

PERSONNEL HANDBOOK PROVISIONS

Some examples of misconduct that can result in **immediate termination** are as follows:

- Disorderly conduct on City property, including fighting, attempted bodily injury, or the use of profane, abusive, or threatening language toward others, or possession of a weapon not in strict accordance with Alabama law;
- Violating the nondiscrimination and/or professional conduct policy and prohibition against harassment.
- Unauthorized possession of weapons or firearms on City property.
- Threatening, intimidating, coercing or interfering with employees or supervision at any time.
- Act endangering safety of others;
- Actual or threatened misconduct in connection with work after prior written warning;
- Commission of a criminal act or misdemeanor of any degree in any manner connected with or involving City employees, property or equipment;

This list is not all-inclusive.

Basic guidelines that foster respect and dignity:

- Treat people the way they want to be treated, not the way you THINK they should be treated.
- What might be amusing to you may not be amusing to someone else, and may be insulting and/or offensive to some other person. **THINK before you speak.**
- All employees must be treated with respect.
- All employees must get along with co-workers.
- Explain WHY when you can. People accept things better if they know why you want them to do it. None of us likes to be told, "This is the way it is, or this is the way we have always done it."
- Recognize someone when he/she does a good job or shows improvement in an area. Positive feedback can and should come from all sources.
- Avoid gossiping about co-workers. Gossip hurts people.
- Your extra efforts will pay off for both you and your co-workers.

The above list is not all encompassing or all-inclusive.

Examples of workplace rules of conduct for which you may be subject to a letter of reprimand up to and including immediate discharge or disciplinary action as set forth in the progressive disciplinary policy include, but are not limited to:

- Lack of cooperation.
- Abuse of authority over employees or citizens.
- Fighting, threatening violence, or otherwise starting a disturbance on City premises or while performing job duties, including, but not limited to, assaulting or intimidating a City employee or non-employee.
- Unauthorized possession of firearms, knives, explosives, any device capable of discharging a projectile (i.e. bow and arrow, slingshot, etc.) or dangerous substances while performing job duties or on City property, except while having a firearm in their vehicle as allowed by state law while the vehicle is parked in accordance with federal or state law. Possession of a firearm license does not authorize an employee to possess a firearm on City property where firearms are prohibited or in City buildings.
- Reporting to work in a condition unfit to perform your duties, including reporting to work with measurable amounts of illegal drugs, excessive amounts of prescription drugs, intoxicants, or controlled substances in your system or being under the influence of alcohol or drugs or controlled substances.
- Possessing, consuming or selling alcohol, illicit drugs or controlled substances on City premises or while performing your job duties and/or any violation of the City Drug-Free Workplace Policy, including reporting to work under the influence of drugs/alcohol or testing positive for illegal or unprescribed drugs during a drug screen.
- Violating a City safety, fire prevention, health, or security rule, policy or practice -- or creating or contributing to unhealthy or unsanitary conditions.
- Boisterous or disruptive activity or horseplay in the workplace.
- Sexual, racial or other unlawful harassment or any violation of the Rules of Conduct and Harassment policies.
- Failure to notify the City for wrongdoings of co-workers or for violation of any rules, regulations or law.
- Failing to notify City of an accident as soon as possible.

Bullying: The City defines bullying as persistent or repetitive behavior that is insulting, disrespectful, abusive, or otherwise unwelcome or objectionable, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment. Bullying can occur either in or outside of the workplace.

- The purpose of this policy is to communicate to all employees, including supervisors, managers and executives that the City will not in any instance tolerate bullying behavior. Persons found in violation of this policy will be disciplined, up to and including termination.

- If you believe you are the victim of bullying, you are obligated to immediately report the bullying behavior. If you believe someone else is the victim of bullying, you are obligated to report the bullying behavior. Reports of objectionable conduct may be made to your direct supervisor, cabinet member, Office of City Investigations, or any other official. Below is a non-exhaustive list of examples of bullying behavior:
- Verbal Bullying: treating abusively, using language that indicates force or coercion, using browbeating language or behavior, slandering, ridiculing or maligning a person or their family; spreading rumors or gossip regarding individuals; offensive name calling or nicknaming; persistently interrupting an individual, using a person as the target of jokes; abusive and offensive remarks, shouting, raising voice at an individual, publicly humiliating a person, constant unwarranted criticism or accusations, manipulating work performance or ability to perform job functions, requiring menial or demeaning tasks that are beyond normal job responsibilities, duties or expectations;
- Physical Bullying: pushing; shoving; kicking; poking; tripping; assault, or threat of physical assault; tampering with or damage to a person's work area or property; and
- Non-verbal Bullying: non-verbal threatening gestures, looks or actions that convey threatening messages; purposefully singling out, ignoring, excluding or disregarding a person in work-related activities. This can also include so entries under circumstances which include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct. If you decide to post complaints or criticism, avoid using statements, photographs, video or audio that can be viewed as malicious, obscene, threatening or intimating, that disparage co-workers, or that could contribute to a hostile work environment on the basis of race, sex, disability, religion, sexual preference, sexual identity or any other status protected by law or this Handbook.

Any employee who believes that he/she is or may be subjected to objectionable conduct must report it immediately a supervisor, department head, cabinet member or City Investigations about your concerns, which can make the initial report on your behalf. You should assume that no report has been made following your discussion with a supervisor or manager if you have not been contacted within 48 hours. Do not allow an inappropriate situation to continue by not reporting it, regardless of who is creating that situation. No employee in this organization is exempt from this policy. In response to every complaint, the City will take prompt investigatory actions and corrective and preventative actions where necessary. An employee who brings such a complaint to the attention of the City in good faith will not be adversely affected because of reporting the harassment. The organization will not tolerate retaliation by employees against any employee reporting incidents of harassment or for participating in an investigation of a harassment claim.

Any employee who engages in objectionable conduct is subject to discipline up to and including termination. If an employee is not satisfied with the handling of a complaint or the action taken, then the employee should bring the complaint to the next higher level of authority set forth in the "Open Door Grievance Policy" section of this Handbook. In all cases, the employee will be advised of the findings and conclusion.

The above list is not all encompassing or all-inclusive.

The City also prohibits any harassment based on the legally protected categories set forth above. Harassment is verbal or physical conduct that degrades or shows hostility or aversion towards an individual because of these protected attributes, and that:

- Has the purpose or effect of creating an intimidating, hostile, or offensive working environment as defined by law; or
- Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- Otherwise adversely affects an individual's employment opportunities.

Conduct that threatens, intimidates, bullies or coerces another employee, a customer, or a member of the public at any time, including off-duty periods, through social media, email, texting, internet posting, or any other forms of communication, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, national origin, sexual orientation, gender identity, religion, disability or any characteristic protected by federal, state, or local law.

All employees, regardless of position or title, will be subject to severe discipline up to and including termination from employment should the City determine that an employee is engaged in unlawful discrimination, retaliation or harassment.

REPORTING HARASSMENT, DISCRIMINATION, OR RETALIATION

Any employee who feels that this policy is not being observed must immediately report the alleged violation to the City County Personnel Board or the Department of City Investigations. All reports will be treated as confidential to the extent practicable. No one will be subject to any form of discipline or retaliation for reporting incidents of unlawful discrimination or harassment or pursuing any such claim.

The City will promptly and thoroughly investigate the facts and circumstances of any reported incident.

SECURITY INSPECTIONS

The City wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives or other instrumentality or substances that could jeopardize the safety of its employees. The City requires the cooperation of all employees in administering this policy. Towards this end, the City reserves the right to request any employee to submit to a security inspection at any time (including during breaks and the lunch period) while on City premises or while performing work for the City while off-site based on individualized reasonable suspicion or legitimate work-related reasons. The inspection shall be limited in scope to that

necessary to achieve that purpose and may be requested by the supervisor. Results of any inspection shall be immediately reported to the department head.

Desks, lockers, and other storage devices may be provided for the convenience of employees but remain the sole property of the City and are subject to being searched. Inspections may also include, but are not be limited to property, equipment, storage rooms, the City vehicles, buildings, rooms, facilities, offices, computer hard drives, diskettes, voice mail, electronic mail, desks, or cabinets. Any items that an employee does not want to have inspected should not be brought to work.

Entry onto any City premises or job site constitutes consent to searches and inspections. In addition, every employee is required to consent in writing to inspections as a condition of employment.

An employee's refusal to consent to a search or inspection when requested by the City constitutes a violation of City policy and is grounds for an adverse employment action, up to and including immediate dismissal.

WORKPLACE VIOLENCE PREVENTION POLICY

The City is committed to maintaining a safe environment and preventing workplace violence. All employees should be treated with courtesy and respect at all times. Conduct that threatens, intimidates, or coerces another employee, a client, or a member of the public at any time, including off-duty periods, will not be tolerated.

In an effort to prevent violence that may occur during business hours or on City premises, the City has developed the following to identify and define prohibited conduct, which includes, but is not limited to the following:

- Physically or verbally threatening another individual;
- The intentional destruction or threat of destruction of City property or a co-employee's property while at work;
- Harassing or threatening phone calls or written communications;
- Stalking;
- Advocating or threatening the illegal use of weapons or bombs;
- Threats or attempts to commit suicide;
- Fighting;
- Horseplay;
- Bullying;
- Gossiping;
- Profanity;
- Advocating or threatening revenge based upon a workplace occurrence.

Employees are prohibited from possessing unauthorized weapons, including but not limited to, firearms, knives and other dangerous instruments or hazardous devices inside City

buildings or while working as a City employee. Employees may have firearms stored in their vehicle in City parking lots as may be allowed by state or federal law. However, no unauthorized employee shall have a firearm on their person or in a vehicle while performing the duties of their job.

Except in strict accordance with the eligibility criteria established by Alabama Law, employees are prohibited from the possession of firearms or weapons of any description on the premises of City buildings or lots or while such employees are performing work for City. While Alabama law may allow the possession of firearms in limited locations within specific restrictions (noted below), the City discourages the exercise of those rights as part of its violence prevention program. Additionally, employees generally are urged not to discuss any firearms which they may have in their locked vehicle in the City parking lots, as such disclosure may result in the City seeking to make a determination as to whether the employee is in strict compliance with the exceptions required by Alabama law to our prohibition against firearms. Any employee in possession of a firearm on City property or while performing work for City who does not meet all of the statutorily required exception criteria may be subject to discipline, up to and including termination.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by residents, vendors, solicitors or members of the public. When reporting a threat of violence, you should be as specific and detailed as possible. All suspicious individuals or activities should also be reported as soon as possible to a member of management.

The City will promptly and thoroughly investigate all reports of threats, acts of violence, and suspicious individuals or activities. The identity of the individual making a report will be protected as much as is practical. In order to maintain workplace safety and the integrity of its investigation, City may suspend employees, either with or without pay, pending investigation. Anyone determined to be responsible for threats, acts of violence, or other conduct that violates these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

The City encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or another member of management before the situation escalates into potential violence. The City is eager to assist in the resolution of employee disputes and will not discipline employees for raising such concerns.

**Eligibility Criteria based on Alabama Law to have guns in
locked vehicle in City Parking Lots**

Alabama law prohibits an employer from restricting an employee from having a firearm in a locked vehicle in the parking lot under certain limited circumstances. For such statutory protections to apply, the employee must also meet certain other statutory eligibility criteria, some of which are shown below:

<p>If the employee has a concealed weapons permit:</p> <ul style="list-style-type: none">• The employee is permitted to have a pistol or long gun (shot gun or rifle) in his or her car out of sight and locked.	
<p>If the employee does not have a concealed weapons permit:</p> <ul style="list-style-type: none">• The employee can, during hunting season, have an unloaded rifle or shotgun legal for hunting (not a pistol) out of sight in his or her locked vehicle.	
<p>An employer may also restrict an employee who does not have a concealed weapons permit from having a firearm in his or her car for any of these reasons, as well as other reasons set forth in the law:</p> <ul style="list-style-type: none">• The employee does not have a valid Alabama hunting license;• The employee has been convicted of a crime of violence;• The employee has been convicted of a crime involving domestic violence;• The employee is subject to a domestic violence restraining order; or• The employee has prior documented incidents of workplace threats or violence.	<ul style="list-style-type: none">•

If the City learns that an employee does possess a weapon in their locked vehicle, the law allows the City to take the steps necessary to determine whether the employee is in compliance with Alabama law. The City may take disciplinary action against any employee upon finding that the employee is not in compliance with the law. However, the City will not take any action against an employee solely based on the presence of a lawful firearm in the employee's locked vehicle, out of plain sight, and otherwise in compliance with Alabama law.

All threats of violence, violent acts, potentially volatile situations, and all conduct prohibited by this policy should be reported as soon as possible to the supervisor. This includes threats by employees, as well as threats by clients, vendors, solicitors, or other members of the public. Reports should be as specific and detailed as possible. Additionally, any emergency, crisis, or situation posing an imminent danger should be immediately reported to the police department and department head.

The City will promptly and thoroughly investigate all reports. The identity of the individual making a report will be protected as much as is practical. No person will be subject to retaliation or reprisal because of making a report. In order to maintain workplace safety and the integrity of its investigation, the City may place employees on administrative leave, either with or without pay (subject to Section 10(b) of the Personnel Rules), pending investigation. Employees charged with a crime may be placed on administrative leave without pay for a maximum of 15 days for investigation.

Anyone determined to be responsible for threats of violence; violent acts or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

The City encourages employees to bring their disputes or differences with other employees to the attention of the supervisor before the situation escalates into potential violence. The City is eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.