gender expression, medical condition including pregnancy, childbirth or any related medical condition, marital and veteran's status, sexual orientation or preference, age (40), or any other basis made unlawful by Federal, state or local law, ordinance, or regulation.

This policy prohibits discrimination, harassment or retaliation for the following reasons: (1) an individual's protected classification; (2) the perception that an individual has a protected classification; or (3) the individual associates with a person who has or is perceived to have a protected classification.



CHAPTER 3: HARASSMENT, DISCRIMINATION, AND RETALIATION PROHIBITED

3.2 DISCRIMINATION

This policy prohibits treating a covered individual differently and adversely because of the individual's actual or perceived protected classification; because the individual associates with a person who is or is perceived to be a member of a protected classification; or because the individual participates in a protected activity as defined in this policy.

3.3 HARASSMENT

- A. This policy prohibits harassment of a covered individual because of the individual's actual or perceived protected classification.
- B. Harassment includes, but is not limited to:
 - 1. derogatory, offensive speech such as epithets, derogatory jokes or comments, slurs, or unwanted sexual advances, invitations or comments;
 - 2. visual conduct such as derogatory and/or sexually explicit posters, photography, cartoons, drawings, or gestures;
 - 3. physical conduct such as assault (unwanted touching), blocking normal movement, or interfering with work, this includes, but is not limited to, pinching, grabbing, patting, or making explicit or implied job threats or promises in return for submission to physical acts;
 - 4. unwanted sexual advances, requests for sexual favors and other acts of a sexual nature, where submission is made a term or condition of employment, where submission to or rejection of the conduct is used as the basis for employment decisions, or where the conduct is intended to or actually does unreasonably interfere with an individual's work performance or create an intimidating, hostile, or offensive working environment;
 - 5. retaliation for having reported or threatened to report harassment, or for participation in any investigation of alleged harassment; and
 - 6. verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes, or invitations.
- C. Harassment also includes conduct that another individual who is a member of the protected classification would find unwelcome or unwanted. This may include the following:
 - 1. conduct that is not intended as to harass, even if it is well-intentioned such as gifts, endearing nicknames or hugs;



CHAPTER 3: HARASSMENT, DISCRIMINATION, AND RETALIATION PROHIBITED

2. conduct to which the recipient appears to have consented; the City does not recognize as a defense that the recipient appeared to have consented to the conduct at issue by failing to protest the conduct;
3. conduct about which no employees previously complained;
4. conduct witnessed by a third party or about which a third party learns, even if they did not witness the conduct; and
5. conduct can constitute harassment even if the individual has no intention to harass.

3.4 RETALIATION

Retaliation occurs when an employer takes adverse action against a covered individual because of the individual's protected activity as defined in this policy.

"Adverse action" may include, but is not limited to, the following:

1. disciplinary action;
2. counseling;
3. taking sides because an individual has reported harassment or discrimination;
4. spreading rumors about a complainant or about someone who supports or assists the complainant or who participates in the investigation;
5. shunning or avoiding an individual who reports harassment or discrimination;
6. or making real or implied threats of intimidation to prevent or deter an individual from reporting harassment or discrimination

3.5 REPORTING

- A. The City of Willows encourages all employees to report any incidents of harassment immediately so that complaints can be quickly and fairly resolved. Employees should also be aware that the Equal Employment Opportunity Commission (EEOC) or California Department of Civil Rights (CRD) may investigate and may prosecute complaints of prohibited harassment in employment.
- B. Any employee who believes that they have been harassed by a co-worker, citizen, vendor, supervisor or management employee, or a Council member, should promptly report the facts of the incident and the name of the individual(s) involved to their supervisor, the Finance Director, another member of the City's management team, or one of the Council members. Any management employee receiving such a report must immediately report any incident to the City Manager, who will be responsible for the follow-up investigation.



CHAPTER 3: HARASSMENT, DISCRIMINATION, AND RETALIATION PROHIBITED

Investigations may be conducted by a management employee, the City Attorney, or an outside investigator retained for this purpose, as determined appropriate by the City Manager and Finance Director. Employees may also file a complaint with the CRD at calcivilrights.ca.gov or call 800-884-1684 (voice), 800-700-2320 (TTY) or with the EEOC at www.eeoc.gov, or call (800)660-4000.

3.6 COMPLAINT PROCEDURE

- A. Any employee who feels they have been the victim of harassment or discrimination should contact their immediate supervisor or other management personnel. In the event the employee feels uncomfortable making such report to their supervisor or manager, the employee should make the report to the Finance Director or a Council member. This report can be oral or written, but the City requests a written report containing specific facts of the harassment so that it can be properly and fully investigated.
1. Upon receipt of the initial complaint, oral or written, the supervisor or manager receiving the complaint will immediately report the incident to the City Manager. Upon receipt of the written statement signed by the employee, the City Manager or City Attorney will arrange for a prompt investigation of the complaint. In the event the City Manager is the subject of any such allegation, the report should be made immediately to the Mayor.
 2. Once appointed, the investigator will contact and interview the person making the complaint, the person who allegedly initiated the harassment, and any witnesses to the alleged action(s). The accused will also be informed that they have the opportunity to respond to the allegations in writing within seven (7) days.
 3. After conducting a thorough investigation, the investigator will submit a written summary of the complaint, the response, and a finding of facts which substantiate, in whole or in part, the allegations to the City Manager or City Attorney. After reviewing the report, the City Manager or City Attorney will determine whether harassment has occurred and notify both parties.
 4. If it is determined that harassment has occurred, appropriate disciplinary action, up to and including termination of employment, will be taken. The severity of the discipline will be determined by the severity and frequency of the offense, or other conditions surrounding the incident.
 5. The City will make every effort to assure the confidentiality of the complaint to the greatest extent possible; however, complete confidentiality cannot be guaranteed due to the City's responsibility to investigate the complaint.



CHAPTER 4: REASONABLE ACCOMMODATION

4.1 REASONABLE ACCOMMODATION AND CERTIFICATION

- A. Where it is not an undue hardship or a direct threat to the health and safety of others, the City provides employment-related reasonable accommodations to:
1. employees and applicants who request reasonable accommodations to enable them to perform essential job functions based on temporary or permanent health conditions and as verified by an authorized medical provider;
 2. employees with conditions related to pregnancy, childbirth, or a related medical condition, if requested by the employee and with the advice of a health care provider;
 3. employees, or members of an employee's family who is/are victims of "qualifying acts of violence"; and
 4. employees who request reasonable accommodation to address a conflict between religious creed, religious dress practice, religious grooming practice, or religious observance and any employment requirement.
- B. The City may require the individual to provide reasonable medical documentation confirming the existence of the disability and the need for reasonable accommodation, along with the name and credentials of the individual's health care provider. If the individual provides insufficient documentation, the City will:
1. explain the insufficiency;
 2. allow the individual to supplement the documentation; and
 3. pursue the interactive process only to the extent that the request for reasonable accommodation is supported by the medical documentation provided.

If the employee's condition causes the employee to be unable to perform the essential functions of their position even with a reasonable accommodation, the City may separate the employee from employment.



CHAPTER 4: REASONABLE ACCOMMODATION

- C. If a pregnant employee, or an employee with a pregnancy-related condition, requests a reasonable accommodation, the City will provide the employee with notice of the need for a medical certification within two business days after the employee's request for accommodation. A medical certification confirming the need for a reasonable accommodation is sufficient if it contains:
1. a description of the requested accommodation;
 2. a statement describing the medical advisability of the accommodation due to pregnancy; and
 3. the date that the need for the accommodation will become necessary and the estimated duration of the accommodation.
- D. An employee, or an employee whose members of their family is/are victims of "qualifying acts of violence"; who requests an accommodation to provide for their safety while at work must provide both of the following:
1. a written statement signed by the employee or an individual acting on the employee's behalf, to certify that the accommodation is to address victim-safety concerns while at work; and
 2. a certification demonstrating the employee's status as a victim of domestic violence, sexual assault, stalking, or a crime which can be in the form of: a police report indicating the employee's victim status; a court order separating the perpetrator from the employee or that the employee has appeared in court for that purpose; or documentation from a medical professional or counselor that the employee is undergoing treatment for physical or mental injuries or abuse resulting from an act of domestic violence, sexual assault, stalking, violent threats, acts involving the use or presence of a dangerous weapon, or any violence causing injury.



CHAPTER 5: WHISTLEBLOWER PROTECTION

5.1 POLICY

A. The City of Willows prohibits all of the following

1. Taking any retaliatory adverse employment action against an employee because the employee has or is believed to have disclosed information to any government or law enforcement agency, including to the City, if the employee has reasonable cause to believe that the information discloses a violation of state or federal law, or a violation or noncompliance with a local, state, or federal rule or regulation;
2. Preventing an employee from disclosing information to a government agency, including to the City, if the employee has reasonable cause to believe that the information discloses a violation of state or federal law, or a violation or noncompliance with a local, state, or federal rule or regulation;
3. Retaliating against an employee for refusing to participate in any activity that would result in a violation of state or federal law, or a violation or noncompliance with a local, state, or federal rule or regulation; and
4. Retaliating against an employee because the employee's family member has or is perceived to have engaged in any of the protected activities listed above.

This policy governs and protects City officials, officers, employees, seasonal, temporary, or applicants for employment.

5.2 COMPLAINT PROCEDURE

- A. An applicant, employee, or seasonal/temporary/extra help employee who feels they have been retaliated against in violation of this policy should immediately report the conduct according to the complaint procedure in the City's policy against discrimination, harassment or retaliation so that the complaint can be resolved fairly and quickly.
- B. Supervisors and managers have the same responsibilities as defined in the policy against discrimination, harassment or retaliation.



CHAPTER 6: HOURS AND ATTENDANCE

6.1 WORKDAYS AND WORK WEEK

- A. The standard workdays for most employees are Monday through Friday, 8 a.m. to 5 p.m., with a one-hour unpaid lunch period. For most City employees, the designated work week is forty (40) hours within a seven (7) day work period, from Monday through Sunday workweek. Some departments or positions may use a different designated workweek if specified in an MOU or as otherwise determined by the City. Employees should check with their supervisor or the Finance Director if they have questions about their designated workweek. Due to the nature of the City's operations, alternative work schedules and longer hours may be required by the City in some instances.
- B. A normal working schedule for regular, full-time employees consists of forty (40) hours each work week. Different work schedules may be established by the City or by bargaining agreements to meet job assignments and provide necessary City services. Each employee's Department Head will advise the employee regarding their specific working hours. Part-time and temporary employees will work hours as specified by respective Department Heads.
- C. For qualifying public safety officers (generally, firefighting personnel) the City may elect exemption under the Fair Labor Standards Act (FLSA). The designated work periods for such personnel are stated in the bargaining unit's collective bargaining agreement.

6.2 HOURS OF WORK AND OVERTIME

- A. Any City employee may be required, as a condition of employment, to work overtime when necessary as determined by their Department Head. All overtime must be authorized in advance by the employee's Department Head. Working overtime hours without proper authorization may result in employee discipline, up to and including termination of employment.
- B. All City of Willows' positions are designated as either "exempt" or "non-exempt" according to the FLSA. Each employee's status may be obtained from the Finance Director.



CHAPTER 6: HOURS AND ATTENDANCE

- C. Recording time by non-exempt employees: Non-exempt employees must personally record the number of regular and overtime hours worked daily and submit an electronic timecard on the Monday following the completion of a bi-weekly pay period. This includes recording the time taken off and each request that time off be charged to the employee's leave bank (vacation, sick leave, etc.). Employees are required to report all of their time worked. An employee's signature on their time sheet constitutes their verification, under penalty of perjury, that the time reported as worked or paid leave taken away from work was in accordance with the policies of the City and all time has been recorded accurately. Misrepresenting information on an electronic timecard, working without recording time worked, being absent or tardy without recording such absence or tardiness, and working overtime without prior Department Head approval are strictly prohibited and may result in discipline up to and including termination of employment. No employee should make entries on another employee's electronic timecard.
- D. Recording time by exempt employees: Exempt employees are not covered by the FLSA overtime provisions and do not receive either overtime pay or compensatory time. An exempt employee is paid to perform a job, which may not necessarily be completed in a normal work week. Nonetheless, exempt employees are required to separately track their time for purposes other than compensation. These purposes include but are not limited to: proper and accurate accrual and use of vacation, sick leave, unpaid leaves of absence, and other leaves.
- E. Because exempt employees are compensated to do a job and are not compensated based upon specific time worked, and because they are expected to be available for evening meetings and work outside of regular work hours, including weekends, exempt employees may have more flexibility in their work schedule. Nevertheless, exempt employees must maintain good work habits, be accountable and available to their staff and management, show demonstrated accomplishments and make themselves regularly available during working hours to allow City business to be accomplished. In other words, a "flexible" work schedule for exempt employees should not be interpreted as license to be absent from work. It is the responsibility of exempt staff to notify the Department Head or City Manager, in advance, of all absences that exceed 2 hours.



CHAPTER 6: HOURS AND ATTENDANCE

- F. If an exempt employee has an absence of more than four (4) hours during a regularly scheduled workday, all hours during which the employee is absent that day must be deducted from an applicable leave bank (vacation, sick leave, etc.). Exempt employees are required to accurately report all time off that should be charged to the employee's leave bank (vacation, sick leave, etc.). An employee's signature on their time sheet constitutes their verification, under penalty of perjury, that the days reported as worked or paid leave taken away from work was in accordance with the policies of the City and has been recorded accurately. Misrepresentation of time worked or leave taken on time sheets or other time tracking reports is grounds for discipline, up to and including termination of employment.
- G. Overtime pay and compensatory time off for non-exempt employees:
1. Non-exempt employees are entitled to additional compensation, either in cash or compensatory time off as determined by the City, when they work more than eight (8) hours in a day or forty (40) hours in a work week.
 2. Overtime pay is calculated at one and one-half times the employee's regular rate of pay for all time worked beyond the established work period. When computing overtime, work performed by regular employees, whose compensation for overtime is not affected by the 7(k) exemption, will be compensated at the overtime rate for hours in excess of eight (8) hours per day or forty (40) hours per work week.
 3. An employee should record their time to the nearest quarter hour. When computing overtime, time paid for but not worked (e.g., holidays, sick leave and vacation time) is not counted as hours worked and therefore does not count towards determining eligibility for overtime payment.
 4. It is important to note that not all employees are eligible for overtime payment. For example, lifeguards and certain other seasonal employees may be ineligible according to Federal Code 29 U.S.C. § 213(a)(3). Employees should ask their supervisor or the Finance Director whether they are eligible for overtime payment.

6.3 COMPENSATORY TIME

- A. A regular full-time or regular part-time non-exempt employee may request compensatory time off ("comp time") in lieu of overtime pay. However, California has imposed strict limits and a process of application and approval on the accrual and use of compensatory time off in lieu of overtime payment. Employees should consult with the Finance Director for current rules relating to comp time.



CHAPTER 6: HOURS AND ATTENDANCE

- B. The City is not required to grant comp time instead of overtime pay, and use of comp time will be approved on a case-by-case basis by the Finance Director. If the comp time option is exercised, the employee is credited with one and one-half times the hours worked as overtime. All earned and used comp time must be accounted for on the employee's time sheet. Maximum accruals of compensatory time shall be limited to eighty (80) hours. Employee comp time balances may be reviewed periodically as part of the City's financial process. The City retains the right to periodically cash out an employee's accrued comp time or any portion thereof if their comp time balance exceeds the approved leave bank cap.

6.4 ALTERNATIVE REGULAR SCHEDULE

Consistent with the operational needs of the City and upon approval of the City Manager, alternative work schedules may be allowed to non-represented employees to work other than the standard workday. (The availability of alternative work schedules for represented employees is discussed in each unit's MOU.) Alternative work schedules are considered within an established period of work hours and may be implemented provided there is no appreciable disruption to department operations or service to the public during the established hours when City facilities are open to the public. California has adopted stringent regulations pertaining to alternative work schedules, and all such requests must first be made to the Finance Director.

6.5 ATTENDANCE

- A. Punctual and consistent attendance is a condition of employment and is considered an essential function of the job for all City employees. All employees are expected to report to work as scheduled and perform productive work for the City during their scheduled work shifts. Employees are responsible for maintaining an accurate record of their attendance.
- B. Employees unable to work or unable to report for work on time are to notify their supervisor as soon as possible, ordinarily before the workday begins or within thirty (30) minutes after the employee is scheduled to start work. Absent extraordinary circumstances, other employees are not allowed to handle this responsibility for them and should not be asked to do so. Employees must also notify and obtain permission from their supervisor for any early departures or absences during the workday. If an absence continues beyond one day, the employee is responsible for reporting in each day, unless other arrangements have been approved in advance by the employee's immediate supervisor or the Finance Director. If the supervisor is unavailable, the employee should contact the Finance Director or designated representative, stating the reason for being late or unable to report for work.



CHAPTER 6: HOURS AND ATTENDANCE

- C. An employee who is absent without authorization or notification on a scheduled workday is subject to disciplinary action, up to and including possible termination of employment.
- D. An employee who is absent without notification or authorization for three (3) consecutive scheduled workdays will be considered as having abandoned their job and their employment may be terminated. Employees may also be disciplined up to and including termination of employment for failing to report to work without notice or with insufficient notice, for excessive absenteeism or tardiness, or for other attendance and tardiness problems.
- E. If an employee's regular attendance is impacted by a medical condition, the affected employee is expected to notify their supervisor or Department Head, or contact the Finance Director, to discuss whether a temporary change in their work schedule is appropriate. Failure to do so may provide the City with reasonable grounds for disciplinary action based on violation of these attendance requirements.
- F. Because of the City's very limited work force and the City's inability to cover absences with other employees, compliance with rules of attendance is considered an essential function of the job.

6.6 EMERGENCY CONDITIONS

- A. Reporting to work: It is the intent of the City that all City offices are open and in operation during established working hours. Because many City services are of primary importance during emergency or extreme weather conditions, employees should make a reasonable effort to report to work on a timely basis. Should conditions exist which would prevent City employees from reporting to work, it will be the employee's responsibility to contact their department to indicate anticipated absence from work or late arrival to work.
- B. During times of inclement weather, natural or man-made disaster or other emergencies, it is essential the City continue to provide vital public services. Therefore, unless the City notifies employees otherwise, employees are expected to make every reasonable effort to report to work.
- C. Any regular full-time or regular part-time employee unable to report to work as a result of emergency or extreme weather conditions will be given the option of using any form of accrued leave (including sick leave) or taking time off without pay for time missed if all other leaves are exhausted. The employee must promptly advise their supervisor, as in any other case of late arrival or absence. Unauthorized absences may be subject to discipline. Under exceptional circumstances, with the approval of the Department Head and City Manager, a request to make up the lost time within the pay period may be granted.



CHAPTER 6: HOURS AND ATTENDANCE

- D. Workplace Closures: The City may close any, or all, city offices and facilities and cease operations on any regular workday or portion of a workday, on account of extreme weather conditions, natural and man-made disasters, emergencies that threaten employees' welfare or safety, failure or defect in the supply of power or other utilities, strike or other labor trouble, civil disturbance, acts of civil or military authorities, budgetary shortfall, or for any other reason, whether similar or dissimilar to the above, or for an Act of God. Any regular full-time or regular part-time employee who does not work their regularly scheduled hours due to such closure will be given the option of using any form of accrued leave (except sick leave) or taking time off without pay for time missed.

6.7 BREAKS AND MEAL PERIODS

- A. Employees will take one (1) fifteen-minute break, near the midpoint of each work period, for every four (4) hours worked. All breaks will be arranged so they do not interfere with City business or service to the public and must be coordinated with other employees. Breaks may not be used to justify either a late arrival or an early departure from work.
- B. Employees who work for more than five (5) consecutive hours are allowed an unpaid meal period of at least 30 minutes that begins no more than five (5) hours from the beginning of the shift. An employee scheduled to work six (6) hours or less may waive the meal period but must take the rest period. Meal periods are scheduled by the employee's supervisor. The scheduling of meal periods may vary depending on department workload. Meal periods are unpaid and are usually one hour in length. Employees are not permitted to work through their meal period to leave work early.
- C. Lactation Break Time and Location
1. The City will provide a reasonable amount of break time to accommodate any employee who wishes to express breast milk for their infant child each time the employee needs to express milk. The break time should, if possible, run concurrently with any break time already provided to the employee. If the employee takes lactation breaks at times other than their provided break times, then the lactation break will be unpaid, or the employee may choose to use accrued leave.

Those who wish to take a lactation break at times other than their provided break times must notify a supervisor prior to taking such a break. Breaks may be reasonably delayed if they would seriously disrupt operations. Once a lactation break has been approved, the break should not be interrupted except for emergency or urgent circumstances.



CHAPTER 6: HOURS AND ATTENDANCE

2. The City will provide a room or other appropriate location near the employee's worksite, that is not in a bathroom, to express milk in private. The City will provide a room or location close to the employee's work area that is shielded from view and free from intrusion while being used for expressing milk. The room or location will also meet the following requirements:
 - a. Be shielded from view and free from intrusion while being used to express milk;
 - b. Be safe, clean, and free of hazardous materials;
 - c. Contain a surface on which to place a breast pump and personal items;
 - d. Contain a place to sit; and
 - e. Have access to electricity needed to operate an electric battery-powered breast pump.

An employee occupying such a private area must secure the door or otherwise make it clear to others through signage that the area is occupied and should not be disturbed. All other employees should avoid interrupting an employee during an authorized break under this section, except to announce an emergency or other urgent circumstance.

The City will provide access to a sink with running water and a refrigerator, or other cooling device, suitable for storing milk near the employee's work area.

3. An employee may make a request for lactation accommodation, either orally or in writing, with a designated City representative or supervisor.

Following receipt of a request for lactation accommodation, the City will provide a timely written response to the employee in which the City will indicate if it is unable to provide the requested break time or a requested location for expressing breast milk.

The City encourages any employee who does not believe that the City is providing them with an appropriate lactation accommodation as required by state law to inform the designated City representative or supervisor.



CHAPTER 6: HOURS AND ATTENDANCE

6.8 CALL BACK

All employees are subject to call back to work after the end of their regularly scheduled shifts or on a scheduled day off in emergencies or as needed by the City to provide necessary services to the public. A refusal to respond to a call back, for employees scheduled to work, is grounds for disciplinary action, including possible termination of employment. Employees will be paid for all time spent responding to an authorized call back to work, or a minimum of two hours, whichever is greater. Employees called back to duty will be paid their appropriate rate of pay for hours worked, including overtime if applicable.

6.9 PAYROLL RECORDS

The official payroll records are kept by the Finance Department. Except for exempt employees, each employee must submit to their supervisor on a bi-weekly (or as designated by the Finance Department) basis, their electronic timecard, noting hours worked, leave taken, and overtime worked. An employee's signature on their timecard constitutes their verification, under penalty of perjury, that the time reported as worked or paid leave taken away from work was in accordance with the policies of the City and all time has been recorded accurately. All employee time must be reviewed and approved by the supervisor. The City Manager shall sign work records for Department Heads.



CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT

7.1 GENERAL CODE OF CONDUCT

All City employees are expected to represent the City of Willows to the public in a professional manner which is courteous, efficient and helpful. Employees must maintain a clean and neat appearance appropriate to their work assignment, as determined by the position and Department Head or City Manager.

Since the proper working relationship between employees and the City of Willows depends on each employee's on-going job performance, professional conduct and behavior, the City has established certain minimum standards of personal conduct. Among the City's expectations are: tact, courtesy and respect towards the public and fellow employees; adherence to City policies, procedures, safety rules and safe work practices; compliance with directions from supervisors; preserving and protecting the City's equipment, grounds, facilities and resources; and providing orderly and cost efficient services to its citizens.

The City of Willows is a small workforce and, to function efficiently, employees may be requested to perform duties outside regular assignments, which would be a change in working conditions and subject to "meet and confer" with any union represented employees.

7.2 EMPLOYEE APPEARANCE AND BEHAVIOR

- A. Members of the public judge a community not only by service, but also by the appearance of its personnel, equipment and facilities. Good public relations cannot be guaranteed by merely doing a good job; the public must be convinced the service is good through appearance, behavior and personal demeanor.
- B. The personal appearance of all employees, especially those who come into contact with the public, is important and should conform to community standards. Dress should be appropriate to the division/area in which an employee works. This may include required uniforms or safety attire. All employees should, to the extent reasonable for their job duties, be neat and clean in dress and personal appearance, and convey a professional appearance while engaged in City business. The City Manager or Department Heads may establish reasonable standards of appearance and clothing which are appropriate for the job assignment. These standards may be verbal or in writing. Any accommodations must comply with safety requirements and overall professional appearance.



CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT

Unacceptable Attire and Appearance

While not exhaustive, the following illustrate attire and grooming that may be considered unprofessional in the workplace:

1. Clothing that is overly casual and not appropriate for a professional setting.
 2. Garments that are excessively revealing, ill-fitting, or distracting.
 3. Clothing with offensive, inappropriate, or disruptive language, images, or logos.
 4. Clothing that is unclean, damaged, or otherwise reflect poor personal appearance and/or hygiene.
 5. Footwear that is unsafe or inappropriate for the work environment.
- C. Those employees provided uniforms by the City of Willows must maintain the uniform in good condition and wear the uniforms. The appearance of uniformed personnel is one of particular importance, since the public is more apt to recognize these employees as City personnel. Uniforms should be clean, pressed and mended properly. The appearance of the uniform depends on the way it is worn, as well as its condition. Employees must use their uniform allowance to replace outdated uniforms.
- D. The behavior and bearing of all personnel is an important factor in the formulation of public opinion. Individuals coming into government offices should perceive a positive work environment with inclusive cooperative attitudes. All City employees are expected to represent the City of Willows in a professional manner which is courteous, efficient and helpful. Employees are also expected to use appropriate language for a professional workplace. Profanity and other potentially offensive behavior is prohibited.

7.3 ATTENDANCE AT SEMINARS, OUTSIDE MEETINGS AND TRAVEL

- A. The City of Willows recognizes that its employees are an important resource. Therefore, employees are encouraged to seek training and education to increase job competence and to prepare for possible future advancement.

Each employee is requested to inform their supervisor of outside activities which are undertaken to improve their competence. Memberships in professional associations related to the employee's work for the City are also encouraged.



CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT

- B. It may periodically be necessary or desirable for an employee to participate in activities outside the normal work location, and it is the policy of the City of Willows to reimburse all reasonable and necessary expenses. Employees attending these events must have prior approval. All travel arrangements must also be approved. Receipts for expenses incurred must be submitted immediately after the event to the Finance Department for reimbursement. If cash advances are necessary, prior approval must be obtained.
- C. Reimbursement of expenses will be made in accordance with the City's Expense & Reimbursement Policy. Generally, however, reimbursement is available for the following:
 - 1. Event registration fees.
 - 2. Personal vehicle travel expenses to and from the event. However, travel expenses are not reimbursable if the distance does not exceed the normal distance an employee travels to and from work. Travel expenses are calculated from the employee's assigned work location.
 - 3. Parking fees and bridge tolls.
 - 4. Reasonable meal expenses.
 - 5. Lodging.
 - 6. Airline tickets or other transportation fares. Taxi/bus fares. It is the employee's responsibility to clarify any questions regarding reimbursement of expenses prior to incurring the expense.

7.4 EMPLOYEE PERSONNEL RECORDS

- A. A personnel file is kept for each employee in Human Resources. An employee's personnel file contains: the employee's name; title and/or position held; job description; department to which the employee is assigned; salary; changes in employment status; all training received; performance evaluations; personnel actions affecting the employee, including discipline; accommodation and other pertinent information. Files are kept for at least three years after separation of employment. Personnel files are the property of the City and access to the information they contain is restricted to protect employee privacy interests.

Employees are responsible for promptly notifying Human Resources of any changes in their contact and benefits information, including mailing address; telephone number; persons to contact in emergency; and number and names of dependents.



CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT

- B. All medical information about an employee or applicant is kept in a separate medical file which is treated as confidential. Access to an employee or applicant medical information is strictly limited to those with a legitimate need to have that information for City business reasons, or if access is required by law or a subpoena or court order. In the case of an employee with a disability, managers and supervisors may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations.
- C. A current employee may inspect their own personnel file at reasonable times and at reasonable intervals, within 30 days of a written request; a former employee is entitled to inspect their personnel records one time per year during an agreeable time and in the presence of the City Manager or designee. Employees are permitted to see any records regarding qualification for employment, promotion, wage increases, earnings and deductions, or discipline. Employees may, upon written request, receive within 30 days after making a written request, electronic copies of documents placed in their personnel file. Employees may respond to anything in writing that is in the personnel file, including any negative information, and may request that the response be included in their file. The file is the property of the City, employees may not remove or add items to their file without City approval, and the file must always remain in the custody of the City.

If a current or former employee wishes to have another person/representative inspect their personnel file, they must provide the written authorization to the person/representative. The City Manager or designee will notify the employee and or representative of the date, time, and place of the inspection in writing.

- D. An employee may request, through the City Manager, removal from their personnel file of information the employee believes to be irrelevant or erroneous. If the City Manager denies an employee's request to remove information, the employee may file a written rebuttal statement to be placed in their file. A former employee retains this right of rebuttal for two years after the last day of City employment.
- E. Personnel files are kept confidential to the extent permitted by law. Except as required by law, access will be limited to the employee, employee's immediate supervisor/Department Head, Finance Director, City Attorney, and City Manager, and City Manager's designee. If an employee engages in misconduct, such information may become available to the public under current interpretations of the public disclosure laws.



CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT

7.5 RESIGNATION, JOB ABANDONMENT, LAYOFF, AND SEPARATION OF EMPLOYMENT

- A. **Types of Separation:** probationary release; release of seasonal/temporary employee; resignation; retirement; job abandonment; layoff; non-disciplinary separation; or disciplinary separation.
- B. **Probationary Release:** Probationary employees serving in their initial probationary period with the City may be released at any time during the probationary period as recommended by the City Manager without cause or reason or notice. A released probationary employee has no right to appeal or to submit a grievance.
- C. **Release of a Seasonal or Temporary Employee:** A seasonal or temporary employee may be separated at any time, without cause, and without right to any appeal or grievance.
- D. **Resignation:** An employee who wishes to resign their City employment in good standing must submit written notice of resignation to the City Manager at least two weeks prior to the planned separation date. The written notice must state the reasons for the resignation. Failure to follow this procedure may be cause for denying future employment with the City. A resignation becomes final when the City Manager accepts the resignation in writing. Once a resignation has been accepted, it is final and irrevocable. A resignation can be accepted by the City Manager even if it is submitted less than two weeks prior to the planned resignation date.
- E. **Retirement:** An employee planning to retire may provide a written notice to the City Manager prior to the effective date of the retirement. A notice of retirement becomes final when the City Manager accepts the notice of retirement in writing. Once a notice of retirement has been accepted, it is final and irrevocable.
- F. **Job Abandonment:** An employee is who is absent for three (3) consecutive scheduled workdays/shifts without prior authorization and without notification during the period of the absence is considered to have resigned from their position. The employee will be given written notice, at their address of record, of the circumstances of the job abandonment, and an opportunity to provide an explanation for the employee's unauthorized absence. An employee who promptly responds to the City's written notice, within the timeframe in the written notice, can arrange for an appointment with the City Manager before final action is taken, to explain the unauthorized absence and failure of notification. An employee separated for job abandonment will be reinstated upon proof of justification for the absence, such as severe accident, severe illness, false arrest, or mental or physical impairment which prevented notification. No employee separated for job abandonment has the right to a post-separation appeal.



CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT

G. Layoff: Whenever the City decides that a reduction in personnel is necessary for economic or operational reasons, any employee may be laid off or demoted for non-disciplinary reasons.

1. Employees will be laid off in the inverse order of their seniority in their classification in the department. Seniority is determined based on the length of continuous employment in the affected classification in the department, or higher classifications in the department. Length of continuous employment includes all days of employment in attendance at work and on authorized or legally-protected leaves of absence. Length of continuous service does not include unauthorized periods of leave or suspension or layoff. Within each classification, employees will be laid off in the following order: temporary; part-time; probationary; and for-cause status. If two or more employees in a classification to be laid off have the same length of continuous employment, the employee to be laid off will be decided by lottery.
2. Employees to be laid off will be given 21 calendar days' notice of layoff.
3. For-cause employees who are noticed for layoff and who have held for-cause status in a lower classification within the same classification series in the same department, may displace employees in the lower classification provided that the employee seeking to displace has greater length of employment in the lower classification than the incumbent in the lower classification. Employees in lower classifications will be displaced in inverse order of their length of employment in the classification. Any employee who seeks to displace another must provide the City Manager with written notice no later than five (5) working days after the date of the notice of layoff.
4. If the City Manager determines that a for-cause employee who is subject to layoff is qualified to perform the duties in a vacant position, the employee will receive a written notice of option to transfer in lieu of layoff. An employee who does not accept a transfer within 10 days after the date of the written notice, forfeits the option to transfer. An employee who accepts a transfer will be paid the rate applicable to the position into which they transfer.
5. An employee who has received notice of layoff may request an appeal, which must be submitted in writing within five (5) business days from the date of the notice of layoff. The City Manager's decision is final.



CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT

- H. **Non-Disciplinary Separation:** Any employee separated because of an inability to accommodate after the reasonable accommodation and interactive process is concluded, will be given a written pre-separation notice of the reasons for the separation, the evidence supporting the decision to separate for non-disciplinary reasons, and an opportunity to respond before the separation takes effect. Any for cause employee has the opportunity for a post-separation appeal as described in the policy on Discipline. (7.6)
- I. **Disciplinary Separation:** A for cause employee may be separated for disciplinary reasons pursuant to the policy and procedures in the policy on Discipline (7.6).
- J. All City property in the employee's possession must be returned prior to separation, including keys, identification cards, equipment, credit cards, gas cards, cell phones, pagers, and any other City equipment.

7.6 DISCIPLINE

- A. Like all organizations, the City requires order, discipline, and conscientious work performance to succeed and to promote efficiency, productivity, and cooperation among its employees. City employees are required to abide by certain rules and maintain appropriate performance levels and standards of conduct. These rules have been established to protect employees and the City from injury or other threats to its employees' well-being, as well as promote harmonious, efficient working practices. Failure to observe established rules and practices can lead to disciplinary action.
- B. As to any issue of employee discipline, the City retains complete discretion as to when a situation calls for discipline and what form and level of discipline are appropriate. Normally, if the problems are performance related, corrective action may call for "coaching" or counseling initially. If problems arise from misconduct or an intentional disregard for directives or these policies, such conduct may warrant more discipline (such as a reduction in pay, suspension without pay, demotion or termination of employment).
- C. Performance problems may also warrant more serious discipline, if the City determines the situation has not improved or worsens. However, management will review each situation independently and decide on what it deems to be appropriate discipline, up to and including termination of employment for the first offense. A decision to use progressive-type discipline in a given case is an attempt to improve the performance or behavior, but does not change the "at will" nature of the employment relationship. For represented employees, the City will adhere to procedures established in the applicable labor agreement.



CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT

- D. Discipline Defined. For the purposes of this section, discipline is defined as: (1) a temporary reduction in pay; (2) a suspension without pay; (3) demotion; or (4) termination of employment (except termination of employment for medical reasons). Discipline does not include oral or written warnings or reprimands, counseling memoranda, or performance improvement plans (PIP). This section does not apply to employees released from probation.
- E. Each of the following constitutes cause for discipline of an employee. This is a partial list and is not intended to reflect all behavior for which discipline may occur, nor is the placement of a cause on the list indicative of the seriousness of the cause.
1. Falsifying personnel records or City records or providing false information concerning employment qualifications.
 2. Incompetence, unsatisfactory performance, including quantity and quality of work product.
 3. Inefficiency.
 4. Dishonesty.
 5. Inexcusable neglect of duty.
 6. Willfully disobeying a reasonable order or refusal to perform the job as required.
 7. In possession, in use, under the influence of, or trafficking in habit forming drugs and/or narcotics or alcohol while at work or on City property during regular business hours.
 8. In possession, in use, under the influence of, or trafficking in habit forming drugs and/or narcotics or alcohol while at work or on City property.
 9. Unauthorized absence without approval.
 10. Conviction of a felony or conviction of a misdemeanor related to the performance or duties of the job. A plea or verdict of guilty or a conviction following a plea of nolo contendere to a charge of a felony or any offense involving moral turpitude is deemed to be a conviction with the meaning of this section.
 11. Abusive, disrespectful, offensive, discourteous language or behavior directed at other city employees, which reasonably can be construed as intended to cause emotional distress, including nondiscriminatory "workplace bullying."



CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT

12. Harassing an employee because of membership in a protected group, including but not limited to sexual harassment.
13. Actual or threatened physical violence towards another person.
14. Improper political activity as defined in the Government code.
15. Misuse of City property or damage to public or private property resulting from misuse or negligence.
16. Driving a vehicle on City time without devoting full attention to driving, which can include, but is not limited to, eating, drinking, applying makeup, reading a map, or talking or texting on the phone. Employees are expected to pull to the side of the road for such activities.
17. Violation of Conflict of Interest Code.
18. Working overtime without a supervisor's approval.
19. Abuse or misuse of sick leave, vacation or other employee benefits.
20. Violations of safety rules.
21. Gambling on City premises.
22. Failure to properly report an absence.
23. Excessive tardiness.
24. Refusal to take and subscribe any oath or affirmation which is required by law in connection with employment.
25. Conduct disrupting city activities.
26. Theft or unauthorized removal or possession of property from city, fellow employees, constituents, or anyone on city property.
27. Other conduct including, but not limited to, use of social media either during or outside of duty hours which is of such a nature that it causes discredit to the department or to the City.
28. Violation of any State law, County or City rule requiring confidentiality of records or information.
29. Inability to perform the duties of the position due to loss or inability to obtain required licenses.



CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT

- F. Prior to suspending, demoting or dismissing (collectively referred to herein as “discipline” or “disciplined”) an employee, the supervising manager shall contact and discuss such action with the City Manager, except:
1. Any employee who reports to work and is believed to be under the influence of alcohol or illegal drugs, based on objectively reasonable suspicion, will be transported home as medically unfit for duty and may use any accumulated leave they have to cover the absence from work. For purposes of this policy, marijuana is an illegal drug in the workplace, even though it may be medically prescribed.
 2. Before being transported home, an employee who challenges the determination they are unfit will be provided an opportunity that day, as soon as possible, to establish the suspicion is unfounded by having their blood or urine tested at the approved testing facility designated by the City. The facility shall perform the least intrusive test needed to determine the presence of alcohol/drugs in the employee’s system.
 3. In the event the test is positive for drugs or alcohol:
 - a. The employee will be immediately suspended without pay for five (5) days by their supervisor.
 - b. In the event the retest is negative, the employee will be reimbursed for all lost wages arising from suspension and their initial removal from work.
 4. An employee who elects not to submit to a test waives their right to challenge the determination they were medically unfit for duty due to drugs or alcohol and will be subject to further disciplinary action.
 5. An employee in the possession of unauthorized firearms or explosives shall be immediately suspended without pay for five (5) days by their supervisor subject to further disciplinary action.
- G. After consultation with the supervising manager, the City Manager may direct that an employee be placed on administrative leave with or without pay pending the results of an investigation into the alleged misconduct. The City Manager may extend the administrative leave for good cause.



CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT

H. Disciplinary Process.

1. If the Appointing Authority concludes that discipline is appropriate, the supervising manager or designee shall immediately provide a written notice of intent to discipline to the subject employee. At a minimum, the notice of intent to discipline shall include (i) a statement of the proposed discipline, (ii) the facts and circumstances giving rise to the discipline, (iii) the specific cause(s) for the discipline, and (iv) all non-confidential materials, if any, upon which the proposed discipline is based.
2. In addition to those matters contained in the notice of intent to discipline in subsection one (1) above, the notice shall also include a notice of the employee's right to respond verbally or in writing within five (5) calendar days after the date of the notice of intent response.
3. The notice of intent to discipline will be personally served on the employee by the appointing authority or designee. If personal service upon the employee is impractical, a copy of the notice of intent to discipline will be emailed to the employee's personal or work addresses and sent by first class mail with proof of service to the employee at their last known address, and the time for filing a pre-disciplinary response pursuant to subsection 2 above shall be increased to seven (7) calendar days.
4. If the affected employee does not respond within the time permitted, the employee will have waived the right to do so and the appointing authority may implement the proposed discipline and shall issue a final written notice to the employee of the imposition of the discipline.
5. The City Manager will fully consider the employee's response if in writing, or if verbal, following a meeting scheduled by the City Manager to hear the employee's verbal response.

The City Manager will render a written notice of discipline, that decision is final and binding.

- I. The disciplinary procedures described in this section shall be adhered to in all instances where discipline is contemplated and/or administered for all employees except appointed Department Heads, who are at-will employees and who serve at the pleasure of the City Manager or, in the case of the City Manager, at the pleasure of the City Council, may be disciplined without cause and with no right to appeal.

Nothing in this section is intended to deprive any employee of any rights under the law.



CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT

- J. For those employees who are covered by the Firefighters' Procedural Bill of Rights, nothing in this section will be interpreted, administered or applied inconsistent with the requirements of the Act.

7.7 GRIEVANCES

- A. **Grievance Defined.** A grievance is any dispute which arises over the interpretation, application, or alleged violation of these Personnel Policies.
- B. Neither discipline, as defined in section 7.6(H), nor corrective instruments such as written warnings, counseling memos, and performance improvement plans (PIP) shall be subject to these grievance procedures.
- C. A grievant is defined as a current city employee or group of current city employees who are covered by the provisions of this chapter or, in the case of matters alleging a violation of an MOU, a grievant may be the employee organization recognized to represent those employees covered by that MOU. Grievances filed by an employee organization will be initially filed at either Step 2 or Step 3 of the grievance procedures.
If a grievant terminates employment, their grievance will be considered to have been withdrawn effective the date of their termination. If the grievant who terminates is part of a group grievance, their name will be removed from the list of grievant. Such removal will have no impact on the remaining grievant.
- D. The purpose of these procedures is to resolve grievances expeditiously and at the lowest possible administrative level. No grievance filed pursuant to this section may be resolved inconsistent with the terms of any statute, ordinance, resolution, MOU or departmental rules and regulations being grieved.
- E. The time limits specified at each step of the procedures set forth below shall be strictly observed and may only be extended in writing to a date certain with the mutual consent of the parties.
 - 1. Failure of a grievant to observe a time limit shall terminate the grievance with prejudice.
 - 2. Failure of the party to whom the grievance is submitted to observe a time limit shall give the grievant the right to advance the grievance to the next step or level of review.
- F. These grievance procedures shall be the exclusive administrative procedures provided for the resolution of grievances for all employees, except that an employee need not file a grievance or exhaust this process if alleging a violation of a statute.



CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT

G. Grievance Procedure. Consistent with the City's goal to resolve grievances in an orderly manner as quickly as possible, the following procedures shall apply:

1. Step 1 – Informal Submission. Except as specified otherwise in these procedures, an employee who believes they have a grievance will, within seven (7) days of the grievable event or within seven (7) days of the discovery of a grievable event, whichever is later, present the grievance orally to their immediate supervisor in an attempt to resolve the grievance. The employee's supervisor will respond personally to the grievance, either orally or in writing, within seven (7) days. If the grievant is absent from work during this period, the supervisor will respond immediately upon the grievant's return to work. Grievances resolved at Step 1 shall not be precedent setting.

a. If the grievant's immediate supervisor is either the subject of the grievance or is the appointing authority, the grievance may be filed initially at Step 2.

b. If the grievant's immediate supervisor is the City Manager, the grievance may be filed initially at Step 2 with City Attorney substituting as the appointing authority.

2. Step 2 – Formal Submission. If not resolved at Step 1, the grievance may be advanced to Step 2 within seven (7) days following receipt of the immediate supervisor's response by submitting a written grievance to the supervising manager. A written statement of grievance shall, at a minimum, include a description of the acts or omissions giving rise to the grievance; the grievable provision or the provision of departmental rules and regulations alleged to have been violated; a brief summary of the immediate supervisor's response if provided orally or a copy of the supervisor's response if provided in writing; and the remedy sought. If the grievant wishes to meet pursuant to subsection

2.b of this section, they should notify the supervising manager at the time the grievance is filed at Step 2.

a. If a grievance filed at Step 2 is found to lack the information required by subsection 2 of this section, the supervising manager may return the grievance to the grievant specifying the deficiency or deficiencies. The grievant will have three (3) days following receipt of this notice to correct the deficiency and resubmit the grievance at Step 2.



CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT

- b. The supervising manager will evaluate the grievance and, within fourteen (14) days, respond to the grievant in writing, by personal delivery, setting forth the appointing authority's findings and recommendations.
If the employee is not available at work, the supervising manager will provide their response via the grievant's personal and work email, and by first-class mail to the grievant's last known address. During the 14-day evaluation period, the supervising manager and the grievant may meet to discuss the grievance. If the grievant requests such a meeting, it will be held.
 - c. If the grievant accepts the findings and recommendations of the supervising manager, following review by the City Manager and City Attorney for the sole purpose of ensuring compliance with subsection b of this section, the City will be bound to honor those findings and recommendations subject to ratification by the City Council of any unfunded expenditures.
 - d. If the grievance is resolved at Step 2, a copy of all grievance materials will be forwarded to the City Manager for filing.
- 3. **Step 3 – City Manager.** If not resolved at Step 2, the grievance may be advanced to Step 3 within seven (7) days following receipt of the supervising manager's response by filing a written statement of appeal with the City Manager. This written statement of appeal shall, at a minimum, include: a copy of the grievance materials filed pursuant to subsection 2 of this section, a copy of the supervising manager's response, and the reasons the grievance remains unresolved. The statement of grievance may include supplemental information and may propose a modified remedy. If the grievant wishes to meet pursuant to subsection 2.b of this section, they should notify the City Manager at the time the grievance is advanced to Step 3.
 - a. The City Manager will evaluate the grievance and, within fourteen (14) days, respond to the grievant in writing by personal delivery or email. If the grievant is not available at work, the appointing authority will provide their response to the grievant's personal and work emails and by first-class mail to the grievant's last known address. During the fourteen-day evaluation period, the City Manager and the grievant may meet to discuss the grievance. If the grievant requests such a meeting, it will be held.
 - b. If the grievant accepts the findings and recommendations of the City Manager, following review by City Attorney, the city will be bound to honor those findings and recommendations subject to ratification by the City Council of any unfunded expenditures.



CHAPTER 7: GENERAL POLICIES, PRACTICES, AND EMPLOYEE CONDUCT

- c. The City Manager's determination of the grievance is final and binding; a copy of all grievance materials will be maintained and filed by the City Manager.
- H. Employees may use the grievance procedure without fear of reprisal.
- I. The grievant may be represented or assisted at any level of the procedure by a representative of their own choosing.
- J. A city employee who is a grievant, a witness in a grievance proceeding or the designated representative of a grievant shall suffer no loss of compensation or benefits while participating in this procedure, to include no more than thirty minutes preparation time per stage of the grievance.
- K. Grievance proceedings will be held during normal working hours.
- L. The City Manager will maintain a permanent grievance file, which shall include the complete records of all grievances filed at Step 2 or above.



CHAPTER 8: PERFORMANCE EVALUATIONS**8.1 EMPLOYEE PERFORMANCE EVALUATIONS**

- A. Performance evaluations are key elements in maintaining effective two-way communication between employees and their supervisors. The objectives of the evaluation are to:
1. Review the employee's performance over the review period, discussing both areas of competence or excellence, as well as those needing improvement.
 2. Set job performance expectations and standards and review the progress on expectations and standards set during the prior performance review.
 3. Provide an opportunity for employees to discuss job concerns and interests with supervision.
 4. Maintain and improve job satisfaction by letting employees know that their supervisor is interested in their personal development.
 5. Serve as a systematic guide for supervisors in planning further training and development.
 6. Assist in planning personnel reassignment and placements which maximize the employee's capabilities.
 7. Assist in determining and recording special talents, skills and capabilities that might otherwise not be recognized.
 8. Set short and long-term goals.
 9. To the extent an employee's position description no longer accurately reflects the actual duties and responsibilities of the position, use the opportunity of the performance evaluation to update the job description, if necessary.
 10. Determine merit increase if any. However, a performance evaluation does not necessarily mean that the employee will receive a salary adjustment.
- B. Performance evaluations will be conducted at the following intervals:
1. New employees and employees receiving promotions or job transfers to other positions after 6 months in the new position or 18 months for a Fire Department position;
 2. Every employee will be evaluated on or near to the anniversary of the employee's holding their position;
 3. In addition to the above, performance evaluations may be initiated by the employee's supervisor at any time.



CHAPTER 8: PERFORMANCE EVALUATIONS

- C. Every performance evaluation will be conducted using a form for such purpose adopted by the City, except for the 90-day review, which may be an informal written review, at the supervisor's discretion.
- D. Performance evaluations include, at a minimum, a review and discussion of the written evaluation held privately between the employee and their supervisor. In cases where the employee's supervisor is not completely familiar with the employee's job for any reason, a supervisor familiar with their work will be consulted.



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE

9.1 COMPENSATION

- A. **Compensation Plan.** The City Manager or the person or agency employed for that purpose shall prepare a pay plan covering all classes of positions in the competitive service. In arriving at salary rates or ranges, consideration will be given to prevailing rates of pay and conditions for comparable work in other public and in private employment, to current costs of living, to financial burden or proposed benefits, including, but not limited to, health and retirement, to suggestions of Department Heads, to the City's financial condition and policies and to other relevant factors. The City Manager or the person or agency employed for that purpose shall thereafter make such further studies of the pay plan as becomes necessary.
- B. **Adoption of the Plan.** The pay plan shall be adopted, and may be amended from time to time, by resolution of the City Council. Amendments and revisions of the plan may be suggested to the City Council by any interested party and will be submitted to the City Council through the City Manager. Thereafter, no position will be assigned a salary not in conformance with the salary schedule unless the salary schedule for the class is amended in the same manner as provided here for in its adoption.
- C. **Administration of Compensation Plan.** The City Council administers the compensation plan for the City Attorney and City Manager. The City Manager administers the compensation plan for all other employees.
- D. **Anniversary Formula.** An employee starting work will be considered as having been employed on the first day of the nearest bi-weekly pay period. This formula is to be used for the purpose of determining effective dates for sick leave, vacation leave, and wage adjustments.

Anniversary dates for all salary and wage adjustments will be the date of the employee's last range adjustment.

- E. **Application of Rates.** Employees occupying a position in the competitive service will be paid a salary or wage established for that position's class under the pay plan as approved and adopted according to section B above. The minimum rate, if provided, for the class generally applies to employees upon original appointment to the position. However, the City Manager may, when warranted, authorize original appointment or reinstatement at other than the minimum rate.



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE

- F. **Advancement.** In order to compensate an employee properly, advancements in salary will be based upon recognized improvement, efficiency and effective service. Advancements is not automatic but depends upon increased service value of the employee to the City as determined by achievement of individual goals established from time-to-time by each individual employee and their Department Head, as documented in a written performance evaluation. All employees are expected to work closely with their Department Heads in establishing individual work programs and goals and, together Department Heads and subordinates, should attempt to achieve and realize mutually established goals and objectives for individual improvement.

Realization of these goals will be the prime consideration for wage and salary adjustments and made only upon recommendation of the Department Head and with approval of the City Manager. The following are additional areas that exemplify increase service values:

1. Length of service.
 2. Performance record.
 3. Additional training, other efforts at self-improvement.
 4. Attitude towards job.
 5. Personal conduct.
 6. Conscientious attendance.
 7. Safety alertness.
 8. Continual improvement as recognized through work objective attainment.
 9. Efficient and effective service.
 10. Other factors of individual achievement as appropriate to the particular position.
- G. **Steps.** The city offers a Nine Step Plan with each step resulting in a 2.5% base salary increase. Based on merit, individual employees may move up each step on an annual basis.
- H. **Merit Increases.** The City Manager may increase the salaries of employees on the basis of merit within the range of the compensation plan; however, the City Manager may not advance an employee in this classification without first utilizing a written Evaluation prepared by the employee's supervisor and approved by the employee's Department Head. A favorable performance evaluation is a prerequisite for consideration of the merit increase.



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE

- I. **Salary Following Promotion.** When an employee in the City service is promoted to a position allocated to a class with a higher salary, a new anniversary date is established for the purpose of eligibility for consideration for future wage adjustments, pursuant to Section F above.
- J. **Salary Following Demotion.** In the case of demotion of any employee in the City service to a class with a lower maximum salary such as recommended by the Department Head and approved by the City Manager, the employee retains their previous anniversary date for the purpose of eligibility for consideration for future wage adjustments, pursuant to Section F above.
- K. **Revision of Salary Ranges.** When a salary range for a given class is revised upward or downward, the incumbent(s) of position(s) and class(es) affected will have their existing salary adjusted to the new salary range and their anniversary date(s) will not be changed.
- L. **Deductions.** Deductions from pay checks are made according to prevailing laws, contracts, rules and regulations:
 - 1. Deductions required by law and contracts: For example, federal withholding tax, social security tax, court-ordered garnishments, City-adopted retirement premium, etc.
 - 2. Deductions made on the written authorization from each employee: For example, group medical and hospitalization premium, credit union, charitable contributions, recognized employee organizations, and such other deductions as authorized by the employee and approved by the City Manager.
- M. **Reporting Compensation Issues.** It is the City's policy to comply with the requirements of the FLSA and California laws regarding compensation and deductions.
 - 1. If an employee believes that an improper deduction has been made to their paycheck or believes that their pay has been calculated improperly, the employee should immediately report this information to their direct supervisor, Payroll, or the Finance Director.



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE

2. Reports of improper deductions or improper payment will be promptly investigated. If the City determines that an improper deduction has occurred, the employee will be reimbursed for any improper deduction made or any correction in pay needed to remain consistent with the wage and hour provisions, or any governing provision of a union contract or other legal obligation. Similarly, improper payments to employees will also be subject to reimbursement by the employee. In the event of an overpayment or overpayments in the total amount of \$500.00 or more, the employee, with the approval of the City Manager, may be allowed to enter into an agreement with the City to reimburse the City in a series of deductions or payments over a specified period of time until the City is fully repaid.
- N. Pay Periods. The pay period for all employees is bi-weekly, with each pay period closing on alternate Sundays. Pay day is the Friday following the end of the pay period.
- O. Compensation Upon Termination of Employment. When an employee's employment with the City of Willows is terminated, the employee will be paid within 72 hours of the date of termination and upon clearance from the department that the employee has returned all City owned tools and equipment and receive the following compensation:
1. Regular wages for all hours worked up to the time of termination which have not already been paid;
 2. All overtime or holiday pay due;
 3. Accrued but unused sick leave is not compensated upon termination; however, in the event an employee retires directly from City service such accrued sick leave is credited as service time.
 4. Accrued and unused vacation leave and compensatory time;
 5. Less any authorized deductions for any unpaid personal expenses, for any expenses due to the failure to return City property as required prior to the date of termination of employment.



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE**9.2 BENEFITS**

The City of Willows strives to provide the best, most equitable and cost-effective benefits for its employees. Employees should likewise recognize that the total cost of the benefits in this section supplement each employee's pay and should be viewed as additional compensation. Policies and procedures that govern the City's benefit program apply to all full-time and part-time employees, whether exempt or nonexempt, unless otherwise stated in a particular benefit plan or MOU.

Employees of the City of Willows are eligible to participate in both mandated benefits, such as workers' compensation, Social Security and State Disability Insurance (SDI), and sick leave as well as discretionary benefits, such as vacation, and retirement.

The City of Willows reserves the right to modify any discretionary benefits when it is determined in the City's best interest to do so.

A. REQUIRED BENEFITS

1. **Social Security and Medicare.** Employees and City of Willows are required to contribute toward Federal Social Security benefits and Medicare from the first day of employment. The amount deducted from employee wages is considered a Social Security tax, used together with City of Willows' contribution, to fund future retirement and basic health care benefits. Both the employees and City of Willows' contribution rates are established by law and represent a percentage of earnings. The employee's portion is deducted automatically from their pay.

Social Security and Medicare partially provide four basic benefits; retirement and disability income, retirement healthcare, and death benefits. Eligibility and entitlement vary depending on individual circumstances. Booklets explaining the details are available at the local Social Security office.



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE

2. **Workers' Compensation.** The City of Willows pays the entire amount of the workers' compensation insurance premium that provides benefits to employees who experience injury or illness in connection with employment at City of Willows. Coverage includes all Volunteer Firefighters. Eligibility automatically begins on the first day of employment. Eligibility for workers' compensation benefits are governed by state law. Benefits available to employees injured on the job may consist of some or all of the following; replacement income for temporary, permanent partial, or permanent total disability; and medical expenses including doctor visits, treatment, surgery, drugs, and hospitalization. Compensation entitlement begins on the first full day of hospitalization, or after the third day of absence due to the injury if an employee is not hospitalized. Worker's compensation benefits and entitlement are subject to change without notice.
The timeliness of payments to injured employees is dependent on City of Willows' ability to expedite injury reports through their insurance claims representative. When an employee is injured, the employee and supervisor must complete an injury report form at the earliest possible time and submit it to the Finance Director. Further details regarding available workers' Compensation leave are provided in the Leaves of Absence section below.
3. **Unemployment Insurance.** Employees may be eligible for unemployment benefits upon termination of service with City of Willows, depending on state law and circumstances connected with termination. After leaving City of Willows employment, the terminating employee can file an unemployment claim with the California Employment Development Department.
4. **State Disability Insurance / Paid Family Leave.** The California State Disability Insurance (SDI) program provides short-term wage replacement benefits to eligible workers who need time off work. Employees may be eligible for SDI benefits if unable to work due to non-work-related illness or injury, pregnancy, or childbirth, or to care for a seriously ill family member or to bond with a new child. Employees make small contributions through payroll deductions for this benefit. Employees unable to work for these reasons should contact the California Employment Development Department.

B. DISCRETIONARY BENEFITS

NOTE: *Following is only a general outline of benefits provided. For more specific information, please refer to the summary plan descriptions which were provided to you upon your employment, or which may be obtained from the Finance Director or MOU. These benefits apply only to eligible employees, as the plan for each type of benefit defines the term.*



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE

1. **Insurances, Generally.** All insurance benefits will be made available to regular full-time employees only. Part-time, seasonal and/or temporary employees are not eligible for coverage. Eligibility for benefits will become effective on the first day of the month following employment. The cost of insurance coverage is either paid by City of Willows, shared between the City and the employee, or paid entirely by the employee, depending on the type and extent of coverage elected. The employee's share of insurance premium(s) is deducted from the employee's payroll.
 - a. **Medical Insurance:** The City of Willows provides a comprehensive group medical insurance plan to qualifying employees. Please refer to the Plan documents for further details.
 - b. **Dental Insurance:** The City of Willows makes a dental insurance plan available to qualifying employees. Please refer to the Plan documents for further details.
 - c. **Long Term Disability Insurance:** The City of Willows does not provide long-term disability insurance. Employees may purchase their own through AFLAC.
 - d. **Life Insurance:** The City of Willows provides a life insurance policy to qualifying employees. Please refer to the Plan documents for further details. The Plan also includes coverage for accidental dismemberment.
 - e. **Vision Insurance:** The City of Willows provides a vision insurance policy to qualifying employees. Please refer to the Plan documents for further details.
 - f. **Benefits Continuation (COBRA):** The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health and dental insurance coverage under City of Willows' health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee, a reduction in an employee's hours, leave of absence, an employee's divorce or legal separation, or a dependent child no longer meeting eligibility requirements.



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE

Under COBRA, the employee or beneficiary pays the full cost of coverage at City of Willows' rates plus an administrative fee of two percent. The City of Willows provides each eligible employee with a written notice describing their rights granted under COBRA when the employee becomes eligible for coverage under City of Willows' health insurance plan. The notice contains important information about the employee's rights and obligations.

- g. **Retirement Plan:** The City of Willows provides retirement benefits through plan(s) offered by the California Public Employment Retirement System (CalPERS). Plans are administered by CalPERS, pursuant to rules established by the CalPERS governing board. The cost of retirement plans is shared by the City of Willows and the employee. The City reserves the right to change retirement plans, benefits or contributions, in conformance with California and Federal law.

9.3 LEAVES OF ABSENCE

A. HOLIDAYS

The following holidays are observed by the City of Willows, and all employees will be given the day off with pay. The number of paid hours will be based on the number of daily hours each employee is normally scheduled to work. In addition to the following holidays below; the City of Willows also offers its employees three (3) floating holidays.

New Year's Day	Veterans' Day
Martin Luther King, Jr. Day	Thanksgiving Day
Presidents' Day	Friday following Thanksgiving
Memorial Day	Christmas Eve
Independence Day	Christmas
Labor Day	

1. If a holiday falls on a Saturday, the day off given will be the Friday before, if it falls on a Sunday the day off given will be the Monday after the holiday.
2. If a holiday occurs during a scheduled vacation, the day will count as a holiday and not as vacation.
3. Any absence due to illness on a regular workday either side of a holiday must be substantiated by a certificate from a physician.
4. Any unauthorized absence on either side of a holiday may be grounds for disciplinary action.



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE

B VACATION

Vacation is designed to provide employees with reasonable periods of rest and relaxation. Scheduling of paid vacation time off is based on the needs of the City before anything else. Because of the impact of vacations on the Willows' workload, for any vacation of three days or more, employees must request vacation at least one month in advance of any vacation. Every attempt will be made to grant the employee's first choice. However, to maintain normal operating efficiency, it may be necessary to rearrange vacation schedules, and this will be done based on seniority, as well as the City's needs.

Also, to prevent holidays from being monopolized by employees with the most seniority, requests for vacation taken around holidays will be rotated among all employees.

Full-time regular employees earn vacation from their first day of employment. Regular part-time employees accrue vacation on a prorated basis.

Seasonal and temporary employees are not eligible to accrue vacation.

However, no vacation is accrued during the probationary period and no vacation will be paid if the employee is discharged before the end of their probationary period. Upon successful completion of the probationary period, the employee will be credited with vacation that would have been accrued from the first day of employment. Vacation hours are accrued based on total hours the employee is eligible to be paid, including work time and authorized paid time off, such as holidays, vacation and sick leave.

Years of Continuous Service	Hours Accrued Per Full Month
0 through 5 years	6.67
6* through 10 years	10.00
11* years and above	13.33

1. Regular full-time employees accrue vacation as follows.
 - a. Vacation accrual, usage and carry over for represented employees is as set forth in applicable MOUs.
 - b. Employees on an alternate 4-day, 40-hour workweek accrue vacation at the rates set forth above. Daily vacation usage is in accordance with the number of hours in the scheduled workday.

* Indicates from the commencement of the 6th and 11th years of service.



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE

2. To utilize accrued vacation, employees should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. The employees of City of Willows can be denied a vacation as requested because the needs of the City of Willows to conduct business and provide services are a priority.
3. Holidays falling within the employee's authorized vacation/leave period are not charged as vacation time.
4. VACATION MUST BE TAKEN IN MINIMUM INCREMENTS OF TWO (2) HOURS.
5. Employees are encouraged to use available paid vacation for rest, relaxation, and personal pursuits. Employees MUST take one consecutive five (5) day block of vacation time, excluding weekends (a minimum of 7 consecutive days off) each year. If a holiday falls during an employee's scheduled vacation, the vacation may be extended, or the employee may schedule the fifth (5th) day for a later time, so long as the employee has been away from their position for at least seven (7) full days.
6. Advances on vacation will not be granted. At no time may an employee take leave in excess of their accumulated balance.
7. No employee is permitted to carry more than 360 hours of vacation time forward to the next calendar year. Any accrued hours in excess of 360 hours as of June 30 each year will be paid to the employee in the next regularly scheduled payroll at their regular rate of pay at the end of the year.
8. Vacation leave will not accrue during leaves of absence without pay unless required by law.
9. No sick leave occurring immediately before or after an employee's scheduled vacation will be paid without a doctor's certification of the illness and the employee's inability to work as a result.
10. All accrued, but unused vacation time, will be paid upon termination of employment at the employee's current hourly or salaried rate of pay at the termination of employment.



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE**C. SICK LEAVE**

1. Sick leave is paid leave from work that an employee may use for the following purposes:

Diagnosis, care, or treatment of an existing health condition of, or preventative care for an employee or any of the following family members of the employee: a child of any age or dependency status; a parent; a parent-in-law; a spouse; a registered domestic partner; a grandparent; a grandchild; or a sibling;

Diagnosis, care, or treatment of an existing health condition of, or preventative care for a “designated person; or.

For an employee who is a victim of domestic violence, sexual assault, stalking, or other crime for the employee to engage in any of the following activities: to obtain or attempt to obtain any relief, including but not limited to, a temporary restraining order, restraining order, or other injunctive relief, to help ensure the health, safety, or welfare of the victim or their child.

In addition, an employee who is a victim (of a violent or serious felony crime, or theft or embezzlement), an immediate family member of a victim, a registered domestic partner of a victim, or the child of a registered domestic partner of a victim can use paid sick leave to attend judicial proceedings related to that crime.

2. The City may, as allowable by current law and with advance written notification, require an employee to submit a doctor's certificate or other evidence acceptable to the City after five days of protected leave such as kin care or sick leave.
3. Sick leave benefits are intended solely to provide income protection in the event of illness or injury and may not be used for any other absence except as required by law. Unused sick leave benefits will not be paid out to employees while they are employed or upon termination of employment. Sick leave may not be used in advance of being earned.
4. Accrual and Carryover of Different Categories of Employees:
 - a. Full time employees who are not seasonal, temporary, or extra help accrue eight (8) hours of sick leave for each calendar month of paid status. Accrued sick leave carries over from year to year. No accrual limit applies.



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE

- b. A part time, seasonal, or temporary employee who works 30 or more days within a year from beginning employment with the City accrues one hour of paid sick leave for every 30 hours worked. Accrued and unused sick leave carries over to the following year of employment but a part-time, seasonal, or temporary employee stops earning sick leave once they have accrued 80 hours or 10 work days/shifts or such leave, whichever is greater.
- 5. Sick Leave Use: An employee may use accrued sick leave, in a minimum increment of one hour, beginning on the 90th day after the first day of employment with the City subject to the limits and request provisions in this policy. An employee's use of paid sick leave provided pursuant to the Labor Code is protected leave.
- 6. Sick Leave Request: To request to use sick leave if the need for leave is foreseeable, an employee must give the immediate supervisor reasonable advance written or oral notice. If the need for sick leave is not foreseeable, the employee must provide written or oral notice of the need for the leave as soon as practicable. If the employee is required to be absent on sick leave for more than one day, the employee must keep the immediate supervisor informed each day as to the date the employee expects to return to work and the purpose of the leave. Failure to request sick leave as required by this policy without good reason, may result in the employee being treated as absent without leave.
- 7. Certification: The City may require that employees who are not part-time, seasonal, or temporary employees provide a physician's certification to support any absence that involves the illness of the employee or family member if the City suspects that there is an abuse of sick leave by the employee. All employees, including part-time, seasonal, or temporary who use paid leave to address issues related to domestic violence, sexual assault, stalking, or other crimes and who cannot provide advance notice of their need for leave must provide certification of the need for leave within a reasonable time.

Sick Leave on Separation of Employment: Unused sick leave is not cashed out upon termination, resignation, retirement, or other separation from employment. Unused sick leave may be converted to retirement service credits only as may be permitted under applicable retirement system laws and regulations.



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE**D. FAMILY AND MEDICAL CARE LEAVES**

In accordance with the Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA), employees are provided up to 12 work weeks of unpaid family/medical leave within a 12-month period, or 26 workweeks to care for a covered military service member proportional to the employee's average hours work. The Family and Medical Leave Act (FMLA)/California Family Rights Act (CFRA) Leave policy may be found at [Appendix A](#).

E. LEAVE DUE TO PREGNANCY, CHILDBIRTH, RELATED MEDICAL CONDITION OR REPRODUCTIVE LOSS

Employees who are disabled because of pregnancy, childbirth or related medical conditions are provided an unpaid leave of absence for the period of disability up to a maximum of 17 1/3 weeks per pregnancy. Employees are entitled to pregnancy disability leave on a pro-rated basis proportional to an employee's average hours work. Time off needed for prenatal care, severe morning sickness, doctor ordered bed rest, childbirth and recovery from childbirth will all be counted as pregnancy disability leave. The Pregnancy Disability Leave (PDL) policy can be found at [Appendix B](#).

F. VICTIMS OF VIOLENCE

1. An employee who has experienced a Qualifying Act of Violence is entitled to time off from work to obtain relief from a court, including obtaining a restraining order to protect the employee and their children's health, safety or welfare. A Qualifying Act of Violence means any of the following regardless of whether anyone is arrested for, prosecuted for, or convicted of committing any crime to include:
 - a. Domestic violence;
 - b. Sexual assault;
 - c. Stalking; or
 - d. An act, conduct, or pattern of conduct that includes any of the following:
 - An individual causing bodily injury or death to another individual;
 - An individual exhibiting, drawing, brandishing, or using a firearm, or other dangerous weapon, with respect to another individual; or
 - An individual using or making a reasonably perceived or actual threat to use, force against another individual to cause physical injury or death.



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE

2. An employee who is the victim of a Qualifying Act of Violence should provide reasonable notice before taking time off. If reasonable notice is not possible, the employee should provide documentation within a reasonable time after the absence. Proof of absence may include a police report, a court order, a document from a licensed medical professional, a victim advocate, a licensed health care provider, or counselor that demonstrate that the employee was under treatment for domestic violence related trauma, or a written statement signed by the employee or an individual action on the employee's behalf that certifies the absence was for an authorized purpose.
3. An employee may take time off:
 - a. To seek medical attention for injuries caused by a crime or abuse to the employee or to a family member.
 - b. To obtain services from a shelter, program or crisis center as a result of a crime or abuse.
 - c. To obtain psychological counseling related to an experience of a crime or abuse.
 - d. To participate in safety planning and take other actions to increase safety from future crime and or abuse, including temporary or permanent relocation.
 - e. To seek, get or provide care to a dependent child or adult if the care is necessary to keep the child or adult safe after an act of violence.
 - f. To obtain legal counsel or participate in legal proceedings regarding the crime or abuse.
4. To the extent permitted by law, the City shall maintain the confidentiality of any employee requesting this leave.
5. The employee may elect to use any available paid or unpaid leave time.

For more information regarding this leave please contact the City Manager.



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE**G. BEREAVEMENT LEAVE**

1. All employees who have been employed by the City for at least 30 days are entitled to five (5) days of bereavement leave following the death of a family member. For purposes of this leave, immediate family means a spouse, domestic partner, father, father-in-law, mother, mother-in-law, step-parent, brother, sister, grandparent, grandchild or legal ward.
2. An employee may use vacation, personal leave, accrued and available sick leave, or compensatory time off to provide for their compensation during any bereavement leave in excess of five days.
3. The employee must substantiate the need for such leave, such as providing a copy of the death certificate, newspaper obituary, proof of travel, etc.
4. An employee may request one (1) day of unpaid leave to attend the funeral of a friend who is not one of the family members set forth above. If the City's requirements permit the absence, the employee's supervisor will grant the leave.
5. An employee who uses bereavement leave must notify their supervisor of their intent to use the leave. Employees may use bereavement leave on a non-consecutive basis in the three (3) months that follow the date of the family member's death.

H. JURY DUTY AND WITNESS DUTY

1. An employee will be granted leave for jury duty as required by law. In the event a regular full-time or part-time employee is required to serve on a jury, the City will pay the difference between regular salary and jury duty pay. The employee must submit copies of the jury summons to their supervisor as soon as possible prior to the jury date and submit jury duty pay slips to their supervisor after jury duty is completed.
2. Any employee who has a day or half-day off from jury duty is expected to return to the City to work for that time.
3. An employee who is required by law to appear in a non-work-related court case as a witness may take vacation or unpaid time off for the appearance. The employee must provide their immediate supervisor with reasonable advance notice.



CHAPTER 9: COMPENSATION, BENEFITS & LEAVES OF ABSENCE

I. VOTING TIME

Employees who are registered to vote may take up to two (2) hours of paid time off to vote. The employee must give at least two (2) days' notice prior to the election that they need time off for voting at either the beginning or the end of their day. The employee's supervisor may ask for a voting receipt. Employees may serve as election officials on election day. Such time off will be without pay.

J. UNPAID LEAVES OF ABSENCE

Unless authorized by law or a City policy, or at the discretion of the City Manager, an employee is not entitled to a leave of absence without pay. An authorized leave of absence without pay is not a break in service for purposes of calculating seniority.

Unless required by law, vacation leave credits, sick leave credits, increases in salary, all other paid leaves, holidays and fringe benefits and other similar benefits do not accrue to an employee on unpaid leave. Unless required by law, the City will not maintain contributions toward group insurance or retirement coverage for the employee on such leave.

During the period of authorized unpaid leave, all service and leave credits shall be retained at the levels existing as of the effective date of the leave.



CHAPTER 10: EMPLOYEE RESPONSIBILITIES

10.1 CONFIDENTIALITY

A. EMPLOYEE CONFIDENTIALITY

1. The City of Willows collects only such personal employee information as is necessary to meet all regulatory requirements and to ensure the City's benefits are made available to each employee. All employee information collected or maintained by the City is maintained on a confidential need-to-know basis. The City strictly complies with applicable state and federal law, including but not limited to the Health Insurance Portability and Accountability Act of 1996 ("HIPAA").
2. However, all employees are reminded that, as public employees, certain information such as rates of pay, salary increases or adjustments, benefits provided, and so forth is public information.

B. SECURITY AND CONFIDENTIALITY

1. Each employee must understand it is the City of Willows' policy to maintain strict control over access to records, computer information, and items of monetary value. It is contrary to the policy of the City for an employee to discuss, reveal, or to refer to possession of such information, either during or after the end of the employment relationship, other than as necessary to accomplish the duties assigned to the employee.
2. This includes all information about City employees' families, creditors and other employees. No employee will reveal such information to anyone, including friends, relatives, or the subject of the information, either voluntarily or by request other than those employees specifically authorized to make such disclosures and then only as prescribed by law.
3. Employees who are assigned keys, given special access to, or assigned job responsibilities in connection with safety, security, and confidentiality will be required to use sound judgment and discretion in carrying out their duties. Each employee will be responsible for any wrongdoing or acts of indiscretion.



CHAPTER 10: EMPLOYEE RESPONSIBILITIES**10.2 OUTSIDE EMPLOYMENT AND CONFLICTS OF INTEREST**

Employees shall not, directly or indirectly, engage in any outside employment or possess a financial interest which may conflict, in the City Manager's opinion, with the best interests of the City of Willows or interfere with the employee's ability to perform their assigned City job. Examples include, but are not limited to, outside employment which:

1. Prevents the employee from being available for work beyond normal working hours, such as during emergencies or peak work periods, when such availability is a regular part of the employee's job;
2. Is conducted during the employee's work hours;
3. Utilizes City telephones, cellular telephones, computers, supplies or any other City resources, facilities or equipment;
4. Is employed with a firm which has contracts with or does business with the City; or
5. May reasonably be perceived by members of the public as creating a conflict of interest or one which otherwise discredits public service.

10.3 POLITICAL ACTIVITIES

City employees or officers may participate in political or partisan activities of their own choosing if City resources, including the employee's city work time, and property are not utilized, and the activity does not adversely affect the responsibilities of the employees in their positions. City employees may not engage in political activity during working hours and on work premises. Gov Code 3207.

A. CITY EMPLOYEES MAY NOT:

1. City employees may not use City facilities, supplies, equipment or vehicles for any campaign purpose. This includes (but is not limited to), copiers, fax machines, mail facilities, typewriters, telephones, automobiles, computers, e-mail, websites, and paper products or the reimbursement for usage of these facilities.
2. City employees or officers may not solicit or receive political funds or contributions to promote the passage or defeat of any ballot measure that would affect working conditions during the working hours of its officers and employees, or in City offices. Gov Code 3209.



CHAPTER 10: EMPLOYEE RESPONSIBILITIES

3. No City employee or official can participate in political activities of any kind while in a City uniform or other City-issued clothing. Gov Code 3206.
4. Officers or employees of the City or candidates for elective office of the City may not directly or indirectly solicit political contributions from other officers or employees of the City unless the solicitation is part of a solicitation made to a significant segment of the public which may incidentally include officers from and employees of the City. Gov Code 3205.
5. City employees may not use, or allow others to use, City funds for political activities.

B. CITY EMPLOYEES MAY:

1. On their own time and not with the use of City property or equipment, participate in campaign-related activities.
2. On their own time and not in a City facility, gather petition signatures, wear lapel buttons, distribute material, speak before groups, write letters to the editor or display campaign stickers on their personal car. Private employee vehicles displaying bumper stickers may be parked on public property.
3. Identify their position with the City in a letter to the editor (written on their own time). They may not imply that they are expressing an opinion on behalf of the City.
4. In the course of work, respond to a political inquiry by providing routine information.
5. Respond to requests for public records even if the records will be used in support of or opposition to a measure or candidate, so long as the record is not exempt from disclosure under state law.
6. Under the direction of the City Manager, prepare and distribute to citizens neutral information relevant to a ballot proposition, if such action is part of the normal and regular conduct of the City.

Except as noted in this policy, City employees are otherwise free to fully exercise their constitutional First Amendment rights.



CHAPTER 10: EMPLOYEE RESPONSIBILITIES

10.4 NO SMOKING POLICY

- A. Employees are prohibited from smoking or consuming any tobacco product in the workplace. "Smoking" means inhaling, exhaling, burning, chewing or consuming or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated or chewing tobacco or plant product intended for inhalation or consumption, whether natural or synthetic, in any manner or in any form.

"Smoking" includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking. CA Business & Professions Code Section 22950.5.

For the purposes of this policy, a tobacco product includes:

1. A product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by another means, including but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff.
2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah; or
3. Any component, part, or accessory of a tobacco product, whether or not sold separately.

A tobacco product does not include a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such an approved purpose.

- B. Employees are prohibited from smoking a tobacco product inside a public building or in an outdoor area within 20 feet of a main exit, entrance, or operable window of a public building, including City-owned buildings and offices or other facilities rented or leased by the City, including individual employee offices, or in a passenger vehicle. CA Gov't Code Section 7597.



CHAPTER 10: EMPLOYEE RESPONSIBILITIES

1. Because California law prohibits any person from smoking at a place of employment, members of work crews are prohibited by law from smoking a tobacco product at any worksite location. While at a worksite, an employee may only smoke a tobacco product while on their break, and the employee must be at least 20 feet from other working City employees. An employee who smokes a tobacco product on a break must do so at least 20 feet from all entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited
2. This prohibition expressly includes shop areas and work bays, and their associated offices and support areas. Anyone smoking must remain at least 20 feet from all entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited.
3. Smoking on City Hall property is prohibited.

10.5 CITY PROPERTY / PERSONAL POSSESSIONS / PRIVACY LIMITATIONS**A. CITY PROPERTY/PRIVACY LIMITATIONS:**

1. The City of Willows may furnish desks, closets and/or lockers for security of employee coats, purses and other personal possessions. The City does not, however, assume responsibility for any theft or damage to the personal belongings of employees.
2. Employees should have no expectation of privacy when using such or any other City property. The City regards desks, closets, lockers, work spaces, telephones and voice mails systems, computers, City-issued cell phones and tablets, file cabinets and files, city vehicles, furniture and other City property, as well as data, programs, communications, messages and other property created on, acquired by, developed for or located in any City facility or equipment, either in printed or digital format, as City property.

The City reserves the right to search all such devices and property, including any personal possessions contained in them when it determines that there is a security, health, or other appropriate reason to do so. Such reasons may include, without limitation: (i) the need to locate City property; (ii) health or safety concerns; (iii) reasonable suspicion of misconduct; (iv) termination of employment; or (v) for other business-related purposes. The City reserves the right to review the contents of any document or communication, created or stored on a City computer or phone system, including electronic mail, text messaging, and voicemail. Employees do not have a reasonable expectation of privacy in these areas or in any other City work areas or when using City equipment.



CHAPTER 10: EMPLOYEE RESPONSIBILITIES

3. City equipment is provided at public expense to assist employees in carrying out official City business. While personal use of City equipment is prohibited, it is recognized that certain de minimis use may occur, e.g., the receipt of a personal phone call on a City-owned phone. It is the employee's responsibility to ensure the City of Willows incurs no cost as a result of any de minimis personal use of City equipment. Inappropriate or excessive use of City equipment for personal purposes may subject the employee to disciplinary action, up to and including termination of employment.

B. PERSONAL PROPERTY:

1. The City recognizes that employees may need or want to bring personal property to work. The City permits employees to do so but asks its employees to refrain from bringing unnecessary or inappropriate personal property to the workplace. Any property that is not appropriate for the conduct of normal business, that may be disruptive to workflow, may pose a safety risk to employees or the public, or which violates the terms of any City policy may be considered unnecessary or inappropriate. It will be within the City's sole discretion to determine whether certain personal property is unnecessary or inappropriate.
2. The only personal property that an employee may be asked to use for City business is their personal vehicle. However, employees may choose to bring and use personal property in the performance of job duties. If personal property is used to perform job duties, employees must obtain written approval from a supervisor prior to its use and the property must comply with City standards.
3. It is the employee's responsibility to safeguard personal belongings. The City will not be liable for lost, damaged or stolen property of its employees and at no time will the City replace or reimburse an employee for personal property that an employee brings to the workplace unless approved by the supervisor. Employees are encouraged to exercise reasonable care to safeguard personal items brought to work. For example, employees should not bring valuables to work and should not leave personal items where they might be damaged or stolen.
4. Improper or excessive use of personal property brought onto City property or worksites or during work hours (for example, the excessive or inappropriate use of personal cell phones for personal phone calls, text-messaging, imaging or videotaping), may also result in disciplinary action, up to and including termination.



CHAPTER 10: EMPLOYEE RESPONSIBILITIES**10.6 ELECTRONIC COMMUNICATIONS POLICIES**

Electronic Communications devices include, but are not limited to, the Internet, E-mail, voice-mail, cellular telephones, pagers, personal digital assistants, smartphones, computers/laptops, telecommunications devices, video and audio equipment, wireless networks, data systems telecommunications equipment, global positioning equipment, location devices, transmission devices, data processing or storage systems, computer systems, servers, networks, input/output and connecting devices, software, agency hosted social media, and documentation that supports electronic communications services

The City of Willows furnishes computers for employees' use in conducting City business. This includes access to e-mail and the Internet. The Internet contains many useful features, including e-mail to non-City resources, access to research materials, and information exchange. This policy establishes basic rules for use of the City's computer system, including the Internet and Internet e-mail.

A. THE INTERNET MAY BE MISUSED IN A VARIETY OF WAYS, INCLUDING BUT NOT LIMITED TO:

1. Downloading files that contain viruses, thereby endangering City information services;
2. Accessing objectionable material;
3. Harassing, discriminating and/or bullying other City employees or members of the public;
4. Illegally participating in political activity; and
5. Wasting work time by performing unauthorized research or accessing non-business-related information and people or for computer games, or online games.

B. INDIVIDUAL RESPONSIBILITIES

Internet users are responsible for complying with this and all other City policies when using the City's resources for accessing the Internet. Violation of this policy is grounds for disciplinary action, up to and including termination of employment.

C. GENERAL POLICIES FOR USE OF THE CITY'S COMPUTER SYSTEM, INCLUDING THE INTERNET:

1. An employee does not have a right to privacy when using the Internet via City resources and employees should not expect or assume any privacy regarding the content of email communications. The City expressly reserves the right to monitor and inspect the activities of the employee while accessing the Internet at any time, and to read, use and disclose e-mail messages.



CHAPTER 10: EMPLOYEE RESPONSIBILITIES

In addition, all software, files, information, communications, and messages (including e-mails) downloaded or sent via the Internet using City resources are the City's records and property of the City; such records are subject to potential review and disclosure under the public disclosure laws of the State of California. Even after an email message has been "deleted," it may still be possible to retrieve it.

2. The City Manager has the right to restrict or prohibit any employee from Internet access for violation of the policies in this section. Violations may also result in disciplinary action, up to and including termination of employment.
3. Internet use via City resources is for City business. Except as outlined here, use of City's computer, Internet and email services are for City business only. Some limited personal use is permitted, so long as it does not result in cost to the City, does not interfere with the performance of duties, is brief in duration and frequency, does not distract from the conduct of City business and does not compromise the security or integrity of City information or software. Such limited use must not occur on "paid time," but is permitted immediately before or after work hours and during an employee's breaks. Examples of allowable personal use include accessing a weather report or news item on the Internet or transmitting e-mail to a family member to assure safe arrival at home. Any personal use of the City's computer, Internet and email services must comply with all applicable laws and City policies, including anti-discrimination policies and Internet usage policy.
4. Internet use must comply with applicable laws and City policies including but not limited to all federal and state laws, and City policies governing sexual harassment, discrimination, intellectual property protection, privacy, public disclosure, confidentiality, misuse of City resources, information and data security.
5. The City's computer system permits employees to perform jobs, share files, and communicate internally and with selected outside individuals and entities in the performance and conduct of City business. However, employees are prohibited from gaining unauthorized access to another employee's e-mail messages or sending messages using another employee's password.
6. To prevent potential City liability, it is the responsibility of all Internet users to clearly communicate to the recipient when the opinions expressed do not represent those of the City of Willows.



CHAPTER 10: EMPLOYEE RESPONSIBILITIES

7. The City has the capability and reserves the right to access, review, copy, modify and delete any information transmitted through or stored in its computer system. The City may disclose all such information to any appropriate party (inside or outside the City and in accordance with applicable law). Accordingly, employees should not use the computer system to send, receive or store any information they wish to keep private. Employees should treat the computer system like a shared file system—with the expectation that files sent, received or stored anywhere in the system will be available for review by any authorized representative of the City for any purpose, as well as the public if a proper request is made for public records.
8. Good judgment should always be employed in using the City's e-mail and Internet systems. Employee e-mail messages may be read by someone other than the person(s) to whom they were sent. E-mail inconsistent with the City's policies must be avoided. For example, it is prohibited to make jokes or comments which could offend someone based on gender, race, age, religion, national origin, disability, or sexual orientation or any other protected category according to state or federal law. These comments would be in direct conflict with the City's policies prohibiting discrimination and harassment. Accordingly, employees should create and send only courteous, professional and businesslike messages that do not contain objectionable offensive or potentially discriminatory material.
9. Caution should be taken in transmitting confidential information on the computer system. Employees should use due care in addressing e-mail messages to assure messages are not inadvertently sent to the wrong person inside or outside the City. Special care should be exercised when using the "REPLY ALL" feature on any e-mail system. E-mail creates a written record subject to court rules of discovery and may be used as evidence in claims or legal proceedings. Once sent, e-mail cannot be retracted. Even after deletion at a workstation, e-mail can be retrieved and read.
10. The safety and security of the City's network and resources must be considered at all times when using the Internet. Any programs from a non-current source (i.e. downloaded from the web) or which involve executable or binary files must not be downloaded or installed without prior authorization by the City's IT consultants via the City Clerk, and without being properly scanned for viruses. Employees are not to share or reveal individual passwords to anyone other than an authorized member of IT.



CHAPTER 10: EMPLOYEE RESPONSIBILITIES

11. There is a wide variety of information on the Internet. Some individuals may find information on the Internet offensive or otherwise objectionable. Individual users must be aware that the City has no control over available information on the Internet and cannot be responsible for the content of information.
12. **Prohibited Uses of the Internet:** The following is a non-exclusive list of prohibited uses of the Internet and Internet e-mail:
 - a. Commercial use – any form of commercial use of the Internet is prohibited;
 - b. Solicitation – the purchase or sale of personal items or non-business items through advertising on the Internet is prohibited;
 - c. Copyright violations – the unlawful reproduction or distribution of copyrighted information, regardless of the source, is prohibited;
 - d. Discrimination / Harassment / Bullying – the use of the Internet to send messages or other content which is abusive or offensive, harassing, derogatory, discriminatory to employees, citizens, vendors or customers is prohibited;
 - e. Political – the use of the Internet for political purposes is prohibited;
 - f. Aliases / Anonymous messages / misrepresentation – the use of aliases or transmission of anonymous messages is prohibited. Also, the misrepresentation of an employee's job title, job description, or position with the City is prohibited;
 - g. Social networking sites – the accessing and/or creation of social networking sites, such as Snapchat, Facebook, Twitter, blogs and similar sites is prohibited for non-city business purposes;
 - h. Instant messaging;
 - i. Misinformation / Confidential Information – the release of untrue, distorted, or confidential information regarding City business is prohibited;
 - j. Viewing or Downloading of Non-Business-Related Information - the accessing, viewing, distribution, downloading, or any other method for retrieving non-City related information is prohibited. This includes, but is not limited to, entertainment sites, pornographic sites, sexually



CHAPTER 10: EMPLOYEE RESPONSIBILITIES

- explicit sites, chat rooms and bulletin boards;
 - k. Unauthorized attempts to access another's network or e-mail account;
 - l. Display or transmission of sensitive or proprietary information to unauthorized persons or organizations;
 - m. Spamming e-mail accounts from the City's e-mail services or City machines.
- D. Nothing in this chapter prohibits the use and access of the described systems for bona fide law enforcement and investigation purposes.
- E. Personal E-mail Accounts. All City employees, including Council Members, are discouraged from using personal e-mail accounts to conduct City business. Because e-mails pertaining to the conduct of the City's business may be subject to disclosure under California's public records laws, personal e-mails and other personal materials may also be inadvertently disclosed. Therefore, use only City e-mail accounts for all City business.

10.7 WIRELESS COMMUNICATION DEVICES

- A. An employee's personal communications using City wireless communications devices should be limited, and employees are expected to exercise sound judgment in both the duration and frequency of such use. These devices should not be treated as if they were the employee's personal property. As with similar City property, such as telephones, although minor personal use of wireless communications devices is not prohibited by this policy, it must not interfere with the performance of the employee's work duties or normal business operations of the City. Employees must reimburse the City for costs that would not otherwise have been incurred by the City resulting from the employee's personal use of such devices.
- B. The City reserves the right to monitor the use of all City-owned wireless devices to the extent they involve City business or are made during the employee's scheduled work time. Reasonable precautions should be made to prevent equipment theft, vandalism, and improper use of wireless device equipment and services.
- C. Employee use of a personal wireless device is governed by and consistent with the guidelines provided for City-owned wireless devices, if the employee-owned wireless device is used for official City business and reimbursement from the city is received. Use of an employee-owned wireless device for personal use should be limited to emergencies and situations where alternative means of communication are unsafe, inconvenient, or not readily available. Use of a personal wireless device during work hours, whether talking or texting, is limited to emergency situations or for special circumstances when pre-approved by the employee's supervisor.



CHAPTER 10: EMPLOYEE RESPONSIBILITIES

- D. **Payment for Wireless Device Use:** Use of City wireless devices for local personal phone calls should be kept to a minimum; long distance personal use is prohibited. Recognizing that City supplies, services and equipment cannot be used for personal purposes, any person who is assigned a cellular telephone must make provision to assure payment for personal calls, whether by paying cash or signing an agreement to have the funds withheld from wages. An agreement form is available from the Finance Department.

The billing for City-owned wireless device service is not provided to the employee who has had use of a cellular telephone during the corresponding service period. It is the duty of the employee to note and certify on the City billing which calls were not related to City business or a public safety emergency. The billing must be returned to the supervisor within five (5) business days, accompanied by information about the personal calls, if there is a cost incurred the employee will pay for the personal calls.

- E. Employees should recognize that cellular transmissions are not secure; thus, employees should exercise discretion when relating confidential information during a cellular telephone call.
- F. Employees who abuse this policy for whatever reason may be subject to disciplinary action, including possible termination of employment.
- G. **Use of Handheld Wireless Communication Devices While Driving is Prohibited:** Except as provided below, the use of handheld wireless communication devices, including but not limited to cellular telephones and tablets (including text messaging), is not permitted while operating a car or other moving vehicle unless a hands-free device is used. If a hands-free device is not used, all necessary phone calls must be made before leaving the previous location or after arriving at the next destination. In the event an employee must make or receive a call or message while driving, they must find a safe place to pull over and stop the vehicle.

Employees violating this policy are subject to disciplinary action up to and including termination.



CHAPTER 10: EMPLOYEE RESPONSIBILITIES**10.8 USE OF CITY VEHICLES, EQUIPMENT AND SUPPLIES**

Employees may not use other City supplies or equipment, including vehicles, for personal, non-City-business purposes; provided however, employees assigned emergency response duties may use City vehicles in accordance with applicable departmental policies. All City vehicles must remain on City property while not in service, unless specifically authorized. An employee's misuse of City services, property, facilities, telephones, computers, email, vehicles, equipment or supplies can result in disciplinary action up to and including termination of employment.

10.9 SEAT BELT POLICY

As required by California law, anyone operating or riding in City vehicles must always wear a seat belt.

10.10 DRIVER'S LICENSE REQUIREMENTS

- A. Any employee operating a City vehicle, or using a motor vehicle for City business, must be at least 18 years of age and have a valid driver's license.
- B. As part of the requirements for certain City positions, an employee may be required to hold a valid California driver's license and/or hold a valid commercial driver's license and continue to meet all the requirements for maintaining such licenses. If such an employee's license is revoked, suspended or lost, or is in any other way not current, valid and in the employee's possession, the employee must promptly notify their Department Head and immediately suspend driving duties. The employee may not resume driving until proof of a valid, current license is provided to their Department Head. Depending on the duration of license suspension, revocation or other inability to drive, as well as the employee's usual duties, an employee may be subject to disciplinary action, including termination. An employee's failure to notify their Department Head of such a license suspension, revocation or other license disqualification may also result in disciplinary action, up to and including termination of employment.
- C. Periodic checks of employee's driver's licenses through visual and/or formal State Department of licensing review checks may be made by the City. Employees who do not hold a valid driver's license must not operate a City vehicle until a valid license is obtained.



CHAPTER 10: EMPLOYEE RESPONSIBILITIES**10.11 ACCIDENT PREVENTION AND SAFETY**

- A. The City is committed to providing safe working conditions for its employees. Every employee is responsible for maintaining a safe work environment and following the City's safety rules. Copies are available in Community Development Department. Employees must promptly report all unsafe or potentially hazardous conditions to their Department Head. The City will make every effort to remedy problems as quickly as possible.
- B. The City encourages the promotion of accident prevention and safety education at regular department/division safety meetings. Employees in certain jobs or when performing certain tasks, operating equipment or as otherwise instructed are required to use personal protective equipment provided by the City, such as safety vests/glasses, hearing protection, gloves and/or hard hats. Employees are prohibited from removing guards or other protective devices from machinery and equipment or in any way tampering with or disabling safety measures. Violations of safety requirements may result in discipline, up to and including termination of employment.
- C. In case of an accident involving personal injury or damage to property regardless of how minor or if a motor vehicle is involved in a collision of any kind, any involved employees must immediately notify their supervisor or Department Head or designee. In any accident that results in serious property loss or bodily injury, it is the City's policy to test the employee for drugs or alcohol use, to confirm that the use of drugs or alcohol was not a factor in the accident. In addition, no City employee is permitted to engage in conduct after an accident or injury occurs, that will negatively impact the City's or law enforcement's investigation of the accident.
- D. On the Job Employee Injuries: When an on-the-job injury occurs, employees are to report to their immediate supervisor each injury or illness regardless of the degree of severity. As soon as possible after an accident or occupational illness is discovered, the employee must complete the City's Personal Injury Accident/ Report form and submit it to the Finance Department within twenty-four (24) hours.

If applicable, the employee is responsible for completing the California Employer's First Report of Occupational Injury or Illness form. Supervisors are required to complete the "Illness or Injury" portions of the form (numbers 7 - 28)



CHAPTER 10: EMPLOYEE RESPONSIBILITIES

and submit the form to the Finance Director within 24 hours.

Should the injury require attention beyond basic first aid, the employee should be transported for medical attention as quickly as possible. In cases of serious injury, an ambulance should be summoned immediately.

If an employee will be absent from work for more than three (3) days, the employee or their representative should contact their Department Head or Finance Director regularly to keep the City informed of their progress and intent to return to work.

- E. Accidents/Incidents: Employees must report any work-related accidents involving a third-party personal injury and/or damage to public/private property or equipment, regardless how minor, to their immediate supervisor, Department Head and Human Resources. This report must be made as soon as possible, but in no event later than one (1) hour following such accident. So that an accident may be timely reported, the initial report may be given verbally. Accident report forms are available from supervisors or Human Resources. A written accident report shall be completed by the employee as soon as possible and, unless the employee is medically unable to, no later than twenty-four (24) hours following the accident, or sooner if required by the employee's Department Head or Human Resources.

Employees must compile any reports requested by their supervisor, Department Head and/or the City Manager. In the case of a vehicular accident, the employee must immediately notify the law enforcement agency having jurisdiction, which will determine whether an accident investigation and/or police incident report is necessary. If required, a State Motor Vehicle Collision Report will be completed by the employee.

10.12 VIOLENCE IN THE WORKPLACE, BULLYING

- A. The City has in place a Workplace Violence Prevention Program. The purpose of the Workplace Violence Prevention Program (WVPP) is to ensure that the City provides its employees and members of the public with a place to conduct the business of the City free of threats, threat of violence, intimidation, harassment, and acts of violence. It is the policy of the City to take appropriate actions to protect, as fully as possible, all employees of the City and members of the public from acts of violence, threats, intimidation, and harassment that may occur during the performance of job duties. The City will also act, including involving state or local law enforcement and pursuing prosecution through judicial or other appropriate administrative remedies, when such incidents occur.

This program does not apply to employees who are teleworking from a location of their choice, which is not under the control of the City.



CHAPTER 10: EMPLOYEE RESPONSIBILITIES

- B. Bullying is defined as unreasonable behavior that generally is persistent, and that demeans, intimidates and humiliates one or more employees or member of the public. Bullying can take many forms and includes, but is not limited to slandering, ridiculing, or maligning a person or their family; persistent name calling which is hurtful, insulting or humiliating; using a person as the butt of jokes, verbal assault, making non-verbal threatening gestures, and socially or physically excluding or disregarding a person in work-related activities. Such conduct can also occur via use of electronic or telephone communications, such as the internet, email, blogs, text messages, or misuse of cameras and/or recording equipment.
- C. Duty to Report Protective orders: Any employee who is the subject of or protected by a domestic violence protective order or civil protective order, shall immediately report the existence of the order to their Department Head or Human Resources Director.
- D. Duty to Report Criminal Arrests and Convictions: Any employee who is arrested or convicted for a felony, gross misdemeanor or misdemeanor offence shall immediately report such arrest or conviction to their Department Head.

10.13 FIREARMS AND DANGEROUS WEAPONS

- A. To facilitate a safe work environment, employees are prohibited from bringing, carrying, exhibiting or using any dangerous weapon in the workplace or into a City facility. This includes, but is not limited to, a weapon for which employees have a valid permit. "City facility" means all areas within the ownership and/or control of the City, and includes, but is not limited to, offices, buildings, city vehicles, desks, cabinets, lockers, or storage areas. The term "dangerous weapon" includes, but is not limited to:
 - 1. Any firearm, rifle or handgun, whether such person has a license or permit to carry such firearm or not, and whether such firearm is concealed or not, unless required for the position or has been approved by the supervisor.
 - 2. Any knife, sword, dagger, or other cutting or stabbing instrument, with a blade of a length of three inches or more, or any razor with an unguarded blade, whether such weapon or instrument is concealed or not,



CHAPTER 10: EMPLOYEE RESPONSIBILITIES

unless required for the position or has been approved by the supervisor.

3. Any instrument or weapon of the kind usually known as a slingshot, taser, throwing star, bow, sand club, blackjack, metal knuckles, or any stick, chain, metal pipe, bar, club or combination thereof including a device known as nunchuk sticks, or any device having the same or similar components or parts, whether or not connected by a rope, chain or other device, or any explosive or poison or injurious gas (excluding those normally used in the course of one's employment duty), or any other instrument capable of producing bodily harm, whether such instrument or weapon is concealed or not.
4. Carrying, exhibiting, displaying or drawing any firearm, dagger, sword, knife or any explosive device, cutting or stabbing instrument, club or any other object capable of producing bodily harm where held or used, in a manner, under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of another person or persons.

B. This policy does not apply to or affect the following:

1. Any person who is vested by law with a duty to preserve public safety, maintain public order, or to make arrests for offenses, for which the job requires possession of the dangerous weapon in question, while in the performance of such duty.
2. Any person making or assisting in making a lawful arrest for the commission of a felony.
3. Any situation where an employee's job duties require the carrying or use of explosives, poisons or other potentially dangerous chemicals or devices, while in the performance of those duties and only as it relates to those items.
4. Other exceptions as may be authorized in writing by the City Manager.

C. Any employee violating this policy may be subject to disciplinary action, up to and including termination.

10.14 PROHIBITIONS ON DRUGS AND ALCOHOL IN THE WORKPLACE

The City has established a policy to promote a drug and alcohol-free workplace. That policy is found in [Appendix C](#).



CHAPTER 10: EMPLOYEE RESPONSIBILITIES

10.15 CONTACT WITH THE NEWS MEDIA

The City Manager, employees designated by City Manager or designated Department Heads are responsible for all official contacts with the news media during working hours, including answering questions from the media. The City Manager or Department Head may designate specific employees to give out procedural, factual or historical information on particular subjects. Other employees should refer questions from the media to the City Manager or designated media representative.

10.16 SOLICITATIONS

Most forms of selling and solicitations are inappropriate in the workplace. They can be an intrusion on employees and citizens and may present a risk to employee safety or to the security of City or employee property. The following limitations apply:

1. Persons not employed by the City may not solicit, survey, petition, or distribute literature on City premises at any time. This prohibition includes, but is not limited to, persons soliciting for charities, salespersons, questionnaire surveyors, or any other solicitor or distributor. Individuals who wish to do business with employees of the City shall be referred to the City Manager's office.
2. Employees may not solicit others for any purpose during work time. Reasonable forms of solicitation are permitted during non-work time, such as before or after work or during meal or break periods. Employees who are on non-work time may not solicit other employees who are on work time.



ACKNOWLEDGEMENT OF RECEIPT OF 2026 PERSONNEL RULES

My signature indicates that I have received a copy of the City of Willows Personnel Rules.

I understand that I am to review these rules that outline my privileges and benefits, as well as my responsibilities and obligations as an employee of the City.

I understand that the information contained in these Personnel Rules, dated September 2026, is subject to change, and that the City may modify or supersede the policies and benefits as stated in these rules, and that any changes will be reflected in memorandum or notices circulated to City employees.

Employee Signature

Date

City of Willows Representative Signature

Date



APPENDIX A: FAMILY AND MEDICAL LEAVES AS PROVIDED BY FMLA/CFRA

Policy Title: Family And Medical Leaves as Provided by FMLA/CFRA
Date Adopted:
Date Amended:

Purpose

The City provides family and medical care leave for eligible covered employees as required by state and federal law. This Policy is supplemented by the Federal Family and Medical Leave Act (FMLA), and California Family Rights Act (CFRA). Unless otherwise stated in this Policy, “leave” means leave pursuant to FMLA and CFRA. Unless otherwise provided by law, the City will run each employee’s FMLA and CFRA leaves concurrently.

FMLA/CFRA

In accordance with FMLA and CFRA, the City may designate eligible covered employees a leave of absence for a period of 12 work weeks of family and medical leave during a 12-month period for a qualifying event, or 26 workweeks to care for a covered servicemember.

Leave may be designated for one or more of the following qualifying reasons:

- The birth of the employee’s child, or placement of a child with the employee for adoption or foster care, or to care for a newborn of an employee, or for baby bonding;
- To care for the employee’s child, spouse or registered domestic partner or their child, parent, grandparent, grandchild, or sibling or designated person who has a serious health condition;
- For a serious health condition that makes the employee unable to perform their job;
- For an employee, or for an employee’s family member, against whom a “Qualifying Act of Violence” has been committed. A “Qualifying Act of Violence” is defined as any of the following regardless of whether it results in an arrest, prosecution, or conviction:
 - Domestic violence
 - Sexual assault
 - Stalking, or
 - An act, conduct or pattern of conduct that includes any of the following: an individual causing bodily injury or death to another individual; an individual exhibiting, drawing, brandishing, or using a firearm, or other dangerous weapon, with respect to another individual; or an individual using or making a threat, whether actual or perceived, to use, force against another individual to cause physical injury or death.



APPENDIX A: FAMILY AND MEDICAL LEAVES AS PROVIDED BY FMLA/CFRA

“Family member” means a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner, as those terms are defined in Section 12945.2, or designated person. “Designated person” means any individual related by blood or whose association with the employee is the equivalent of a family relationship. The designated person may be identified by the employee at the time the employee requests the leave. An employer may limit an employee to one designated person per 12-month period for leave pursuant to this section.

- Leave for a variety of “qualifying exigencies” arising from an employee’s spouse, son, daughter, or parent is on active duty or call to active-duty status in the National Guard or Reserves in support of a contingency operation;
- Under the CFRA only, leave for a variety of “qualifying exigencies” arising from an employee’s domestic partner is on active-duty status in the National Guard or Reserves in support of a contingency operation. Leave for this purpose does not apply to FMLA leave and will not run concurrently with leave under the FMLA; or
- Leave to care for a spouse, son, daughter, parent or “next of kin” who is a covered servicemember of the U.S. Armed Forces who has a serious injury or illness incurred in the line of duty while on active military duty; or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces. This leave can run up to 26 weeks of unpaid leave during a single 12-month period.

Leave that is requested for the birth, adoption or foster care placement of a child of the employee, must be concluded within one year of the birth or placement of the child. An employee is entitled to leave for one of these purposes for at least one day, but less than two weeks duration on any two occasions; otherwise leave must be used in a minimum increment of two weeks.

When both parents are employed by the City and request simultaneous leave for the birth or placement for adoption or foster care of a child, the City will designate 12 workweeks of family/medical leave for each employee.

If leave is requested as family care leave for a qualifying family member or the employee with serious health condition, there is no minimum amount of leave that must be taken. However, compliance with the notice and medical certification provisions in this Policy is required.



APPENDIX A: FAMILY AND MEDICAL LEAVES AS PROVIDED BY FMLA/CFRA

Serious Health Condition

Serious health condition: A serious health condition means an illness, injury, impairment, or physical or mental condition that involves one of the following:

- Inpatient care in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care;
- A period of incapacity of more than three consecutive calendar days that involves (a) treatment two or more times by a health care provider or (b) treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider;
- A period of incapacity due to qualifying pregnancy or other pregnancy related conditions; the City will be careful to ensure that PDL for eligible covered employees runs separately and concurrently according to all laws;
- A chronic condition which (a) requires periodic visits for treatment by a health care provider, (b) continues over an extended period, and (c) may cause episodic rather than a continuing period of incapacity (e.g. asthma, diabetes, epilepsy, etc.);
- A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective and the employee or family member is under the continuing supervision of a health care provider (e.g., Alzheimer's, a severe stroke, or the terminal stages of a disease); or
- Any period of absence to receive multiple treatments by a health care provider either for restorative surgery after an accident or other injury, or for a condition that would likely result in the period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment.

Qualified health care providers include doctors of medicine or osteopathy, podiatrists, dentists, clinical psychologists, optometrists, chiropractors, alternative health care providers, nurse practitioners, and nurse-midwives authorized to practice under state law and performing within the scope of their practice under state law.

Eligibility for Leave

Covered employees are eligible for leave pursuant to this policy if the employee has been employed with the City for at least 12 months and has worked for at least 1,250 hours during the 12-month period immediately preceding the commencement of the leave.

In addition, to be eligible for Military Family Leave to care for an injured servicemember, the covered employee must be a spouse, domestic partner, son, daughter, parent or next of kin of a covered servicemember. The servicemember's medical condition must warrant the participation of the employee to provide supervision or care during the entire period of leave.



APPENDIX A: FAMILY AND MEDICAL LEAVES AS PROVIDED BY FMLA/CFRA

A covered eligible employee may also use available leave entitlement for parental leave to bond with a new child within one year of the child's birth, adoption or foster care placement.

For purposes of calculating the 12-month period during which 12 weeks of leave may be taken, the City will use a rolling 12-month period measured backward from the date leave is taken and continuous with each additional leave day taken. Successive 12-month periods commence on the date of an employee's first use of such leave after the preceding 12-month period has ended. There is no carryover of unused leave from one 12-month period to the next 12-month period.

Servicemember Care

An eligible employee may take up to 26 work weeks of leave during a single 12-month period to care for the servicemember proportional to an employee's average hours worked. Leave to care for an injured or ill servicemember, when combined with other FMLA/CFRA-qualifying leave, may not exceed 26 weeks in a single 12-month period. Servicemember FMLA/CFRA, to care for an injured or ill service member, is available once per servicemember, per serious injury or illness.

Qualifying exigencies may include addressing needs arising from short-notice deployment, attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, addressing needs related to the care of the military member's parent who is incapable of self-care, attending certain counseling sessions, to spend up to 15 calendar days with a military member who is on R and R leave, and attending post-deployment reintegration briefings.

Servicemember FMLA/CFRA runs concurrent with other leave entitlements provided under federal, state, and local law.

Medical certification for a Military Caregiver Leave must be from a United States Department of Defense, Department of Veteran's Affairs, or other authorized medical provider. It must indicate:

- Whether the servicemember has incurred a serious injury or illness.
- Whether the injury or illness renders the servicemember medically unable to perform the duties of the member's position.
- Whether the injury or illness was incurred in the line of duty while on active duty.
- Whether the servicemember is undergoing medical treatment, recuperation, or therapy, or is otherwise on outpatient status, or is otherwise on the temporary disability retired list.
- The probable duration of the injury or illness.
- The frequency and duration of leave the family member requesting leave will require.
- The family relationship of the eligible employee to the covered service member.



APPENDIX A: FAMILY AND MEDICAL LEAVES AS PROVIDED BY FMLA/CFRA**Procedures**

Whenever possible, employees should provide at least 30 days advance notice for foreseeable events (such as a planned medical treatment for themselves or family member, or the expected birth, adoption, or foster placement of a child). For events that are less than a 30-day advance notice or that are unforeseeable, employees must notify the City Manager, at least verbally, as soon as the need for a leave is known. Failure to comply with these notice rules may be grounds for, and may result in, deferral of the requested leave until the employee complies with these notification/leave request procedures.

If an employee cites their own serious health condition as a reason for leave, the employee must provide a certification from the health care provider stating:

- Date of commencement of the serious health condition;
- Probable duration of the condition; and
- Inability of the employee to work at all or perform any one or more of the essential functions of their position because of the serious health condition.

All medical certifications must have a measurable calendar period. When medically necessary, leave may be taken on an intermittent basis.

If a covered eligible employee provides an incomplete medical certification, the employee will be given a reasonable opportunity to remedy any deficiency. However, if an employee fails to provide a medical certification within the time frame established in this Policy, the City may delay the taking of FMLA/CFRA leave until required certification is provided or deny FMLA/CFRA protections following the expiration of the period to provide an adequate certification.

If the FMLA and/or CFRA request is made because of the employee's own serious health condition, the City may require, at its expense, a second opinion from a health care provider that the company chooses. The health care provider designated to give a second opinion will not be one who is employed on a regular basis by the City.

If the second opinion differs from the first opinion, the City may require, at its expense, the employee to obtain the opinion of a third health care provider designated or approved jointly by the employer and the employee. The opinion of the third health care provider will be considered final and binding on the City and the employee.

The City requires the employee to provide certification within 15 days of any request for family and medical leave under state and federal law, unless it is not practical to do so. The City may require recertification from the health care provider if additional leave is required.



APPENDIX A: FAMILY AND MEDICAL LEAVES AS PROVIDED BY FMLA/CFRA**Compensation During Leave**

FMLA/CFRA leave is without pay. However, the employee may use accrued paid leave. Use of accrued leave or other wage replacement benefits will not impede tolling leave time against eligible protected leave entitlement banks.

Benefits During FMLA

The City will continue to pay its customary portion of any group health, dental, and vision insurance during a leave of absence as required by law. When in unpaid status, to maintain coverage, employees are required to pay timely the full employee contribution, either through Department payroll deduction or by paying the City directly. Employees may also arrange with the Finance Department for payment of any other payroll deductions. Any payments made by the City for the employee contribution will be collected from the employee by the City. The City may recover its portion of any group health, dental, and vision insurance premiums paid if the employee fails to return from leave under the circumstances described in applicable state or federal leave laws.

Sick leave, vacation and holiday benefits will not accrue during the period of any unpaid leave under this Policy.

Return to Work

An employee on leave of absence without pay due to the employee's own illness or injury will be required by the City to present to the City Manager a fitness for duty statement by the employee's treating health care provider releasing the employee with or without restrictions prior to returning to work. In appropriate circumstances, an employee may be restored to work, placed on administrative leave, and then required to undergo a fitness-for-duty examination.

Employees are expected to periodically report to the City Manager on their status and intent to return to work as often as necessary but not less than once per month during periods of medical leave use. This will avoid any delays to reinstatement when the employee is ready to return.

Under most circumstances, upon submission of a fitness for duty certification from the employee's health care provider that the employee can return to work from leave for the employee's own serious health condition, the employee will be reinstated to the same position held at the time the leave began or to an equivalent position. An employee returning from CFRA leave has no greater right to reinstatement than if the employee had been continuously employed.

Misuse of Leave

Employees who misuse or abuse family and medical care leave may be subject to corrective action up to termination. Employees who fraudulently obtain or use California Family Rights Act (CFRA) leave are not protected by the CFRA's job restoration or maintenance of health benefits provisions.



APPENDIX B: CALIFORNIA PREGNANCY DISABILITY LEAVE (PDL)

Policy Title: California Pregnancy Disability Leave (PDL)
Date Adopted:
Date Amended:

Policy

An employee who is disabled because of pregnancy, childbirth, or a related medical condition is entitled to an unpaid leave for up to the number of hours they would normally work within four calendar months (one-third of a year or 17 1/3 weeks). For a full-time employee who works 40 hours per week, "four months" means 693 hours of leave entitlement, based on 40 hour per week times 17 1/3 weeks. An employee who works less than 40 hours per week will receive a pro rata or proportional amount of leave.

A pregnancy disability is a medical condition related to pregnancy or childbirth that prevents employees from performing the essential duties of their job, or if the job would cause undue risk to the mother or their pregnancy's successful completion. The leave may be taken intermittently or on a reduced schedule. Employees are eligible for PDL from their first day of employment.

Employees must provide the City with certification from a healthcare provider. The employee is required to obtain a certification from their health care professional of their pregnancy disability or the medical advisability for a transfer or reasonable accommodation. The certification should include at least:

- The date on which the employee became disabled due to the pregnancy or the date of the medical advisability for the transfer or reasonable accommodation;
- The probable duration of the period(s) of disability or the period(s) for the transfer or reasonable accommodation; and
- A statement that indicates the impact on work of the disability, such as the employee is unable to perform specific job functions without undue risk to themselves or the successful completion of their pregnancy; to ensure the safety of others in the workplace; or that is medically recommended that the employee be transferred away from any department with exposure to chemicals, etc.

If requested and recommended by a health care professional, work assignments may be changed as required to protect the health and safety of the employee and child. Requests for transfers may be reasonably accommodated.

PDL is not intended for "baby bonding time." Once no longer disabled by pregnancy per medical certification, employees are no longer eligible for PDL. Employees may, however, be granted additional family and medical leave. Please refer to Appendix A, Family Medical Leave for more information.



APPENDIX B: CALIFORNIA PREGNANCY DISABILITY LEAVE (PDL)

Procedures

It is the employee's responsibility to provide at least 30-days' advance notice to the City Manager, or as much notice as practicable, before a leave is to begin.

When this is not possible, the employee must provide the requested certification to the City within the time frame requested (at least 15 calendar days), unless it is not practicable under the circumstances to do so despite the employee's diligent, good faith efforts. However, employees may not be required to provide documentation for intermittent and recurring absences for pregnancy related reasons, such as morning sickness.

Once intermittent leave has been designated, employees are responsible for providing as much advance notice as possible about absences to their supervisor. Unforeseeable intermittent leaves must be reported in advance of the impact on work. All intermittent absences should be reported as related to the previously designated serious health condition prior to the impact of the absence on work.

Compensation During Leave

PDL is without pay. However, the employee may use accrued paid leave. PDL will be treated as any other disability leave and may entitle the employee to short-term/long-term disability benefits or an accommodation of additional unpaid leave requested by the employee and granted by the City Manager.

Benefits During Leave

While on PDL, the employee is entitled to continued coverage in group health insurance and supplemental policies to the same extent as when the employee was working. To maintain this coverage, employees are required to timely pay the full employee contribution to maintain their group health plan coverage, either through payroll deduction or by paying the City directly. The City may recover premiums it paid to maintain health coverage if an employee does not return to work following PDL. Employees may also arrange with the Finance Director for payment of any other payroll deductions. Any payments made by the City for the employee contribution will be collected from the employee by the City. The City may recover its portion of any group health, dental, and vision insurance premiums paid if the employee fails to return from leave under the circumstances described in applicable state or federal leave laws.

Paid leave does not accrue while an employee is on unpaid PDL.



APPENDIX B: CALIFORNIA PREGNANCY DISABILITY LEAVE (PDL)**Reinstatement**

At the conclusion of the approved PDL, the employee will be returned to their former position or to an equivalent position. When ready to return from pregnancy disability leave employees must provide to the City Manager a medical release to return to work prior to beginning any work activity.

If the end of the 17 1/3 weeks leave period has been reached, and CFRA baby bonding (if eligible and leave is available) has been utilized, and the employee is unable to return to their regular position for continuing health reasons, the City will engage in a timely, good-faith interactive process with the employee for reasonable accommodation based on the employee's rights under the Americans with Disabilities Act (ADA) and the Fair Employment and Housing Act (FEHA) with the primary goal to return the employee to work, with or without reasonable accommodation, first to the original job assignment, and, as a last resort, to an alternate non-promotional vacancy with priority candidacy placement rights if the employee meets the minimum qualification of the position and is found to be able to complete all essential job functions of the vacancy with or without accommodation. The City Manager, in consultation with the employee, their supervisor/lead, and health care professional, will decide as to whether an accommodation can be made as provided. This may include approval of an extended sick leave.

If, after all reasonable accommodation efforts have been exhausted, and the employee is not available to return to work, even to an alternative job placement, the City may consider a medical separation from employment.

Leave For Reproductive Loss

The City provides employees who have been employed at least 30 calendar days with Reproductive Loss Leave, in the event of a "Reproductive Loss Event".

"Reproductive Loss Event" means the day or, for a multiple-day event, the final day of a Failed Adoption, Failed Surrogacy, Miscarriage, Stillbirth, or an Unsuccessful Assisted Reproduction, as those terms are defined below:

- "Failed Adoption" means the dissolution or breach of an adoption agreement with the birth mother or legal guardian, or an adoption that is not finalized because it is contested by another party. This event applies to a person who would have been a parent of the adoptee if the adoption had been completed.
- "Failed Surrogacy" means the dissolution or breach of a surrogacy agreement, or a failed embryo transfer to the surrogate. This event applies to a person who would have been a parent of a child born as a result of the surrogacy.
- "Miscarriage" means a miscarriage by a person, by the person's current spouse or domestic partner, or by another individual if the person would have been a parent of a child born as a result of the pregnancy.



APPENDIX B: CALIFORNIA PREGNANCY DISABILITY LEAVE (PDL)

- “Stillbirth” means a stillbirth resulting from a person’s pregnancy, the pregnancy of a person’s current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy that ended in stillbirth.
- “Unsuccessful Assisted Reproduction” means an unsuccessful round of intrauterine insemination or of an assisted reproductive technology procedure. This event applies to a person, the person’s current spouse or domestic partner, or another individual, if the person would have been a parent of a child born as a result of the pregnancy.

Reproductive Loss Leave may be taken for up to five (5) days per Reproductive Loss Event. Reproductive Loss Leave is not required to be taken consecutively, but such leave must be taken within three (3) months of the Reproductive Loss Event, with the exception that, if an employee is on California Family Rights Act (“CFRA”) leave, Pregnancy Disability Leave (“PDL”), or another leave protected by state or federal law at the time of or immediately following the Reproductive Loss Event, the employee may use Reproductive Loss Leave within three (3) months of the end date of the other protected leave.

If an employee experiences more than one Reproductive Loss Event within a 12-month period, the City will provide Reproductive Loss Leave up to a maximum of 20 days within a 12-month period.

Reproductive Loss Leave is unpaid, but employees may elect to use accrued paid leaves, such as sick leave, personal leave, or vacation to provide for their compensation while on Reproductive Loss Leave.

The City will maintain the confidentiality of any employee who requests to use or uses Reproductive Loss Leave, and the City will not disclose such information other than to internal personnel on a need-to-know basis, or as required by law.



APPENDIX C: DRUG FREE WORKPLACE

Policy Title: Drug Free Workplace

Date Adopted:

Date Amended:

Purpose

This Policy is to promote a drug and alcohol-free workplace and to eliminate drug and alcohol-related inefficiencies and risks. This Policy applies to all City employees, whether they are on City property, or they are performing City-related business elsewhere, except as this Policy is superseded by federally mandated drug and alcohol policies. Compliance with this Policy is a condition of employment.

Disciplinary action will be taken against those who violate this Policy.

Employee Assistance Programs (EAP)

The City provides an EAP that offers counseling and treatment of drug- or alcohol-related problems.

Prohibited Conduct

- The manufacture, distribution, sale, dispensation, possession, or use of any controlled substance, narcotic (including marijuana), or prescription drug that has not been lawfully prescribed to the employee in either workplaces or wherever City of Willows business is performed. (41 U.S.C. §§ 701-702; Gov. Code § 8355(a)(1).)
- Working or being subject to call in if impaired by alcohol or any controlled substance, narcotic (including marijuana), or prescription drug that has not been lawfully prescribed to the employee.
- An employee's failure to notify the employee's supervisor, Department Head or City Manager before beginning work when taking medications or drugs, including, but not limited to prescription drugs, over the counter medications, or illegal drugs or narcotics (including marijuana), which could interfere with the safe and effective performance of duties or operation of the City of Willows.
- An employee's failure to notify the City Manager or designee of any criminal conviction for a drug violation that occurred in the workplace within five days after such conviction. (41 U.S.C. §§ 701-702.)
- An employee's criminal conviction for a drug violation that occurred in the workplace.



APPENDIX C: DRUG FREE WORKPLACE**Drug And Alcohol Testing**

The City has discretion to test applicants and employees for alcohol and drug use under the following circumstances. The City will use an outside laboratory to perform all testing.

- **Pre-Employment Testing for External Applicants:** Those external applicants who apply for jobs where a special need for pre-employment drug and alcohol testing exists must take and pass a drug and alcohol test following a conditional offer of employment. The categories of jobs subject to pre-employment drug and alcohol testing include, but is not limited to, the following:
 1. Safety sensitive jobs that have public safety implications, such as operating heavy trucks to transport hazardous material, protecting national security, enforcing drug laws, and/or operating natural gas pipelines, and
 2. Jobs that involve the direct influence over children.
- **Reasonable Suspicion Testing:** The City may require a blood test, urinalysis, or other drug and/or alcohol screening of those employees who are reasonably suspected of using or being under the influence of a drug or alcohol at work, under the following circumstances.
 1. “Reasonable suspicion” to test exists if, based on objective factors, a reasonable person would believe that the employee is under the influence of drugs or alcohol at work. Examples of objective factors, include, but are not limited to: unusual behavior, slurred or altered speech, body odor, red or watery eyes, unkempt appearance, unsteady gait, lack of coordination, sleeping on the job, a pattern of abnormal or erratic behavior, a verbal or physical altercation, puncture marks or sores on skin, runny nose, dry mouth, dilated or constricted pupils, agitation, hostility, confused or incoherent behavior, paranoia, euphoria, disorientation, inappropriate wearing of sunglasses, tremors, an accident involving agency property or equipment, or other evidence of recent drug or alcohol use.
 2. **Document and Analysis:** In order to receive authority to test, the supervisor must record the factors that support reasonable suspicion in writing and analyze the matter with the City Manager or designee. Any reasonable suspicion testing must be pre-approved by the City Manager.
 3. **Testing Protocol:** If the documentation and analysis show that there is a reasonable suspicion of drug or alcohol abuse at work, upon approval by the City Manager, the employee will be relieved from duty and transported to the testing facility and to the employee’s home after the test. The employee will be placed on sick or other paid leave until the test results are received.



Conviction For Drug-Related Offense

An employee who is convicted under a federal or state criminal drug statute relating to any conduct prohibited by this policy will be deemed to have violated this Policy. Upon receiving notice of a conviction of an employee for any such violation, the City will either (a) take appropriate disciplinary action in accordance with this Policy, and/or (b) require the employee to participate in and satisfactorily complete a drug abuse assistance, rehabilitation or counseling program. Employees will notify the City Manager of any conviction under a criminal drug statute.



CITY OF WILLOWS

PERSONNEL RULES

CHAPTER 1

PURPOSE AND SCOPE

1.1 INTRODUCTION

The City of Willows places the highest value on its employees. We wish to see satisfied workers, with the support necessary to achieve the objectives of each position. The City believes that clear, consistent personnel policies contribute to greater job satisfaction. All employees and new hires are required to be familiar with these policies. If questions arise, please begin with a discussion with your supervisor or Department Head. Employees are encouraged to offer ideas or suggestions for improvement of these policies.

These personnel policies serve as a general guide to the City of Willows' current employment practices and procedures. As such, we hope they will help employees better understand how the City operates and what is expected of an employee, and what the employee can expect in return. These policies also describe the compensation, benefits and other support provided by the City.

1.2 INTENT OF POLICIES

These policies are not intended to be a contract, express or implied, or any type of promise or guarantee of specific treatment upon which an employee may rely, or a guarantee of employment for any specific duration. Although the City desires long-term employment relationships, it is recognized this may not always occur and either the employer or employee may decide to terminate employment. Unless specific rights are granted in employment contracts, Memorandum of Understanding or elsewhere, all employees of the City are considered at-will employees and may be terminated from City employment at any time, with or without cause and with or without notice. No supervisor, Department Head or representative of the City, other than the City Manager, has authority to enter into any agreement with an employee for employment for any specified period or duration, or to make any written or verbal commitments to the contrary. It is the City's intent these policies be interpreted as providing a reasonable approach to specific problems and situations; they should be considered as a total set of working procedures rather than interpreting each section, subsection, sentence or phrase separately and out of context.

It is the City's intent that implementation of these policies, including any future revisions of these policies, will result in no change, increase or decrease to wages, benefits, or working conditions of represented employees that are determined in the bargaining process. The City recognizes the terms and conditions of existing bargaining agreements; implementation of these policies is not intended to change the terms and conditions of any agreement between unions and the City.

PERSONNEL RULES

1.3 SCOPE OF POLICIES

These personnel policies apply to all City of Willows employees. In cases where these policies conflict with any provisions of a collective bargaining agreement, City ordinance or state or federal law, the terms of that law, rule or agreement prevail. In all other cases, these policies apply. In the event of the amendment of any ordinance, rule, or law incorporated in this document or upon which these provisions rely, these personnel policies shall be deemed amended in conformance with those changes.

1.4 CHANGING THE POLICIES

As the need arises, the City Council may modify these policies and, by ordinance or resolution, may enact changes to compensation or benefit levels. The City Manager may deviate from these policies in particular situations, especially in an emergency, to achieve the primary mission of serving the City's citizens. Employees may request specific changes to these policies by submitting suggestions to their Department Head or the City Manager. These policies do not create an employment contract or implied contract rights for employees, nor do they create a promise or guarantee of specific treatment in a specific situation. The City retains the right to administer or implement these policies appropriate to the particular situation or occurrence. The City also retains the right to revise, supplement or rescind these policies without prior notice to employees. However, the City will meet and confer with representatives of respective bargaining units for reasonable periods prior to implementation.

1.5 DEFINITIONS

Appointing Authority: The person empowered with authority to appoint and/or remove employees from City positions, or persons delegated by such appointing authority to perform duties which legally may be delegated. Department Heads are the appointing authorities for those positions under their management; the City Manager is the appointing authority for Department Heads; and the City Council is the appointing authority for the City Manager and City Attorney.

At-will Employee: Unless specific rights are granted to an employee in a collective bargaining agreement or elsewhere, an employee of the City is an at-will employee pursuant to California law and may be terminated at any time, with or without cause and with or without notice. Such at-will status also encompasses the City's right to transfer, demote, reduce pay and make other employment changes at any time, with or without cause and with or without notice.

City: The City of Willows.

City Business: Includes work or job duties directly arising out of a work assignment or work duties that directly benefit the City and its operations.

City Council: The City Council is the elected five-member body responsible for the governing of the City of Willows.

PERSONNEL RULES

City Facility: Any building or other real property that is owned or leased by the City. Except as otherwise provided herein, the term does not include City parks, parking lots, sidewalks, or streets.

Class/Classification: Systematic arrangement of job titles into categories according to positions sharing similar job functions and/or responsibilities. A representative sample of the City's classification system includes classifications such as Management, Technical/Professional, Skilled Trades.

COBRA Rights: Federal law which permits employees who are terminating from City employment to continue eligible group medical coverage at their personal expense for a specified period of time determined by federal law.

Compensatory Time Off: Or "comp time" is authorized time off in lieu of paid overtime.

Days: References to "days" in these policies shall mean calendar days unless otherwise stated.

Department Head: An employee responsible for directing one or more City departments or divisions.

Emergency: A circumstance that, if not immediately addressed, may cause injury or damage to persons or property.

Employee Assistance Program: A program designed to assist City employees and their family members to solve problems through professional counseling.

Exempt Employee: An exempt employee is one who is expected to work such hours as are necessary to perform the duties of his/her position, and is not eligible to be paid overtime.

Finance Department or Finance Director: The Finance Department or Finance Director shall be the Administrative Services Director.

General Notification: Notification on employee bulletin boards or through an employee newsletter, email or similar form of notification.

Good Driving Record: Less than two moving violations within the preceding three years; no reckless driving or driving while intoxicated violations within the preceding five years. Maximum of one motor vehicle accident within the preceding three (3) years for which the applicant received a traffic or criminal citation and was convicted, forfeited bail, or pleaded guilty.

Human Resources, Personnel or Administrative Services Director: The City's Administrative Services Director serves as the Personnel Director. Ordinance 2.60.020

Immediate Family: Includes the following: spouse; domestic partner; parent; child; brother or sister; mother or father-in-law; son or daughter-in-law; grandparent; grandchild; or any

PERSONNEL RULES

relative who lives in the employee's home. An individual is considered a relative whether related by blood, marriage or adoption.

Merit Raise: An advance in pay in the appropriate pay range of the adopted salary schedule for the purpose of recognizing satisfactory job performance by the employee. This is based on a performance evaluation which clearly demonstrates the employee has improved his/her value to the City by consistently meeting and/or frequently exceeding the standards of performance set for the position.

Non-Exempt Employee: A “non-exempt” employee is one who is eligible to be paid overtime as required by California and federal law.

Non-public Area of a City Facility: An area which has been declared by the City Manager or Department Head in charge of the facility as not being open on a regular basis to members of the public.

Non-represented Employee: An at-will employee who is not a member of a bargaining unit and is not represented by a bargaining agent in matters of wages, benefits, and working conditions.

Pro-rata Basis: The ratio between the number of hours in an employee’s normal work schedule and forty (40) hours per week, as it applies to leaves and benefits.

Represented Employee: An employee who is a member of a bargaining unit and represented by a bargaining agent in matters of wages, benefits, and working conditions.

Sick Leave Abuse: Excessive absenteeism or repeated absence from work without adequate medical explanation.

Vacation Leave: Includes employee choice days and bank days, in addition to annual vacation leave.

Weapon: Any object, instrument or incendiary device which is (1) designed in such a manner to inflict harm or injury to another person, or (2) used in a manner threatening harm or injury to another person. This shall include, but not be limited to: firearms, knives (not including pocket knives with blades less than 3 inches in length), chako sticks and blackjacks.

1.6 EQUAL EMPLOYMENT OPPORTUNITY

The City of Willows encourages and expects its work force to reflect the diversity of its citizens. The City of Willows is an equal employment opportunity employer. The City employs, retains, promotes, disciplines and otherwise treats all employees and job applicants strictly on the basis of job-related qualifications and competence. These policies and all employment practices shall be applied without regard to any individual's sex, race, color, creed, religion, national origin, sexual orientation (including gender identity),

PERSONNEL RULES

pregnancy, age, marital status, military status, disability, or any other characteristic protected by law.

CHAPTER 2 CATEGORIES OF EMPLOYMENT, RECRUITMENT, APPLICATIONS, AND SELECTION

2.1 CATEGORIES OF EMPLOYMENT.

A. A “regular employee” or “permanent employee” has completed a probationary period and occupies a part-time or full-time position with the City with no defined date for the end of such employment.

B. A “full time” employee is one who is regularly scheduled to work forty (40) hours per week.

C. A “limited-term” employee is an employee employed to perform in a special, mandated or seasonal program, or for a specified and limited period of time. Whenever funds are no longer available for the program, or whenever there is no longer a need for the special or seasonal work, these employees will be terminated from City service. Limited-term employees have no rights to layoff procedures but are otherwise entitled to the rights and benefits discussed in this chapter.

D. Part-time Employee: A “part-time” employee includes regular, seasonal, on-call, and other part-time non-benefited employees (regularly scheduled to work less than 30 work hours per week). Part-time employees have no rights to layoff procedures.

E. A “temporary employee” is any person hired full-time or part-time in an ad hoc or a regular authorized position for a limited period not to exceed twelve months unless the Administrative Services Director approves an extension in writing. A temporary hire may be terminated without notice and is not eligible for the benefits and rights of this chapter unless specifically stated herein.

F. A “probationary employee” is an employee tentatively appointed to a position in any category by the appointing authority, whether as a new hire or through reemployment, promotion, or demotion, who has not completed a probationary period following appointment to the position.

G. A “non-exempt” employee is eligible to be paid overtime as required by California and federal law.

H. An “exempt” employee is not eligible to be paid overtime. An exempt employee is expected to work such hours as are necessary to perform the duties of his/her position, and may have to work beyond forty hours per week as work demands require.

PERSONNEL RULES

These employees generally work in direct managerial positions, hold professional, scientific or senior administrative positions, and/or have independent control over most aspects of their jobs. They generally hold positions of responsibility with the City requiring a high level of skill and learning.

2.2 RECRUITMENT.

Appointments to vacant positions in the competitive service shall be made in accordance with the Personnel Rules. Appointments and promotions shall be based on merit and fitness to be ascertained so far as practicable by competitive examination. Examinations may be used and conducted to aid in the selection of qualified employees and shall consist of selection techniques which will test fairly the qualifications of candidates such as achievement and aptitude tests, written tests, personal interview, performance tests, physical agility tests, evaluation of daily work performance, work samples or any combinations of these or other tests. Physical, medical and drug tests may be given as a part of any examination.

A. Locating, attracting and promoting the best-qualified personnel available, either internally or externally, are at all times the primary objectives of any recruitment for personnel.

B. Proposed personnel needs shall be submitted to the City Manager by the appointing authority for review and approval by the Council in the form set by the City Manager.

C. The City Manager is the appointing authority for Department Heads. The Council is the appointing authority for the positions of City Manager and City Attorney. The Administrative Services Director will assist the Council in such recruitment on request by the Council.

D. Regular, limited term and temporary positions are filled through the following process:

1. Announcement.

a. Following the Council's approval to fill a vacant position, a formal announcement of the position will be published which shall include a description of the minimum job qualifications and relevant testing criteria.

b. The announcement will occur within a department or within City service in a manner prescribed by the Administrative Services Director with the objective of ensuring the most complete internal dissemination, which may include any and all means of communication available.

c. In the event the recruitment occurs outside City service, the Administrative Services Director shall provide written notification to the general public by publishing a position announcement in a newspaper of general circulation within Glenn County, or such other county or counties as the Administrative Services Director may determine, for a minimum of five (5)

PERSONNEL RULES

days, which time may be increased at the discretion of the Administrative Services Director.

d. In all instances the last day of publication shall be at least five (5) days before the final date for submission of applications.

2. Employment Applications. Personnel will accept applications during a recruiting period and shall retain them for one year, subject to the following:

a. Every applicant shall submit a completed application, in a form specified by the Administrative Services Director, and signed by the applicant by pen or electronically.

b. All applications must identify the specific open position(s) to which they pertain; and

c. All applications must be complete, and received by the Administrative Services Director within the time specified in the announcement, unless the closing date is extended by the appointing authority or the Administrative Services Director.

d. Applications will not be returned.

3. It is the applicant's obligation to resubmit an application or a letter requesting consideration or reconsideration of an application for subsequent position openings.

4. Application packets will vary with the position sought and shall include all documents identified in the job announcement by the Administrative Services Director in consultation with the appointing authority; provided that at a minimum an application packet will include the City of Willows application and a handwritten or typed cover letter discussing why the applicant wants the position and why s/he is the best candidate for the position. Incomplete application packets will not be considered.

2.3 SCREENING/SELECTION.

A. After the stated or extended closing date for submission of applications, Personnel will screen the application packets for completeness and satisfaction of the minimum job qualifications, including but not limited to relevant experience, education, training, skills, other abilities relating to the position to be filled, references and, in the case of an existing or former city employee, pertinent information found in the employee's personnel file.

B. The Administrative Services Director will determine which of the qualified applicants will move to the next step in the recruitment process.

C. When a recruitment has been publicly announced pursuant to section **2.2.D.1** above and the number of applicants meeting the minimum qualifications for the position is three (3) or less, the Administrative Services Director, after consultation with the appointing authority,

PERSONNEL RULES

may:

1. Cancel the recruitment entirely; or
2. Modify the conditions of the recruitment.

D. When a position is posted internally only and there are no qualified internal applicants, outside recruitment is mandatory, if the appointing authority wishes to move forward with the recruitment.

E. Scheduled selection procedures may be postponed, cancelled or extended by the Administrative Services Director notifying all affected persons and publishing appropriate notice based on the area of recruitment.

2.4 PROVISIONAL APPOINTMENTS.

In the absence of appropriate employment lists, a provisional appointment may be made not to exceed six (6) months by the appointing authority of a person meeting the minimum training and experience qualifications for the position. A provisional employee may be removed at any time without the right of appeal or hearing. During the period of suspension of an employee or pending final action on proceedings to review suspension, demotion or discharge of an employee, such vacancy may be filled by the appointing authority subject to the provisions of this chapter and the personnel rules. [Ord. 450 § 5, 1-8-68. Prior code § 12-6].

2.5 PROBATIONARY PERIOD.

All regular appointments, including promotional appointments, shall be for a probationary period of six (6) months or twelve (12) months if hired as a sworn in Police position, which period may be extended for an additional period of up to three (3) months if deemed necessary by the appointing authority. Any such extension must be made in writing addressed to the employee.

A. All employees will be evaluated for continued employment prior to the conclusion of the probationary period.

B. The appointing authority may terminate a probationary employee at any time during the probationary period by providing the employee notice of termination stating the ending date of the employment relationship.

C. An employee in probationary status is not entitled to appeal his/her termination with the exception of peace officers or firefighters in situations recognized by the Police Officers' Bill of Rights or Firefighters' Procedural Bill of Rights.

D. A terminated probationary employee who was in probationary status due to promotion may, on the recommendation of the appointing authority, be returned to the employee's prior position with the City.

PERSONNEL RULES

E. An employee in the competitive service promoted or transferred to a position not included in the competitive service shall be reinstated to a position in the class from which he was promoted or transferred if action is taken to reject him unless he is discharged in the manner provided in this chapter and the personnel rules for positions in the competitive service. [Ord. 450 § 6, 1-8-68. Prior code § 12-7].

2.6 DEVIATION FROM RULES. The Administrative Services Director may deviate from these procedures for recruitment in the event the he or she determines that the best interests of the City are served by such deviation.

2.7 VERIFICATION OF LAWFUL WORK STATUS

The City of Willows is committed to employing only United States citizens and aliens who are authorized to work in the United States, and does not unlawfully discriminate on the basis of citizenship or national origin.

A. Each employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9, and prior to commencement of employment, present documentation establishing identity and employment eligibility. Former employees who are rehired must also complete the form. In addition, every employee whose documentation for either identity or employment eligibility expires must complete a new Form I-9. In the event an employee loses for any reason his or her employment eligibility or lawful U.S. residence, the employee must immediately inform his or her supervisor in writing.

B. Employees with questions or seeking more information on immigration law issues are encouraged to contact the Administrative Services Director.

2.8 DISCIPLINARY ACTION FOR FRAUD. Any applicant who has made a false or misleading statement or has practiced any deception, fraud or misconduct in connection with his/her application may be eliminated from consideration for employment at the City. Any employee who is discovered to have made a false or misleading statement or has practiced any deception, fraud or misconduct in connection with his/her application is subject to disciplinary action, up to and including termination.

2.9 PROMOTIONS

A. The City encourages promotion from within the organization whenever possible. The City Manager shall determine whether the promotional process for a position will be competitive or appointive. The City reserves the right to seek qualified applicants outside of the organization at its discretion.

B. Before advertising a position to the general public, the City Manager may choose to circulate a promotional opportunity within the City. Promotional opportunities may be posted on the City bulletin board.

C. New Probationary Period: After promotion to a new position, a new probationary period of six (6) months must be completed, unless waived or reduced by the City Manager. The City Manager may authorize a Department Head to extend a trial period for up to an

PERSONNEL RULES

additional three (3) months. In the case of unsatisfactory performance, the employee may be transferred back to the previous position held by the employee, if vacant, or to another position fitting the employee's skills and qualifications, within the limits of vacant authorized positions.

2.10 EMPLOYMENT OF RELATIVES.

A. Generally, employment of relatives and spouses of employees or Council members is strongly discouraged. The employment of relatives to work in the same area of an organization, or together in a small organization such as the City of Willows, may lead to serious conflicts and problems damaging to employee morale, including claims of favoritism. Therefore, for reasons of business necessity, safety, supervision and morale, the City will not employ two or more members of the same family in the same department, or in a position where one person is supervised, directly or indirectly, by a relative. For purposes of this policy, a "relative" is a person related to a current employee of the City by blood or marriage to the third degree, including spouses, in-laws and step-relatives of such person.

B. If one or more of the above conflicts arises in the case of an employee and employee relative, only one of the employees will be permitted to stay with the City unless reasonable accommodations can be made to eliminate present and potential problems. The decision as to which employee will remain will be made by the City at its sole discretion on the basis of business necessity. In the case of a relative of a Council member, the employee will be treated with the same fairness as other City employees in every respect, and no undue influence stemming from his or her relationship with a Council member will be a factor in supervision, promotion or favoritism of any kind.

CHAPTER 3

HARASSMENT AND DISCRIMINATION PROHIBITED

Need to update policy of May 2020

3.1 HARASSMENT AND DISCRIMINATION PROHIBITED

A. The City of Willows is committed to providing a work environment free of harassment and discrimination. Offensive, discriminatory or harassing statements and actions—including all forms of legally prohibited discrimination and/or harassment based on age, race, sex, gender, sexual orientation, religion, national origin, disability or any other characteristics protected by relevant law—are prohibited. This includes any posting, distribution, participation in or exchange of offensive jokes, e-mails, chain letters, pyramid schemes or other similar matter. Use of the mail and e-mail systems to make statements that could be construed as defamatory is also prohibited. The mail, computer and e-mail systems are a part of the City's workplace and the City's policies on harassment, discrimination and on workplace conduct apply to the use of these systems.

PERSONNEL RULES

B. The City strictly prohibits sexual harassment and harassment because of race, religion, creed, color, national origin, ancestry, gender, physical or mental disability, medical condition including pregnancy, childbirth or any related medical condition, marital status, veteran's status, sexual orientation or preference, age or any other basis made unlawful by Federal, state or local law, ordinance, or regulation. Harassment in any form, including verbal, physical and visual conduct, threats, demands and retaliation is prohibited.

3.2 HARASSMENT DEFINED.

A. Sexual harassment is defined by the Fair Employment and Housing Commission as "unwanted sexual advances, or visual, verbal or physical conduct of a sexual nature."

B. Harassment because of race, religion, creed, color, national origin, ancestry, gender, physical or mental disability, medical condition including pregnancy, childbirth or any related medical condition, marital status, veteran's status, sexual orientation or preference, age or any other basis includes, but is not limited to:

1. verbal conduct such as epithets, derogatory jokes or comments, slurs, or unwanted sexual advances, invitations or comments;
2. visual conduct such as derogatory and/or sexually explicit posters, photography, cartoons, drawings, or gestures;
3. physical conduct such as assault (unwanted touching), blocking normal movement, or interfering with work directed at you because of sex, race, or any other protected basis;
4. threats and demands to submit to sexual requests in order to keep your job or avoid some other loss, and offers of job benefits in return for sexual favors;
5. retaliation for having reported or threatened to report harassment, or for participation in any investigation of alleged harassment; and
6. verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene letters, notes, or invitations.

3.3 REPORTING.

A. The City of Willows encourages all employees to report any incidents of harassment immediately so that complaints can be quickly and fairly resolved. You should also be aware that the California Department of Fair Employment and Housing ("DFEH") investigates and may prosecute complaints of prohibited harassment in employment. If you

PERSONNEL RULES

think you have been harassed or that you have been retaliated against for resisting or complaining about such harassment, or for participating in the investigation of any alleged harassment, you may file a complaint with the DFEH. The nearest DFEH office is listed in the telephone book.

B. Any employee who believes that he or she has been harassed by a co-worker, citizen, vendor, supervisor or management employee, or a Council member, should promptly report the facts of the incident and the name of the individual(s) involved to his or her supervisor, the Administrative Services Director, another member of the City's management team, or one of the Council members. Any management employee receiving such a report must immediately report any incident to the City Manager, who will be responsible for the follow-up investigation. Investigations may be conducted by a management employee, the City Attorney, or an outside investigator retained for this purpose, as determined appropriate by the City Manager and Administrative Services Director.

3.4 COMPLAINT PROCEDURE.

A. Any employee who feels he or she has been the victim of sexual or other harassment or discrimination should contact his or her immediate supervisor or other management personnel within five (5) days of the incident. In the event the employee feels uncomfortable making such report to his or her supervisor or manager, the employee should make the report to the Administrative Services Director or a Council member. This report can be oral or written, but the City requests a written report containing specific facts of the harassment so that it can be properly and fully investigated.

1. Upon receipt of the initial complaint, oral or written, the supervisor or manager receiving the complaint will immediately report the incident to the City Manager. Upon receipt of the written statement signed by the employee, the City Manager or City Attorney shall arrange for a prompt investigation of the complaint. In the event the City Manager is the subject of any such allegation, the report shall be made immediately to the Mayor.

2. Once appointed, the investigator will contact and interview the person making the complaint, the person who allegedly initiated the harassment, and any witnesses to the alleged action(s). The accused shall also be informed that he or she has the opportunity to respond to the allegations in writing within seven (7) days.

3. After conducting a thorough investigation, the investigator will submit a written summary of the complaint, the response, and a finding of facts which substantiate, in whole or in part, the allegations to the City Manager or City Attorney. After reviewing the report, the City Manager or City Attorney will determine whether harassment has occurred and notify both parties.

PERSONNEL RULES

4. If it is determined that harassment has occurred, appropriate disciplinary action, up to and including dismissal, will be taken. The severity of the discipline will be determined by the severity and frequency of the offense, or other conditions surrounding the incident.

3.5 DISABILITY DISCRIMINATION PROHIBITED

The City of Willows will not discriminate against qualified applicants or employees with a sensory, physical or mental disability. Applicants and employees with a disability must be able to perform the essential functions of the job with reasonable accommodation. Employees whose disabilities require workplace accommodation are asked to seek the assistance of the City in order to initiate a mutual discussion of the employee's and City's needs.

CHAPTER 4 HOURS AND ATTENDANCE

4.1 WORK DAYS AND WORK WEEK

A. The standard work days for most employees are Monday through Friday, 8 a.m. to 5 p.m., with a one-hour unpaid lunch period. For most City employees, the designated work week is forty (40) hours within a seven (7) day work period, from midnight Sunday to 11:59 p.m. the following Sunday. Some departments or positions may use a different designated workweek if specified in an MOU or as otherwise determined by the City. Employees should check with their supervisor or the Administrative Services Director if they have questions about their designated workweek. Due to the nature of the City's operations, alternative work schedules and longer hours may be required by the City in some instances.

B. A normal working schedule for regular, full-time employees consists of forty (40) hours each work week. Different work schedules may be established by the City or by bargaining agreements to meet job assignments and provide necessary City services (e.g. for uniformed police employees). Each employee's Department Head will advise the employee regarding his/her specific working hours. Part-time and temporary employees will work hours as specified by respective Department Heads.

C. For qualifying public safety officers (generally, uniformed police and firefighting personnel) the City may elect exemption under the Fair Labor Standards Act. The designated work periods for such personnel are set forth in the bargaining unit's collective bargaining agreement.

4.2 HOURS OF WORK AND OVERTIME

A. Any City employee may be required, as a condition of employment, to work overtime when necessary as determined by his or her Department Head. All overtime must be authorized **in advance** by the employee's Department Head. Working overtime hours

PERSONNEL RULES

without proper authorization may result in employee discipline, up to and including termination.

B. All City of Willows' positions are designated as either "exempt" or "non-exempt" according to the FLSA. Each employee's status may be obtained from the Administrative Services Director.

C. **Recording time by non-exempt employees:** Non-exempt employees must personally record the number of regular and overtime hours he/she works daily and submit a timesheet on the Monday following the completion of a bi-weekly pay period. This includes recording the time taken off and each request that time off be charged to the employee's leave bank (vacation, sick leave, etc.). Employees are required to report all of their time worked. An employee's signature on his/her time sheet constitutes his/her verification, under penalty of perjury, that the time reported as worked or paid leave taken away from work was in accordance with the policies of the City and all time has been recorded accurately. Misrepresenting information on a time sheet, working without recording time worked, being absent or tardy without recording such absence or tardiness, and working overtime without prior Department Head approval are strictly prohibited and may result in discipline up to and including termination. No employee should make entries on another employee's timesheet.

D. **Recording time by exempt employees:** Exempt employees are not covered by the FLSA overtime provisions and do not receive either overtime pay or compensatory time. An exempt employee is paid to perform a job, which may not necessarily be completed in a normal work week. Nonetheless, exempt employees are required to separately track their time for purposes other than compensation. These purposes include, but are not limited to: proper and accurate accrual and use of vacation, sick leave, unpaid leaves of absence, and other leaves.

E. Because exempt employees are compensated to do a job and are not compensated based upon specific time worked, and because they are expected to be available for evening meetings and work outside of regular work hours, including weekends, exempt employees may have more flexibility in their work schedule. Nevertheless, exempt employees must maintain good work habits, be accountable and available to their staff and management, show demonstrated accomplishments, and make themselves regularly available during working hours to allow City business to be accomplished. In other words, a "flexible" work schedule for exempt employees should not be interpreted as license to be absent from work. It is the responsibility of exempt staff to notify the Department Head or City Manager, in advance, of all absences that exceed 2 hours.

F. If an exempt employee has an absence of more than four (4) hours during a regularly scheduled work day, all hours during which the employee is absent that day must be deducted from an applicable leave bank (vacation, sick leave, etc.). Exempt employees are required to accurately report all time off that should be charged to the employee's leave bank (vacation, sick leave, etc.). An employee's signature on his/her time sheet constitutes his/her verification, under penalty of perjury, that the days reported as worked or paid leave taken away from work was in accordance with the policies of the City and has been recorded accurately. Misrepresentation of time worked or leave taken on time sheets or other time tracking reports is grounds for discipline, up to and including termination.

PERSONNEL RULES

G. Overtime pay and compensatory time off for non-exempt employees:

1. Non-exempt employees are entitled to additional compensation, either in cash or compensatory time off as determined by the City, when they work more than eight (8) hours in a day or forty (40) hours in a work week.
2. Overtime pay is calculated at one and one-half times the employee's regular rate of pay for all time worked beyond the established work period. When computing overtime, work performed by regular employees, whose compensation for overtime is not affected by the 7(k) exemption, will be compensated at the overtime rate for hours in excess of eight (8) hours per day or forty (40) hours per work week.
3. An employee should record his/her time to the nearest quarter hour. When computing overtime, time paid for but not worked (e.g., holidays, sick leave and vacation time) is not counted as hours worked and therefore does not count towards determining eligibility for overtime payment.
4. It is important to note that not all employees are eligible for overtime payment. For example, lifeguards and certain other seasonal employees may be ineligible pursuant to 29 U.S.C. § 213(a)(3). Please ask your supervisor or the Administrative Services Director whether you are eligible for overtime payment.

4.3 COMPENSATORY TIME

- A. A regular full-time or regular part-time non-exempt employee may request compensatory time off ("comp time") in lieu of overtime pay. However, California has imposed strict limits and a process of application and approval on the accrual and use of compensatory time off in lieu of overtime payment. Please see the Administrative Services Director for current rules relating to comp time.
- B. The City is not required to grant comp time instead of overtime pay, and use of comp time will be approved on a case-by-case basis by the Administrative Services Director. If the comp time option is exercised, the employee is credited with one and one-half times the hours worked as overtime. All earned and used comp time must be accounted for on the employee's time sheet. Maximum accruals of compensatory time shall be limited to eighty (80) hours. Employee comp time balances may be reviewed periodically as part of the City's financial process. The City retains the right to periodically cash out an employee's accrued comp time or any portion thereof.

4.4 ALTERNATIVE REGULAR SCHEDULE

Consistent with the operational needs of the City and upon approval of the City Manager, alternative work schedules may be allowed to non-represented employees to work other than the standard work day. (The availability of alternative work schedules for represented employees is discussed in each unit's MOU.) Alternative work schedules are considered within an established period of work hours and may be implemented provided there is no appreciable disruption to department operations or service to the public during the established hours when City facilities are open to the public. Again, California has adopted

PERSONNEL RULES

stringent regulations pertaining to alternative work schedules, and all such requests must first be made to the Administrative Services Director.

4.5 ATTENDANCE

A. Punctual and consistent attendance is a condition of employment and is considered an *essential function* of the job for all City employees. All employees are expected to report to work as scheduled and perform productive work for the City during their scheduled work shifts. Each employee is responsible for maintaining an accurate record of his or her attendance.

B. Employees unable to work or unable to report for work on time are to notify their supervisor as soon as possible, ordinarily before the work day begins or within thirty (30) minutes after the employee is scheduled to start work. Absent extraordinary circumstances, other employees are not allowed to handle this responsibility for them and should not be asked to do so. Employees must also notify and obtain permission from their supervisor for any early departures or absences during the work day. If an absence continues beyond one day, the employee is responsible for reporting in each day, unless other arrangements have been approved in advance by the employee's immediate supervisor or the Administrative Services Director. If the supervisor is unavailable, the employee should contact the Administrative Services Director or his/her designated representative, stating the reason for being late or unable to report for work.

C. An employee who is absent without authorization or notification on a scheduled work day is subject to disciplinary action, including possible termination.

D. An employee who is absent without notification or authorization for three (3) consecutive scheduled work days shall be considered as having abandoned his or her job and may be terminated. Employees may also be disciplined up to and including termination for failing to report to work without notice or with insufficient notice, for excessive absenteeism or tardiness, or for other attendance and tardiness problems.

E. If an employee's regular attendance is impacted by a medical condition, the affected employee is expected to notify his or her supervisor or Department Head, or contact the Administrative Services Director, to discuss whether a temporary change in their work schedule is appropriate. Failure to do so may provide the City with reasonable grounds for disciplinary action based on violation of these attendance requirements.

F. Because of the City's very limited work force and the City's inability to cover absences with other employees, compliance with rules of attendance is considered an *essential function* of the job.

4.6 EMERGENCY CONDITIONS

A. **Reporting to work:** It is the intent of the City that all City offices shall be open and in operation during established working hours. Because many City services are of primary importance during emergency or extreme weather conditions, employees should make a reasonable effort to report to work on a timely basis. Should conditions exist which would prevent City employees from reporting to work, it will be the employee's responsibility to

PERSONNEL RULES

contact his or her department to indicate anticipated absence from work or late arrival to work.

B. During times of inclement weather, natural or man-made disaster or other emergencies, it is essential the City continue to provide vital public services. Therefore, unless the City notifies employees otherwise, employees are expected to make every reasonable effort to report to work **without endangering their personal safety.**

C. Any regular full-time or regular part-time employee unable to report to work as a result of emergency or extreme weather conditions will be given the option of using any form of accrued leave (including sick leave), or taking time off without pay for time missed if all other leaves are exhausted. The employee shall promptly advise his/her supervisor, as in any other case of late arrival or absence. Unauthorized absences may be subject to discipline. Under exceptional circumstances, with the approval of the Department Head and City Manager, a request to make up the lost time within the pay period may be granted.

D. **Workplace Closures:** The City may close any, or all, city offices and facilities and cease operations on any regular work day or portion of a work day, on account of extreme weather conditions, natural and man-made disasters, emergencies that threaten employees' welfare or safety, failure or defect in the supply of power or other utilities, strike or other labor trouble, civil disturbance, acts of civil or military authorities, budgetary shortfall, or for any other reason, whether similar or dissimilar to the above, or for an Act of God. Any regular full-time or regular part-time employee who does not work his or her regularly scheduled hours due to such closure will be given the option of using any form of accrued leave (except sick leave), or taking time off without pay for time missed.

4.7 BREAKS AND MEAL PERIODS

A. Employees will take one (1) fifteen-minute break, near the midpoint of each work period, for every four (4) hours worked. All breaks shall be arranged so they do not interfere with City business or service to the public and must be coordinated with other employees. Breaks may not be used to justify either a late arrival or an early departure from work.

B. Employees who work for more than five (5) consecutive hours are allowed an unpaid meal period of at least 30 minutes that begins no more than five (5) hours from the beginning of the shift. An employee scheduled to work six (6) hours or less may waive the meal period, but shall take the rest period. Meal periods shall be scheduled by the employee's supervisor. The scheduling of meal periods may vary depending on department workload. Meal periods are unpaid and are usually one hour in length. Employees are not permitted to work through their meal period in order to leave work early.

4.8 CALL BACK

All employees are subject to call back to work after the end of their regularly scheduled shifts or on a scheduled day off in emergencies or as needed by the City to provide necessary services to the public. A refusal to respond to a call back is grounds for disciplinary action, including possible termination. Employees will be paid for all time spent responding to an authorized call back to work, or a minimum of two hours, whichever is

PERSONNEL RULES

greater. Employees called back to duty will be paid their appropriate rate of pay for hours worked, including overtime if applicable.

4.9 PAYROLL RECORDS

The official payroll records are kept by the Administrative Services Department. Except for exempt employees, each employee shall turn in to his or her supervisor on a bi-weekly (or as designated by the Administrative Services Department) basis, a signed time sheet, noting hours worked, leave taken and overtime worked. An employee's signature on his/her work record constitutes his/her verification, under penalty of perjury, that the time reported as worked or paid leave taken away from work was in accordance with the policies of the City and all time has been recorded accurately. All employee time must be reviewed and approved by the supervisor. The City Manager shall sign work records for Department Heads.

CHAPTER 5 GENERAL POLICIES, PRACTICES AND EMPLOYEE CONDUCT

5.1 GENERAL CODE OF CONDUCT

All City employees are expected to represent the City of Willows to the public in a professional manner which is courteous, efficient and helpful. Employees must maintain a clean and neat appearance appropriate to their work assignment, as determined by the position and Department Head or City Manager.

Since the proper working relationship between employees and the City of Willows depends on each employee's on-going job performance, professional conduct and behavior, the City has established certain minimum standards of personal conduct. Among the City's expectations are: tact, courtesy and respect towards the public and fellow employees; adherence to City policies, procedures, safety rules and safe work practices; compliance with directions from supervisors; preserving and protecting the City's equipment, grounds, facilities and resources; and providing orderly and cost efficient services to its citizens.

The City of Willows is a small workforce and, to function efficiently, employees may be asked to perform duties outside regular assignments. This arrangement is necessary in many small cities. To make the most efficient use of personnel, the City also reserves the right to change work conditions and duties originally assigned. If these changes in arrangements become necessary, the City expects employee cooperation.

5.2 EMPLOYEE APPEARANCE AND BEHAVIOR

A. Members of the public judge a community not only by service, but also by the appearance of its personnel, equipment and facilities. Good public relations cannot be guaranteed by merely doing a good job; the public must be convinced the service is good through appearance, behavior and personal demeanor.

PERSONNEL RULES

B. The personal appearance of all employees, especially those who come into contact with the public, is important and should conform to community standards. Dress should be appropriate to the division/area in which an employee works. This may include required uniforms or safety attire. All employees should, to the extent reasonable for their job duties, be neat and clean in dress and personal appearance, and convey a professional appearance while engaged in City business. The City Manager or Department Heads may establish reasonable standards of appearance and clothing which are appropriate for the job assignment. These standards may be verbal or in writing. Any accommodations must comply with safety requirements and overall professional appearance.

C. Those employees provided uniforms by the City of Willows must maintain the uniform in good condition and wear the uniforms. The appearance of uniformed personnel is one of particular importance, since the public is more apt to recognize these employees as City personnel. Uniforms should be clean, pressed and mended properly. The appearance of the uniform depends on the way it is worn, as well as its condition.

D. The behavior and bearing of all personnel is an important factor in the formulation of public opinion. Individuals coming into government offices should perceive a positive work environment with inclusive cooperative attitudes. All City employees are expected to represent the City of Willows in a professional manner which is courteous, efficient and helpful. Employees are also expected to use appropriate language for a professional workplace. Profanity and other potentially offensive behavior is prohibited.

5.3 GENERAL RULES FOR EMPLOYEE CONDUCT

A. Rules for employee conduct are necessary for the benefit and protection of the rights and safety of all employees and City residents and visitors. Each employee is required to fully cooperate in observing these rules, and any breach of the rules will be dealt with through the disciplinary process. It is important that each employee become completely familiar with the City's rules. Violation of any City policy may result in discipline and/or discharge.

B. The following rules are established for the benefit of employees and clients alike, and must be followed by City employees. The following list is a representative example and does not constitute all rules that may be required of City employees. Breach of these rules or any other rules required by the City, may result in disciplinary action or dismissal.

1. Behavior - Employees should NOT ...
 - a. willfully, or negligently, violate the City's personnel policies and procedures, operating rules, or related directives;
 - b. neglect to carry out a supervisor's directive, except where the employee's safety may be jeopardized, or the request is immoral or illegal;
 - c. engage in any activity which creates a conflict of interest or the appearance of a conflict or impropriety;

PERSONNEL RULES

- d. knowingly falsify work-related records or reports;
- e. be discourteous to any person(s) you come in contact with in the performance of your duties, including co-workers;
- f. violate or neglect safety rules;
- g. remove, misappropriate, misuse or abuse the City's property;
- h. discriminate against, harass, bully or treat any person with disrespect.

2. Performance - Disciplinary action may occur if an employee...

- a. has exhibited substandard performance, or is inefficient, incompetent, negligent in the performance of duties, fails to perform assigned tasks or training, or fails to discharge duties in a reasonable manner;
- b. refuses or is unable to improve job performance in accordance with written or verbal directions;
- c. refuses to accept assignments from an authorized supervisor;
- d. is intoxicated or incapacitated on duty due to drug or alcohol use;
- e. is driving under the influence of alcohol or with drugs in his/her system while on City business, or has a suspended driver's license where job duties require driving;
- f. uses a cell phone while driving any vehicle or operating any equipment;
- g. is disrespectful, discourteous, abusive or otherwise engages in inappropriate or unacceptable behavior to co-workers, supervisors, trustees, vendors, or visitors to the City;
- h. violates any of the policies, rules or regulations of the City;
- i. abuses any of the benefits of employment with the City;
- j. is negligent or improperly uses the City property, equipment or funds, including check kiting or any fraud;
- k. releases or gives access to confidential information without prior authorization; or
- l. any other reason why, as determined in the sole discretion of the City, the employee's demonstrated performance or lack thereof, actions, behavior or attitude is not in the best interests of the City.

PERSONNEL RULES

3. Employees . . .

- a. are required to cooperate with each other in the performance of their duties;
- b. who threaten or make intimidating or harassing remarks to fellow employees will not be tolerated, and all incidents should be brought to the attention of a supervisor;
- c. are to work at the highest level of productivity and not delay or hinder other employees in the performance of their duties;
- d. are encouraged to make suggestions regarding improvement of work;
- e. should discourage family and friends from visiting or calling employees while the employee is on duty;
- f. must give a quick and friendly response to requests, during the normal course of duties, and refer any unusual requests that seem inappropriate or beyond the normal scope of their job to a supervisor;
- g. may be required to attend various meetings and training sessions;
- h. may not derive any personal profit or advantage from transactions in which the City is involved because of their position as a City employee;
- i. are not allowed to conduct personal affairs on City time without a supervisor's permission;
- j. may not receive personal mail or personal, non-emergency telephone calls, at the City;
- k. are responsible for maintaining neat and businesslike work areas, meeting areas, and keeping the common areas clean;
- l. may not smoke in the building, or discard their cigarette residue in any City area;
- m. may not use obscene or abusive language in conjunction with their duties, and must refrain from malicious gossip; incidents should be reported to a supervisor;
- n. may not fight, gamble, participate in inordinate horseplay, or other anti-social behavior at work;

PERSONNEL RULES

- o. may not use, sell or be under the influence of alcohol while on City premises, or while conducting business on the City's behalf, and may not have drugs in their possession or control, or any measurable amount in their body, while on City business;
- p. may not possess weapons of any kind on any City property or facility, unless necessary for the performance of duties;
- q. may not use or take City property, including vehicles, without permission for equipment or supplies for personal use;
- r. conceal errors or alter City records.

5.4 EMPLOYEE PERSONNEL RECORDS

- A. A personnel file is kept for each employee in Human Resources. An employee's personnel file contains: the employee's name; title and/or position held; job description; department to which the employee is assigned; salary; changes in employment status; all training received; performance evaluations; personnel actions affecting the employee, including discipline; accommodation and other pertinent information.
- B. Employees have the right to review their own files. To do so, the employee should contact the Administrative Services Director and set an appointment.
- C. An employee may request, through the City Manager, removal from his/her personnel file of information the employee believes to be irrelevant or erroneous. If the City Manager denies an employee's request to remove information, the employee may file a written rebuttal statement to be placed in his/her file. A former employee shall retain this right of rebuttal for two years after the last day of City employment.
- D. Personnel files are kept confidential to the extent permitted by law. Except as required by law, access will be limited to the employee, employee's immediate supervisor/Department Head, Administrative Services Director, City Attorney, and City Manager, and City Manager's designee. If an employee engages in misconduct, such information may become available to the public under current interpretations of the public disclosure laws.

5.5 DISCIPLINE.

- A. Like all organizations, the City requires order, discipline, and conscientious work performance to succeed and to promote efficiency, productivity, and cooperation among its employees. City employees are required to abide by certain rules and maintain appropriate performance levels and standards of conduct. These rules have been established to protect employees and the City from injury or other threats to its employees' well-being, as well as promote harmonious, efficient working practices. Failure to observe established rules and

PERSONNEL RULES

practices can lead to disciplinary action. The specific disciplinary action will normally be based on an assessment of the facts, the circumstances and the employee's previous record.

B. As to any issue of employee discipline, the City retains complete discretion as to when a situation calls for discipline or correction and what form and level of discipline are appropriate. City management believes in appropriate discipline in appropriate circumstances. Normally, if the problems are performance related, corrective action may call for "coaching" or counseling initially. If problems arise from misconduct or an intentional disregard for directives or these policies, such conduct may warrant more serious discipline (such as written reprimands, disciplinary probations, suspension or discharge).

C. Performance problems may also warrant more serious discipline, if the City determines the situation has not improved or worsens. However, management will review each situation independently and make a decision on what it deems to be appropriate discipline, up to and including discharge for the first offense. A decision to use progressive-type discipline in a given case is an attempt to improve the performance or behavior, but does not change the "at will" nature of the employment relationship. For represented employees, the City will adhere to procedures set forth in the applicable labor agreement.

D. **Discipline Defined.** For the purposes of this section, discipline shall be defined as: (1) a temporary reduction in pay; (2) a suspension without pay; (3) demotion; or (4) dismissal (except dismissal for medical reasons). Discipline does not include oral or written warnings or reprimands, counseling memoranda, or performance improvement plans (PIP). This section shall not apply to employees dismissed while on probation.

E. Each of the following constitutes cause for discipline of an employee. This is a partial list and is not intended to reflect all behavior for which discipline may occur, nor is the placement of a cause on the list indicative of the seriousness of the cause.

1. Falsifying personnel records or City records or providing false information concerning employment qualifications.
2. Incompetence, unsatisfactory performance, including quantity and quality of work product.
3. Inefficiency.
4. Dishonesty.
5. Inexcusable neglect of duty.
6. Willfully disobeying a reasonable order or refusal to perform the job as required.
7. In possession of/or under the influence of alcoholic beverages while at work or on City property.

PERSONNEL RULES

8. In possession, in use, under the influence of, or trafficking in habit forming drugs and/or narcotics or alcohol while at work or on City property.
9. Unauthorized absence without approval.
10. Conviction of a felony or conviction of a misdemeanor related to the performance or duties of the job. A plea or verdict of guilty or a conviction following a plea of nolo contendere to a charge of a felony or any offense involving moral turpitude is deemed to be a conviction with the meaning of this section.
11. Abusive, disrespectful, offensive, discourteous language or behavior directed at other city employees, which reasonably can be construed as intended to cause emotional distress, including nondiscriminatory "workplace bullying."
12. Harassing an employee because of membership in a protected group, including but not limited to sexual harassment.
13. Actual or threatened physical violence towards another person.
14. Improper political activity as defined in the Government code.
15. Misuse of City property or damage to public or private property resulting from misuse or negligence.
16. Driving a vehicle on City time without devoting full attention to driving, which can include, but is not limited to, eating, drinking, applying makeup, reading a map, or talking or texting on the phone. Employees are expected to pull to the side of the road for such activities.
17. Violation of Conflict of Interest Code.
18. Working overtime repeatedly without a supervisor's approval.
19. Abuse or misuse of sick leave, vacation or other employee benefits.
20. Intentional or repeated violations of safety rules.
21. Gambling on City premises.
22. Failure to properly report absenteeism.
23. Excessive tardiness.
24. Refusal to take and subscribe any oath or affirmation which is required by law in connection with employment.
25. Conduct disrupting city activities.

PERSONNEL RULES

26. Theft or unauthorized removal or possession of property from city, fellow employees, constituents, or anyone on city property.

27. Other conduct including, but not limited to, use of social media either during or outside of duty hours which is of such a nature that it causes discredit to the department or to the City.

28. Violation of any State law, County or City ordinance requiring confidentiality of records or information.

29. Inability to perform the duties of the position due to loss or inability to obtain required licenses.

F. Prior to suspending, demoting or dismissing (collectively referred to herein as “discipline” or “disciplined”) an employee, the appointing authority shall contact and discuss such action with the Administrative Services Director, except:

1. Any employee who reports to work and is believed to be under the influence of alcohol or illegal drugs, based on objectively reasonable suspicion, will be transported home as medically unfit for duty and may use any accumulated leave s/he has to cover the absence from work. For purposes of this policy, marijuana is an illegal drug in the workplace, even though it may be medically prescribed.

2. Before being transported home, an employee who challenges the determination s/he is unfit will be provided an opportunity that day, as soon as possible, to establish the suspicion is unfounded by having his/her blood or urine tested at the [REDACTED] or other approved testing facility designated by the City. The facility shall perform the least intrusive test needed to determine the presence of alcohol/drugs in the employee’s system.

3. In the event the test is positive for drugs or alcohol:

a. The employee will be immediately suspended without pay for five (5) days by his/her supervisor.

b. In the event the retest is negative, the employee will be reimbursed for all lost wages arising from suspension and their initial removal from work.

4. An employee who elects not to submit to a test waives his/her right to challenge the determination s/he was medically unfit for duty due to drugs or alcohol and will be subject to further disciplinary action.

5. An employee in the possession of unauthorized firearms or explosives shall be immediately suspended without pay for five (5) days by his/her supervisor subject to further disciplinary action. (See also ¶ 8.14.)

G. After consultation between the appointing authority, Administrative Services Director and the City Manager, the City Manager may direct that an employee be placed on

PERSONNEL RULES

administrative leave with or without pay pending the results of an investigation into the alleged misconduct. The City Manager may extend the administrative leave for good cause.

H. Disciplinary Process.

1. If, following discussion and/or investigation, the appointing authority concludes that discipline is appropriate, the Appointing Authority or his/her designee shall immediately provide a written notice of intent to discipline to the affected employee. At a minimum, the notice of intent to discipline shall include (i) a statement of the proposed discipline, (ii) the facts and circumstances giving rise to the discipline, (iii) the specific cause(s) for the discipline, and (iv) all non-confidential materials, if any, upon which the proposed discipline is based.
2. In addition to those matters contained in the notice of intent to discipline in subsection 1 above, the notice shall also include: (i) notice of the employee's right to respond before the discipline is implemented, (ii) instructions for filing such pre-disciplinary response within five (5) working days after the date of the notice of intent, and (iii) a statement advising employees that if disciplinary action is imposed they may appeal such action to the City Council by filing a written request to the City Manager within fifteen (15) calendar days of service of notice that the discipline will be imposed.
3. The notice of intent to discipline will be personally served on the employee by the appointing authority or his/her designee. If personal service upon the employee is impossible, a copy of the notice of intent to discipline will be sent by first-class mail to the employee at his/her last known address, and the time for filing a pre-disciplinary response pursuant to subsection 2 above shall be increased to seven (7) working days.
4. Subject to the limitations of this section, an employee who receives a notice of intent to discipline may respond to the notice either orally or in writing or by both methods objecting to the proposed discipline. An employee who wishes to respond must initiate the pre-disciplinary review process by contacting the City Manager within five (5) work days after the date of the notice of intent to discipline. If the affected employee does not respond within the time permitted, the employee will have waived the right to do so and the appointing authority may implement the proposed discipline, and shall issue a written notice to the employee of the imposition of the discipline.
5. Upon receiving an objection from an employee who has received a notice of intent to discipline, the City Manager shall initiate the pre-disciplinary hearing process as follows:
 - a. The City Manager will either serve as the pre-disciplinary hearing officer or will designate another person who was not involved in the development of the disciplinary recommendation to so serve;

PERSONNEL RULES

b. The City Manager or designee will schedule a hearing of the employee's objection within fifteen (15) calendar days of receiving the employee's objection, and advise the employee of the time and place for such hearing at which the employee will be afforded the opportunity to make oral presentations and to present written materials substantiating his or her reasons for objecting to the proposed discipline;

c. In the alternative, the employee may waive the pre-disciplinary meeting and respond only in writing. However, upon reviewing written materials submitted by the employee, the City Manager or designee may request that a pre-disciplinary hearing be scheduled.

6. Following the pre-disciplinary hearing and/or the submission of written materials by the affected employee, the hearing officer will prepare a written report which will be submitted to the appointing authority. At a minimum, this report will include a summary of the employee's presentation and copies of any materials submitted by the employee. The report shall include the recommendation of the hearing officer that: (i) the proposed discipline is warranted and the level of proposed discipline appropriate, (ii) the reason for discipline is substantiated but the proposed discipline is excessive, and what discipline would be more appropriate, or (iii) the grounds for imposing discipline are insufficient and warrant no formal discipline.

7. After receipt of the hearing officer's report and recommendations, the appointing authority may take such action as he/she deems appropriate. Such action may include, but is not limited to, the following: additional investigation/inquiry; elimination or reduction of the level of discipline; or implementation of the noticed discipline. If the appointing authority decides to move forward with discipline, he/she will issue a notice of discipline to the affected employee. At a minimum, the notice of discipline shall include a statement of the discipline to be imposed, the facts and circumstances giving rise to the discipline, the specific cause(s) for the discipline, notice of the employee's right to appeal and instructions for filing a timely appeal.

8. If, following the pre-disciplinary hearing process described in this subsection 5 and additional investigation/inquiry pursuant to subsection 7, and the appointing authority still intends to implement discipline, an amended notice of intent to discipline will be issued. In addition to the content required by this subsection, the amended notice of intent to discipline will detail the results of the additional investigation/inquiry. An employee who receives an amended notice of intent to discipline may reinitiate the pre-disciplinary hearing process pursuant to subsection 3 of this section.

9. At any time during the pre-disciplinary process, the parties may seek to identify a mutually acceptable alternative to the originally noticed disciplinary action. If mutual agreement is reached, the details of the agreement will be reduced to writing and will be signed by the appointing authority, the affected employee and the City Manager.

PERSONNEL RULES

10. If the appointing authority determines to proceed with disciplinary action, it will be implemented subject to further appeal procedures discussed in subsection I of this section.

I. An employee who is disciplined pursuant to subsection H of this section may appeal the disciplinary action to the City Council by filing a written notice of appeal addressed to the City Manager within seven (7) calendar days following the date of the notice of discipline. The timely filing of an appeal does not stay the disciplinary action. In the failure of an employee to timely file an appeal, the disciplinary action will be final and all appellate rights will be waived.

1. Within five (5) working days following receipt of the appeal, the City Manager will place the employee's appeal on the next available agenda of the City Council, give written notice to the employee of the time and place for his or her appeal to the City Council which will hear the appeal in Closed Session, along with notice of the employee's right to have the matter heard in an open, public session of the Council.

2. The Council's decision may be based on the hearing officer's findings and recommendations, or may be based on the Council's independent review of the evidence submitted by the appointing authority and the employee, including testimony of witnesses, or may be based on a combination of both.

3. Upon conclusion of the appellate hearing and consistent with its findings of fact, the Council may uphold, modify or overturn the discipline.

4. Within thirty (30) calendar days of the City Council hearing the employee's appeal, the Council will issue its decision, which shall be in writing and will be delivered to the employee, the appropriate appointing authority, the City Manager and the city attorney.

J. The disciplinary procedures described in this section shall be adhered to in all instances where discipline is contemplated and/or administered for all employees except:

1. Appointed Department Heads, who are at-will employees and who serve at the pleasure of the City Manager or, in the case of the City Manager, at the pleasure of the City Council, may be disciplined without cause and with no right to appeal. Appointed Department Heads will be provided a minimum of two weeks' notice before termination.

2. The city attorney, and any independent contractor serving the city pursuant to a written agreement.

K. Nothing in this section is intended to deprive any employee of any right s/he has at law.

L. For those employees who are covered by the Peace Officers' Procedural Bill of Rights Act, or the Firefighters' Procedural Bill of Rights, nothing in this section will be interpreted, administered or applied inconsistent with the requirements of the Act.

PERSONNEL RULES

5.6 GRIEVANCES.

A. **Grievance Defined.** A grievance is any dispute which arises over the interpretation, application, or alleged violation of any statute, ordinance, resolution, labor agreement or departmental rules and regulations presently in force or as may from time to time be adopted by the city in matters within the scope of representation.

B. An employee who has been issued a written warning, counseling memo, or placed on a performance improvement plan (PIP) may appeal such non-disciplinary action through Step 3 of these grievance procedures. Appeals filed pursuant to this section will be filed initially at Step 2 of the grievance procedures, and the Step 3 decision will be final.

C. Discipline, as defined in section 5.5, shall not be subject to these grievance procedures.

D. A grievant is defined as a current city employee or group of current city employees who are covered by the provisions of this chapter or, in the case of matters alleging a violation of an MOU, a grievant may be the employee organization recognized to represent those employees covered by that MOU. Grievances filed by an employee organization will be initially filed at either Step 2 or Step 3 of the grievance procedures.

1. If a grievant terminates employment, his/her grievance will be considered to have been withdrawn effective the date of his/her termination. If the grievant who terminates is part of a group grievance, his/her name will be removed from the list of grievant. Such removal will have no impact on the remaining grievant.

E. The purpose of these procedures is to resolve grievances expeditiously and at the lowest possible administrative level. No grievance filed pursuant to this section may be resolved inconsistent with the terms of the statute, ordinance, resolution, MOU or departmental rules and regulations being grieved.

F. The time limits specified at each step of the procedures set forth below shall be strictly observed and may only be extended in writing to a date certain with the mutual consent of the parties.

1. Failure of a grievant to observe a time limit shall terminate the grievance.
2. Failure of the party to whom the grievance is submitted to observe a time limit shall give the grievant the right to advance the grievance to the next step or level of review.

G. These grievance procedures shall be the exclusive administrative procedures provided for the resolution of grievances for all employees, except that an employee need not file a grievance or exhaust this process if alleging a violation of a statute.

H. **Grievance Procedure.** Consistent with the City's goal to resolve grievances in an orderly manner as quickly as possible, the following procedures shall apply:

PERSONNEL RULES

1. Step 1 – Informal Submission. Except as specified otherwise in these procedures, an employee who believes s/he has a grievance will, within seven (7) days of the grievable event or within seven (7) days of the discovery of a grievable event, whichever is later, present the grievance orally to his or her immediate supervisor in an attempt to resolve the grievance. The employee's supervisor will respond personally to the grievance, either orally or in writing, within seven (7) days. If the grievant is absent from work during this period, the supervisor will respond immediately upon the grievant's return to work. Grievances resolved at Step 1 shall not be precedent setting.

a. If the grievant's immediate supervisor is either the subject of the grievance or is the appointing authority, the grievance may be filed initially at Step 2. If the grievant's immediate supervisor is the City Manager, the grievance may be filed initially at Step 2 with City Attorney substituting as the appointing authority.

2. Step 2 – Formal Submission. If not resolved at Step 1, the grievance may be advanced to Step 2 within seven (7) days following receipt of the immediate supervisor's response by submitting a written grievance to the appointing authority. A written statement of grievance shall, at a minimum, include a description of the acts or omissions giving rise to the grievance; the statute, ordinance, resolution, MOU provision or the provision of departmental rules and regulations alleged to have been violated; a brief summary of the immediate supervisor's response if provided orally or a copy of the supervisor's response if provided in writing; and the remedy sought. If the grievant wishes to meet pursuant to subsection 2.b of this section, he/she should notify the appointing authority at the time the grievance is filed at Step 2.

a. If a grievance filed at Step 2 is found to lack the information required by subsection 2 of this section, the appointing authority may return the grievance to the grievant specifying the deficiency or deficiencies. The grievant will have three days following receipt of this notice to correct the deficiency and resubmit the grievance at Step 2.

b. The appointing authority will evaluate the grievance and, within fourteen (14) days, respond to the grievant in writing, by personal delivery, setting forth the appointing authority's findings and recommendations. If the employee is not available at work, the appointing authority will forward his/her response by first-class mail to the grievant's last known address. During the 14-day evaluation period, the appointing authority and the grievant may meet to discuss the grievance. If the grievant requests such a meeting, it will be held.

c. If the grievant accepts the findings and recommendations of the appointing authority, following review by the City Manager and City Attorney for the sole purpose of ensuring compliance with subsection b of this section, the City will be bound to honor those findings and recommendations subject to ratification by the City Council of any unfunded expenditures.

PERSONNEL RULES

d. If the grievance is resolved at Step 2, a copy of all grievance materials will be forwarded to the City Manager for filing.

3. Step 3 – City Manager. If not resolved at Step 2, the grievance may be advanced to Step 3 within seven days following receipt of the appointing authority's response by filing a written statement of grievance with the City Manager. This written statement of grievance shall, at a minimum, include: a copy of the grievance materials filed pursuant to subsection 2 of this section, a copy of the appointing authority's response, and the reasons the grievance remains unresolved. The statement of grievance may include supplemental information and may request a modified remedy. If the grievant wishes to meet pursuant to subsection 2.b of this section, he/she should notify the City Manager at the time the grievance is advanced to Step 3.

a. The City Manager will evaluate the grievance and, within fourteen (14) days, respond to the grievant in writing by personal delivery. If the grievant is not available at work, the appointing authority will forward his/her response by first-class mail to the grievant's last known address. During the fourteen-day evaluation period, the City Manager and the grievant may meet to discuss the grievance. If the grievant requests such a meeting, it will be held.

b. If the grievant accepts the findings and recommendations of the City Manager, following review by City Attorney, the city will be bound to honor those findings and recommendations subject to ratification by the City Council of any unfunded expenditures.

c. If the grievance is the appeal of a written warning, the City Manager's decision shall be final.

d. If the grievance is resolved at Step 3, a copy of all grievance materials will be maintained and filed by the City Manager.

4. Step 4 – City Council. If not resolved at Step 3, a recognized employee organization may advance the grievance to Step 4 within fourteen (14) days of receipt of the City Manager's response by filing a written request for a hearing by the City Council. The Step 4 hearing request will be filed with the City Manager.

a. Unrepresented employees and represented employees who are not represented in their grievance by a recognized employee organization may advance the grievance to Step 4 pursuant to subsection 4 above only after signing an acknowledgement of financial responsibility that has been prepared by the City Manager for this purpose.

i. The provisions of subsection 4.a of this section notwithstanding, a grievance alleging a violation of a negotiated MOU may only be advanced to Step 4 by the recognized employee organization responsible for the representation of employees covered by the MOU in question.

PERSONNEL RULES

b. Within five (5) days of receiving the request to advance the grievance to Step 4, the City Manager, after ensuring compliance with subsection 4.a of this section if applicable, will request a list of five hearing officers from the state agency providing such services.

i. Immediately upon receipt of the list of potential hearing officers, the City Manager will coordinate the scheduling of a meeting of the parties, which may be held telephonically. The purpose of the meeting will be to select a hearing officer.

ii. First the parties will attempt to mutually agree to a hearing officer, whose name need not appear on the list provided.

iii. If unable to mutually agree, the parties will select the hearing officer by alternately striking names from the list until only one name remains, with the first to strike to be determined by lot.

c. Upon selection, the hearing officer will coordinate the scheduling of the grievance hearing which will be conducted consistent with the provisions of Government Code Section [11513](#). Normally, the hearing officer will schedule the hearing to begin within thirty (30) days of his/her selection. If the hearing officer is not available to begin the hearing within forty-five (45) days of his/her selection, either party to the appeal may reinitiate the selection process described in subsection 4.b of this section.

i. The burden of proof shall be assigned to the grievant. The standard of proof shall be a preponderance of the evidence.

ii. Grievance hearings will be closed to the public.

iii. The hearing may be recorded or may be transcribed by a certified court reporter. If transcribed by a certified court reporter, the costs associated with the court reporter's attendance will be borne equally by the parties. The costs of transcripts will be borne by the party requesting the transcript.

d. At the conclusion of the hearing, the hearing officer will take the matter under submission. Within thirty (30) days following the close of the hearing, the hearing officer will submit a written report to the City Council which shall be advisory only. The hearing officer's report shall include findings of fact and recommendations.

e. The hearing officer will cause his written report and the record of the hearing to be delivered to the clerk of the City Council with copies delivered to the parties to the grievance, city attorney and the City Manager.

f. Upon receipt of the hearing officer's report and the record of the hearing, the matter will be placed on the City Council's agenda as a closed session

PERSONNEL RULES

item for discussion at its first regular meeting following receipt of the materials. The City Council will take the matter under advisement.

g. Within forty-five (45) days of the closed session, the City Council will issue its decision, which shall be in writing and will be delivered to the parties to the grievance, the City Attorney and the City Manager.

i. The City Council's decision may be based on the hearing officer's findings and recommendations, or may be based on the City Council's independent review of the record, including the transcript of the proceeding, or may be based on a combination of both.

ii. The City Council's decision will be the final level of administrative review.

iii. Copies of the City Council's written decision will be provided to the parties, city attorney and the appropriate employee organization. The complete record of the grievance will be forwarded to the City Manager for filing.

h. At the conclusion of Step 4, the matter will be referred back to the City Manager, who shall coordinate implementation of the City Council's decision.

i. The cost for the services of the hearing officer shall be shared equally by the parties. Except as may otherwise be specified, all costs of representation and participation in the proceedings shall be borne by the party incurring the cost.

I. Employees may use the grievance procedure without fear of reprisal.

J. The grievant may be represented or assisted at any level of the procedure by a representative of his/her own choosing.

K. A city employee who is a grievant, a witness in a grievance proceeding or the designated representative of a grievant shall suffer no loss of compensation or benefits while participating in this procedure, to include no more than thirty minutes preparation time per stage of the grievance.

L. To the extent practical, grievance proceedings will be held during normal working hours. If held at a time other than the grievant's normal working hours, the grievant shall be entitled to an equivalent number of hours off on an hour-for-hour basis.

M. The City Manager will maintain a permanent grievance file, which shall include the complete records of all grievances filed at Step 2 or above.

PERSONNEL RULES

CHAPTER 6 PERFORMANCE EVALUATIONS

6.1 EMPLOYEE PERFORMANCE EVALUATIONS

A. Performance evaluations are key elements in maintaining effective two-way communication between employees and their supervisors. The objectives of the evaluation are to:

1. Review the employee's performance over the review period, discussing both areas of competence or excellence, as well as those needing improvement.
2. Set job performance expectations and standards, and review the progress on expectations and standards set during the prior performance review.
3. Provide an opportunity for employees to discuss job concerns and interests with supervision.
4. Maintain and improve job satisfaction by letting employees know that their supervisor is interested in their personal development.
5. Serve as a systematic guide for supervisors in planning further training and development.
6. Assist in planning personnel reassignment and placements which maximize the employee's capabilities.
7. Assist in determining and recording special talents, skills and capabilities that might otherwise not be recognized.
8. Set short and long-term goals.
9. To the extent an employee's position description no longer accurately reflects that actual duties and responsibilities of the position, use the opportunity of the performance evaluation to update the job description, if necessary.
10. Determine merit increase if any. However, a performance evaluation does not necessarily mean that the employee will receive a salary adjustment.

B. Performance evaluations will be conducted at the following intervals:

1. New employees and employees receiving promotions or job transfers to other positions after 6 months in the new position or 12 months for a sworn Police position;

PERSONNEL RULES

2. Every employee shall be evaluated on or near to the anniversary of the employee's holding his or her position;

3. In addition to the above, performance evaluations may be initiated by the employee's supervisor at any time.

C. Every performance evaluation will be conducted using a form for such purpose adopted by the City, with the exception of the 90-day review, which may be an informal written review, at the supervisor's discretion.

D. Performance evaluations shall include, at a minimum, a review and discussion of the written evaluation held privately between the employee and his or her supervisor. In cases where the employee's supervisor is not completely familiar with the employee's job for any reason, a supervisor familiar with his/her work will be consulted.

CHAPTER 7 COMPENSATION & BENEFITS

7.1 COMPENSATION

A. Compensation Plan. The City Manager or the person or agency employed for that purpose shall prepare a pay plan covering all classes of positions in the competitive service. In arriving at salary rates or ranges, consideration shall be given to prevailing rates of pay and consideration shall be conditions for comparable work in other public and in private employment, to current costs of living, to financial burden or proposed benefits, including, but not limited to, health and retirement, to suggestions of Department Heads, to the City's financial condition and policies and to other relevant factors. The City Manager or the person or agency employed for that purpose shall thereafter make such further studies of the pay plan as becomes necessary.

B. Adoption of the Plan. The pay plan shall be adopted, and may be amended from time to time, by resolution of the City Council. Amendments and revisions of the plan may be suggested to the City Council by any interested party and shall be submitted to the City Council through the City Manager. Thereafter, no position shall be assigned a salary not in conformance with the salary schedule unless the salary schedule for the class is amended in the same manner as herein provided for in its adoption.

C. Administration of Compensation Plan. The City Council shall administer the compensation plan for the City Attorney and City Manager. The City Manager shall administer the compensation plan for all other employees.

D. Anniversary Formula. An employee starting work will be considered as having been employed on the first day of the nearest bi-weekly pay period. This formula is to be used for the purpose of determining effective dates for sick leave, vacation leave, and wage adjustments.

PERSONNEL RULES

Anniversary dates for all salary and wage adjustments will be the date of the employee's last range adjustment.

E. Application of Rates. Employees occupying a position in the competitive service shall be paid a salary or wage established for that position's class under the pay plan as approved and adopted pursuant to section B above. The minimum rate, if provided, for the class generally shall apply to employees upon original appointment to the position. However, the City Manager may, when circumstances warrant, authorize original appointment or reinstatement at other than the minimum rate.

F. Advancement. In order to compensate an employee properly, advancements in salary shall be based upon recognized improvement, efficiency and effective service. Advancements shall not be automatic, but shall depend upon increased service value of the employee to the City as determined by attainment of individual goals established from time-to-time by each individual employee and his or her Department Head, as documented in a written performance evaluation. All employees are expected to work closely with their Department Heads in establishing individual work programs and goals and, together Department Heads and subordinates, should attempt to achieve and realize mutually established goals and objectives for individual improvement.

Realization of these goals shall be the prime consideration for wage and salary adjustments and shall be made only upon recommendation of the Department Head and with approval of the City Manager. The following are additional areas that exemplify increase service values:

1. Length of service.
2. Performance record.
3. Additional training, other efforts at self-improvement.
4. Attitude towards job.
5. Personal conduct.
6. Conscientious attendance.
7. Safety alertness.
8. Continual improvement as recognized through work objective attainment.
9. Efficient and effective service.
10. Other factors of individual achievement as appropriate to the particular position.

G. Steps. The following criteria shall guide in the movement of individual employees from step to step within the Five Step Plan.

1. Step A – shall be the minimum hiring rate.
2. Step B – employees shall be eligible for advancement to Step B upon completion of a probationary period of six (6) months or twelve (12) months for a sworn in Police position and upon recommendation by the Department Head that growth of performance is satisfactory and upon approval of the City Manager.
3. Step C – employees shall be eligible for advancement to Step C upon completion of

PERSONNEL RULES

one (1) year at Step B and upon recommendation by the Department Head that growth of performance is satisfactory and upon approval of the City Manager.

4. Step D - employees shall be eligible for advancement to Step D upon completion of one (1) year at Step C and upon recommendation by the Department Head that growth of performance is satisfactory and upon approval of the City Manager.
5. Step E – employees shall be eligible for advance to Step E upon having served a minimum of one (1) year at Step D and upon recommendation by the Department Head that growth of performance is satisfactory and upon approval of the City Manager.

H. Merit Increases. The City Manager may increase the salaries of employees on the basis of merit within the range set forth in the compensation plan; however, the City Manager may not advance an employee in this classification without first utilizing a written Evaluation prepared by the employee's supervisor, and approved by the employee's Department Head. A favorable performance evaluation shall be a prerequisite for consideration of the merit increase.

I. Salary Following Promotion. When an employee in the City service is promoted to a position allocated to a class with a higher salary, a new anniversary date shall be established for the purpose of eligibility for consideration for future wage adjustments, pursuant to Section F above.

I. Salary Following Demotion. In the case of demotion of any employee in the City service to a class with a lower maximum salary such as recommended by the Department Head and approved by the City Manager, the employee shall retain his previous anniversary date for the purpose of eligibility for consideration for future wage adjustments, pursuant to Section F above.

J. Revision of Salary Ranges. When a salary range for a given class is revised upward or downward, the incumbent(s) of position(s) and class(es) affected shall have their existing salary adjusted to the new salary range and their anniversary date(s) shall not be changed.

K. Deductions. Deductions from pay checks are made in accordance with prevailing laws, contracts, rules and regulations:

1. Deductions required by law and contracts: For example, federal withholding tax, social security tax, court-ordered garnishments, City-adopted retirement premium, etc.
2. Deductions made on the written authorization from each employee: For example, group medical and hospitalization premium, credit union, charitable contributions, recognized employee organizations, and such other deductions as authorized by the employee and approved by the City Manager.

PERSONNEL RULES

L. Reporting Compensation Issues. It is the City's policy to comply with the requirements of the FLSA and California laws regarding compensation and deductions.

1. If an employee believes that an improper deduction has been made to his or her paycheck, or believes that his or her pay has been calculated improperly, the employee should immediately report this information to his/her direct supervisor, Payroll, or the Finance Director.
2. Reports of improper deductions or improper payment will be promptly investigated. If the City determines that an improper deduction has occurred, the employee will be reimbursed for any improper deduction made or any correction in pay needed to remain consistent with the wage and hour provisions, or any governing provision of a union contract or other legal obligation. Similarly, improper payments to employees will also be subject to reimbursement by the employee. In the event of an overpayment or overpayments in the total amount of \$500.00 or more, the employee, with the approval of the City Manager, may be allowed to enter into an agreement with the City to reimburse the City in a series of deductions or payments over a specified period of time until the City is fully repaid.

M. Pay Periods. The pay period for all employees shall be bi-weekly, with each pay period closing on alternate Sundays. Pay day is the Friday following the end of the pay period.

N. Compensation Upon Termination. When an employee's employment with the City of Willows is terminated, the employee will receive the following compensation on the next regularly scheduled payday:

1. Regular wages for all hours worked up to the time of termination which have not already been paid;
2. All overtime or holiday pay due;
3. Accrued but unused sick leave is not compensated upon termination; however, in the event an employee retires directly from City service such accrued sick leave is credited as service time.
4. Accrued and unused vacation leave and compensatory time;
5. Less any authorized deductions for any unpaid personal expenses, for any expenses due to the failure to return City property as required prior to the date of termination.

7.2 BENEFITS

The City of Willows strives to provide the best, most equitable and cost effective benefits for its employees. Employees should likewise recognize that the total cost of the benefits in

PERSONNEL RULES

this section supplement each employee's pay and should be viewed as additional compensation. Policies and procedures that govern the City's benefit program apply to all full-time and part-time employees, whether exempt or nonexempt, unless otherwise stated in a particular benefit plan.

Employees of the City of Willows are eligible to participate in both mandated benefits, such as workers' compensation, Social Security and State Disability Insurance (SDI), and discretionary benefits, such as vacation, retirement and sick leave.

The City of Willows reserves the right to modify any discretionary benefits when it is determined in the City's best interest to do so.

A. Mandated Benefits.

(The information below is provided only as a general guideline about several selected mandated benefits. The City of Willows is not responsible for administration of these programs, nor the benefits the employee receives under these programs. These programs are governed by Federal or state law, and are subject to change without notice. The following is not intended to be an exhaustive discussion of any benefit, but generally outlines the availability of such benefits. If you have questions, please consult the Willows office or the agency responsible for administering such benefits.)

1. Social Security and MediCare.

Employees and City of Willows are required to contribute toward Federal Social Security benefits and MediCare from the first day of employment. The amount deducted from employee wages is considered a Social Security tax, used together with City of Willows' contribution, to fund future retirement and basic health care benefits. Both the employees and City of Willows' contribution rates are established by law and represent a percentage of earnings. The employee's portion is deducted automatically from their pay.

Social Security and MediCare partially provide four basic benefits; retirement and disability income, retirement healthcare, and death benefits. Eligibility and entitlement vary depending on individual circumstances. Booklets explaining the details are available at the local Social Security office.

2. Workers' Compensation.

The City of Willows pays the entire amount of the workers' compensation insurance premium that provides benefits to employees who experience injury or illness in connection with employment at City of Willows. Eligibility automatically begins on the first day of employment.

Entitlement to workers' compensation benefits are governed by state law. Benefits available to employees injured on the job may consist of some or all of the following; replacement income for temporary, permanent partial, or permanent total disability; and medical expenses including doctor visits, treatment, surgery, drugs, and hospitalization. Compensation entitlement begins on the first full day of hospitalization, or after the third

PERSONNEL RULES

day of absence due to the injury if an employee is not hospitalized. Please be aware that worker's compensation benefits and entitlement are subject to change without notice.

The timeliness of payments to injured employees is dependent on City of Willows' ability to expedite injury reports through their insurance claims representative. When an employee is injured, the employee and supervisor must complete an injury report form at the earliest possible time and submit it to the Administrative Services Director. Further details regarding available workers' compensation leave are provided in the Leaves of Absence section below.

3. Unemployment Insurance.

Employees may be eligible for unemployment benefits upon termination of service with City of Willows, depending on state law and circumstances connected with termination. After leaving City of Willows employment, the terminating employee can file an unemployment claim with the California Employment Development Department.

4. State Disability Insurance. The California State Disability Insurance (SDI) program provides short-term wage replacement benefits to eligible workers who need time off work. You may be eligible for SDI benefits if you are unable to work due to non-work-related illness or injury, pregnancy, or childbirth, or to care for a seriously ill family member or to bond with a new child. Employees make small contributions through payroll deductions for this benefit. Employees unable to work for these reasons should contact the California Employment Development Department.

5. Pregnancy Disability Leave

The City of Willows is committed to providing its pregnant employees a workplace free from harassment or discrimination in terms of compensation, working conditions or other privileges of employment because of their pregnancy, childbirth or a related condition. If you are having a difficult time because of your pregnancy, please inform your supervisor or the Administrative Services Director immediately. You may be entitled to Pregnancy Disability Leave.

Pregnancy Disability Leave is intended to protect your position while you are actually disabled and unable to work because of your pregnancy.

Although Pregnancy Disability Leave may not be necessary, the City will attempt to accommodate medical needs related to pregnancy, childbirth or related conditions. Such accommodations will be based on restrictions your doctor may have placed on your work, as well as the City's ability to reasonably provide such accommodations. It is important that you meet with your supervisor to discuss possible accommodations such as more frequent breaks to use the restroom, perhaps shorter hours, and so forth. However, should you be unable to perform the essential functions of your position, with or without reasonable accommodation, you may be

PERSONNEL RULES

eligible for Pregnancy Disability Leave ("PDL").

a. Eligibility

An employee who is disabled by pregnancy, childbirth or a related condition may be eligible for leave up to four (4) months. PDL is available when the employee is actually disabled, as certified by her physician. Although the leave need not be taken all at once, all leave taken in connection with a specific pregnancy, either before or after birth, counts toward the four months of leave. PDL is not leave for any specific period of time; rather it is leave for the period of time you are actually disabled as determined by your medical care provider up to four months.

The City asks that you provide at least thirty (30) days of notice of your need for PDL; if thirty days of notice is not possible, please advise your manager at the earliest possible time.

b. Integration with Other Benefits

Pregnancy disability leave is a *job protection* leave—not paid leave. However, employees will be required to utilize accrued sick leave during this leave, and may utilize accrued vacation as well. An employee may be entitled to receive State Disability Insurance for a period of disability because of pregnancy or childbirth. Please contact the California Employment Development Department for more information about SDI benefits.

The City will maintain the same insurance benefits that the employee had prior to the leave for an eligible employee who takes PDL. Employees will not accrue sick leave or vacation during PDL, nor will employees be paid for holidays during any period of unpaid leave.

c. Return to Work

Before returning to work, the employee must present a written release from her medical care provider certifying that she is able safely to resume her job or duties and perform the essential functions of her position, or can do so with reasonable accommodation. The City will reinstate the employee to the position held before leave began, unless one of the following conditions apply:

- i. the employee would not otherwise have been employed in her same position at the time reinstatement is requested for legitimate business reasons unrelated to the employee taking pregnancy disability leave or transfer;
- ii. The employee has directly or indirectly indicated her intention not to

PERSONNEL RULES

return to work;

iii. The employee is no longer able to perform the essential functions of the job with or without reasonable accommodation; or

iv. The employee's position is no longer available due to reasons unrelated to the employee's pregnancy, such as reorganization, layoffs, etc.

If the City cannot reinstate the employee to the position held before leave began, the City will attempt to reinstate the employee to a comparable position, if possible.

If the employee is unable to return to work at the end of her PDL, the City will meet with the employee to discuss the employee's likelihood of returning to work, the anticipated time of such return, any accommodations that might help the employee return to work, and whether the City will be able to hold the employee's position open or to locate another suitable position for which the employee is qualified. Despite these efforts, it is sometimes unfortunately necessary to terminate an employee who is unable to return to work within a reasonable time.

6. Family Medical Leave Act/California Family Rights Act.

The FMLA entitles eligible employees to take unpaid, job-protected leave for specified family and medical reasons with continuation of group health insurance coverage under the same terms and conditions as if the employee had not taken leave. Eligible employees are entitled to:

- a. Twelve workweeks of leave in a 12-month period for:
 - i. a **serious health condition** that makes the employee unable to perform the essential functions of his or her job;
 - ii. the birth of a child and to care for the newborn child within one year of birth;
 - iii. the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
 - iv. to care for the employee's spouse, child, or parent who has a serious health condition;
 - v. any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;" or
- b. Twenty-six workweeks of leave during a single 12-month period to care for a covered service member with a serious injury or illness if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (military caregiver leave).

PERSONNEL RULES

- c. FMLA/CFRA is job-protected leave, meaning that upon the employee's return to work, they will be returned to the same job or reasonably equivalent position at equivalent pay, absent exigent circumstances.
- d. FMLA/CFRA is not a paid leave, but employees on FMLA/CFRA leave may be required to use accrued sick leave, and may use accrued vacation. FMLA/CFRA leave is not in addition to, but may be used concurrently with, other leaves such as pregnancy disability leave.
- e. Eligibility – To be eligible for FMLA/CFRA leave, the employee must have:
 - i. Worked for the City of Willows for at least 12 months,
 - ii. Worked at least 1,250 hours in the 12 months immediately preceding the leave, and
 - iii. If the purpose for the leave is a "serious medical condition," provide a certificate from a physician that the employee or family member suffers from a "serious medical condition."
- f. Any employee wishing to use FMLA/CFRA leave should request such leave as far in advance as possible to enable the City to make arrangements to cover the employee's duties during his or her absence.
- g. The City will continue the employee's health insurance coverage on the same basis as if the employee was not on FMLA/CFRA leave. This means that the employee must continue to pay his/her share of such insurance premiums during the leave.
- h. Return to work - Before returning to work, the employee must present a written release from his/her medical care provider certifying that he/she is able safely to resume his/her job or duties and perform the essential functions of his/her position, or can do so with reasonable accommodation. The City will reinstate the employee to the position held before leave began, unless one of the following conditions apply:
 - i. the employee would not otherwise have been employed in the same position at the time reinstatement is requested for legitimate business reasons unrelated to the employee taking FMLA/CFRA leave;
 - ii. The employee has directly or indirectly indicated his/her intention not to return to work;
 - iii. The employee is no longer able to perform the essential functions of the job with or without reasonable accommodation; or
 - iv. The employee's position is no longer available due to reasons unrelated

PERSONNEL RULES

to the employee's leave, such as reorganization, layoffs, etc.

If the City cannot reinstate the employee to the position held before leave began, the City will attempt to reinstate the employee to an equivalent position at equivalent pay, if possible.

If the employee is unable to return to work at the end of the FMLA/CFRA leave, the City will meet with the employee to discuss the employee's likelihood of returning to work, the anticipated time of such return, any accommodations that might help the employee return to work, and whether the City will be able to hold the employee's position open or to locate another suitable position for which the employee is qualified. Despite these efforts, it is sometimes unfortunately necessary to terminate an employee who is unable to return to work within a reasonable time.

7. California Paid Family Leave

California law provides for payments from the State Disability Fund for wage loss of employees who take time off work to care for a seriously ill child, spouse, parent or domestic partner, or to bond with a new child ("Bonding Leave"). PFL is a program administered, not by City of Willows, but by the California Employment Development Department. PFL provides you income replacement while on leave - it does not create a new right to a leave of absence or guarantee job protection during your leave.

For purposes of the employee's employment with City of Willows, PFL is unpaid leave. Prior to receiving PFL benefits, the employee may be required to use some or all of the employee's accrued sick leave and/or vacation. Further information regarding this program may be obtained through the Employment Development Department's website: www.edd.ca.gov/disability/Paid_Family_Leave.htm.

Employees will not accrue vacation or sick leave, nor will employees be paid for holidays during any period of unpaid leave.

B. Discretionary Benefits

NOTE: Following is only a general outline of benefits provided. For more specific information, please refer to the summary plan descriptions which were provided to you upon your employment, or which may be obtained from the Administrative Services Director. These benefits apply only to eligible employees, as the plan for each type of benefit defines the term.

1. Insurances, Generally. All insurance benefits will be made available to regular full-time employees only. Part-time, seasonal and/or temporary employees are not eligible for coverage. Eligibility for benefits will become effective on the first day of the

PERSONNEL RULES

month following employment. The cost of insurance coverage is either paid by City of Willows, shared between the City and the employee, or paid entirely by the employee, depending on the type and extent of coverage elected. The employee's share of insurance premium(s) is deducted from the employee's payroll.

a. Medical Insurance:

The City of Willows provides a comprehensive group medical insurance plan to qualifying employees. Please refer to the Plan documents for further details.

b. Dental Insurance:

The City of Willows makes a dental insurance plan available to qualifying employees. Please refer to the Plan documents for further details.

c. Long Term Disability Insurance:

The City of Willows does not provide long-term disability insurance. Employees may purchase their own through AFLAC.

d. Life Insurance:

The City of Willows provides a life insurance policy to qualifying employees. Please refer to the Plan documents for further details. The Plan also includes coverage for accidental dismemberment.

e. Vision Insurance:

The City of Willows provides a vision insurance policy to qualifying employees. Please refer to the Plan documents for further details.

f. Benefits Continuation (COBRA)

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health and dental insurance coverage under City of Willows' health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee, a reduction in an employee's hours, leave of absence, an employee's divorce or legal separation, or a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at City of Willows' rates plus an administrative fee of two percent. The City of Willows provides each eligible employee with a written notice describing their rights granted under COBRA when the employee becomes eligible for coverage under City of Willows' health insurance plan. The notice contains important information about the employee's rights and obligations.

g. Retirement Plan

PERSONNEL RULES

The City of Willows provides retirement benefits through plan(s) offered by the California Public Employment Retirement System (CalPERS). Plans are administered by CalPERS, pursuant to rules established by the CalPERS governing board. The cost of retirement plans is shared by the City of Willows and the employee. The City reserves the right to change retirement plans, benefits or contributions, in conformance with California and Federal law.

2. Paid & Unpaid Absences

a. Holidays

The following holidays are observed by the City of Willows, and all employees will be given the day off with pay. The number of paid hours will be based on the number of daily hours each employee is normally scheduled to work. In addition to the following holidays below; the City of Willows also offers its employees three (3) floating holidays.

New Year's Day	Veterans' Day
Martin Luther King, Jr. Day	Thanksgiving Day
Presidents' Day	Friday following Thanksgiving
Memorial Day	Christmas Eve
Independence Day	Christmas
Labor Day	

- i. If a holiday falls on a Saturday, the day off given will be the Friday before, if it falls on a Sunday the day off given will be the Monday after the holiday.
- ii. If a holiday occurs during a scheduled vacation, the day will count as a holiday and not as vacation.
- iii. Any absence due to illness on a regular work day either side of a holiday must be substantiated by a certificate from a physician.
- iv. Any unauthorized absence on either side of a holiday may be grounds for disciplinary action.

b. Vacation

Vacation is designed to provide employees with reasonable periods of rest and relaxation. Scheduling of paid vacation time off is based on the needs of

PERSONNEL RULES

the City before anything else. Because of the impact of vacations on the Willows' workload, employees must request vacation at least one month in advance of any vacation. Every attempt will be made to grant the employee's first choice. However, to maintain normal operating efficiency, it may be necessary to rearrange vacation schedules, and this will be done on the basis of seniority, as well as the City's needs. Also, to prevent holidays from being monopolized by employees with the most seniority, requests for vacation taken around holidays will be rotated among all employees.

Full-time permanent employees earn vacation from their first day of employment following completion of the employee's probationary period.

<u>Years of Continuous Service</u>	<u>Hours Accrued Per Full Month</u>
0 through 5 years	6.67
6* through 10 years	10.00
11* years and above	13.33

*

Indicates from the commencement of the 6th and 11th years of service.

However, no vacation is accrued during the probationary period, no vacation will be paid if the employee is terminated before the end of his or her probationary period. Upon successful completion of the probationary period, the employee will be credited with vacation that would have been accrued from the first day of employment. Vacation hours are accrued based on total hours the employee is entitled to be paid, including work time and authorized paid time off, such as holidays, vacation and sick leave.

1) Accrual.

- i. Permanent full-time employees shall accrue vacation as follows:

PERSONNEL RULES

NOTES:

- (1) Vacation accrual, usage and carry over for represented employees is as set forth in applicable MOUs.
- (2) The above accrual schedule is for full-time employees.
- (3) Part-time employees are not eligible to accrue or use vacation.
- (4) Employees on an alternate 4-day, 40-hour workweek accrue vacation at the rates set forth above. Daily vacation usage is in accordance with the number of hours in the scheduled work day.
 - ii. Temporary employees will not accrue or be eligible for paid vacation.
 - iii. Seasonal and part-time employees will not accrue or be eligible for paid vacation.
- 2) To utilize accrued vacation, employees should request advance approval from their supervisors. Requests will be reviewed based on a number of factors, including business needs and staffing requirements. The employees of City of Willows can be denied a vacation as requested because the needs of the Willows to conduct business and provide services are a priority.
- 3) Holidays falling within the employee's authorized vacation/leave period shall not be charged as vacation time.
- 4) **VACATION MUST BE TAKEN IN MINIMUM INCREMENTS OF FOUR (4) HOURS.**
- 5) Employees are encouraged to use available paid vacation for rest, relaxation, and personal pursuits. Employees **MUST** take one consecutive five (5) day block of vacation time, excluding weekends (a minimum of 7 consecutive days off) each year. If a holiday falls during an employee's scheduled vacation, the vacation may be extended, or the employee may schedule the fifth (5th) day for a later time, so long as the employee has been away from their position for at least seven (7) full days.
- 6) Advances on vacation will not be granted - at no time may an employee take leave in excess of their accumulated balance.
- 7) ***No employee shall be permitted to carry more than 360 hours of vacation time forward to the next calendar year. Any accrued hours in excess of 360 hours as of June 30 each year will be paid to the employee in the next regularly scheduled payroll at his or her regular rate of pay at the end of the year.***

PERSONNEL RULES

- 8) Employees on authorized leaves of absence of 30 days or less will continue to accrue vacation; employees will not earn vacation when on leave for more than 30 days for any part of the absence.
- 9) No sick leave occurring immediately before or after an employee's scheduled vacation will be paid without a doctor's certification of the illness and the employee's inability to work as a result.
- 10) All accrued, but unused vacation time, will be paid upon termination of employment at the employee's current hourly or salaried rate of pay at the termination of employment.

c. Sick Leave

It is City of Willows' intention to provide a method of furthering the health and general welfare of its employees, while establishing standards to ensure maximum and reasonable job attendance. Therefore, sick leave should not be viewed as a right to be used at an employee's discretion, or as a permissive level of absence. It is a privilege of paid time away from work, when such absence is necessary.

- 1) Earned: Sick leave will be earned by all employees who work at least 30 days a calendar year for the City of Willows. However, no sick leave may be used until successful completion of an employee's probationary period.

Sick Leave will be earned as follows:

Employee Category	Hours Accrued
Full Time, Permanent	8.00 per full month
Part-Time, Seasonal, Temporary	1 hr./30 hrs. worked

Sick leave will not accrue during any absence from work for 30 days or more for any reason other than paid vacation or holidays.

- 2) Use: Sick leave is authorized when an employee is unable to work due to a disabling injury, illness, or contagious condition, or when the employee is required to attend to the critical illness/injury of the employee's child, parent, spouse or domestic partner. Sick leave approval will be based on accrued balances prior to the current pay period for absences during the current pay period. Sick leave may not be used in advance of being earned.
- 3) Doctor's Certificate: Any period of sick leave of more than three (3)

PERSONNEL RULES

consecutive days must be supported by a certificate from a physician. The employees Department Head or City Manager may require the employee to provide a physician's certification of illness at any time and for any period of absence.

- 4) Holidays & Vacation Occurring During Sick Leave: Every request to use sick leave in conjunction with a paid holiday, or in conjunction with or during a paid vacation, must be supported by a certificate from a physician.
- 5) Reporting Sick Leave: In the event an employee is ill and unable to work, he or she must personally speak with their supervisor or manager at least one-half hour prior to the start of their work shift on the day of the absence. The expected duration of the absence is to be reported at that time if at all possible. The employee must contact either their supervisor, or another manager each day they are absent.
- 6) Compensation: Compensation paid to the employee during the period of sick leave will be at the regular rate of pay and the number of hours each employee is regularly scheduled to work.
- 7) Termination: Sick leave accrued but not used will NOT be paid upon termination of employment. In the event an employee retires directly from City service, accrued but unused sick leave will be added to the employee's service time.

d. Bereavement Leave

- 1) A regular full-time employee may be granted up to three (3) days of paid bereavement leave following the death of a member of his or her immediate family. For purposes of this leave, immediate family shall mean father, father-in-law, mother, mother-in-law, step-parent, brother, sister, wife, husband, child, grandparent, grandchild or legal ward.
- 2) If an employee requires more than three days, he/she may request additional time from his/her supervisor, and take such additional time as unpaid, vacation or sick leave.
- 3) The employee must substantiate the need for such leave, such as providing a copy of the death certificate, newspaper obituary, proof of travel, etc.
- 4) An employee may request one (1) day of unpaid leave to attend the funeral of a friend who is not one of the family members set forth above. If the City's requirements permit the absence, the employee's supervisor will grant the leave.

PERSONNEL RULES

e. Jury Duty and Witness Duty

- 1) An employee will be granted leave for jury duty as required by law. In the event a regular full-time or part-time employee is required to serve on a jury, the City will pay the difference between regular salary and jury duty pay. The employee must submit copies of the jury summons to his/her supervisor as soon as possible prior to the jury date and submit jury duty pay slips to his/her supervisor after jury duty is completed.
- 2) Any employee who has a day or half-day off from jury duty is expected to return to the City to work for that time.
- 3) An employee who is required by law to appear in a non-work related court case as a witness may take vacation or unpaid time off for the appearance. The employee must provide his/her immediate supervisor with reasonable advance notice.

f. Voting Time

Employees who are registered to vote may take up to two (2) hours of paid time off to vote. The employee must give at least two (2) days' notice prior to the election that they need time off for voting at either the beginning or the end of their day. The Employee's supervisor may ask for a voting receipt. Employees may serve as election officials on election day. Such time off will be without pay.

g. Unpaid Leaves of Absence

- 1) Employees may from time-to-time face circumstances which require them to take extended leaves of absence. The circumstances necessitating such leave vary widely, may require certain procedures or may entitle the employee to certain protections under the law. Accordingly, it is not possible to set forth rules which cover all such leaves of absence. If any employee believes that he or she must take such leave, please contact the City Manager immediately.
- 2) Generally, no such leave may ever exceed six (6) months. The employee must request the leave in writing no less than thirty (30) days before the leave is to begin, if possible, giving the reason why such leave is necessary, and the dates on which the leave is to begin and end.
- 3) Any such leave must first be approved by the City Manager, who must find that the leave will not significantly adversely affect the operations of the Willows. Should the City Manager approve the leave, it shall be submitted to the City Council for final approval. The Council shall, in its sole discretion, either approve or disapprove the leave as requested, or approve some lesser time than requested, at its first meeting after the employee has submitted the request.
- 4) In the event any such leave is approved, the employee must use all accrued vacation and all accrued sick leave. After all vacation and sick leave is exhausted, any such remaining portion of the leave will be unpaid.

PERSONNEL RULES

- 5) The employee will not accrue vacation or sick leave while on such leave of absence, and shall not receive holiday pay for any holiday occurring during the leave. The foregoing is not applicable if the leave of absence is due to the serious illness or injury of the employee or a member of the employee's family.
- 6) The employee may continue insurance coverage through the City during any such leave, but must bear the entire cost of such insurance coverage during the leave, and shall pay the City for such coverage in advance. If the leave of absence is due to the serious illness or injury of the employee or a member of the employee's family, the City will continue to pay the City's share of such insurance overages.
- 7) In the event the leave of absence was due to any illness or injury of the employee, the employee shall submit a certificate from his or her physician certifying that the employee can return to work and setting forth any restrictions or limitations on the employee's ability to perform the essential functions of his or her position.
- 8) If the leave of absence is for the purpose of military service, the employee will have all of the protections of Federal and California law, including the right to return to the employee's same or similar position, retention of seniority, and so forth.
- 9) The employee must give the City at least fifteen (15) days' notice prior to his or her intended return from a leave of absence.
- 10) Failure to return to work following the end of the leave of absence, or within three (3) days after release by your physician to return to work, will be construed as job abandonment and your employment will be terminated.
- 11) No employee on a permissive leave of absence pursuant to this section will be guaranteed that his or her position will be held or available, or that any comparable position will be available, upon the employee's intended return.

h. Unexcused Absences

- 1) An "unexcused" absence is an absence for which the employee has made no request, or one which has not been approved by the employee's supervisor or manager, and for which there are no extenuating circumstances justifying the employee's failure to seek and receive his or her supervisor's approval prior to the absence, as determined in the sole discretion of the City.
- 2) Unexcused absences are unpaid, and may subject the employee to disciplinary action up to and including termination.
- 3) Unexcused absences of three (3) days or more will be considered "job abandonment" and will result in the employee's termination of employment.

i. Attendance at Seminars, Outside Meetings and Travel

PERSONNEL RULES

The City of Willows recognizes that its employees are an important resource. Therefore, employees are encouraged to seek training and education in order to increase job competence and to prepare for possible future advancement.

A written record of all formal job-related training and education is maintained for each employee, whether the training is initiated by the City or the employee. Each employee is requested to inform their supervisor of outside activities which are undertaken to improve their competence. Memberships in professional associations related to the employee's work for the City are also encouraged.

It may periodically be necessary or desirable for an employee to participate in activities outside the normal work location, and it is the policy of the City of Willows to reimburse all reasonable and necessary expenses. (See Expense & Reimbursement Policy attached hereto as Exhibit A.) Employees attending these events must have prior approval. All travel arrangements must also be approved. Receipts for expenses incurred must be submitted immediately after the event to the Administrative Services Department for reimbursement. If cash advances are necessary, prior approval must be obtained.

If any reimbursement is due to the City because the amount of the cash advance or per diem exceeds actual expenses, the employee is to reimburse the City the difference immediately upon return from the event. Reimbursement of expenses will be made in accordance with the City's Expense & Reimbursement Policy, Exhibit A. Generally, however, reimbursement is available for the following:

- 1) Event registration fees.
- 2) Personal vehicle travel expenses to and from the event. However, travel expenses are not reimbursable if the distance does not exceed the normal distance an employee travels to and from work. Travel expenses are calculated from the employee's assigned work location.
- 3) Parking fees and bridge tolls.
- 4) Reasonable meal expenses.
- 5) Lodging.
- 6) Airline tickets or other transportation fares. Taxi/bus fares.

It is the employee's responsibility to clarify any questions regarding reimbursement of expenses prior to incurring the expense.

PERSONNEL RULES

CHAPTER 8 EMPLOYEE RESPONSIBILITIES

8.1 CONFIDENTIALITY

A. Employee Confidentiality

1. The City of Willows collects only such personal employee information as is necessary to meet all regulatory requirements and to ensure the City's benefits are made available to each employee. All employee information collected or maintained by the City is maintained on a confidential need-to-know basis. The City strictly complies with the Health Information Portability and Accountability Act of 1996 ("HIPAA") in its maintenance and use of any such personal identifying information.
2. However, all employees are reminded that, as public employees, certain information such as rates of pay, salary increases or adjustments, benefits provided, and so forth is public information.

B. Security and Confidentiality

1. Each employee must understand it is the City of Willows' policy to maintain strict control over access to records, computer information, and items of monetary value. It is contrary to the policy of the City for an employee to discuss, reveal, or to refer to possession of such information, either during or after the end of the employment relationship, other than as necessary to accomplish the duties assigned to the employee.
2. This includes all information about City employees' families, creditors and other employees. No employee will reveal such information to anyone, including friends, relatives, or the subject of the information, either voluntarily or by request other than those employees specifically authorized to make such disclosures and then only as prescribed by law.
3. Employees who are assigned keys, given special access to, or assigned job responsibilities in connection with safety, security, and confidentiality will be required to use sound judgment and discretion in carrying out their duties. Each employee will be responsible for any wrongdoing or acts of indiscretion.

8.2 OUTSIDE EMPLOYMENT AND CONFLICTS OF INTEREST

Employees shall not, directly or indirectly, engage in any outside employment or possess a financial interest which may conflict, in the City Manager's opinion, with the best interests of the City of Willows or interfere with the employee's ability to perform his/her assigned City job. Examples include, but are not limited to, outside employment which:

PERSONNEL RULES

- 1) Prevents the employee from being available for work beyond normal working hours, such as during emergencies or peak work periods, when such availability is a regular part of the employee's job;
- 2) Is conducted during the employee's work hours;
- 3) Utilizes City telephones, cellular telephones, computers, supplies or any other City resources, facilities or equipment;
- 4) Is employed with a firm which has contracts with or does business with the City; or
- 5) May reasonably be perceived by members of the public as creating a conflict of interest or one which otherwise discredits public service.

8.3 ANTI-DISRUPTION POLICY

Any conduct in the workplace or while on City time that is disruptive to the normal operations of City business or invades the rights of others will not be tolerated. While on City time, employees are expected to adhere to professional and work-related matters and to treat each other and the public with respect. This includes refraining while on City time from spreading rumors, gossiping or discussing non-business related information about others. Other disruptive conduct includes but is not limited to discrimination, harassment, threats, insults, intimidation, ridicule, profanity, vulgarity, stereotyping, physical or verbal abuse, ignoring the rights of others, and displaying insensitivity to the beliefs and customs of others.

8.4 POLITICAL ACTIVITIES

City employees may participate in political or partisan activities of their own choosing provided that City resources, including the employee's city work time, and property are not utilized, and the activity does not adversely affect the responsibilities of the employees in their positions. City employees may not campaign on City time or in a City uniform or while representing the City in any way.

A. City employees may not:

1. City employees may not use City facilities, supplies, equipment or vehicles for any campaign purpose. This includes (but is not limited to), copiers, fax machines, mail facilities, typewriters, telephones, automobiles, computers, e-mail, websites, and paper products or the reimbursement for usage of these facilities.
2. City employees may not solicit for a contribution to a political cause or campaign while on City property or City time or while in City uniform.
3. City employees may not have a petition available for signature at City Hall, or other City facility or vehicle.

PERSONNEL RULES

4. City employees may not allow others to use City facilities or equipment for political activities, except in accordance with established City policy for use of public meeting space when it is the employee's responsibility to manage the use of that space.

5. City employees may not use, or allow others to use, City funds for political activities.

B. City employees may:

1. City employees may, on their own time and not with the use of City property or equipment, participate in campaign-related activities.

2. City employees may, on their own time and not in a City facility, gather petition signatures, wear lapel buttons, distribute material, speak before groups, write letters to the editor or display campaign stickers on their personal car. Private employee vehicles displaying bumper stickers may be parked on public property.

3. City employees may identify their position with the City in a letter to the editor (written on their own time). They may not imply that they are expressing an opinion on behalf of the City.

4. City employees may, in the course of work, respond to a political inquiry by providing routine factual information.

5. City employees may respond to requests for public records even if the records will be used in support of or opposition to a measure or candidate, so long as the record isn't exempt from disclosure under state law.

6. City employees may, under the direction of the City Manager, prepare and distribute to citizens neutral factual information relevant to a ballot proposition, if such action is part of the normal and regular conduct of the City.

Except as noted in this policy, City employees are otherwise free to fully exercise their constitutional First Amendment rights.

8.5 NO SMOKING POLICY

A. Smoking Prohibited in City vehicles and facilities: For health and safety considerations, the City prohibits smoking by employees in all City vehicles and facilities, including City-owned buildings and offices or other facilities rented or leased by the City, including individual employee offices.

B. Outdoor Smoking Restrictions: Smoking is prohibited within twenty-five (25) feet of any entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited. This prohibition also applies to all work areas and any area which employees are required to pass through during the course of employment. The following direction identifies where and when City employees may and may not smoke.

PERSONNEL RULES

1. Because California law prohibits any person from smoking at a place of employment, members of work crews are prohibited by law from smoking at any worksite locations. While at a worksite, an employee may only smoke while on his or her break, and the employee must be at least 25 feet from other working City employees. An employee who smokes on a break must do so at least 25 feet from all entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited.
2. This prohibition expressly includes shop areas and work bays, and their associated offices and support areas. Anyone smoking must remain at least 25 feet from all entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited.
3. Smoking on City Hall property is prohibited.

8.6 CITY PROPERTY / PERSONAL POSSESSIONS / PRIVACY LIMITATIONS

A. City Property/Privacy Limitations:

1. The City of Willows may furnish desks, closets and/or lockers for security of employee coats, purses and other personal possessions. The City does not, however, assume responsibility for any theft or damage to the personal belongings of employees.
2. Employees should have no expectation of privacy when using such or any other City property. The City regards desks, closets, lockers, work spaces, telephones and voice mails systems, computers, City-issued cell phones and tablets, file cabinets and files, city vehicles, furniture and other City property, as well as data, programs, communications, messages and other property created on, acquired by, developed for or located in any City facility or equipment, either in printed or digital format, as City property. The City reserves the right to search all such devices and property, including any personal possessions contained in them when it determines that there is a security, health, or other appropriate reason to do so. Such reasons may include, without limitation: (i) the need to locate City property; (ii) health or safety concerns; (iii) reasonable suspicion of misconduct; (iv) termination of employee; or (v) for other business-related purposes. The City reserves the right to review the contents of any document or communication, created or stored on a City computer or phone system, including electronic mail, text messaging, and voicemail. Employees do not have a reasonable expectation of privacy in these areas or in any other City work areas or when using City equipment.
3. City equipment is provided at public expense to assist employees in carrying out official City business. While personal use of City equipment is prohibited, it is recognized that certain *de minimis* use may occur, e.g., the receipt of a personal phone call on a City-owned phone. It is the employee's responsibility to ensure the City of Willows incurs no cost as a result of any *de minimis* personal use of City equipment. Inappropriate or excessive use of City equipment for personal purposes may subject the employee to disciplinary action, up to and including termination.

PERSONNEL RULES

B. Personal Property:

1. The City recognizes that employees may need or want to bring personal property to work. The City permits employees to do so but asks its employees to refrain from bringing unnecessary or inappropriate personal property to the workplace. Any property that is not appropriate for the conduct of normal business, that may be disruptive to workflow, may pose a safety risk to employees or the public, or which violates the terms of any City policy may be considered unnecessary or inappropriate. It will be within the City's sole discretion to determine whether certain personal property is unnecessary or inappropriate.
2. The only personal property that an employee may be asked to use for City business is their personal vehicle. However, employees may choose to bring and use personal property in the performance of job duties. If personal property is used to perform job duties, employees must obtain written approval from a supervisor prior to its use and the property must comply with City standards.
3. It is the employee's responsibility to safeguard personal belongings. The City will not be liable for lost, damaged or stolen property of its employees and at no time will the City replace or reimburse an employee for personal property that an employee brings to the workplace. Employees are encouraged to exercise reasonable care to safeguard personal items brought to work. For example, employees should not bring valuables to work and should not leave personal items where they might be damaged or stolen.
4. Improper or excessive use of personal property brought onto City property or worksites or during work hours (for example, the excessive or inappropriate use of personal cell phones for personal phone calls, text-messaging, imaging or videotaping), may also result in disciplinary action, up to and including termination.

8.7 COMPUTER SYSTEM, INTERNET AND E-MAIL USE POLICIES

The City of Willows furnishes computers for employees' use in conducting City business. This includes access to e-mail and the Internet. The Internet contains many useful features, including e-mail to non-City resources, access to research materials, and information exchange. The purpose of this policy is to establish basic rules for employees' use of the City's computer system, including the Internet and Internet e-mail.

- A. The Internet can be misused in a variety of ways, including but not limited to:
1. Downloading files that contain viruses, thereby endangering City information services;
 2. Accessing objectionable material;
 3. Harassing, discriminating and/or bullying other City employees or members of the public;
 4. Illegally participating in political activity; and

PERSONNEL RULES

5. Wasting work time by performing unauthorized research or accessing non-business related information and people or for computer games, or online games.

B. Individual Responsibilities: Internet users are responsible for complying with this and all other City policies when using the City's resources for accessing the Internet. Violation of this policy is grounds for disciplinary action, up to and including termination.

C. General Policies for Use of the City's Computer System, Including the Internet:

1. An employee does not have a right to privacy when using the Internet via City resources and employees should not expect or assume any privacy regarding the content of email communications. The City expressly reserves the right to monitor and inspect the activities of the employee while accessing the Internet at any time, and to read, use and disclose e-mail messages. In addition, all software, files, information, communications, and messages (including e-mails) downloaded or sent via the Internet using City resources are the City's records and property of the City; such records are subject to potential review and disclosure under the public disclosure laws of the State of California. Even after an email message has been "deleted," it may still be possible to retrieve it.

2. The City Manager has the right to restrict or prohibit any employee from Internet access for violation of the policies set forth in this section 8.7. Violations may also result in disciplinary action, up to and including termination.

3. Internet use via City resources is for City business. Except as outlined here, use of City's computer, Internet and email services are for City business only. Some limited personal use is permitted, so long as it does not result in cost to the City, does not interfere with the performance of duties, is brief in duration and frequency, does not distract from the conduct of City business and does not compromise the security or integrity of City information or software. Such limited use shall not occur on "paid time," but is permitted immediately before or after work hours and during an employee's breaks. Examples of allowable personal use include accessing a weather report or news item on the Internet, or transmitting e-mail to a family member to assure safe arrival at home. Any personal use of the City's computer, Internet and email services must comply with all applicable laws and City policies, including anti-discrimination policies and Internet usage policy.

4. Internet use must comply with applicable laws and City policies including but not limited to all federal and state laws, and City policies governing sexual harassment, discrimination, intellectual property protection, privacy, public disclosure, confidentiality, misuse of City resources, information and data security.

5. The City's computer system permits employees to perform jobs, share files, and communicate internally and with selected outside individuals and entities in the performance and conduct of City business. However, employees are prohibited from gaining unauthorized access to another employee's e-mail messages, or sending messages using another employee's password.

PERSONNEL RULES

6. In order to prevent potential City liability, it is the responsibility of all Internet users to clearly communicate to the recipient when the opinions expressed do not represent those of the City of Willows.
7. The City has the capability and reserves the right to access, review, copy, modify and delete any information transmitted through or stored in its computer system. The City may disclose all such information to any party (inside or outside the City) it deems appropriate and in accordance with applicable law. Accordingly, employees should not use the computer system to send, receive or store any information they wish to keep private. Employees should treat the computer system like a shared file system—with the expectation that files sent, received or stored anywhere in the system will be available for review by any authorized representative of the City for any purpose, as well as the public if a proper request is made for public records.
8. Good judgment should always be employed in using the City's e-mail and Internet systems. Employee e-mail messages may be read by someone other than the person(s) to whom they were sent. E-mail inconsistent with the City's policies must be avoided. For example, it is prohibited to make jokes or comments which could offend someone on the basis of gender, race, age, religion, national origin, disability or sexual orientation. These comments would be in direct conflict with the City's policies prohibiting discrimination and harassment. Accordingly, employees should create and send only courteous, professional and businesslike messages that do not contain objectionable offensive or potentially discriminatory material.
9. Caution should be taken in transmitting confidential information on the computer system. Employees should use due care in addressing e-mail messages to assure messages are not inadvertently sent to the wrong person inside or outside the City. Special care should be exercised when using the "REPLY ALL" feature on any e-mail system. E-mail creates a written record subject to court rules of discovery and may be used as evidence in claims or legal proceedings. Once sent, e-mail cannot be retracted. Even after deletion at a workstation, e-mail can be retrieved and read.
10. The safety and security of the City's network and resources must be considered at all times when using the Internet. Any programs from a non-current source (i.e., software that is not purchased in original diskette or CD ROM format) or which involve executable or binary files must not be downloaded or installed without prior permission from the Administrative Services Director, and without being properly scanned for viruses. Employees are not to share or reveal individual passwords to anyone other than an authorized member of IT.
11. There is a wide variety of information on the Internet. Some individuals may find information on the Internet offensive or otherwise objectionable. Individual users must be aware that the City has no control over available information on the Internet and cannot be responsible for the content of information.
12. Prohibited Uses of the Internet: The following is a non-exclusive list of prohibited uses of the Internet and Internet e-mail:

PERSONNEL RULES

- a. Commercial use – any form of commercial use of the Internet is prohibited;
- b. Solicitation – the purchase or sale of personal items or non-business items through advertising on the Internet is prohibited;
- c. Copyright violations – the unlawful reproduction or distribution of copyrighted information, regardless of the source, is prohibited;
- d. Discrimination / Harassment / Bullying – the use of the Internet to send messages or other content which is abusive or offensive, harassing, derogatory, discriminatory to employees, citizens, vendors or customers is prohibited;
- e. Political – the use of the Internet for political purposes is prohibited;
- f. Aliases / Anonymous messages / misrepresentation – the use of aliases or transmission of anonymous messages is prohibited. Also, the misrepresentation of an employee's job title, job description, or position with the City is prohibited;
- g. Social networking sites – the accessing and/or creation of social networking sites, such as Snapchat, Facebook, Twitter, blogs and similar sites is prohibited for non-city business purposes;
- h. Instant messaging;
- i. Misinformation / Confidential Information – the release of untrue, distorted, or confidential information regarding City business is prohibited;
- j. Viewing or Downloading of Non-Business Related Information - the accessing, viewing, distribution, downloading, or any other method for retrieving non-City related information is prohibited. This includes, but is not limited to, entertainment sites, pornographic sites, sexually explicit sites, chat rooms and bulletin boards;
- k. Unauthorized attempts to access another's network or e-mail account;
- l. Display or transmission of sensitive or proprietary information to unauthorized persons or organizations;
- m. Spamming e-mail accounts from the City's e-mail services or City machines.

D. Nothing in this chapter prohibits the use and access of the described systems for bona fide law enforcement and investigation purposes.

E. Personal E-mail Accounts. All City employees, including Council Members, are discouraged from using personal e-mail accounts to conduct City business. Because e-

PERSONNEL RULES

mails pertaining to the conduct of the City's business may be subject to disclosure under California's public records laws, personal e-mails and other personal materials may also be inadvertently disclosed. Therefore, use only City e-mail accounts for all City business.

8.8 WIRELESS COMMUNICATION DEVICES

A. Wireless communications devices include, but are not limited to, cellular telephones, wireless handheld devices and pagers. An employee's personal communications using City wireless communications devices should be limited, and employees are expected to exercise sound judgment in both the duration and frequency of such use. These devices should not be treated as if they were the employee's personal property. As with similar City property, such as telephones, although minor personal use of wireless communications devices is not prohibited by this policy, it must not interfere with the performance of the employee's work duties or normal business operations of the City. Employees must reimburse the City for costs that would not otherwise have been incurred by the City resulting from the employee's personal use of such devices.

B. The City reserves the right to monitor the use of all City-owned wireless devices to the extent they involve City business or are made during the employee's scheduled work time. Reasonable precautions should be made to prevent equipment theft, vandalism, and improper use of wireless device equipment and services.

C. Employee use of a personal wireless device shall be governed by and consistent with the guidelines provided for City-owned wireless devices, if the employee-owned wireless device is used for official City business and reimbursement is requested. Use of an employee-owned wireless device for City business should be limited to emergencies and situations where alternative means of communication are unsafe, inconvenient, or not readily available.

D. **Payment for Wireless Device Use:** Use of City wireless devices for local personal phone calls should be kept to a minimum; long distance personal use is prohibited. Recognizing that City supplies, services and equipment cannot be used for personal purposes, any person who is assigned a cellular telephone must make provision to assure payment for personal calls, whether by paying cash or signing an agreement to have the funds withheld from wages. An agreement form is available from the Administrative Services Department.

The billing for City-owned wireless device service shall be provided to the employee who has had use of a cellular telephone during the corresponding service period. It is the duty of the employee to note and certify on the City billing which calls were not related to City business or a public safety emergency. The billing shall be returned to the supervisor within five (5) business days, accompanied by information about the personal calls, if there is a cost incurred the employee will pay for the personal calls.

E. Employees should recognize that cellular transmissions are not secure; thus, employees should exercise discretion when relating confidential information during a cellular telephone call.

PERSONNEL RULES

F. Employees who abuse this policy for whatever reason may be subject to disciplinary action, including possible termination.

G. Use of Handheld Wireless Communication Devices While Driving is Prohibited:

Except as provided below, the use of handheld wireless communication devices, including but not limited to cellular telephones and tablets (including text messaging), is not permitted while operating a car or other moving vehicle unless a hands-free device is used. If a hands-free device is not used, all necessary phone calls must be made before leaving the previous location or after arriving at the next destination. In the event an employee must make or receive a call or message while driving, he/she must find a safe place to pull over and stop the vehicle.

Employees violating this policy are subject to disciplinary action up to and including termination.

8.9 USE OF CITY VEHICLES, EQUIPMENT AND SUPPLIES

Employees may not use other City supplies or equipment, including vehicles, for personal, non-City-business purposes; provided however, employees assigned emergency response duties may use City vehicles in accordance with applicable departmental policies. All City vehicles shall remain on City property while not in service, unless specifically authorized. An employee's misuse of City services, property, facilities, telephones, computers, email, vehicles, equipment or supplies can result in disciplinary action up to and including termination.

8.10 SEAT BELT POLICY

As required by California law, anyone operating or riding in City vehicles must wear a seat belt at all times.

8.11 DRIVER'S LICENSE REQUIREMENTS

A. Any employee operating a City vehicle, or using a motor vehicle for City business, must be at least 18 years of age and have a valid driver's license.

B. As part of the requirements for certain City positions, an employee may be required to hold a valid California driver's license and/or hold a valid commercial driver's license and continue to meet all the requirements for maintaining such licenses. If such an employee's license is revoked, suspended or lost, or is in any other way not current, valid and in the employee's possession, the employee shall promptly notify his/her Department Head and immediately suspend driving duties. The employee may not resume driving until proof of a valid, current license is provided to his/her Department Head. Depending on the duration of license suspension, revocation or other inability to drive, as well as the employee's usual duties, an employee may be subject to disciplinary action, including termination. An employee's failure to notify his/her Department Head of such a license suspension, revocation or other license disqualification may also result in disciplinary action, up to and including termination.

PERSONNEL RULES

C. Periodic checks of employee's driver's licenses through visual and/or formal State Department of licensing review checks may be made by the City. Employees who do not hold a valid driver's license must not operate a City vehicle until such time as a valid license is obtained.

8.12 ACCIDENT PREVENTION AND SAFETY

A. It is the City's intent to provide safe working conditions for its employees. Every employee is responsible for maintaining a safe work environment and following the City's safety rules. Copies are available in Community Development Department. Employees shall promptly report all unsafe or potentially hazardous conditions to their Department Head. The City will make every effort to remedy problems as quickly as possible.

B. The City encourages the promotion of accident prevention and safety education at regular department/division safety meetings. Employees in certain jobs or when performing certain tasks, operating equipment or as otherwise instructed are required to use personal protective equipment provided by the City, such as safety vests/glasses, hearing protection, gloves and/or hard hats. Employees are prohibited from removing guards or other protective devices from machinery and equipment or in any way tampering with or disabling safety measures. Violations of safety requirements may result in discipline, up to and including termination.

C. In case of an accident involving personal injury or damage to property regardless of how minor or if a motor vehicle is involved in a collision of any kind, any involved employees shall immediately notify their supervisor or Department Head or designee. In any accident that results in serious property loss or bodily injury, it is the City's policy to test the employee for drugs or alcohol use, to confirm that the use of drugs or alcohol was not a factor in the accident. In addition, no City employee is permitted to engage in conduct after an accident or injury occurs, that will negatively impact the City's or law enforcement's investigation of the accident.

D. **On the Job Employee Injuries:** When an on-the-job injury occurs, employees are to report to their immediate supervisor each injury or illness regardless of the degree of severity. As soon as possible after an accident or occupational illness is discovered, the employee must complete the City's Personal Injury Accident/Report form and submit it to the Director of Administrative Services within twenty-four (24) hours. If applicable, the employee is responsible for completing the California Employer's First Report of Occupational Injury or Illness form. Supervisors are required to complete the "Illness or Injury" portions of the form (numbers 7 – 28), and submit the form to the Administrative Services Director within 24 hours. Should the injury require attention beyond basic first aid, the employee should be transported for medical attention as quickly as possible. In cases of serious injury, an ambulance should be summoned immediately. If an employee will be absent from work for more than three (3) days, the employee or his/her representative should contact his or her Department Head or Administrative Services Director regularly to keep the City informed of their progress and intent to return to work.

E. **Accidents/Incidents:** Employees shall report any work-related accidents involving a third party personal injury and/or damage to public/private property or equipment, regardless how minor, to their immediate supervisor, Department Head and Human

PERSONNEL RULES

Resources. Such report shall be made as soon as possible, but in no event later than one (1) hour following such accident. So that an accident may be timely reported, the initial report may be given verbally. Accident report forms are available from supervisors or Human Resources. A written accident report shall be completed by the employee as soon as possible and, unless the employee is medically unable to, no later than twenty-four (24) hours following the accident, or sooner if required by the employee's Department Head or Human Resources.

Employees shall compile any reports requested by their supervisor, Department Head and/or Human Resources. In the case of a vehicular accident, the employee shall immediately notify the law enforcement agency having jurisdiction, which shall determine whether or not an accident investigation and/or police incident report is necessary. If required, a State Motor Vehicle Collision Report shall be completed by the employee.

8.13 SAFE WORKPLACE

A. The City is committed to providing a safe and secure work environment for employees, contractors, visitors, and the general public. In an effort to prevent the possibility of violence in our workplace, the City has implemented this Safe Workplace policy. The City strictly prohibits threatened or actual workplace violence. This includes, but is not limited to, the following types of behavior:

- Bullying, engaging in abusive conduct, threatening injury or damage against a person or property;
- Fighting or threatening to fight with another person;
- Stalking, following, or invading another employee's personal life;
- Violation of section 8.14 regarding the use or possession of a weapon on City premises;
- Engaging in shoving, fighting, blocking, impeding another person, even if done "all in fun";
- Abusing or injuring another person;
- Using obscene or abusive language or gestures in a threatening manner;
- Raising voices in a threatening manner; and
- Any other behavior that causes others to feel unsafe.

Because of the potential for misunderstanding, joking about any of the above misconduct is also prohibited. Any employee who violates this policy will be subject to immediate discipline, up to and including termination.

PERSONNEL RULES

B. **Reporting Procedure:** Any employee who reasonably believes that a situation with an aggressive employee, member of the general public, or other party (e.g., any person who uses obscene or abusive language or gestures, makes threats, or acts in a violent or threatening manner) may or has become violent should immediately leave the area and call 911. The employee should also report the situation to his/her supervisor and Department Head. If the supervisor and director are unavailable or are part of the violence, the employee shall report the situation to Human Resources. Once the situation has been defused, the supervisor or Department Head must contact Human Resources to initiate a full investigation. The report will be investigated and the appropriate disciplinary or corrective action will be taken.

C. **Duty to Report Protective orders:** Any employee who is the subject of or protected by a domestic violence protective order or civil protective order, shall immediately report the existence of the order to his/her Department Head or Human Resources Director.

D. **Duty to Report Criminal Arrests and Convictions:** Any employee who is arrested or convicted for a felony, gross misdemeanor or misdemeanor offence shall immediately report such arrest or conviction to his/her Department Head.

8.14 FIREARMS AND DANGEROUS WEAPONS

A. In order to facilitate a safe work environment, employees are prohibited from bringing, carrying, exhibiting or using any dangerous weapon in the workplace or into a City facility. This includes, but is not limited to, a weapon for which employees have a valid permit. "City facility" means all areas within the ownership and/or control of the City, and includes, but is not limited to, offices, buildings, city vehicles, desks, cabinets, lockers, or storage areas. The term "dangerous weapon" includes, but is not limited to:

- Any firearm, rifle or handgun, whether such person has a license or permit to carry such firearm or not, and whether such firearm is concealed or not.
- Any knife, sword, dagger, or other cutting or stabbing instrument, with a blade of a length of three inches or more, or any razor with an unguarded blade, whether such weapon or instrument is concealed or not.
- Any instrument or weapon of the kind usually known as a slingshot, taser, throwing star, bow, sand club, blackjack, metal knuckles, or any stick, chain, metal pipe, bar, club or combination thereof including a device known as nunchuk sticks, or any device having the same or similar components or parts, whether or not connected by a rope, chain or other device, or any explosive or poison or injurious gas (excluding those normally used in the course of one's employment duty), or any other instrument capable of producing bodily harm, whether such instrument or weapon is concealed or not.
- Carrying, exhibiting, displaying or drawing any firearm, dagger, sword, knife or any explosive device, cutting or stabbing instrument, club or any other object capable of producing bodily harm where held or used, in a manner,

PERSONNEL RULES

under circumstances, and at a time and place that either manifests an intent to intimidate another or that warrants alarm for the safety of another person or persons.

B. This policy does not apply to or affect the following:

- Any person who is vested by law with a duty to preserve public safety, maintain public order, or to make arrests for offenses, for which the job requires possession of the dangerous weapon in question, while in the performance of such duty.
- Any person making or assisting in making a lawful arrest for the commission of a felony.
- Any situation where an employee's job duties require the carrying or use of explosives, poisons or other potentially dangerous chemicals or devices, while in the performance of those duties and only as it relates to those items.
- Other exceptions as may be authorized in writing by the City Manager.

C. Any employee violating this policy may be subject to disciplinary action, up to and including termination.

8.15 SUBSTANCE ABUSE

A. The City recognizes alcoholism and drug abuse have an adverse effect on job performance and public safety. The City's policy on substance abuse reflects its concern for the well-being of the employee and the safety of other employees and members of the public.

B. The City of Willows strictly prohibits the possession, consumption, sale, distribution, or being under the influence of, alcohol or controlled substances in the workplace or during work time. Such prohibition includes both medical and recreational marijuana and all derivatives of marijuana plants. When employees are on the job, they are expected to be free from any impairment or substance which would contribute to an injury, accident, property damage, or interfere with productivity. They are to be free of illegal drugs or potentially impairing levels of legal substances. In short, all employees are expected to be "drug- and alcohol-free" and "fit for work."

C. The possession and use of medically prescribed and over-the-counter drugs during work hours is permissible, provided:

1. The prescription drugs are specifically prescribed by an authorized health care provider for the use of that employee and use of prescription or over-the-counter drugs complies with the recommended dosage and usage.
2. The use of such drugs does not impair the employee's perception, attention, alertness or ability to safely perform his or her job duties.

PERSONNEL RULES

3. An employee who needs to use or be under the influence of prescription or over the counter drugs while at work, must inform his or her supervisor each time any such drugs are used.
4. Depending on the circumstances, employees may be reassigned, prohibited from performing certain tasks, or prohibited from working while using the medication.

D. Availability of Rehabilitation or Treatment: Employees who are concerned about alcohol or drug use are encouraged to seek counseling, treatment and rehabilitation. Although the decision to seek diagnosis and accept treatment is completely voluntary, the City is committed to assisting employees who voluntarily come forward to overcome substance abuse problems, on the condition the employee utilizes the EAP before the performance problems occur. In most cases, the expense of treatment may be fully or partially covered by the City's benefit program. In recognition of the sensitive nature of these matters, all discussions between the employee and the EAP provider will be kept confidential. Employees who seek advice or treatment prior to a performance problem will not be subject to retaliation or discrimination. Continued poor performance or failure to successfully complete an assigned rehabilitation program, however, may be grounds for discipline, up to and including termination. Also, if a disciplinary course of action has already begun before an employee requests assistance through EAP, the City may continue on that disciplinary course, and if termination occurs, access to the EAP services may terminate, unless the employee extends health care coverage through COBRA.

E. When Job Performance is Affected: Although the City is concerned with rehabilitation, disciplinary action may be taken when an employee's job performance is impaired because the employee is under the influence of, or affected by the use of, drugs or alcohol. The City may discipline or terminate an employee who possesses, consumes, sells, purchases, distributes or uses alcohol or controlled substances (other than those legally prescribed) during work hours. The City may also discipline or terminate an employee who reports for duty or who works under the influence of, or is affected by, alcohol or controlled substances. An employee may be required to submit to alcohol or controlled substance testing when the City has reasonable suspicion the employee is under the influence of controlled substances or alcohol. Employees involved in accidents which require medical attention or result in a non-trivial amount of property damage may be subject to a drug and/or alcohol screen. Refusal to submit to City-requested testing may result in immediate disciplinary action, up to and including termination.

F. Prohibitions:

1. The unauthorized use, sale, distribution, purchase or possession of alcohol or controlled substances at the work site or during work hours is prohibited and shall be grounds for discipline up to and including dismissal.
2. The use of City property or the employee's position within the City to make or traffic intoxicants, illegal drugs or controlled substances may be grounds for discipline, up to and including discharge.

PERSONNEL RULES

3. Any other use, possession or trafficking of intoxicants, illegal drugs or controlled substances in a manner which is detrimental to the interest of the City may be grounds for discipline up to and including discharge.

4. Reporting to work (including overtime call-outs) under the influence of alcohol or drugs, or any substance which impairs an employee's mental or physical capacity, will not be tolerated. Under no circumstances will an employee be allowed to operate equipment or drive a motor vehicle when it reasonably appears an employee's ability to do so is impaired. Any employee using medication or prescribed drugs which may impair job performance shall report this fact in writing to his/her supervisor.

G. **Supervisor Responsibilities:**

1. If a supervisor has reasonable grounds to believe an employee is under the influence of alcohol or drugs when reporting for work or during the work shift, the supervisor has an obligation to verify the employee's condition and relieve the employee of his/her duties. The supervisor should seek the opinion of at least one additional supervisor or Department Head, if practical.

2. The possibility of City or supervisor liability exists if an employee who is under the influence of alcohol or drugs is allowed to remain working, operate or drive vehicles or equipment on the job or drive a private vehicle from the work site. An employee who is believed to be under the influence of alcohol or drugs should not be allowed to operate equipment or drive a vehicle, including a private vehicle, until it is determined the employee possesses the ability to safely operate the equipment or drive a vehicle. If an employee is impaired, a supervisor should transport or arrange transportation of the employee to a medical facility or the employee's home, as appropriate.

3. A supervisor and/or Department Head who observes a continuing decline in an employee's job performance or attendance is encouraged to refer the employee to the EAP when usual supervisory actions have failed to yield improvement. In cases where other management methods have failed to improve an employee's job performance, the Department Head has the option to mandate an employee's participation in a structured screening and treatment program as an alternative to dismissal for unacceptable job performance. The employee's compliance with recommendations by the EAP is voluntary. Use of the program is confidential and does not replace normal disciplinary procedures for unsatisfactory job performance.

H. **Notification Requirement:** Employees must notify Human Resources of any criminal drug conviction for a violation occurring in the workplace or during work hours within five (5) days after the conviction. Appropriate disciplinary action shall be taken against the employee with respect to the conviction, up to and including termination. If the employee is not terminated, participation in an approved drug abuse assistance or rehabilitation program may also be required.

I. **Drug and Alcohol Testing – All Employees:** The City may require an employee to submit to appropriate tests, including urinalysis, to confirm the existence of alcohol or prohibited drug or substance in his or her system when:

PERSONNEL RULES

1. Following an offer of employment but prior to commencing work;
2. the City has a “reasonable suspicion” the employee may be under the influence of, or affected by, drugs or alcohol while on duty; and/or
3. The employee, is involved in a workplace or work-time accident which results in a fatality or serious injury, or results in a non-trivial amount of property damage, or in which the employee is cited under state or local law for a moving traffic violation.
4. “Reasonable suspicion” may be based on contemporaneous observations by a supervisor or other person or upon an employee’s admission to having consumed or used drugs or alcohol.
5. An employee’s refusal or failure to permit such tests upon the City’s request is cause for disciplinary action, up to and including termination.

J. **Drug-Free Workplace:** Based on the federal Drug-Free Workplace Act of 1988, the manufacturing, distribution, dispensation, possession or use of unlawful drugs or alcohol on City premises or during work hours by City employees is strictly prohibited. Employees also must notify the City within five (5) days of any conviction for a drug violation occurring in the workplace or during work hours. Violation of this policy can result in disciplinary action, up to and including termination. Continued poor performance or failure to successfully complete a rehabilitation program is grounds for termination.

8.16 BULLETIN BOARDS

Information of special interest to all employees is posted regularly on the City of Willows bulletin boards. Employees may not post any information on these bulletin boards without prior authorization of the City Manager or his/her designee.

8.17 CONTACT WITH THE NEWS MEDIA

The City Manager, employees designated by City Manager or designated Department Heads are responsible for all official contacts with the news media during working hours, including answering questions from the media. The City Manager or Department Head may designate specific employees to give out procedural, factual or historical information on particular subjects. Other employees should refer questions from the media to the City Manager or designated media representative.

8.18 SOLICITATIONS

Most forms of selling and solicitations are inappropriate in the workplace. They can be an intrusion on employees and citizens and may present a risk to employee safety or to the security of City or employee property. The following limitations apply:

1. Persons not employed by the City may not solicit, survey, petition, or distribute literature on City premises at any time. This prohibition includes, but is not limited to, persons soliciting for charities, salespersons, questionnaire surveyors, or

PERSONNEL RULES

any other solicitor or distributor. Individuals who wish to do business with employees of the City shall be referred to the City Manager's office.

2. Employees may not solicit others for any purpose during work time. Reasonable forms of solicitation are permitted during non-work time, such as before or after work or during meal or break periods. Employees who are on non-work time may not solicit other employees who are on work time.



Date: September 22, 2026

To: Honorable Mayor and Councilmembers

From: Marti Brown, City Manager

Subject: Executive and Mid-Management Benefits Summary & Handbook

Recommendation:

Consider and adopt the 2026 Executive and Mid-Management Benefits Summary & Handbook or continue the item to the October 13, 2026, Council meeting for further consideration and discussion.

Rationale for Recommendation:

Department heads and mid-management employees receive certain benefits that differ from those provided to non-management and represented employees. Accordingly, establishing a separate Management Benefits Handbook provides a practical and transparent means of consolidating and documenting the benefits applicable specifically to management classifications.

Background:

For the past two years, the City Manager has been working with RGS Consulting to comprehensively update the City's 2017 Personnel Rules. With the draft Personnel Rules now complete, this is an appropriate time to develop a separate benefits summary and handbook for the City's management team that clearly identifies and consolidates the benefits unique to management classifications.

Maintaining a separate management benefits document is also a common municipal practice and provides greater clarity and consistency in the administration of benefits that differ from those provided to represented and non-management employees.

Discussion & Analysis:

The Handbook (Attachment 1) highlights benefits that are both unique to management classifications and not included in the Personnel Rules, including:

- Administrative Leave,
- Cost of Living Increases (COLA) when a manager has reached the top step of their job classification,
- Life Insurance,
- Health Insurance,

- Education Incentive,
- Bilingual Pay,
- Longevity Pay,
- Mobile Phone Stipend,
- Uniform Allowance, and
- Recording Time by Exempt Employees (e.g., “flex time”).

Many of these benefits are also extended to non-exempt, represented employees, which are available in their respective Memorandums of Understanding.

New Recommendations:

Uniform Allowance: Currently, the City does not provide a uniform allowance for the Fire Chief, Police Chief, or Superintendent of Public Works. The Superintendent of Public Works does, however, receive an annual boot allowance of \$250.

Staff recommend establishing an annual uniform allowance of \$1,000 for the Fire Chief and Police Chief and \$500 for the Superintendent of Public Works, with the Superintendent’s uniform allowance replacing the existing boot allowance.

Providing uniform allowances for these classifications is a common municipal practice and recognizes the professional attire, uniforms, footwear, and related items associated with their respective positions. Generally, annual uniform allowances for Fire and Police Chiefs range from approximately \$1,000 to \$1,500, while allowances for Public Works Superintendents typically range from approximately \$400 to \$800. The proposed allowances are therefore within customary municipal ranges and provide a reasonable benefit for each classification.

Severance: While not included in the attached Management Benefits Handbook, staff recommend that the Council consider establishing severance benefits for employees terminated without cause. Specifically, staff recommend providing department heads with severance equivalent to 90 days of full-time salary and mid-level managers with severance equivalent to 60 days of full-time salary after 12 months or more of service.

For at-will management employees who do not have individual employment contracts, severance upon termination without cause is an established practice in California local government. City of Willows managers do not have employment contracts. They are at-will employees.

Fiscal Impact:

There is no fiscal impact by adopting the attached Executive and Mid-Management Benefits Summary & Handbook.

Attachments:

- Attachment 1: Executive and Mid-Management Benefits Summary & Handbook.

CITY OF WILLOWS EXECUTIVE AND MID-MANAGEMENT BENEFITS SUMMARY & HANDBOOK



Effective July 1, 2025

Table of Contents

STATEMENT OF PURPOSE	4
ARTICLE I - GENERAL PROVISIONS	4
DEFINITIONS	4
EXECUTIVE AND MID-MANAGEMENT STATUS	6
RECOGNITION	6
DISCRIMINATION PROHIBITED	7
USE OF CITY FACILITIES	7
ARTICLE II - DIRECT PAY FOR SERVICE	7
SALARY INCREASES	7
COST OF LIVING ADJUSTMENT (COLA)	8
ANNIVERSARY FORMULA	8
APPLICATION OF RATES	8
ADVANCEMENT	9
REVISION OF SALARY RANGES	9
OVERTIME COMPENSATION AND COMPUTATION	9
PAY PERIODS	10
WORK PERIOD	10
ARTICLE III - INDIRECT PAY, ALLOWANCE, BENEFITS, STIPENDS	10
RETIREMENT	10
RETIREMENT PLAN	10
LIFE INSURANCE	11
HEALTH INSURANCE	11
EDUCATION INCENTIVE	11
BILINGUAL PAY	11
LONGEVITY PAY	12
MOBILE PHONE STIPEND	12
UNIFORM ALLOWANCE	12
ARTICLE IV - ATTENDANCE AND LEAVE	12
ATTENDANCE	12
RECORDING TIME BY EXEMPT EMPLOYEES	12
HOLIDAYS	13
VACATION LEAVE	13
ADMINISTRATION LEAVE	14
SICK LEAVE	15
SHORT-TERM DISABILITY	15

3333333OTHER AUTHORIZED LEAVES OF ABSENCE	16
ARTICLE V - SPECIAL PROVISIONS	17
RESIDENCY REQUIREMENT	17
REST PERIODS	17
LAYOFF	17
ARTICLE VI – MANAGEMENT CONCERNS AND ADMINISTRATIVE REVIEW	18
PURPOSE	18
INFORMAL REVIEW	18
NO FORMAL GRIEVANCE OR APPEAL RIGHT	18
NON-RETALIATION	18
ARTICLE VII - DISCIPLINARY ACTION AND PROCESS	19
AT-WILL EMPLOYMENT	19
AUTHORITY	19
CORRECTIVE OR DISCIPLINARY ACTION	19
TERMINATION	19
NOTICE	20
NO FORMAL DISCIPLINARY APPEAL	20
PROTECTED RIGHTS	20
ARTICLE VIII - RESOLUTION, FULL UNDERSTANDING, AND NON-NULLIFICATION,	20
RESOLUTION	20
FULL UNDERSTANDING AND MODIFICATIONS	20
NON-NULLIFICATION CLAUSE	21
APPENDICES	22
Appendix I – Sick Leave	23
Appendix II – Vacation	24
Appendix III – Salary Schedule	25

STATEMENT OF PURPOSE

This document was created to provide orderly and consistent procedures for the administration of compensation, benefits, leave provisions, and other terms applicable to Executive and Mid-Management employees of the City of Willows (“City” or “Willows”).

Nothing contained herein shall be deemed to supersede applicable State or Federal law, City Ordinances, City Council Resolutions, adopted Personnel Rules and Regulations, or individual employment agreements.

Executive and Mid-Management employees covered by this Benefits Summary shall be governed by compensation, hours of work, leave benefits, insurance benefits, retirement provisions, and other employment terms established herein, together with applicable City policies and Personnel Rules and Regulations.

In the event of a conflict between this Benefits Summary and an individual employment agreement, City Council Resolution, Ordinance, or applicable law, the controlling agreement, Resolution, Ordinance, or law shall prevail.

ARTICLE I - GENERAL PROVISIONS

DEFINITIONS

The following terms, whenever used in this Executive and Mid-Management Benefits Summary, shall be defined as follows:

Advancement: A salary increase within the limits of the salary range established for an Executive or Mid-Management classification.

Allocation: The assignment of a position to the appropriate classification based upon the duties performed and the authority and responsibilities exercised.

Appointed Position: The formal appointment of the City Manager by the City Council.

At-Will Employee: An Executive or Mid-Management employee who serves at the pleasure of the City Manager and whose employment may be terminated by the City Manager or the employee at any time, with or without cause, subject to any applicable individual employment agreement, City ordinance, resolution, or law.

The existing City of Willows Executive and Mid-Management Benefits Plan identifies these classifications as confidential and at-will.

City: The City of Willows.

City Council: The duly elected governing body of the City of Willows.

City Manager: The City Manager of the City of Willows or the City Manager's authorized designee.

Class or Classification: A position or group of positions sufficiently similar in duties, authority, responsibility, and qualifications to permit the use of a common classification title and salary range.

Compensation: The salary, wages, allowances, stipends, and other forms of compensation provided to an Executive or Mid-Management employee for services performed for the City.

Confidential Employee: An employee whose duties and responsibilities involve access to confidential information relating to City administration, personnel matters, labor relations, financial matters, or other information requiring confidentiality; and is not a member of a bargaining unit.

Demotion: The movement of an employee from one classification to another classification having a lower maximum salary range.

Department Head: An Executive employee assigned responsibility for directing and administering a City department, division, or major organizational function.

Executive Classification: A management classification designated by the City Council as an executive-level position with significant responsibility for directing a City department, function, or operation.

Executive and Mid-Management Employee: An employee occupying a classification designated by the City Council as Executive or Mid-Management and covered by this Benefits Summary.

Management Employee: For purposes of this Benefits Summary, a collective reference to Executive and Mid-Management employees.

Mid-Management Classification: A management classification designated by the City Council with responsibility for supervising, managing, administering, or coordinating a significant City program, division, function, or operation and reporting to the City Manager or a Department Head.

Personnel Rules: The Personnel Rules and Regulations adopted by the City of Willows, as amended from time to time.

Probationary Period: A working test period, when applicable to the classification or appointment, during which an employee is required to demonstrate satisfactory performance of the duties and responsibilities of the position. Nothing in a probationary period shall alter the at-will status of an Executive or Mid-Management employee unless expressly provided otherwise by law or written employment agreement.

Promotion: The movement of an employee from one classification to another classification and includes a higher maximum salary range.

Reclassification or Reallocation: The reassignment of a position to a different classification based upon significant changes in the duties, responsibilities, authority, or organizational needs of the position.

Resignation: The voluntary separation of an employee from City employment.

Salary Range: The minimum salary steps through maximum salary steps and compensation established by the City Council for a classification.

Salary Step: A designated rate of pay within an established salary range.

Separation: The end of an employee's employment with the City for any reason, including resignation, retirement, termination, death, or other lawful separation.

Termination: The separation of an employee from City employment. Executive and Mid-Management employees are at-will and may be terminated with or without cause, subject to applicable law, City ordinance or resolution, and any individual employment agreement.

Transfer: The movement of an employee from one position to another position within the same classification or to another classification of comparable responsibility and compensation.

EXECUTIVE AND MID-MANAGEMENT STATUS

Executive and Mid-Management employees are confidential, at-will employees and serve at the pleasure of the City Manager or Department Head unless otherwise provided by an individual employment agreement, City ordinance, City Council resolution, or applicable law.

Nothing contained in this Benefits Summary shall create a contract of employment for a specified term or alter the at-will status of an Executive or Mid-Management employee.

The City's existing management plan similarly provides that Executive and Mid-Management classifications are at-will and may be released with or without cause at the discretion of the appointing authority.

RECOGNITION

The City recognizes the Executive and Mid-Management classifications as confidential, at-will management positions of the City of Willows.

Employees covered by this Benefits Summary are not represented by a bargaining unit and shall be subject to compensation, benefits, leave provisions, Personnel Rules and Regulations, City Council resolutions, individual employment agreements, and other applicable City policies governing Executive and Mid-Management employees.

Executive and Mid-Management employees serve at the pleasure of the appointing authority unless otherwise provided by an individual employment agreement, City ordinance, City Council resolution, or applicable law.

DISCRIMINATION AND HARASSMENT PROHIBITED

The City of Willows is committed to providing a workplace free from unlawful discrimination, harassment, abusive conduct, and retaliation.

Executive and Mid-Management employees and applicants for employment shall not be subjected to unlawful discrimination or harassment based on any characteristic protected by applicable federal, state, or local law, including actual or perceived race, traits historically associated with race, color, national origin, ancestry, sex, pregnancy, childbirth, breastfeeding or related medical conditions, gender, gender identity, gender expression, sexual orientation, age, religion, religious dress or grooming practices, physical or mental disability, medical condition, marital status, citizenship status, military or veteran status, genetic information, or any other legally protected status.

The City also prohibits retaliation against any employee or applicant who, in good faith, reports discrimination, harassment, abusive conduct, or other unlawful workplace conduct, or who participates in an investigation, proceeding, or complaint concerning such conduct.

Executive and Mid-Management employees are expected to maintain a professional workplace and to comply with all City policies relating to equal employment opportunity, discrimination, harassment, retaliation, and respectful workplace conduct.

Violations of applicable City policies may result in corrective or disciplinary action, up to and including termination of employment.

USE OF CITY FACILITIES

Executive and Mid-Management employees may use City conference rooms, meeting areas, equipment, and other City facilities as necessary for the performance of their official duties and responsibilities.

Use of City facilities shall be for authorized City business and shall comply with applicable City policies, procedures, and operational requirements.

City facilities and resources shall not be used for unauthorized personal purposes or activities unrelated to City business.

ARTICLE II - DIRECT PAY FOR SERVICE

SALARY INCREASES

Executive and Mid-Management employees shall be paid in accordance with the salary schedule adopted by the City Council.

See Appendix III for the current adopted salary schedule.

COST OF LIVING ADJUSTMENT (COLA)

Once an Executive or Mid-Management employee reaches the highest step of the salary schedule established for their classification, the employee shall no longer receive salary step advancements and shall instead be eligible for an annual Cost of Living Adjustment (COLA).

The annual COLA shall be determined based upon the applicable Consumer Price Index (CPI) as of the close of the prior month before the employee's anniversary date and shall be no less than two and one-half percent (2.5%) and no greater than three percent (3.0%).

The annual COLA shall be determined as follows:

- If the applicable CPI is less than two and one-half percent (2.5%), the employee shall receive a two and one-half percent (2.5%) COLA.
- If the applicable CPI is between two and one-half percent (2.5%) and three percent (3.0%), the employee shall receive a COLA equal to the applicable CPI.
- If the applicable CPI exceeds three percent (3.0%), the employee shall receive a three percent (3.0%) COLA.

The COLA shall be applied to the employee's base salary on the employee's anniversary date after the employee has reached the highest step of the applicable salary schedule.

The City Manager's compensation and any Cost-of-Living Adjustments shall be governed by the City Manager's individual employment agreement and any applicable City Council action.

ANNIVERSARY FORMULA

For purposes of sick leave and vacation leave, an employee's anniversary date shall be the first day of the month if the employee is hired on or before the fifteenth (15th) day of the month. If the employee is hired after the fifteenth (15th) day of the month, the anniversary date shall be the first day of the following month.

For purposes of salary step advancement, the employee's anniversary date shall be the effective date of the employee's most recent salary step or range adjustment. Once an employee reaches the highest step of the applicable salary schedule, future salary adjustments shall be governed by the Cost-of-Living Adjustment (COLA) provisions of this Benefits Summary.

APPLICATION OF RATES

Executive and Mid-Management employees shall be paid a salary within the range established for their respective classification.

The minimum step of the salary range shall normally apply upon hire. The City Manager may, when circumstances warrant, authorize placement at a higher step within the established salary range based on the employee's qualifications, experience, education, specialized skills, recruitment considerations, internal equity, or other factors determined to be in the best interest of the City.

Salary placement shall not exceed the highest step of the adopted salary range except as provided through an applicable Cost of Living Adjustment (COLA) or other salary adjustments approved by the City Council.

ADVANCEMENT

Advancement within the salary range for each Executive and Mid-Management classification shall be based on demonstrated merit, performance, and ability in the position, as reflected through the City's performance evaluation process.

Advancement from one salary step to the next shall be determined and approved by the City Manager based upon the employee's satisfactory performance and completion of the applicable time-in-step requirement.

Upon successful completion of any required probationary period, an employee may be eligible for advancement to the next step within the established salary range, subject to approval by the City Manager.

The salary plan applicable to Executive and Mid-Management classifications is set forth in Appendix III.

Once an employee reaches the highest step of the applicable salary range, further salary adjustments shall be governed by the Cost-of-Living Adjustment (COLA) provisions of this Benefits Summary.

REVISION OF SALARY RANGES

When the salary range for an Executive or Mid-Management classification is revised by the City Council, an employee in that classification shall be placed at the corresponding step in the newly adopted salary range.

The employee shall retain the same salary advancement anniversary date unless otherwise established by the City Council or City Manager as part of the salary adjustment.

The City Manager's salary range shall be governed by the City Manager's individual employment agreement.

OVERTIME AND ADMINISTRATIVE LEAVE

With the exception of the Fire Chief classification, Executive and Mid-Management employees are designated as exempt employees and are not eligible for overtime compensation or compensatory time off for hours worked in excess of their regular work schedule. The Fire Chief classification is eligible for

overtime only when working on a strike team incident as assigned by the California Office of Emergency Services (Cal OES).

In recognition of the additional responsibilities, extended work hours, and operational demands associated with management positions, eligible Executive and Mid-Management employees shall receive eighty (80) hours of Administrative Leave each fiscal year.

Administrative Leave is provided in lieu of additional compensation or compensatory time for hours worked beyond the employee's normal work schedule and shall be administered in accordance with the Administrative Leave & Benefits Summary provision (page 13).

PAY PERIODS

Pay periods shall be bi-weekly. No employee shall receive pay for any time period except the regular payday for the period in which the pay was earned.

Upon termination, the City shall pay all wages due to the employee within 72 hours, provided the employee has returned all City uniforms, equipment, and other City property to the City.

WORK PERIOD

The standard work period for Executive and Mid-Management employees shall generally consist of eight (8) hours per day and forty (40) hours per week.

The workweek shall be from Monday through Sunday. Flexible or alternative work schedules, including 4/10 or 9/80 schedules, may be authorized by the City Manager based upon operational needs and the requirements of the employee's position.

Because Executive and Mid-Management employees are exempt, approved alternative work schedules do not alter their responsibility to work the hours necessary to fulfill the duties and responsibilities of their positions.

ARTICLE III - INDIRECT PAY, ALLOWANCE, BENEFITS, STIPENDS

RETIREMENT

The City of Willows is a contracting member of the California Public Employees' Retirement System (CalPERS). Executive and Mid-Management employees shall participate in CalPERS in accordance with the City's contract with CalPERS, applicable retirement formulas, employee classification, membership status, contribution requirements, and applicable law.

The City of Willows also participates in the federal Social Security program.

RETIREMENT PLAN

The City contracts with the California Public Employees' Retirement System (CalPERS) to provide the following retirement benefits to eligible Executive and Mid-Management employees:

- Public Safety Classic Members are eligible for the 3% at age 50 retirement formula.
- Misc. Classic Members are eligible for the 3% at age 60 retirement formula.
- Public Safety Members under the Public Employee Pension Reform Act (PEPRA) are eligible for the 2.7% at age 57 retirement formula.
- Misc. Members under PEPRA are eligible for the 2% at age 62 retirement formula.

The City shall also allow Military Service Credit as Public Service for eligible local miscellaneous and local safety members in accordance with CalPERS provisions.

The City of Willows also participates in the federal Social Security program. Executive and Mid-Management employees shall participate in Social Security as required by law, with the City and employee each responsible for their respective required contributions.

LIFE INSURANCE

Effective July 2025, all employees of this unit shall have a \$50,000 life insurance benefit paid by the City.

HEALTH INSURANCE

Executive and Mid-Management employees employed by the City as of July 1, 2022, shall continue to be eligible for 100% City-paid health insurance for the employee and eligible family members under the Silver Plan. These employees shall remain responsible for the full cost of dental and vision insurance premiums.

Executive and Mid-Management employees hired after July 1, 2022, shall be eligible for 100% City-paid health, dental, and vision insurance for the employee and 50% City-paid health, dental, and vision insurance for eligible family members.

Eligible Executive and Mid-Management employees shall receive an annual City contribution of \$750 to a Health Reimbursement Account (HRA).

Upon separation from City employment, regardless of the reason for separation, City-paid health, dental, and vision insurance premiums shall terminate at the end of the month in which the separation occurs. Eligible employees and dependents may elect to continue applicable health coverage at their own expense through COBRA, in accordance with federal law and the terms of the City's benefit plans.

EDUCATION INCENTIVE

The City will provide an educational incentive of \$50 per month upon obtaining a bachelor's degree or \$100 per month upon obtaining a master's degree. Employees may receive either the bachelor's degree stipend or the master's degree stipend, but the incentives are not cumulative.

The City does not provide any additional educational incentive for degrees or academic credentials beyond the master's degree level.

BILINGUAL PAY

Employees who successfully pass Alta Language's speaking and listening Spanish language assessment shall receive a \$250 per month stipend. Those employees in the Fire Department job classifications shall be required to administer the Fire Services language test. Those employees in Police Department job classifications shall be required to administer the Law Enforcement language test. All other employees in other departments and job classifications shall administer the General Proficiency language test. City to pay for the first test. Any additional testing is at the employee's expense.

LONGEVITY PAY

Employees with ten (10) years of continuous employment service with the City are eligible for a longevity stipend of \$100 paid monthly. Employees with twenty (20) years or more of continuous employment service with the City are eligible for a longevity stipend of \$200 per month.

MOBILE PHONE STIPEND

Executive and Mid-Management employees who use their personal mobile telephone for City business may receive a \$40 per month mobile phone stipend.

Employees issued a City-owned mobile telephone are not eligible to receive the phone stipend.

UNIFORM ALLOWANCE

The City recognizes that certain management employees are required, by virtue of their positions and assigned duties, to wear uniforms, specialized work apparel, and/or protective footwear while performing City business.

Uniform allowances are intended for items reasonably necessary for the performance of an employee's official duties. The City Manager may establish administrative procedures governing eligible items, purchasing or reimbursement procedures, payment frequency, documentation requirements, and other conditions necessary to administer the allowance.

Uniform allowances shall be administered in accordance with applicable federal and state wage, tax, and reporting requirements. Nothing in this section prohibits the City from directly purchasing or providing required uniforms, apparel, footwear, protective equipment, or other items in lieu of, or in addition to, a uniform allowance when authorized by the City.

Police Chief. The Police Chief shall be eligible for a uniform allowance of \$1000 annually to offset the cost of purchasing, replacing, and maintaining required department uniforms, duty apparel, footwear, and related uniform items.

Fire Chief. The Fire Chief shall be eligible for a uniform allowance of \$1000 annually to offset the cost of purchasing, replacing, and maintaining required department uniforms, station wear, footwear, and related uniform items.

Public Works Superintendent. The Public Works Superintendent shall be eligible for a uniform allowance of \$500 annually to offset the cost of purchasing, replacing, and maintaining required work clothing, uniforms, safety footwear, and related apparel appropriate to the position.

ARTICLE IV - ATTENDANCE AND LEAVE

ATTENDANCE

Executive and Mid-Management employees are expected to maintain regular and reliable attendance and to be available as necessary to fulfill the duties and responsibilities of their positions.

Employees shall notify the City Manager, or appropriate supervisor when applicable, as soon as reasonably possible when they are unable to report to work or will be absent from their scheduled duties.

Unauthorized absence for more than three (3) consecutive workdays without notice to the City may be considered job abandonment and may result in termination of employment, subject to applicable law and the employee's at-will status.

Because Executive and Mid-Management employees are at-will, nothing in this section creates a right to progressive discipline, reinstatement, appeal, or continued employment.

RECORDING TIME BY EXEMPT EMPLOYEES

Exempt employees are not covered by the FLSA overtime provisions and do not receive either overtime pay or compensatory time. Only the Fire Chief may earn overtime pay while working for the California Office of Emergency Services (Cal OES).

An exempt employee is paid to perform a job, which may not necessarily be completed in a normal work week. Nonetheless, exempt employees are required to separately track their time for purposes other than compensation. These purposes include but are not limited to:

- proper and accurate accrual and use of vacation,
- sick leave,
- unpaid leaves of absence, and
- other leaves.

Because exempt employees are compensated to do a job and are not compensated based upon specific time worked, and because they are expected to be available for evening meetings and work outside of regular work hours, including weekends, exempt employees may have more flexibility in their work schedule. Nevertheless, exempt employees must maintain good work habits, be accountable and available to their staff and management, show demonstrated accomplishments and make themselves regularly available during working hours to allow City business to be accomplished. In other words, a "flexible" work schedule for exempt employees should not be interpreted as license to be absent from work. It is the responsibility of exempt staff to notify the Department Head or City Manager, in advance, of all absences that exceed 2 hours.

If an exempt employee has an absence of more than four (4) hours during a regularly scheduled workday, all hours during which the employee is absent that day must be deducted from an applicable leave bank (vacation, sick leave, etc.). Exempt employees are required to accurately report all time off that should be charged to the employee's leave bank (vacation, sick leave, etc.). An employee's signature on their time sheet constitutes their verification, under penalty of perjury, that the days reported as worked or paid leave taken away from work was in accordance with the policies of the City and has been recorded accurately. Misrepresentation of time worked or leave taken on time sheets or other time tracking reports is grounds for discipline, up to and including termination of employment.

HOLIDAYS

The City observes the following holidays:

New Year's Day	January 1
Martin Luther King Jr. Day	3rd Monday in January
Presidents' Day	3rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4th
Labor Day	1st Monday in September
Veterans' Day	November 11
Thanksgiving Day	4th Thursday in November
Day after Thanksgiving	4th Friday in November
Christmas Eve	December 24
Christmas Day	December 25
Three floating holidays	As Designated

The holidays listed above are recognized as municipal holidays for pay purposes, and Executive and Mid-Management employees shall generally be provided with holiday off with pay, subject to the operational needs of the City.

If a holiday falls on a Sunday, the following Monday shall be observed as the holiday. If a holiday falls on a Saturday, the preceding Friday shall be observed as the holiday.

If a recognized holiday occurs during an employee's scheduled vacation leave, the day shall be charged as holiday leave and shall not be deducted from the employee's vacation balance.

Due to the nature of Executive and Mid-Management responsibilities, employees may be required to work or remain available on a holiday when necessary to meet operational, emergency, public health, safety, or other City needs. Executive and Mid-Management employees are exempt and shall not receive overtime or compensatory time off for work performed on a holiday. Administrative Leave is provided in recognition of additional hours and responsibilities associated with management positions.

Floating holidays shall be scheduled with the approval of the City Manager and must be used in accordance with the provisions of this Benefits Summary.

VACATION LEAVE

Purpose:

Vacation leave is provided to allow eligible Executive and Mid-Management employees time away from work for rest and personal needs.

Eligibility:

Executive and Mid-Management employees shall be eligible to accrue and use paid vacation leave in accordance with the vacation schedule established by the City.

City Manager:

The City Manager's vacation leave shall be governed by the City Manager's individual employment agreement.

Vacation Leave Accrual:

Vacation leave shall accrue in accordance with the schedule set forth in Appendix II.

Accrued and unused vacation leave shall be paid upon separation from City employment in accordance with applicable City policy and law.

Scheduling of Vacation Leave: Vacation leave shall be scheduled with the approval of the City Manager and with due consideration for the operational needs of the City.

ADMINISTRATION LEAVE

Executive and Mid-Management employees shall receive eighty (80) hours of paid Administrative Leave each fiscal year, covering the period of July 1 through June 30.

Administrative Leave is provided in recognition of the additional responsibilities, extended work hours, and operational demands associated with Executive and Mid-Management positions.

Administrative Leave:

- Shall be credited on a fiscal year basis.
- May be used with approval of the City Manager.
- May be used in hourly increments.
- Does not accumulate or carry over from one fiscal year to the next.
- Has no cash value and may not be cashed out.
- Shall not be paid upon resignation, retirement, termination, layoff, or any other separation from City employment.

- Any unused Administrative Leave remaining on June 30 shall be forfeited.
- The Administrative Leave balance shall reset to eighty (80) hours on July 1 of each fiscal year.

Administrative Leave is provided in lieu of overtime or compensatory time off for additional hours worked by exempt Executive and Mid-Management employees.

SICK LEAVE

Eligibility: Executive and Mid-Management employees shall be eligible for paid sick leave in accordance with the accrual schedule set forth in Appendix I and applicable City policy.

Sick leave may be used for personal illness or injury, medical appointments, care of an eligible family member, and other qualifying purposes permitted by applicable law.

Notification of Use of Sick Leave: An employee who is unable to report to work shall notify the City Manager as soon as reasonably practicable and in accordance with established City procedures. When permitted by law, the City may require appropriate documentation for an extended absence.

Sick leave shall be used in increments consistent with the City's payroll and leave practices.

Accrual: Paid sick leave shall accrue in accordance with the schedule established in Appendix I.

Workers' Compensation and Disability: An employee receiving workers' compensation or temporary disability benefits may use accrued sick leave, when permitted, to supplement those benefits and maintain regular income in accordance with applicable City policy and law.

Separation from Employment: Accrued and unused sick leave shall not be paid out upon separation from City employment unless otherwise required by law or specifically authorized by City policy.

At retirement, eligible unused sick leave may be converted to additional CalPERS service credit in accordance with the City's CalPERS contract and applicable CalPERS provisions.

SHORT-TERM DISABILITY

Eligibility: Executive and Mid-Management employees who participate in California State Disability Insurance (SDI) may be eligible for short-term wage replacement benefits when they are unable to perform their regular work due to a qualifying non-work-related illness, injury, pregnancy, or other covered disability and experience a loss of wages. Eligibility and benefits are determined by the California Employment Development Department (EDD).

An employee must meet applicable SDI eligibility requirements, including having sufficient wages subject to SDI withholding and obtaining the required certification from a licensed physician or

practitioner. The first seven (7) days of a new Disability Insurance claim are generally a non-payable waiting period, with benefits beginning on the eighth eligible day.

Compensation: Disability Insurance benefits generally replace approximately 70% to 90% of qualifying wages, depending on the employee's income, up to the maximum weekly benefit established by the State. Benefits may be available for up to 52 weeks, subject to eligibility requirements and the employee's available benefit amount.

SDI benefits are administered by the State of California and are subject to change. Employees should refer to current EDD requirements for eligibility, benefit amounts, filing deadlines, and other program provisions.

OTHER AUTHORIZED LEAVES OF ABSENCE

Bereavement Leave: Executive and Mid-Management employees shall be granted up to three (3) days of paid bereavement leave following the death of a qualifying immediate family member.

Immediate family includes the employee's mother, father, grandmother, grandfather, grandchild, spouse, son, daughter, son-in-law, daughter-in-law, brother, sister, registered domestic partner, stepparent, stepchild, or any relative residing in the employee's immediate household.

Eligible employees may take up to five (5) days of bereavement leave in total in accordance with applicable law. Any bereavement leave taken beyond the three (3) City-paid days shall be unpaid unless the employee elects to use available accrued paid leave.

Military Leave: Military leave shall be granted in accordance with applicable State and Federal law. Employees shall notify the City Manager as soon as reasonably practicable regarding the need for military leave and shall provide required documentation when applicable.

Leave of Absence Without Pay: The City Manager may grant an Executive or Mid-Management employee a leave of absence without pay not to exceed three (3) months when, in the City Manager's judgment, such leave is warranted and consistent with the operational needs of the City.

Requests for leave without pay shall be submitted in writing and shall state the reason and anticipated duration of the requested leave. Approval, if granted, shall be in writing.

Except where otherwise required by law, an employee may be required to use available accrued vacation leave, Administrative Leave, and, when the leave is medically related, available sick leave before beginning an unpaid leave of absence.

During an approved unpaid leave of absence, vacation and sick leave shall not accrue unless otherwise required by law or City policy. The employee may be permitted to continue participation in applicable City health insurance plans at the employee's expense, subject to the terms of the applicable benefit plans and continuation coverage requirements.

An approved discretionary leave of absence does not alter an Executive or Mid-Management employee's at-will employment status or create a guarantee of reinstatement or continued employment, except where reinstatement or job protection is required by applicable law.

Jury Leave: Executive and Mid-Management employees who are called or required to serve as jurors shall be permitted to be absent from their City duties during the period of required jury service.

Employees shall notify the City Manager and provide appropriate documentation of jury service. The employee shall receive regular compensation during authorized jury service, less any jury service payment received, excluding travel or mileage reimbursement, in accordance with City policy.

Injury Leave / Workers' Compensation: Executive and Mid-Management employees who sustain an injury or illness arising out of and in the course of City employment shall be eligible for workers' compensation benefits in accordance with applicable law and City policy.

An employee shall report any job-related accident, injury, or illness to the City Manager or designated City representative as soon as practicable, and no later than twenty-four (24) hours after the incident when reasonably possible.

Workers' compensation benefits and any applicable use of accrued sick leave, vacation leave, or other available paid leave shall be administered in accordance with applicable law and City policy.

Sick leave and vacation accruals during a workers' compensation leave shall be administered in accordance with applicable City policy and law.

For Executive and Mid-Management employees who qualify as public safety employees, any applicable salary-continuation benefits shall be provided in accordance with applicable law.

ARTICLE V - SPECIAL PROVISIONS

RESIDENCY REQUIREMENT

Executive and Mid-Management employees are **not required to reside within the City of Willows** as a condition of employment.

REST PERIODS

Executive and Mid-Management employees are exempt employees and are responsible for managing their work schedules in a manner that ensures the duties and responsibilities of their positions are fulfilled.

Reasonable rest periods may be taken during the workday as operational needs permit. Because of the nature of management responsibilities, rest periods may not always occur at fixed times.

Rest periods shall not be accumulated, carried over, or added to the beginning or end of the workday.

LAYOFF & ELIMINATION OF POSITION

Executive and Mid-Management employees are at-will employees and may be separated from City employment at any time, with or without cause, subject to any applicable individual employment agreement, City Council resolution, ordinance, or law.

An Executive or Mid-Management position may be eliminated, reorganized, or reduced due to changes in duties or organizational structure, lack of work, lack of funding, budgetary constraints, operational needs, or other legitimate City purposes.

Because Executive and Mid-Management employees are at-will, the layoff order, seniority provisions, reinstatement lists, and recall rights applicable to represented or classified employees shall not apply unless specifically provided by City policy, individual employment agreement, City Council action, or applicable law.

Upon separation, the employee shall receive all compensation and accrued benefits due in accordance with applicable City policy and law.

ARTICLE VI MANAGEMENT CONCERNS AND ADMINISTRATIVE REVIEW

PURPOSE

The purpose of this Article is to provide Executive and Mid-Management employees with an informal process to raise workplace concerns, questions regarding the interpretation or application of this Benefits Summary, or other matters affecting their employment.

INFORMAL REVIEW

An Executive or Mid-Management employee with a workplace concern should discuss the matter directly with the City Manager in an effort to resolve the issue informally and promptly.

The City Manager may review the matter, meet with the employee, obtain additional information, and take such action as the City Manager determines appropriate.

NO FORMAL GRIEVANCE OR APPEAL RIGHT

Executive and Mid-Management employees are at-will employees. Nothing in this Article creates a formal grievance procedure, disciplinary appeal right, right to a hearing before the City Council, right to progressive discipline, or property interest in continued employment.

A decision of the City Manager regarding a management employee shall be final unless a different review or appeal process is specifically provided by an individual employment agreement, City ordinance, City Council resolution, or applicable law.

NON-RETALIATION

Employees shall not be subject to unlawful retaliation for making a good-faith report or complaint concerning conduct protected by applicable law or City policy.

ARTICLE VII - DISCIPLINARY ACTION AND PROCESS

AT-WILL EMPLOYMENT

Executive and Mid-Management employees are at-will employees and serve at the pleasure of the City Manager, unless otherwise provided by an individual employment agreement, City ordinance, City Council resolution, or applicable law.

Employment may be terminated by either the City or the employee at any time, with or without cause and with or without advance notice, subject to applicable law.

AUTHORITY

The City Manager has authority to take appropriate employment action regarding Executive and Mid-Management employees, including counseling, reprimand, suspension, reduction in salary, reassignment, demotion, or termination, consistent with applicable law and City policy.

Nothing in this Benefits Summary requires the City Manager to use progressive discipline or any particular form of corrective action before taking another employment action.

CORRECTIVE OR DISCIPLINARY ACTION

Depending upon the circumstances, the City Manager may take corrective or disciplinary action that may include, but is not limited to:

- Verbal or written counseling
- Written reprimand
- Suspension
- Reduction in salary
- Reassignment
- Demotion
- Termination of employment

The nature and level of action taken shall be determined by the City Manager based upon the circumstances.

TERMINATION

Executive and Mid-Management employees may be terminated from City employment at any time, with or without cause, subject to applicable law and any individual employment agreement.

Nothing in this Article creates a right to continued employment, progressive discipline, a pre-disciplinary hearing, reinstatement, or an appeal to the City Council.

NOTICE

The City may provide written notice of corrective, disciplinary, or separation action when determined appropriately by the City Manager or when required by applicable law, City policy, or an individual employment agreement.

NO FORMAL DISCIPLINARY APPEAL

Executive and Mid-Management employees shall not have a formal right to appeal disciplinary or termination decisions to the City Council unless such a right is specifically provided by applicable law, City ordinance, City Council resolution, or an individual employment agreement.

Employment decisions made by the City Manager regarding Executive and Mid-Management employees shall otherwise be final.

PROTECTED RIGHTS

Nothing in this Article shall limit any rights or protections provided to an employee under applicable federal or state law, including protections against unlawful discrimination, harassment, retaliation, or other prohibited employment practices.

ARTICLE VIII RESOLUTION, FULL UNDERSTANDING, AND NONNULLIFICATION

RESOLUTION

This Executive and Mid-Management Benefits Summary shall not be binding upon the City unless and until adopted by the City Council by resolution, ordinance, or other lawful action.

Upon adoption, this Benefits Summary shall establish the compensation, benefits, leave provisions, and other employment terms applicable to covered Executive and Mid-Management employees, except where otherwise provided by an individual employment agreement, City ordinance, City Council resolution, or applicable law.

FULL UNDERSTANDING AND MODIFICATIONS

This Benefits Summary sets forth the compensation, benefits, leave provisions, and other employment terms established by the City for Executive and Mid-Management employees covered by this document.

Nothing contained herein shall be interpreted as creating a collective bargaining agreement, memorandum of understanding, or contract for continued employment.

Executive and Mid-Management employees remain at-will unless otherwise provided by an individual employment agreement, City ordinance, City Council resolution, or applicable law.

Nothing in this Benefits Summary shall supersede the terms of the City Manager's individual employment agreement. In the event of a conflict, the City Manager's employment agreement shall control with respect to the City Manager's compensation, Cost of Living Adjustments, benefits, and other terms specifically addressed in that agreement.

The City Council reserves the right to amend, modify, add to, reduce, or discontinue provisions contained in this Benefits Summary through resolution, ordinance, or other lawful action.

NON-NULLIFICATION

If any provision of this Benefits Summary is determined to be invalid, unlawful, or unenforceable by operation of law or by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

The City Council may amend or replace any affected provision as necessary to comply with applicable law.

APPENDICES

Appendix I - Sick Leave

Appendix II - Vacation

Appendix III - Salary Schedule

APPENDIX I - SICK LEAVE

For the purpose of computing annual sick leave, a workday shall be considered 1/5 of the number of working or duty hours in the established workweek. Sick leave shall be earned at the rate of one (1) workday for each calendar month of service. Unused sick leave shall have an unlimited accumulation as per the formula below.

Employee Classification	Sick Leave Working Hours Credited per year	Deduction for Time Taken
1. Employees working full-time-4 days a week (40-hour workweek)	96.00 hours/year	10 hours
2. Regular Employees (40-hour workweek)	96.00 hours/year	8 hours

APPENDIX II - VACATION

Vacation leave is credited in hours per pay period based on the employee's years of consecutive service and scheduled workweek, as shown below. Time taken as vacation shall be charged at the employee's actual scheduled hours per day (e.g., employees working 10 hours for 4-day/40-hours; 8 hours for 5-day/40-hour or 9/80 schedule).

VACATION WORKING HOURS CREDITED PER YEAR BASED UPON YEARS OF SERVICE AND EMPLOYEE CATEGORY		
Years of Service	Employees Working Full-time 4-Days (40-HR Workweek)	Employees Working 5-Days (40-HR Workweek or 9/80 Schedule)
Less than 5 Years (2 weeks)	3.077 hrs/pay period (80 hrs/year)	3.077 hrs/pay period (80 hrs/year)
5 Years or More (3 weeks)	4.615 hrs/pay period (120 hrs/year)	4.615 hrs/pay period (120 hrs/year)
10 Years or More (4 weeks)	6.154 hrs/pay period (160 hrs/year)	6.154 hrs/pay period (160 hrs/year)
Deduction for Time Taken	10 hours	9 hours

APPENDIX III - SALARY SCHEDULE

Salary Schedule Effective June 30, 2025 80 Regular Hours Bi-Weekly, except where noted.									
---	--	--	--	--	--	--	--	--	--

ADMINISTRATION									
	BIWEEKLY PAY - STEPS								
	1	2	3	4	5	6	7	8	9
CITY CLERK/ASSISTANT TO CITY MANGER	2,273.08	2,329.85	2,388.00	2,447.54	2,508.92	2,571.69	2,635.85	2,701.85	2,769.23

FINANCE									
	BIWEEKLY PAY - STEPS								
	1	2	3	4	5	6	7	8	9
FINANCE DIRECTOR	4,103.73	4,206.33	4,311.48	4,419.27	4,529.75	4,643.00	4,759.07	4,878.05	5,000.00

COMMUNITY DEVELOPMENT & SERVICES									
	BIWEEKLY PAY - STEPS								
	1	2	3	4	5	6	7	8	9
COMMUNITY DEVELOPMENT & SERVICES DIRECTOR	3,945.69	4,044.46	4,145.54	4,249.38	4,355.54	4,464.46	4,576.15	4,690.62	4,807.69

FIRE DEPARTMENT									
	BIWEEKLY PAY - STEPS								
	1	2	3	4	5	6	7	8	9
FIRE CHIEF	3,985.38	4,085.08	4,187.08	4,291.85	4,398.92	4,508.77	4,621.38	4,736.77	4,855.38

CITY LIBRARY									
	BIWEEKLY PAY - STEPS								
	1	2	3	4	5	6	7	8	9
CITY LIBRARIAN	3,630.23	3,721.00	3,814.00	3,909.35	4,007.08	4,107.27	4,209.96	4,315.19	4,423.08

PUBLIC WORKS									
	BIWEEKLY PAY - STEPS								
	1	2	3	4	5	6	7	8	9
SUPERINTENDENT OF PUBLIC WORKS	2,367.69	2,426.77	2,487.23	2,549.54	2,613.23	2,678.77	2,745.69	2,814.46	2,884.62
CITY COUNCIL APPROVED ON: JUNE 24, 2025									



Date: September 22, 2026

To: Honorable Mayor and Councilmembers

From: Marti Brown, City Manager
Karleen Price, City Clerk/Assistant to the City Manager

Subject: City of Willows Donations Policy

Recommendation:

Adopt Resolution No. XX-2026 (Attachment 1) approving the City of Willows Donations Policy (Exhibit A) establishing uniform procedures for the acceptance, administration, and recognition of donations made to the City.

Rationale for Recommendation:

The City of Willows currently does not have a formal donations policy, which is considered a standard best practice for municipal organizations. The proposed Donations Policy establishes a consistent framework for evaluating, accepting, and administering monetary and in-kind donations offered to the City. Adoption of the policy will promote transparency, accountability, and sound fiscal management while ensuring that donations serve a public purpose, align with City priorities and operational needs, and support the City's long-term interests.

Background:

The City of Willows periodically receives offers of monetary contributions, equipment, memorials, public improvements, professional services, and other gifts from residents, businesses, nonprofit organizations, and community groups. While these donations provide valuable benefits to the community, the City has not previously adopted a comprehensive policy governing their review and acceptance.

The proposed Donations Policy establishes standardized procedures to ensure donations are evaluated consistently and accepted only when they serve the public interest and are compatible with City operations and resources.

Discussion & Analysis:

The proposed policy applies to a broad range of donations, including monetary contributions, personal property, equipment, public art, memorial improvements, real property, volunteer labor, professional services, sponsorships, and other in-kind contributions.

The policy provides clear authority for administrative acceptance and management of routine donations while identifying those donations requiring City Council approval due to their value, restrictions, or long-term obligations.

Key elements of the policy include:

Acceptance Criteria

- Establishes objective criteria for evaluating donations, including public benefit, safety, operational impacts, maintenance obligations, legal compliance, and consistency with City plans and policies.

Administrative Authority

- Authorizes the City Manager to accept routine donations within delegated authority while requiring City Council approval for donations involving real property, naming rights, significant restrictions, or substantial ongoing obligations.

Recognition of Donors

- Provides appropriate methods of recognizing donors while ensuring that recognition does not constitute advertising or endorsement by the City.

Ownership and Maintenance

- Clarifies that accepted donations become City property and that the City retains sole discretion regarding installation, maintenance, relocation, replacement, and removal of donated improvements.

Administration

- Authorizes the City Manager or designee to implement the policy and develop administrative procedures and forms necessary for its administration.

The policy is intended to provide flexibility while protecting the City's financial interests, ensuring transparency, and establishing consistent expectations for donors and City staff.

Consistency with Council Priorities and Goals:

The proposed Donations Policy supports the City Council's Strategic Priorities by promoting sound fiscal management, protecting public assets, encouraging community partnerships, and ensuring transparent and accountable governance. The policy also supports effective stewardship of City resources by providing a consistent process for evaluating donations and associated long-term obligations.

Fiscal Impact:

The proposed policy has no direct fiscal impact. Donations accepted under the policy may provide financial or in-kind benefits to the City; however, each proposed donation will be evaluated for any associated installation, maintenance, operational, or replacement costs before acceptance. Donations requiring significant ongoing financial commitments that exceed the City Manager's budget authority will require City Council approval.

Attachment:

- Attachment 1: Resolution XX-2026
 - Exhibit A: City of Willows Donation Policy



**City of Willows
Resolution XX-2026**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILLOWS APPROVING AND ADOPTING
THE CITY OF WILLOWS DONATIONS POLICY**

WHEREAS, the City of Willows values the generosity of individuals, businesses, nonprofit organizations, governmental agencies, and community groups whose donations enhance public facilities, programs, services, and the quality of life for the community; and

WHEREAS, the City periodically receives offers of monetary contributions, personal property, public improvements, professional services, memorials, and other in-kind donations; and

WHEREAS, the City Council desires to establish a consistent, transparent, and equitable process for the review, acceptance, administration, and recognition of donations offered to the City; and

WHEREAS, the proposed City of Willows Donations Policy establishes uniform procedures for evaluating donations while ensuring that accepted donations are consistent with the City's mission, operational needs, legal obligations, and long-term fiscal responsibilities; and

WHEREAS, the policy provides appropriate administrative authority for routine donations while reserving City Council approval for donations involving significant restrictions, real property, naming rights, or substantial ongoing financial or operational obligations; and

WHEREAS, the City Council has reviewed the proposed City of Willows Donations Policy and finds that adoption of the policy is in the best interests of the City and its residents.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Willows as follows:

1. Adoption of Policy

The City Council hereby adopts the City of Willows Donations Policy, attached hereto as Exhibit A and incorporated herein by this reference.

2. Administration

The City Manager, or her designee, is hereby authorized and directed to administer and implement the Donations Policy and to develop administrative procedures, forms, and guidelines necessary to carry out the provisions of the policy.

3. Acceptance Authority

The City Manager shall administer the acceptance of donations in accordance with the authority and limitations established in the Donations Policy. Donations requiring City Council approval shall be presented to the Council for consideration.

4. Effective Date

This Resolution shall take effect immediately upon its adoption.

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council on this 22nd day of September, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTESTED:

Evan Hutson, Mayor

Karleen Price, City Clerk

CITY OF WILLOWS

DONATIONS POLICY

Policy No.: [To Be Assigned]

Effective Date: [Insert Date]

Approved By: [City Council]

I. PURPOSE

The purpose of this policy is to establish uniform procedures for the acceptance, administration, and recognition of donations made to the City of Willows. The City values the generosity of individuals, businesses, nonprofit organizations, and community groups whose contributions enhance public facilities, programs, services, and quality of life.

This policy provides guidelines for evaluating and accepting donations while ensuring that all gifts are consistent with the City's mission, legal obligations, operational needs, and long-term fiscal responsibilities.

II. POLICY STATEMENT

The City of Willows may accept donations that serve a public purpose and are determined to be in the best interests of the City and its residents.

Acceptance of any donation is a discretionary governmental act. Nothing in this policy shall be construed to require the City to accept any donation or to install, maintain, preserve, or replace any donated improvement in perpetuity.

The City reserves the right to decline any donation that:

- Is inconsistent with the City's mission, adopted plans, or policies;
- Creates unreasonable financial, operational, or maintenance obligations;
- Creates actual or perceived conflicts of interest;
- Requires the City to incur expenses beyond available resources;
- Contains conditions or restrictions determined to be impractical or contrary to public policy;
- Presents safety, accessibility, or liability concerns; and/or
- Is otherwise determined not to be in the City's best interests.

III. SCOPE

This policy applies to all donations offered to the City, including but not limited to:

- Monetary contributions,
- Personal property,
- Equipment,
- Materials and supplies,
- Public art,

- Memorial donations,
- Benches, trees, landscaping, and park improvements,
- Historical artifacts,
- Real property,
- Volunteer labor associated with donated improvements,
- Professional services, and
- Sponsorships and other in-kind contributions.

IV. DEFINITIONS

For purposes of this policy:

Donation: A voluntary transfer of money, real property, personal property, services, or other assets to the City without expectation of compensation.

Donor: Any individual, business, nonprofit organization, governmental agency, or other entity offering a donation to the City.

Memorial Donation: A donation made in honor or memory of an individual, family, organization, or significant event.

V. TYPES OF DONATIONS

A. Monetary Donations

The City may accept unrestricted or restricted monetary donations to support municipal programs, facilities, services, capital improvements, community events, or other public purposes.

Restricted donations may be accepted only when the proposed restriction is consistent with City priorities and operational needs. Upon acceptance, restricted donations shall be used only for the purpose approved by the City.

B. In-Kind Donations

The City may accept donations of tangible personal property or services when the donation provides a public benefit and is appropriate for City operations.

Examples include:

- Benches,
- Trees,
- Landscaping,
- Public art,
- Equipment,
- Historical items,
- Construction materials,
- Professional services, and
- Other public improvements.

C. Memorial Donations

The City may accept memorial donations recognizing an individual, family, organization, or significant community event.

Examples include:

- Memorial benches,
- Memorial trees,
- Picnic tables,
- Public art, and/or
- Other public amenities.

The location, design, installation, and any associated recognition of memorial improvements shall be subject to City approval and shall be consistent with applicable City standards, plans, and policies.

D. Real Property Donations

The City may accept donations of real property when the acquisition serves a public purpose and is determined to be in the best interests of the City.

All donations of real property shall require approval by the City Council. Prior to acceptance, the City may require appropriate due diligence, including, as applicable, appraisal, title review, environmental assessment, inspection, evaluation of existing or potential liabilities, and consideration of acquisition, maintenance, operational, and other long-term costs.

The City may decline any proposed donation of real property when the conditions, restrictions, liabilities, costs, or other obligations associated with the property are determined to outweigh the anticipated public benefit.

VI. REVIEW CRITERIA

Prior to acceptance, the City shall consider, as applicable:

- Public benefit,
- Compatibility with existing facilities,
- Safety,
- Americans with Disabilities Act (ADA) requirements,
- Environmental impacts,
- Installation costs,
- Long-term maintenance obligations,
- Replacement costs,
- Operational impacts,
- Liability exposure,
- Consistency with adopted plans and policies,
- Available staff resources, and/or
- Compliance with applicable federal, state, and local laws.

The City may require plans, specifications, engineering review, insurance, or other documentation before accepting certain donations.

VII. ACCEPTANCE AUTHORITY

A. City Manager

Unless otherwise required by law, the City Manager or designee may accept donations within the City Manager's delegated purchasing and contracting authority, provided the donation:

- Does not require City Council approval by law;
- Does not exceed the City Manager's budget authority of \$5,000;
- Does not include significant conditions or restrictions;
- Does not create substantial ongoing maintenance or operational obligations; and
- Is determined to be in the best interests of the City.

B. City Council

City Council approval shall be required for donations that:

- Exceed the City Manager's delegated budget authority;
- Include significant restrictions or conditions;
- Involve real property;
- Include naming rights;
- Create substantial ongoing maintenance or operational obligations; or
- Are otherwise referred to the Council by the City Manager.

VIII. MEMORIALS, RECOGNITION, AND NAMING

Memorial plaques or similar recognition may be approved in conjunction with donated improvements when appropriate.

Naming or renaming of City parks, buildings, facilities, or other major public assets shall require approval by the City Council.

Recognition may include:

- Letters of appreciation,
- Certificates,
- Public recognition at City Council meetings,
- City newsletters,
- Social media, and/or
- Modest plaques or signage.

Recognition shall remain appropriate for a public agency and shall not constitute advertising or endorsement.

IX. OWNERSHIP, MAINTENANCE, AND REMOVAL

Upon acceptance, all donated property becomes the property of the City of Willows unless otherwise provided in a written agreement.

The City retains sole discretion regarding:

- Installation,
- Placement,
- Maintenance,
- Repair,
- Replacement,
- Relocation,
- Removal, and/or
- Disposal.

Donated improvements are not guaranteed to remain in their original location or to be maintained for any specified period of time.

If a donated improvement reaches the end of its useful life or must be removed because of construction, public safety, maintenance, redevelopment, or other municipal purposes, the City may remove, relocate, replace, or dispose of the improvement without obligation to replace the memorial or refund the donation.

Nothing in this policy obligates the City to appropriate future funds for the maintenance, repair, replacement, or preservation of any donated property.

X. CONDITIONS OF ACCEPTANCE

The City may require a written Donation Agreement for any donation.

Unless otherwise approved:

- Donations become City property upon acceptance.
- Acceptance does not create any ownership interest or continuing rights for the donor.
- Acceptance does not constitute endorsement of the donor or the donor's products, services, or viewpoints.
- Donors shall not receive preferential treatment in any City decision, procurement, permitting, or regulatory matter.
- The City shall not accept any donation that would create an actual or perceived conflict of interest or impair the City's independence, objectivity, or impartiality in performing its governmental functions.

XI. TAX MATTERS

The City does not determine the value of donated property for tax purposes.

Upon request, the City may provide written acknowledgment of receipt of a donation but shall not assign a value to donated property other than the amount of cash contributions received.

Donors are responsible for obtaining independent tax or legal advice regarding any charitable deduction.

XII. ADMINISTRATION

The City Manager or designee may develop administrative procedures, forms, and guidelines necessary to implement this policy.

Administrative responsibilities include:

- Reviewing proposed donations;
- Determining whether donations may be accepted administratively or require City Council approval;
- Coordinating Donation Agreements;
- Maintaining donation records;
- Coordinating installation of donated improvements; and
- Ensuring compliance with this policy.

XIII. EFFECTIVE DATE

This policy shall become effective upon approval by the City Council and shall remain in effect until amended or rescinded.



COMMENTS AND REPORTS