

ADMINISTRATIVE ORDER NO. 88

An Administrative order **REPEALING** the following Administrative Orders:

- 1) AO #11
- 2) AO #14
- 3) AO #16
- 4) AO #22
- 5) AO #32
- 6) AO #47
- 7) AO #58
- 8) AO #61
- 9) AO #65
- 10) AO #66
- 11) AO #67
- 12) AO #68
- 13) AO #69
- 14) AO #70
- 15) AO #71
- 16) AO #72
- 17) AO #73
- 18) AO #77

And creating the following Human Resources Policies concerning **GENERAL** issues:

- Acceptable Use of Equipment, Systems and Tools Used For Electronic Communication
- Code of Ethics
- Commercial Driver's License *— was repealed & replaced by A.O.134
1.24.2018*
- Correspondence
- Dress Code
- Education and Training
- Email and Acceptable Use Guidelines
- Hours of Work
- Incident/Accident Reporting
- Labor Disputes
- Life Threatening Illness
- Loss or Damage of Personal Property
- Outside Employment
- Personnel Records
- Phone Calls or Cellular Phone Use
- Privileged Information
- Safety
- Service and Recognition Awards
- Time Keeping
- Travel Policy
- Weapons Policy

A copy of each of the policies and related forms is attached and hereby made a part thereof.

Dated this 28th day of December, 2004.



KRISTOFF T. BAUER
KRISTOFF T. BAUER
CITY ADMINISTRATOR

Acceptable Use of Equipment, Systems and Tools Used For Electronic Communication

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

Purpose

To govern the acceptable use of the City's electronic communication equipment, systems and tools which are provided by the City of Billings to its authorized employees and authorized volunteers for the purpose of performing job functions including communication, information exchange, and research.

Policy

This policy applies to all equipment, systems and tools used for electronic communication, local area networks, computer networks, the Internet and e-mail, whether on microcomputers, minicomputers, lap-top computers, personal computers or main-frame computers in network configurations. All City employees and volunteers who have been authorized to use the equipment, systems or tools for electronic communication are subject to this policy.

Use of the City's electronic communication equipment, systems and/or tools is a privilege. Misuse, abuse or unauthorized use in violation of this policy may result in the loss of access for the user and are grounds for disciplinary action up to and including termination.

Authorized users of the City's electronic communication equipment, systems and tools are employees or volunteers authorized by the City Administrator or his designee to receive an account on the e-mail and/or Internet systems.

Prohibited uses of the City's electronic communication equipment, systems and tools and the information sent, exchanged, accessed or stored, include but are not limited to:

- illegal activities (use must be in compliance with all applicable federal, state and local laws);
- threats or harassment including sexual harassment;
- slander or defamation;
- Obscene, profane, vulgar or offensive language, suggestive messages or offensive graphical images;
- Political endorsements and lobbying;
- Commercial activities or any private business purpose. During non-work hours you may use the electronic equipment, systems and tools for which you have been authorized, if available, for incidental and occasional personal use if it does not generate any additional direct costs for the City;
- Any use in violation of the Code of Ethics applicable to City/local government and public employees;
- Religious activities;
- Using any unauthorized software;
- Purposely accessing or sending messages that are racist, discriminatory, inflammatory or demeaning to others, or that encourage illegal or prohibited activities. All policies of the City against discrimination and harassment apply in full to use of the City's electronic communications equipment, systems and tools;
- Sending or receiving copyrighted materials without the permission of the copyright holder;
- Using any means to defeat security systems on any computer network or knowingly transmitting viruses;
- Unauthorized changing of files that belong to another; and
- Failing to identify oneself clearly and accurately in all electronic communication.

E-Mail and E-Mail Security

See the ***E-Mail and Acceptable Use Guidelines*** policy.

The Internet

The Internet is a computer network that links computers and databases of information from around the world. Internet access is provided to authorized City employees and volunteers. There is a wide variety of information on the Internet, some of which may be offensive or otherwise objectionable to some users.

The City has no control over and is not responsible for the content of information available on the Internet.

Use of computer and network resources and the Internet access in violation of international, federal, state or local laws or regulations and licensing agreements, including but not limited to the illegal copying of software, is prohibited.

It is not acceptable to use the Internet access to transmit threatening, obscene, or harassing materials, or to interfere with or disrupt network users, services or equipment. Disruptions include, but are not limited to: propagation of computer worms and viruses, and using the network to make unauthorized entry to any other machine accessible via the network.

Employees may not post on or transmit through any on-line network any unlawful, harmful, threatening, abusive, harassing, defamatory, sexually explicit, vulgar, obscene, profane, hateful, racially or ethnically demeaning or threatening or otherwise objectionable language, images or material of any kind, including without limitation, any language, images or material which encourage conduct that would constitute a criminal offense, give rise to civil liability or otherwise violate any applicable law or City policies.

It is assumed that information and resources accessible via the Internet are private to the individuals and organizations which own or hold rights to those resources and information, unless specifically stated otherwise by the owners or holders of rights. It is therefore not acceptable for an individual to use the Internet to access information or resources unless permission to do so has been granted by the owners or holders of rights to those resources or information.

Use of the Internet access and any attached network in a manner that precludes or significantly hampers its use by others is not allowed.

Employees may not:

- send abusive or unwanted material causing the work of others to be disrupted.
- communicate under a false name or designation or a name or designation you are not authorized to use.

Employees may download files with the authorization of their supervisor, taking reasonable precautions for the prevention of viruses.

Employees may not introduce "rogue programs" (e.g., software introduced into computer and network systems for fraudulent or malicious purposes such as viruses, worms, trojan horses and logic bombs) to the Internet stations' hard drives.

Any misuse which compromises system security is prohibited.

Employees may not copy passwords belonging to others-and may not distribute or make their password or another person's password or access code available to others nor may the employee attempt or assist others in attempting to discover another's password or evade other security provisions. Employees may not disclose or make available their password to any third parties without the prior written consent of their supervisor.

Employees may not change, alter, copy or transfer files belonging to others without authorization.

Procedure

E-Mail

Employees, who receive a message that is objectionable or is in violation of this policy, should print or save the message and immediately inform their supervisor. The supervisor should then notify Human Resources and Information Technology.

Electronic mail is often considered to be a public record and may be subject to public disclosure in accordance with applicable law. Although not yet decided by the Montana Supreme Court, other courts have held that e-mail messages can constitute official records and that they must be identified, accessible and retained just like records in other formats. Their public accessibility is comparable to that of other written communications.

E-mail messages that are created or received in the transaction of public business and retained as evidence of official policies, actions, decisions or transactions are public records. Examples of messages that typically constitute public records include but are not limited to policies and directives, correspondence or memoranda related to official business, agendas and minutes of meetings, any documents that initiate, authorize or complete a business transaction, final reports or recommendations, etc.

Certain e-mail messages may not constitute public records, such as phone message slips, duplicates of documents distributed for convenience, and more personal messages not constituting official City business, i.e., words of encouragement, greetings, notices of retirement parties or holiday celebrations, etc.

All e-mail messages are considered to be temporary, and the system is not to be used as a record storage device. This is not intended to prohibit the creation from time to time of reference files for user convenience, which may remain on the system for extended periods of time.

Transitory messages which typically do not constitute public records should be removed by you on a weekly basis.

All authorized users must retain and regularly transfer public records to an organized, secure, and accessible filing system. Unintentional failure to do so because of the user's failure to enter the proper save and transfer commands will not be considered a violation of this policy unless there are repeated violations.

Each department head will choose one of the following filing systems for use in his/her department.

(1) Existing Manual System. One option for storing e-mail records is to print them on paper and file them in your existing manual filing system. You may print a hard copy of the document and file it appropriately within your own manual filing system.

(2) An Authorized Electronic Filing System or Repository. This second option allows e-mail messages and other electronic records to be stored, accessed more easily, and managed. All electronic filing systems or repositories must be designed and maintained with the approval of the Information Technology Manager and must be noted on the appropriate retention schedules before being used.

The length of time for retention of saved e-mail messages is governed by the City's records retention schedules for similar paper records.

The Internet

If an employee suspects the presence of a virus, the employee should immediately contact Information Technology for assistance.

The City's Internet hosts are traceable to the City. Users using City-provided Internet accounts should not assume they are provided any degree of anonymity. Outside users who want to identify machines associated with the City can do so easily.

Use of the Internet may be monitored by the City.

Public records requests may be made in writing or orally. All public records requests should be referred to the employee's department head or his/her designee to be handled in accordance with the City's Public Records Request policy.

Code of Ethics

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

Purpose

The purpose of this Policy is to affirm, in a comprehensive statement, required standards of conduct and practices with respect to certain type of payments and political contributions.

Policy

The people have a right to expect that every public employee will conduct himself or herself in a manner that will tend to preserve public confidence in and respect for the government he or she represents. Such confidence and respect can best be promoted if every employee will uniformly:

1. Treat all citizens with courtesy, impartiality, fairness and equality under the law; and
2. Avoid both actual and potential conflicts between his or her private self-interest and the public interest.

FAIR AND EQUAL TREATMENT

No employee shall grant or make available to any person any consideration, treatment, advantage or favor beyond that which is the general practice to grant or make available to the public at large.

No employee shall request, use or permit the use of any publicly owned or publicly supported property, vehicle, equipment, time, personnel, labor or service for the personal convenience or the private advantage of himself or herself or any other person. This rule shall not be deemed to prohibit an official from requesting, using or permitting the use of such publicly owned or publicly supported property, vehicle, equipment, material, labor or service which it is the general practice to make available to the public at large or which is provided as a matter of state public policy for the use of employees in the conduct of official business.

CONFLICT OF INTEREST

Financial or personal interest. No employee, either on his or her own behalf or on behalf of any other person shall have any financial or personal interest in any business or transaction with any public body unless the official shall first make full public disclosure of the nature and extent of such interest.

Disclosure and disqualification. Whenever the performance of his or her official duties shall require any employee to deliberate and vote (if applicable) on any matter involving the employee's financial or personal interest, the employee shall publicly disclose the nature and extent of such interest and disqualify himself or herself from participating in the deliberation as well as in the voting.

Incompatible employment. No employee shall engage in private employment with, or render services for, any private person who has business transactions with any public body unless the employee shall first make full public disclosure of the nature and extent of such employment or services to his/her Department Head.

Private interest. Private interest is a direct or indirect interest of a natural person, partnership, corporation or any other entity including a political entity other than the City or an organization in which the City is or may be affiliated.

REPRESENTING PRIVATE INTERESTS

No employee, whether paid or unpaid, shall appear on behalf of private interests before any public body of the City. An employee shall not represent private interests in any proceeding to which the City is a party.

These prohibitions shall not be construed to prevent an employee from making inquiries and investigations as provided, nor shall it prevent an official from appearing before any public body of the City to express the official's personal views as a private citizen.

This section only was repealed by
A.O. 134, adopted 1.24.18.

Commercial Driver's License (CDL)

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

Purpose

The City of Billings is committed to providing and maintaining a safe, healthy, and productive working environment for all of its employees and the residents of the community.

Policy

Employees who possess a Commercial Driver's License are subject to pre-employment, random, reasonable cause/reasonable suspicion and return to duty drug and alcohol testing. Loss of an employee's CDL may result in the termination of the employee's employment with the City, if the CDL is an essential function of the employee's job.

The following is list of Job/Position Classifications tested by CDL requirements.

| | |
|------------|---|
| Airfield | Airfield Operations Superintendent Airfield Operations / AFM Supervisor Airfield Operations / ARFF Supervisor ARFF / AFM Mechanic ARFF / Electrician I ARFF / AFM Worker |
| Transit | Transit Supervisors Transit Operators Bus Service Workers Mechanics Dispatcher Vehicle Service Technician On-call Drivers |
| Motor Pool | Motor Vehicle Maintenance Manager Lead Mechanic Mechanic(s) Vehicle Service Technician Seasonal Positions |
| Recreation | Recreation & Parks Superintendent Recreation Supervisor(s) |

| | |
|--------------|---|
| Public Works | Public Utilities Systems Engineer Engineer II Systems Maintenance Supervisor(s) Engineering Technician Sr. Equipment Operator / Maintenance Worker Equipment Operator / Maintenance Worker Mechanic Seasonal Positions Street / Traffic Superintendent Street / Traffic Supervisor(s) Sr. Equipment Operator Maintenance Worker Equipment Operator / Maintenance Worker Sign Fabricator / Maintenance Worker Traffic Signal Technician I Maintenance Worker Electrician II Seasonal Positions Solid Waste Superintendent Solid Waste Supervisor(s) Sr. Equipment Operator / Maintenance Worker Equipment Operator / Maintenance Worker Maintenance Worker Landfill Attendants Seasonal Positions Traffic Signal Technician II Electrician III |
|--------------|---|

Procedure

Obtain a copy of the Drug and Alcohol Testing Policy for the CDL Program via the City's intranet or by contacting your supervisor or Human Resources. The aforementioned policy discusses random testing, etc.

Correspondence

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

Purpose

The purpose of correspondence is essential to good communication in every department.

Policy

All correspondence received by the City is opened by clerical or other assigned employees in the various divisions. Occasionally, employees may receive correspondence at work. It is the employee's responsibility to inform the sender to mark these items "Personal & Confidential". Staff will not open mail that is marked in this manner.

Procedure

If mail not clearly marked "Personal & Confidential" is opened, then the correspondence will be placed back in the envelope, re-sealed, and forwarded to the employee.

Dress Code

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

Purpose

The appearance and demeanor of City employees has a great impact on residents' perceptions and, consequently, their impression of the City of Billings.

The purpose of the policy is to provide City of Billings employees direction for appropriate appearance.

Policy

The employees' manner of dress is a reflection upon the City government. All employees are expected to dress appropriately and always be well groomed. Uniforms issued to department employees shall be properly worn (as instructed by the supervisor). At all times, regardless of style, attire should be neat, clean, appropriate and professional. Department Heads and the employees' daily duties will determine appropriate attire.

Employees shall be considerate of co-workers, and clients concerning good personal hygiene.

The City of Billings is confident each employee will use their best judgment in following this policy. Management reserves the right to determine appropriateness, cleanliness, neatness, etc. A rule of thumb - if unsure an article of clothing is acceptable, then most likely it isn't. If still unsure, then the employee should check with his/her supervisor.

Education and Training Opportunities

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

Purpose

The City of Billings believes continuing education and training benefits employees in the performance of their jobs.

Policy

The City of Billings encourages the continuing education and training of its employees. Human Resources periodically offers in-house training/seminars that are of interest specifically to City employees.

This policy does not apply to any educational/training course, which is either required of the employee by the City or funded by other than regular City funds. Final approval for the educational assistance rests solely with the Department Head and Human Resources and is subject to the availability of budgeted funds.

Regular full-time and part-time City employees may receive reimbursement for a portion of the costs of tuition and books for satisfactory completion of job-related educational coursework. Non-bargaining employees will receive 75% reimbursement. Employees represented by a bargaining unit should refer to the applicable contract concerning reimbursement. To be qualified as job-related, the education courses must:

- maintain or improve skills required by the City; or
- be needed to meet express requirements of the City or of a law or regulation to retain the employee's salary, status, or employment.

Educational assistance does not qualify as job-related if the education courses:

- are needed to meet the minimum requirements of the job;
- will lead to qualifying the employee for a new trade or business; or

- are to fulfill general aspirations for personal reasons by the employee.
- Employees must also pass the course with a grade of "C" or equivalent.

Reimbursement will be received after successful completion of the coursework.

Procedure

Employees may contact their Division and/or Department Head to take advantage of training held in the area that would benefit them in the performance of their jobs. Employees requesting educational assistance must obtain written approval from their Department Head and Human Resources prior to initially attending the course. Upon completion of the course, the employee must provide their final grade to the supervisor. This will then be forwarded to Human Resources for placement in the personnel file.

E-Mail and Acceptable Use Guidelines

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

Purpose

Electronic mail or "e-mail" as a business tool utilized by the City of Billings, offers tremendous opportunities for enhanced productivity and cost savings in the operations of the City. However, it also provides the potential for misuse and abuse. Productive use of e-mail, like any other form of communication, requires understanding of common principles of style and etiquette, fair and responsible use, and consideration of the rights and needs of others.

Appropriate use of the City's e-mail systems should be the concern of every employee. It is the responsibility of any City employee, elected official or volunteer utilizing the City's e-mail system to read and familiarize themselves with the City's policy on e-mail and to abide by the policy.

The City intends to honor this policy, but must reserve the right to change it at any time, with notice, as may be required under the circumstances.

This policy covers the use of the City's e-mail system by all City employees and volunteers.

This policy is designed to educate all employees and volunteers of the City of Billings regarding the issues and practices of effective e-mail use; define the City's policy on the use and retention of e-mail; help authorized users use e-mail properly, consistently and effectively; reduce risk of loss, corruption, mismanagement and unauthorized access to e-mail messages; and increase the quality of the City's e-mail records.

Definitions

Chain e-mail: an electronic message sent to a number of people asking each recipient to send copies with the same request to a specified number of others.

E-mail:(electronic mail); an electronic communications tool provided by the City of Billings to its employees, elected officials and volunteers to aid with the efficient conduct of City business. It is the electronic transfer of information between users or to recipients outside of the City utilizing telecommunications links. Documents created or received via e-mail may include brief notes, formal correspondence, or substantive documents, and any attached computer files sent with a message.

E-mail system(s): all hardware, software and tools owned by the City of Billings and made available for official use by the City's employees, elected officials and volunteers for the purpose of performing job functions including communication, information exchange and research.

Mass e-mail: e-mail sent to a large number of recipients without any legitimate business purpose.

Official City business: includes any activities of employees, elected officials, or volunteers of the City of Billings, performed in accordance with the mission of the City. This includes any activity involving the expenditure of public funds, decision-making and policy development.

Personal records: records of individuals – including e-mail, which do not fall under official City business.

Public records: as defined by 2-6-202 M.C.A., includes any paper, correspondence, form, book, photograph, microfilm magnetic tape, computer storage media, map, drawing, or other document, including all copies thereof, regardless of physical form or characteristics, that has been made or received by a state agency in connection with the transaction of official business and preserved for informational value or as evidence of a transaction and all other records or documents required by law to be filed with or kept by any agency of the state of Montana. (This also applies to any "political subdivisions" of the state of Montana – i.e. the City of Billings).

Transitory records: records that do not set policy, establish guidelines or procedures, certify a transaction, become a receipt, or support business purposes. Such records are created to communicate information rather than perpetuate knowledge and are short-lived or have no administrative value.

Users: employees and volunteers authorized by the City to use the e-mail system owned and maintained by the City.

Policy

The City's e-mail system may be used by City employees, elected officials and volunteers to promote the efficient conduct of City business. No other persons may use the City's e-mail system.

Occasional, limited and appropriate personal use of the e-mail system is permitted. Appropriate personal use does not (1) impede or interfere with the conduct of City business; (2) interfere with the user's work performance or the work performance of any other user, (3) include use of a commercial nature or for a commercial purpose on behalf of the user, (4) result in personal financial gain for the user; (5) become excessive in nature, or (6) conflict with the acceptable use guidelines below.

The City's e-mail system exists primarily to accomplish the work of the City; therefore personal use should be done in a prudent and responsible manner. Such use should not (1) directly or indirectly interfere with the City's operation of computer facilities or e-mail services; (2) burden the City with noticeable incremental costs, or (3) interfere with the e-mail user's employment or other obligations to the City.

However, because of the difficulty of determining whether an e-mail message pertains to City business or is a personal record, e-mail users are reminded that an e-mail message is the property of the City if it resides on the City's e-mail system or on the City's equipment and may be a public record, subject to disclosure.

The City reserves the right to deny an employee's use of the e-mail system without further explanation. Messages received or created using e-mail, belong to the City of Billings. E-mail messages are not the personal property of City users, and users may not claim privacy protection of their communications, including those of a personal nature.

E-mail records of substantive informational or evidential value are public records and must be managed in accordance with the Public Records Act of Montana and all other state and City laws and requirements governing public records.

Users of the City of Billings' e-mail system must comply with the Acceptable Use Guidelines outlined in this policy.

Upon completion of employment, the departing e-mail user's supervisor may request a review of the contents of the user's mailbox to ensure the continuance of City business. At the exit of a City employee, a memo to

remove the employee from the e-mail system will be signed by the employee's supervisor and submitted to the City's e-mail administrator.

All new users of the e-mail system will be given a copy of this policy prior to setup of their mailbox and are required to sign an acknowledgement form upon receipt of the policy. Each existing user of the City e-mail system will be given a copy of this policy upon approval of the policy and will be required to sign an acknowledgement form confirming receipt of the updated policy.

Procedure

E-mail may be a public record if it meets the definition of Title 2, Chapter 6: Public Records of the Montana Code Annotated (MCA 2-6-202). As a public record, e-mail must be identified, managed, retained, and made publicly accessible like public records in other physical formats.

E-mail messages are considered to be official records and open to the public if they are created or received in the transaction of public business and retained as evidence of public policies, activities, decisions, or transactions. Examples of e-mail records that constitute public records include, but are not limited to, policies and directives, correspondence or memoranda related to official business, agendas and minutes of meetings, and any messages and file attachments documenting the initiation, authorization, or completion of a business transaction.

E-mail is not considered to be an official record if it consists of a personal message or a transitory transmittal relating only marginally to the transaction of City business. Examples of "unofficial" records include acknowledgments of receipts, notices of retirement parties and other office events, and information copies of e-mail transmittals. It should be noted that while these records are unofficial in nature, they might still be subject to public disclosure in some circumstances.

Monitoring E-mail Use

The City of Billings reserves the right to monitor employee use of e-mail by systems administrators or departmental supervisors. Employees are reminded that e-mail use is provided primarily for business purposes and not for personal purposes and that employees cannot expect protection of their personal or business related e-mail correspondence under privacy laws and regulations.

The City will not monitor e-mail messages as a routine matter. However, the City will respond to legal process and fulfill its obligations to third parties. The City will inspect the contents of e-mail messages in the course of an investigation triggered by indications of impropriety or as necessary to locate substantive information that is not more readily available by other means.

Security

Individual users are responsible for protecting their e-mail system and the messages contained therein from unauthorized users. This includes proper use of passwords to prevent unauthorized access. Users should change their passwords frequently and not share them with others.

Employees may not copy passwords belonging to others. Employees may not distribute or make their password or another person's password or access code available to others nor may they attempt or assist others in attempting to discover another's password or evade other security provisions.

Employees may not change, alter, copy or transfer files belonging to others without authorization.

Computers should not be left unattended in a state, which allows inappropriate access to e-mail records or compromises security of the City's e-mail system.

E-mail users must make sure of the appropriate content of messages to specific recipients and must at all times be aware of e-mail's capabilities for altering and forwarding messages. Careful use of share folders will also ensure that e-mail messages are read only by the intended audience.

City users must be careful of e-mails that may contain viruses. As a rule of thumb, do not open e-mail attachments that have been sent unsolicited and/or by an unknown sender. DO NOT OPEN any macros contained in e-mail attachments.

Public Access

Access to public records created or received using e-mail is subject to the public records regulations of the State of Montana Public Records (MCA 2-6-110). Access may be obtained through the City of Billings' procedures for requesting official records. (See Administrative Order #51)

Content

Before selecting e-mail as a means for communication or document transmission, users should consider the need for immediacy, formality, accountability, access, security and permanence. E-mail differs from other forms of communication. It is immediate and informal like a telephone conversation, yet more permanent than a telephone conversation. It is irrevocable like a hard copy document, yet easy to duplicate, alter and distribute.

City users must use careful deliberation in choosing the content and recipient(s) of an e-mail message, especially if that e-mail contains material of a sensitive nature. Use of e-mail is not appropriate for highly confidential information. A good rule of thumb regarding the content of e-mail messages is "not to put anything in an e-mail message that you would not want posted on a bulletin board." E-mail should be accurate, courteous and sent only to select recipients with a need to know. When an e-mail message leaves the sender, they relinquish control over it and the recipient is able to do with it what they wish.

City employees must be cognizant of the false sense of privacy and confidentiality suggested by e-mail technology. In fact, more than other communications media, e-mail facilitates the forwarding, copying, and manipulation of messages beyond the creator's control. Messages could also be delivered to the wrong address. Proper discretion in selecting e-mail content and recipient(s) is therefore advised.

E-mail messages originating from City offices must use a professional tone and adhere to an appropriate format, which includes proper grammar, appropriate subject line, and identification of recipient(s). E-mail is closer in nature to a letter, lacking both visual and auditory content of face-to-face communication. Great care should be taken to "craft" the tone of the e-mail message and to provide the recipient with the information needed to appropriately interpret the emotional nature of the contents.

"Material that is fraudulent, harassing, embarrassing, sexually explicit, profane, obscene, intimidating, defamatory, or otherwise unlawful and inappropriate may not be sent by e-mail, or displayed or stored on City computers." (Michael Overly *E-Policy*, AMACOM, American Management Association, 1999, p. 52). Users encountering or receiving this kind of material should immediately report the incident to their supervisors.

When using e-mail, City users must be careful to avoid copyright violations. Infringement on copyright may occur, for instance, by copying

the text of an article in the message (without authorization), or sending an attachment that has been downloaded from the Internet. E-mail itself is subject to copyright and copying or forwarding a message may constitute copyright infringement.

Creating e-mail so it appears to be from someone else is strictly prohibited.

Obtaining access to the files or communications of others is prohibited, unless expressly authorized to do so. An exception is the system administrator (i.e. postmaster) who may need to re-route or dispose of undeliverable messages. Attempting unauthorized access to any portion of the e-mail service or attempting to intercept any electronic communication without proper authorization is prohibited.

E-mail may not be used to represent, give opinions or otherwise make statements on behalf of the City, unless the sender is authorized by the City to do so.

E-mail may not be used to transmit unsolicited material such as repetitive mass mailings or chain messages.

E-mail should not be used "in lieu" of contracts or formal agreements because of the ease of alterations or misrepresentation.

Use short paragraphs in the body of the message, so it is easier to read. If the message is over a page in length, send it as an attachment. Keep messages focused on one subject – as referenced in the subject line.

Include your name and email address as part of your message. You may also include your position, mailing address, phone, and facsimile number.

NOTE: Additional *General E-Mail Etiquette Guidelines* are attached at the end of this policy as Appendix "A".

Subscription to ListServs

Subscription to lists using the City's e-mail system is acceptable, when the subject of the list pertains to official City business. However, if a user subscribes, then the user must also make sure they know how to unsubscribe from the list and to do so when there is no longer a business use for the information from the list. Users are cautioned that subscribing

to lists that may have hundreds of users may have the potential to adversely impact the City's e-mail system. If this becomes the case, the user must unsubscribe immediately.

Storage and Maintenance of E-Mail Records

Components constituting an e-mail record include message content, as well as transmittal data, sender and addressee information, and any electronic file attachments to the e-mail message. When maintaining e-mail records, City users must manage these components using the most effective method given the technological capabilities available.

E-mail messages must be maintained in a manner that allows their use by other authorized users who have a business need for access to the e-mail's information. Sharing e-mail with other authorized users may take place through depositing the records in the appropriate share folders for forwarding a record.

E-mail records must be maintained in an appropriate filing system to ensure proper management, and quick and reliable access to the information maintained in them. The basic options for maintaining e-mail records are (1) a manual filing system and (2) an electronic filing system.

To manage e-mail records manually, print out the messages and file the hard copies in the appropriate folders of the hard copy filing system. This method is easy to implement and especially effective if a well designed filing system already exists. However, this solution can be space intensive and also requires users time for filing the printout.

If e-mail records are retained in an electronic filing system, the filing system must, at a minimum, have the following attributes:

- allow for grouping of related records (e.g. through the creation of "folders") to ensure their proper context
- allow access to the records by all authorized users to ensure maximum usefulness to the City of Billings
- facilitate purging of e-mail messages that have outlived their retention period.

Like all other electronic records, e-mail messages maintained in an electronic filing system must be backed up daily to ensure against accidental loss of the information. City users are to select the back-up

medium most suitable to their hardware environment. Practices may include backing up to the mainframe, to a network or a server, to PC hard drives or onto removable media such as floppy disks or CD-ROMS.

Presently, the City's e-mail system stores all e-mail messages on the IT-server in the Information Technology Division. The system is backed up daily to magnetic tape. Tapes are retained for thirty (30) days, then recycled and taped over. Messages remain on the server until deleted by the user. Users are ultimately responsible for their individual e-mail. The e-mail system does however allow a user to archive their messages onto a PC hard drive.

Retention

Proper retention and deletion of e-mail records is mandated by MCA 2-6-212, which also governs the proper disposition of official records in all other formats. Retaining e-mail records according to established retention guidelines (1) preserves computing resources; (2) saves resources required to manage e-mail records and to maintain them in a readable and accessible manner; (3) facilitates access to relevant information; and (4) reduces exposure in litigation to potentially harmful information, while maintaining due diligence.

E-mail records are maintained on the IT server or any other servers selected by the user, until deleted by the e-mail user.

Transitory e-mail records that have been saved to a hard drive or network directory should be purged weekly and deleted when they are superseded or obsolete. Remember, these records are subject to public records requests and discoverable in legal proceedings. Transitory e-mail messages that accumulate in e-mail systems consume disk space and erode the efficiency of the entire system.

E-mail records that have official record status are subject to the City's records retention and disposition schedules. These schedules apply to all of the City's records, regardless of physical format, and pertain to e-mail records regardless of whether they are maintained electronically or as printouts. To facilitate schedule implementation, e-mail records should be maintained in folders and/or directories that reflect the business function and records series of the records.

If the e-mail is not a public record or an official record, it may be disposed of without consideration for retention and disposition requirements. Users with questions regarding public records issues and records retention

requirements should seek answers to these questions from their supervisors, prior to deleting e-mail messages.

When deleting e-mail records according to the appropriate retention guidelines, authorized users must be sure to delete any back-up versions of the records as well. Users of e-mail should also be aware that although the sender and recipient have deleted their copies of an e-mail record, backup copies may exist on the server, on backup magnetic tapes, in a history file on a hard drive or elsewhere.

Violations

Violations of this policy will be dealt with in the same manner as violations of other City policies and may result in disciplinary review/action, ranging from loss of e-mail privileges to dismissal and even criminal prosecution, if appropriate. In the event a user is notified of an investigation, no files may be altered or destroyed.

The City of Billings owns the contents of all files stored on its systems, all messages transmitted over its systems, and reserves the right to access them. E-mail may be accessed and monitored in the normal course of business by system administrators, supervisors and support staff.

User Responsibilities

People expect responses to their e-mail. It is the user's responsibility to administer their individual mailbox, including (1) checking your e-mail frequently, at least daily is recommended; (2) responding to your e-mail promptly; (3) deleting messages following the guidelines set forth in this policy; (4) managing stored messages following the guidelines set forth in this policy, (5) adhering to the guidelines established in this policy, and (6) learning how to effectively and responsibly use the software of the current e-mail system.

APPENDIX 'A'

GENERAL E-MAIL ETIQUETTE GUIDE

- ***Know your audience***

Be aware of the culture and conventions of your e-mail recipients. Communication and especially e-mail conventions may vary between groups. Remember also, different users have different levels of experience with technology applications like e-mail. Be patient and supportive with new users.

- ***Proofread***

Spelling and grammar mistakes can be just as distracting in an e-mail message as they are in written communications. Take the time to proofread your messages, especially messages that are used to communicate or document agency business.

- ***Keep messages brief and to the point***

Make your messages concise, not cryptic. Shorter paragraphs have more impact and are more likely to be read by busy people. Most people can only grasp a limited number of ideas within a single paragraph, especially on a computer screen.

- ***Format messages for easy reading***

White space enhances the look and clarity of an e-mail message, and a blank line only adds a byte to the message, so don't be stingy. Lengthy messages are almost always read in hard copy form and should be prepared accordingly (e.g. with cover sheets, headers, page numbers, and formatting) and more appropriately sent as an attachment.

- ***Don't over-distribute e-mail***

Every message you send creates work for someone else who must read, consider, and deal with the message. It may be better to post some messages on an electronic bulletin board in order to reduce the number of copies routed to individual users.

- ***Respect the privacy rights of others***

Don't invade privacy. Don't forward or distribute messages without permission. Don't read other people's mail. If you receive someone else's mail, e.g., because the sender entered a wrong address or you happen upon a PC or terminal someone failed to logoff of, use the same consideration you would with traditional mail. Inform the appropriate party, see that the mail is returned, and notify your network administrator.

- ***Be aware of differences across e-mail systems***

Others may not have the same e-mail features or capabilities you have, in which case, avoid special control characters like bold, underline, and special fonts; even tabs can differ. With the exception of binary (program) files, keep your lines under 80 characters; if possible don't exceed 72 characters.

Be sure that your editor inserts carriage returns at the end of each line; if not, enter a hard return. Be extra careful with graphics. Whenever possible, find out in advance what e-mail features and software tools your recipients have.

Cite the appropriate references and context of a message

Reference any related e-mail message or posting, and the event, topic, or issue that your message refers to, in order to avoid being taken out of context and misinterpreted. Take time to back up your statements with references to documents or articles, just as you would in written material.

Identify yourself

Especially if you are acting on behalf of an organization or professional association, or if you have relevant background or expertise in a matter, identify your affiliation, title, background, and expertise in your e-mail message. Include your e-mail address in the message and any attachments to it.

Separate opinion from non-opinion

So that readers do not confuse personal opinion with agency policy or position, use labels and explanatory notes to distinguish opinion from fact. If necessary, include a brief disclaimer.

Respect copyright and license agreements

Copyright laws are applicable to e-mail networks. Some software that is available for public retrieval through the Internet requires a valid license from the vendor in order to use it legally. Posting information on networks is similar to publication. Be careful to cite references.

Avoid sending e-mail in anger or as an emotional response

It is best not to send these kinds of messages over e-mail. Such situations are better worked out in person or in another forum. If you do send such a message, be sure to warn readers of your intent with the use of established conventions or explanatory notes. (These messages are often called "flames".)

Don't be hasty

If a message or posting generates negative feelings, set it aside and re-read it later. An immediate response is often a hasty response. Don't rule out the possibility that a misunderstanding or misinterpretation might occur. It is common with e-mail because of the lack of physical cues.

Avoid putting text in all capital letters

Most users suggest that you avoid putting all text in caps because it may seem ANGRY or HARSH. Uppercase text is often interpreted as having extra emphasis.

Be careful what you say about yourself and others

As a general rule of thumb, don't commit anything to e-mail that you wouldn't want to become public knowledge. Think twice before posting personal information about yourself or others. There is always the chance that a message could end up in someone else's hands. Be aware that e-mail

messages are often retained on system backup tapes and disks in central computing facilities after they are deleted from the mail system.

- ***Don't be fooled by the "illusion" of privacy***

Assume that your message could be around for a long time.

- ***Don't send abusive, harassing, or bigoted messages***

This is inappropriate and counterproductive for obvious reasons and reflects badly on the individual and the entire organization. Even on wide area networks, e-mail can usually be traced to the originating machine and user. Systems on the Internet are actually liable for the misdeeds of their users.

- ***Re-read your mail for content and tone before you send it***

On many systems, once you send a message you are committed to it and cannot retract it.

- ***Try to keep messages to a single subject; use subject line entries***

The subject line of an e-mail message serves a number of important purposes: (1) it enables busy people to discern the subject of a message and when it must be read; (2) it is used to index the message in mailboxes and file folders; (3) it may be used to identify what messages are "records" and need to be transferred to a central recordkeeping system in the agency.

- ***Post messages only when they are relevant***

- ***Don't make messages "urgent" when they don't need to be***

Most of us learned the lesson of "the boy who cried wolf" quite some time ago. In today's world, this lesson rings true for the misuse of priority mail notices. These notices will soon become meaningless with overuse.

- ***If you participate in Listservs and User groups, learn the etiquette of each specific group***

(Compiled from The Innovations Group research packet on *E-mail and Internet Use Policies*)

Hours of Work

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

Purpose

The City of Billings believes that work schedules should be established.

Policy

Scheduled work hours vary depending on the position within the City. Generally, the workweek is 40 hours, 8 hours a day, Monday through Friday, with a lunch period designated by each department. Schedules may be varied to include shifts other than eight (8) hours in duration based on the needs of the division or work group. Whenever possible, two fifteen minute "breaks" are granted, one in the morning and one in the afternoon. Lunch periods and breaks are scheduled by the supervisor to ensure that the office or job site is always staffed. Certain departments within the City require different work schedules such as Police, Fire, Transit, Aviation, and Public Works. Emergency snow removal, large fires, or other emergency situations may require special procedures and working hours.

Generally, the workweek begins on Monday and ends on Sunday. However, a different workweek can be established. It may begin any day of the week and at any hour of the day. However, any change to the workweek is intended to be permanent and is not designed to change frequently to evade the payment of overtime to non-exempt employees.

Non-exempt employees should not be reporting to work any earlier than they need to in order to begin their normally scheduled shift. All employees need to be approved for overtime prior to working it (see Overtime Policy).

The combining of breaks and/or lunch periods and breaks is not authorized.

Procedure

Normally employees shall be scheduled to work a regular shift and each work shift shall have a regular starting and ending time. Operational needs may require changes in work schedules.

Incident / Accident Reporting

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

Purpose

The City of Billings is concerned with the health, safety, and welfare of its employees. Accident prevention is of primary importance to both the City and its employees.

Policy

Any incident / accident or near miss must be immediately reported to the supervisor and the appropriate form completed. Any incident / accident of a serious nature (excessive property damage and or personal injury) requiring attention shall be immediately reported by telephone to Human Resources (657-3061) and be followed up in writing.

Procedure

Report any incidents or accidents immediately. Complete the proper paperwork. Forward all report forms to Human Resources.

A copy of the Accident/Injury Report form follows this policy.



CITY of BILLINGS

REPORT OF: (Check all that apply)

Employee on-the-job injury*
 Occupational illness*
 Damage to City property
 Damage to citizen's property or person

***(For Employee On-the-Job Injuries & Occupational Illness – a First Report of Injury Form must be completed.)**

THIS FORM MUST BE COMPLETED AND SUBMITTED TO HUMAN RESOURCES. EMAIL TO hr@ci.billings.mt.us or FAX TO 657-8390, or SEND VIA COURIER. A DRAFT COPY IS REQUESTED AS SOON AS POSSIBLE, EVEN IF/WHILE YOU ARE ATTEMPTING TO ROUTE FOR REVIEW AND SIGNATURES.

EMPLOYEE

Employee: _____ Dept & Position: _____

Work Phone: _____

Supervisor: _____ Supervisor Phone: _____

INCIDENT

Date & Time of Incident: _____ Address/Location of Incident: _____

Describe what occurred:

Investigating Police Officer: _____ Report No.: _____

CDL Holders: Was employee drug/alcohol tested? _____ If no, why not

(Employee must be immediately tested if any of the following occurs: medical treatment is required, either vehicle is disabled, driver receives a citation, or there is a fatality. If testing is not conducted, we must specify why it was not necessary).

EMPLOYEE INJURY

Type of Injury and Part(s) of Body *

(*Be specific. e.g., sprained R ankle, bruised L wrist, etc.)

Did or will the employee seek medical treatment? _____ Name of Dr./Hospital: _____

Type of medical treatment: _____

(Must submit doctor's statement/restrictions/release)

Did a doctor remove the employee from work? _____ Date(s) of absence: _____

Did a doctor impose restrictions or limitations due to this injury? _____

If yes, explain: _____

CITY VEHICLE AND/OR OTHER CITY PROPERTY

Description of Property _____ Vehicle Year, Make & Model _____

Vehicle No.: _____

Description of Damage (Attach/Enclose photos): _____

CITIZEN/OTHER PARTY INFORMATION

Name: _____ Address: _____ Phone(s): _____
City/ST/Zip _____ Phone(s): _____

Driver Name (if different than above): _____ Phone(s): _____

Owner Name (if different than above): _____ Phone(s): _____

Description of Damage (Attach/Enclose photos):

Vehicle Year/Make/Model: _____ License Plate No.: _____ VIN: _____

Insurance Company: _____ Policy No: _____

Agent: _____ Agent Phone: _____

Citizen injuries and treatment:

Doctor or Hospital:

WITNESSES: (Attach signed witness statements as appropriate)

Witness Name: _____ Phone: _____ Address: _____

Witness Name: _____ Phone: _____ Address: _____

Witness Name: _____ Phone: _____ Address: _____

Address: _____

SUPERVISOR'S SECTION

Date/time employee reported incident to you:

Based on your investigation, what was the cause of this accident ?

UNSAFE ACT

FAILURE TO FOLLOW RULES

IMPROPER PROCEDURE

EQUIPMENT/FACILITIES

HASTE

TRAINING

FAILURE TO OBTAIN HELP
PERSON

UNSAFE CONDITION

UNSAFE LAYOUT

UNSAFE

INSUFFICIENT EMPLOYEE

ACTION OF ANOTHER

IMPROPER USE OF TOOLS/ EQUIPMENT PERSONAL
PHYSICAL CONDITION
 INATTENTION OR DISTRACTION OTHER (EXPLAIN)
 FAILURE TO USE PPE

Supervisor's comments – Including what specific corrective actions have been/will be implemented to prevent similar injuries.

SIGNATURES:

Employee: _____ Date: _____

Supervisor: _____ Date: _____

Dept/Division Head: _____ Date: _____

(FAX completed form to 657-8390.)

(Revised 3/04)

Labor Disputes

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

Purpose

In the event of a labor dispute, the City has a contingency plan called the City Strike Plan for the continuance of essential City services.

Policy

All management and non-bargaining employees shall comply with the City Strike Plan upon notification of the dispute.

Procedure

The Strike Plan will be distributed by Administration as needed.

Life Threatening Illness

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

Purpose

The City of Billings believes that the employees must be able to perform their duties in a safe and effective manner and ensures that the employees provide every person the same quality of service, regardless of a person's state of health.

Policy

The following policies will be in effect regarding employees with life threatening illnesses.

1. These employees will be treated the same as all other employees as long as they are able to meet acceptable performance standards and medical evidence indicates that their conditions are not threats to themselves or others.
2. Individual employee health conditions must be kept confidential. All reasonable precautions will be taken to protect employee health and medical information in accordance with Federal and State constitutional and other legal guarantees.
3. The City will provide the following resources for City employees with respect to life threatening illnesses:
 - A. Management and employee education on specific life threatening illnesses.
 - B. Referral to agencies and organizations that offer supportive services for life threatening illnesses.
 - C. Benefit consultation to assist employees in effectively managing sick leave and other benefits.

When an employee is known to have a life threatening communicable disease, such as AIDS, reasonable efforts will be made to determine if co-

workers or members of the public are at risk from having job related contact with the employee. If such risk is found, then the City will provide any available information to co-workers or members of the public that is consistent with a compelling public interest or is allowed under confidentiality laws. The City will work closely with City-County Health Departments in making such determinations. Employees may be reassigned if the public is at risk from direct contact such as emergency medical treatment.

For employees having life threatening diseases as well as all other employees, the City reserves the right to require an examination of anyone using sick leave, medical benefits, or workers' compensation benefits, or whose physical or mental condition interferes with the performance of his or her duties, or whose physical or mental condition creates a health or safety threat to the employees, or other employees of the public, by a medical doctor, psychologist, or psychiatrist appointed by the City.

Procedure

When dealing with situations involving employees with life threatening illnesses, managers should:

1. Remember that an employee's health condition must be kept confidential. Precautions must be taken to protect information regarding an employee's health condition. The employee should be informed, however, that the City Administrator, HR Manager, and the City HIPAA Coordinator must be notified to ensure the best handling of the situation.
2. Contact Human Resources if information is needed about life threatening illnesses, or if further guidance is needed in managing a situation involving an employee with a life threatening illness.
3. Contact Human Resources if there is any concern about the possible contagious nature of an employee's illness. It will be determined if a statement should be obtained from the employee's attending physician that continued presence at work will pose no threat to the employee's co-workers or customers, or that the employee will not be at risk of severe illness from exposure to co-workers.

4. Be sensitive and responsive to employees' and co-workers' concerns, and emphasize available employee education for life threatening diseases.

Loss or Damage of Personal Property

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

Purpose

The City of Billings believes that employees are responsible for their own valuables.

Policy

The City does not assume the responsibility for the loss of money or other valuables by employees.

Procedure

Employees are asked to report missing items to their supervisor or to Human Resources immediately.

Outside Employment

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

Purpose

The City of Billings believes that City employees provide crucial services to the residents of Billings and that the employee's position with the City must be primary.

Policy

The City discourages employees from holding other jobs. If employees find it necessary to take on occasional or a part-time job, then it must not interfere with efficient performance of regular duties or involve a conflict of interest. In addition, the part-time employment must not occur during regular or assigned working hours.

Procedure

Employees must check with their supervisor before accepting part-time work and must notify the supervisor in writing. Employees must complete an "Outside Employment" form (attached). The form can be obtained via the intranet or by contacting Human Resources.

CITY OF BILLINGS

NOTIFICATION OF OUTSIDE EMPLOYMENT

(If approved, the approval is for one year from approval date. Employment is subject to annual review.)

Date of Request: _____

Name: _____

Division: _____

Classification: _____

Date of Hire with City: _____

I hereby notify the City of Billings of the outside employment described below, understanding that such work will neither conflict with my employment with the City of Billings, nor cause any conflict of interest, either actual or potential in relation to my employment with the City of Billings. I understand that I am not representing the City of Billings in any way, that I am a private citizen. I agree to hold the City of Billings harmless for any act or omission arising from my outside employment, and that I will not use any City of Billings resources in my secondary employment including: city time, official reports, computers, vehicles, or any other equipment or resources available to me in the course of my employment with the City of Billings. **Violation of this is a criminal offense - Refer to Billings Montana City Code, Article 2-700 Code of Ethics, Section 2-703 Fair and Equal Treatment., (b) No official shall use public time, facilities, equipment, supplies, personnel or funds for the official's private business purposes.**

Name of Company: _____

Phone Number: _____

Nature of work to be performed:

Hours of work:

Number of hours per day/week/month:

Estimated Duration of job: _____

Immediate Supervisor: _____

Note: If work is intermittent and does not follow a fixed schedule, state the approximate hours and schedule:

Signed: _____

Supervisor _____ Date _____

Division Head _____ Date _____

Department Head Date

Original - Personnel File
cc: Employee Department File

(Revised 3/1/04)

BILLINGS POLICE DEPARTMENT

REQUEST FOR APPROVAL OF OUTSIDE EMPLOYMENT - SWORN PERSONEL

If approved, the approval is for One Year from approval date. Employment is subject to annual review.

Date of Request: _____

Name: _____

Division: _____

Classification: _____

Date of Hire with City: _____

I hereby request authorization to engage in the outside employment described below, understanding that such work will neither conflict with my employment with the City of Billings, nor cause any conflict of interest, either actual or potential in relation to my employment with the City of Billings. If this request is approved, I understand that I am not representing the City of Billings or the Police Department in any way, that I am a private citizen. I agree to hold the City of Billings and the Police Department harmless for any act or omission arising from my outside employment, and that I will not use any City of Billings or Police Department resources in my secondary employment including: city time, official reports, computers, vehicles, or any other equipment or resources available to me in the course of my employment with the City of Billings and the Police Department. **Violation of this is a criminal offense - Refer to Billings Montana City Code, Article 2-700 Code of Ethics, Section 2-703 Fair and Equal Treatment., (b) No official shall use public time, facilities, equipment, supplies, personnel or funds for the official's private business purposes.**

Name of Company: _____

Phone Number: _____

Nature of work to be performed:

Hours of work: _____

Number of hours per day/week/month: _____

Estimated Duration of job: _____

Immediate Supervisor: _____

Note: If work is intermittent and does not follow a fixed schedule, state the approximate hours and schedule:

Signed: _____

Conditions set forth by Administration:

APPROVED:

DISAPPROVED:

| | | | |
|--------------|------|--------------|------|
| Deputy Chief | Date | Deputy Chief | Date |
|--------------|------|--------------|------|

| | | | |
|-----------------|------|-----------------|------|
| Chief of Police | Date | Chief of Police | Date |
|-----------------|------|-----------------|------|

Original - Personnel File
cc: Sworn Personnel
Deputy Chief

(Revised 3/1/04)

Personnel Records

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

Purpose

The City of Billings maintains employee records in Human Resources. The personnel file includes an employee's application, references, transfers, promotion, disciplines, evaluations, and other material relating to his/her employment.

Policy

Personnel files are kept as a confidential record of each employee's employment history. An employee's department/division head, direct supervisor, the City Administrator, and/or other individuals with an official need to know, also have access to the personnel files.

The City will not provide information from an employee's file to non-employees except where governed by law.

Procedure

In order to maintain up-to-date files, employees must notify Human Resources of any changes in address, telephone number, name, educational accomplishments, recent skill developments, and emergency contacts. All information contained in this file is open for the employee's inspection and review by making an appointment with Human Resources.

Phone Calls and Cellular Phone Use

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

Purpose

To govern the use of the City phone system for personal use and the acceptable use of personal cell phones and cell phones provided by the City of Billings to its authorized employees and authorized volunteers for the purpose of performing job functions including communication and information exchange.

Policy

This policy outlines the use of the City phone system the use of personal cell phones, the use of City provided cell phones, and the safe use of cell phones by employees while driving.

Procedure

General

Personal long distance calls may not be made at the City's expense. City phone records will be audited on a regular basis. Particular phone numbers may be audited/monitored for misuse.

The City will not require employees to respond to City calls on their personal cellular phones unless they are on-call/on-standby.

Phone calls pertaining to outside employment matters and the utilization of City property are not authorized during an employee's shift. Section 2-2-121, MCA, states that a public employee may not "use public time, facilities, equipment, supplies, personnel or funds for the employee's private business purposes."

City Phone System

The City recognizes that employees will occasionally need to place and receive personal phone calls during the workday. In all cases, use of City phones for personal calls should be minimal, whether the calls are placed or received. Receiving and placing excessive calls is disruptive to others.

Excessive personal calls during the work day, regardless of the phone used, can interfere with employee productivity and be distracting to others. A reasonable standard the City encourages is to limit personal calls during work time to no more than one per day as needed. Employees are therefore asked to make any other personal calls on non-work time where possible and to ensure that friends and family members are aware of the City's policy. Flexibility will be provided in circumstances demanding immediate attention.

Personal Cellular Phones

While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of City phones.

The City will not be liable for the loss or damage of personal cellular phones brought into the workplace.

Personal Use of Company-Provided Cellular Phones

Where job or business needs demand immediate access to an employee the City may issue a business cell phone to an employee for work-related communications. To protect the employee from incurring a tax liability for the personal use of this equipment, such phones are to be used for business reasons only. Phone logs will be audited regularly to ensure no unauthorized use has occurred.

If an employee experiences a severe personal emergency that results in the need to use the City's cellular phone, he or she shall report the use to their immediate supervisor. Failure to report such use may result in disciplinary action. The use of a City provided cellular phone for personal use is to be limited, strictly, to emergency use only. Employees, who are provided a City cellular phone, shall inform others of this policy and its restrictions.

Employees in possession of company equipment such as cellular phones are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the phone for return or inspection. Employees unable to present the phone in good working condition within the time period requested (for example, 24 hours) may be expected to bear the cost of a replacement.

Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss.

Safety Issues for Cellular Phone Use

Employees whose job responsibilities include regular or occasional driving and who are issued a cell phone for business use are expected to refrain from using their phone while driving. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are strongly encouraged to pull off to the side of the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options if available, refrain from discussion of complicated or emotional discussions and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area.

In situations where job responsibilities include regular driving and accepting of business calls, hands-free equipment shall be provided to facilitate the provisions of this policy.

Employees whose job responsibilities do not specifically include driving as an essential function, but who are issued a cell phone for business use, are also expected to abide by the provisions above. Under no circumstances are employees allowed to place themselves at risk to fulfill business needs.

Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.

Violations of this policy will be subject to discipline, up to and including termination.

Privileged Information

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

Purpose

The City of Billings believes that City employees may be involved with and exposed to privileged information which, in turn, must remain as such.

Policy

Employees involved with plans, programs or information of significant public interest may not use this information for personal gain or to benefit friends or acquaintances.

Procedure

If an employee has outside interests which could be affected by a City plan, then the employee must report the situation to their immediate supervisor immediately.

Safety

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

Purpose

The City of Billings is concerned with the health, safety, and welfare of its employees. Accident prevention is of primary importance to both the City and its employees.

Policy

Employees are required, in the performance of their duties, to exercise caution; use normal safe working practices; observe and obey safety postings and rules; use and care for required protective equipment and gear furnished by the City and to report all accidents to their supervisor as soon as reasonably possible. **All industrial and vehicle accidents and near misses must be reported to the employee's immediate supervisor and Human Resources. All vehicle accidents must also be reported to the appropriate law enforcement agency** and the employee must insist that all parties involved remain at the scene of any vehicle accident until police officers can investigate.

Motor vehicles purchased by the City of Billings are equipped with safety belts in compliance with Federal Motor Vehicle Standards. All employees who drive city vehicles shall use and ensure that all passengers use available safety belt equipment installed in the vehicle being operated. The following applies to employees driving "City-owned" vehicles and to employees driving their own vehicles for City business. For purposes of this policy, the term "employee" is inclusive of both supervisory and non-supervisory employees.

Procedure

Any incident/accident must be immediately reported to the employee's immediate supervisor and Human Resources. The incident/accident will be reported on the attached form. All report forms must then be forwarded to Human Resources. Any incident/accident of a serious nature requiring immediate attention shall be immediately reported by telephone to Human Resources and be followed-up in writing.

Service and Recognition Awards

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

Purpose

The City of Billings believes in the recognition and importance of loyal, dependable and long-term employees.

Policy

The City presents service awards and recognition in appreciation for continuous service.

Procedure

Service

Awards are given at the completion of five (5), ten (10), fifteen (15), twenty (20), twenty-five (25) and thirty (30) years of continuous full-time service. Part-time employment will be recognized. Service awards are based on years of service provided as of December 31 of each year.

Recognition

STAR Award Program.

The STAR Award Program recognizes the power of teamwork and the higher level of service that teamwork provides to the residents of Billings. The STAR Award commends employees for providing outstanding service and encourages the continuance of that level of performance.

A STAR Award may be given to any employee: from one employee to another, from an employee to a supervisor, from a supervisor to a subordinate, or by recommendation of a citizen through the supervisor. STAR nomination forms can be obtained on the intranet or by contacting a supervisor or Human Resources.

Time Keeping

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

Purpose

The law requires complete and accurate records for compensating employees. This policy defines the guidelines for recording and processing time worked by City of Billings employees.

Policy

Maintaining the integrity of the City timekeeping system is essential. Although supervisors have primary responsibility for overseeing the timekeeping procedures in their work units, employees are responsible for recording their time appropriately.

Positive time reporting is used by nonexempt employees who are responsible for daily entry of exact hours worked and absences. Shift differential and on-call hours are also reported, if eligible. The supervisor must verify that the recorded information is correct. Both the employee and the supervisor must sign the timesheet. All nonexempt employees are required to submit a timesheet for each pay period.

Pay and time-off accruals/usage for the nonexempt employee is based on the timesheet recordings.

The City must pay nonexempt employees for all time that the City allows them to work. Thus, even unrequested work that an employee performs must be included in hours posted on the timesheet. Management is responsible for seeing that work is not performed if it does not want to incur the additional expense.

Time spent in preliminary or postliminary activities that are essential to performing a nonexempt employee's job must also be recorded on the timesheet. Examples include changing into uniform or preparing tools, machines, or equipment.

Exempt employees are paid on a salary basis for the job performed on a bi-weekly basis. An exempt employee is not required to submit a time sheet unless he/she takes vacation, uses sick leave, is out under the provisions of FMLA or Workers Compensation, or is using Leave Without Pay.

An exempt employee of the City of Billings is not required to keep track of actual hours worked for the purpose of getting paid. However, there may be business reasons for keeping track of actual hours worked when required to do so for Cost Allocation purposes, as an example. City of Billings exempt employees do not earn compensatory time.

An exempt employee should not use vacation to cover an absence from work for less than one workday. Absences for more than one workday need to be coordinated with the employee's immediate supervisor and a time sheet completed to reflect the number of hours absent from work.

Procedure

The City has established earnings codes to be used when completing and processing timesheets. The codes are used for recording productive/nonproductive work hours and paid/unpaid absences.

Nonexempt employees report time in quarter-hour increments. Quarter-hour increments are also used for recording overtime and paid time off.

Timesheets are distributed on the Friday prior to the start of the work week on Monday.

The supervisor and/or designee are responsible for processing the time reporting information according to procedures and time frame established by Human Resources.

The timesheet for an absent exempt or nonexempt employee should be completed and processed by the supervisor so the appropriate pay deposit occurs.

Travel Policy

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

Purpose

Employees with prior approval will be allowed to travel for necessary City purposes and will be reimbursed for reasonable and necessary expenses incurred in getting to and from those places involved in City business.

Policy

The travel policy acts as a basic guideline for all City departments and employees who use City-owned vehicles and who travel on City business. A variety of transportation modes exist and it is also the City's policy that the least expensive mode of transportation available be used while considering both time and actual reimbursement costs. The City Administrator gives final approval for travel and vehicle use. Department heads and supervisors must carry out the policy and must ensure that their employees follow correct procedures. Reimbursed expenses include only those incurred while traveling in connection with official business.

Procedure

The Finance Division is responsible for determining that the travel policy is being followed; that proper accounts are being charged, and that there are budgeted funds available.

- A. All travel, including the means of transportation to and from a destination, must be approved by the appropriate Department Head or designee before any trip is made. The use of the training or the conference requisition is required for all travel (except within the City of Billings) and will be submitted to the Finance Division and the City Administrator for approval.
 1. A written travel or conference requisition form, when required, should be submitted at least six (6) weeks prior to the travel. Any purchase order(s) relating to the travel will be submitted three (3) to four (4) weeks prior to the travel.

2. Cash advances are discouraged, but can be requested by employees who have received their Department Head or designee's approval to do so.
- B. All travel outside the Continental United States and Canada must be reviewed and approved by the City Council.
- C. All transportation shall be by the most economical means--taking into consideration the direct cost of the carrier, the cost of the employee's time away from the office, and expenses incurred for additional nights lodging and meals. All commercial air travel shall be by the least expensive service available. An employee may be asked for documentation justifying the means of transportation and/or cost savings.
- D. If travel by automobile is decided to be appropriate in terms of cost and time, the employee will use a City-owned vehicle. Exceptions (including the use of a private vehicle) need the approval of the City Administrator, unless stated in Labor Contract Agreements. Departments who do not have a vehicle for such travel may contact the Motor Pool for assistance. When private vehicles are used, reimbursement will be limited to tourist class airfare or the allowable mileage rate, whichever is less. The allowable mileage rate shall be established annually based upon the mileage rate currently allowed by the IRS. Employees who receive a vehicle allowance are eligible for reimbursement for gasoline purchases for travel exceeding 100 miles round trip. Reimbursement for mileage will be from the employee's workplace to the travel destination and returning to their work place.
- E. When practical, employees will carpool when attending the same conference or training. An employee may take their own car but will not be reimbursed for mileage, or upon agreement split the reimbursement with the other drivers.
- F. All things being equal, employees shall stay at the hotel/motel with the most reasonable rate.
- G. Explanation for the necessity of a rental car will be included on the travel requisition form and subject to approval by the City Administrator.
- H. A completed travel expense report showing expenses for reimbursement, and a detailed meeting/conference agenda, must be filed with the Finance Division within ten days upon the return from the trip.
- I. Travel expenses which require reimbursement shall be supported by vendor receipts. No reimbursements will be made without vendor receipts or

documentation, except for certain instances where receipts are not customarily provided. Money spent for entertainment or personal items will not be reimbursed.

Per diem allowance for meals is the only allowable method for reimbursement.

MEALS PER DIEM WITHIN THE STATES OF MONTANA, WYOMING, NORTH DAKOTA AND IDAHO - NO RECEIPTS NEEDED:

| | |
|------------------|-----------------------|
| Breakfast | \$ 6.00 |
| Lunch | \$ 7.50 |
| Dinner | <u>\$16.50</u> |
| | \$30.00 |

MEALS PER DIEM FOR TRAVEL OUTSIDE THE STATE OF MONTANA, EXCEPT FOR WYOMING, NORTH DAKOTA AND IDAHO - NO RECEIPTS NEEDED:

| | |
|------------------|------------------------|
| Breakfast | \$ 10.00 |
| Lunch | \$ 12.00 |
| Dinner | <u>\$ 22.00</u> |
| | \$44.00 |

The employee is unable to claim a meal if it is included in the registration cost of the training/conference. Exceptions include continental breakfasts, additional costs for banquets, and when the employee attends a training session or required business meeting during a scheduled meal.

If travel or attendance occurs during the following time slots, per diem payment may be made for the indicated meals.

| | | |
|---------------------------------|----------|------------------|
| 12:00 a.m. to 11:00 a.m. | - | Breakfast |
| 11:01 a.m. to 5:00 p.m. | - | Lunch |
| 5:01 p.m. to 11:59 p.m. | - | Dinner |

- J. All personal trips made together with official trips must be approved by the City Administrator and appropriate Department Head before the trip is made and must cause no additional expense to the City.
- K. Telephone cards will be purchased by each department to be used for employee's phone calls. It is the department's responsibility to distribute and monitor the usage of the cards. No reimbursement will be made for phone calls except for hotel telephone access charges. When traveling outside of Montana with a City cell phone, employees must contact IT's administrative secretary at least two (2) days prior to the trip to change their calling plan.

- L. Employees may be asked for additional information or documentation before reimbursement.
- M. The City Administrator may approve exceptions to this policy.

Weapons

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

Purpose

The City's goal is to maintain a safe and secure environment for its citizens and employees. This policy outlines procedures involving the use of weapons or the threat to use weapons.

Policy/Procedure

A weapon is any device, object, or substance which can cause bodily harm or damage to property, including guns, knives (blades longer than 2 inches in length), clubs, bombs, poison, or any other item which may be used with an intent to inflict injury.

No city employees (except law enforcement officials) are permitted to carry or have weapons on City property. Law enforcement officials are only permitted to have their service weapons on City property as required for the purpose of performing official duties. All incidents involving use of weapons, or threats to use weapons, must be reported immediately to the City Police Headquarters and, if it is a City employee who has used or threatened to use a weapon, then Human Resources must also be notified.

The Department Head may grant written exceptions to the above. Exceptions may only be granted for the carrying of pepper spray for personal protection and for knives that are utilized in the performance of the employee's job. A copy of the written exception will be forwarded to Human Resources. Oral exceptions may not be granted.

Violations of this policy are a Group III offense (see Corrective Action policy).