

CITY COMMISSION MEETING AGENDA

City Hall Commission Chambers

806 N 2nd Avenue

Dodge City, KS

Monday, December 16, 2024

7:00 p.m.

MEETING # 5297

CALL TO ORDER

ROLL CALL

INVOCATION BY

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

Reinvestment Housing Improvement District Boundaries for Fifteenth Avenue Development.

APPROVAL OF AGENDA

PETITIONS & PROCLAMATIONS

VISITORS (Limit of five minutes per individual and fifteen minutes per topic. Final action may be deferred until the next City Commission meeting unless an emergency situation does exist).

Victory Electric - Capital Credits

CONSENT CALENDAR

1. Approval of City Commission Meeting Minutes, December 2, 2024.
2. Appropriation, Ordinance No. 24, December 16, 2024.
3. Cereal Malt Beverage License:
 - a. Murphy Oil USA, 1907 N. 14th Avenue.
 - b. Pizza Hut #035923, 110 Frontview.

(on file in city clerk's office)

ORDINANCES & RESOLUTIONS

Ordinance No. 3824: An Ordinance Annexing to the City of Dodge City the Described Property, in Accordance with K.S.A. 12-520 and All Amendments. Report by Nathan Litterell, Planning and Zoning Administrator.

Resolution No. 2024-24: A Resolution Describing and Defining the Boundary of the City of Dodge City, Kansas. Report by Ray Slattery, Director of Engineering.

UNFINISHED BUSINESS

NEW BUSINESS

1. Approval of Proposal for the Construction of a Product Compressor By-Pass to the Flar at the Biogas Plant. Report by Tanner Rutschman/Ray Slattery, Director of Engineering.
2. Approve Design Services for the Managed Aquifer Recharge (MAR) Project. Report by Ray Slattery, Director of Engineering.
3. Approval of Allocation of 2024 Special Alcohol and Drug Funds. Report by Nicole May, Finance Director.
4. Approval of Quote to Purchase of Aircraft Rescue and fire Fighting Safety Equipment (ARFF Measurement System). Report by Corey Keller, Public Works Director.
5. Approval of Quote to Purchase Equipment to Make Repairs to the Chlorine Building. Report by Corey Keller, Public Works Director.

OTHER BUSINESS

STAFF REPORTS

1. Personnel Policies Manual Presentation
2. Stan Herd Mural Discussion

ADJOURNMENT

CITY COMMISSION MEETING MINUTES

City Hall Commission Chambers

806 N 2nd Avenue

Dodge City, KS

Monday, December 2, 2024

7:00 p.m.

MEETING # 5296

CALL TO ORDER

ROLL CALL Vice Mayor Jeff Reinert, Commissioners Rick Sowers, Michael Burns, Daniel Pogue, Mayor Chuck Taylor reported absent.

INVOCATION BY Pastor David Grave of Cross Connection Church

PLEDGE OF ALLEGIENCE

APPROVAL OF AGENDA

Commissioner Michael Burns moved to approve the agenda as presented. Commissioner Daniel Pogue seconded the motion. The motion carried 4 – 0.

PETITIONS & PROCLAMATIONS

VISITORS (Limit of five minutes per individual and fifteen minutes per topic. Final action may be deferred until the next City Commission meeting unless an emergency situation does exist).

Gerald Schmidt, former City Commission and past Mayor spoke and shared the history on how the Dodge City Parade of Lights event came about. He attended a city league meeting in Philadelphia, Pennsylvania and they happened to have their Christmas tree lighting that night. So, when he returned to Dodge City, he mentioned to the city manager about having something similar to that. They started the Christmas Tree light after, Dodge City Parade of lights just had its 25th anniversary.

Joe Urban citizen of Dodge City and owner of Urban Riding Academy spoke about his concerns about the pigeons in Dodge City. He would like to help get control of the pigeon infestation that is in Dodge City. He shared a solution for helping by utilizing live traps to catch the pigeons. Asked for businesses to let him come and set traps.

CONSENT CALENDAR

1. Approval of Joint City/County Commission Meeting Minutes, November 18, 2024.
2. Approval of City Commission Meeting Minutes, November 18, 2024.
3. Appropriation, Ordinance No.23, December 2, 2024.

4. Cereal Malt Beverage License:
 - a. Panadaria La Tapatia, 614 E. Wyatt Earp Blvd. (on file in city clerk's office).
5. Approval of the HHC Properties Ltd.'s Industrial Revenue Bonds Redemption.
6. Approval of Quitclaim Deed for a Tract of Land in Lot 3, Block 4, in Orebaugh Addition No. 3.
7. Approval of Hennessey Hall Space Lease Agreement with KLETC (Kansas Law Enforcement Training Center).

Commissioner Daniel Pogue made a motion to approve the consent calendar as presented. Commissioner Michael Burns seconded the motion. The motion carried 4 – 0.

ORDINANCES & RESOLUTIONS

UNFINISHED BUSINESS

NEW BUSINESS

1. Commissioner Michael Burns moved to approve the LOI for Development Services with Iron Horse Development. Commissioner Rick Sowers seconded the motion. The motion carried 4 – 0.

OTHER BUSINESS

STAFF REPORTS

ADJOURNMENT

Commissioner Daniel Pogue made a motion to adjourn the meeting. Commissioner Michael Burns seconded the motion. The motion carried 4 – 0.

ATTEST:

Mayor

City Clerk



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Nathan Littrell, Planning & Zoning Administrator
Date: December 16, 2024
Subject: Annexation of Property
Agenda Item: Ordinance No. 3824

Purpose: This ordinance is for an annexation of property owned by the Catholic Diocese of Dodge City.

Recommendation: It is City staff's recommendation to approve this annexation.

Background: This property is owned by the Catholic Diocese of Dodge City and is the location of the existing Cathedral of Our Lady of Guadalupe. The Catholic Diocese of Dodge City is building a school on this property and has requested to be annexed into the City. This property is platted and adjoins the City. A written petition was filed with the City on December 11, 2024. This annexation meets the requirements established in K.S.A. 12-520. The existing church has both water and sewer services from the City, and plans for the school to be connected to City services as well. This annexation does not conflict with the City's Comprehensive Plan.

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: None

Legal Considerations: None

Mission/Values: Approving this annexation ordinance will encourage and support growth and development in our community.

Attachments: Ordinance, Petition, Map

Approved for the Agenda by:

A handwritten signature in black ink that reads "Josh Adams". The signature is written over a horizontal line.

Josh Adams, Development Services Director

ORDINANCE NO. 3824

AN ORDINANCE ANNEXING TO THE CITY OF DODGE CITY THE DESCRIBED PROPERTY, IN ACCORDANCE WITH K.S.A. 12-520 AND ALL AMENDMENTS THERETO.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DODGE CITY, KANSAS:

SECTION 1: By the virtue of the authority granted by K.S.A. 12-520 and by one or more of the conditions listed therein being fulfilled, the following described real property located in Ford County, Kansas is hereby annexed to, and made part of the City of Dodge City:

A tract of land in Section 15, Township 26 South, Range 25 West of the Sixth Principal Meridian, Ford County, Kansas more particularly described as:

Lots 1, 2 and 3 of Block 1, Final Plat of Church Subdivision, Ford County, KS.,
including adjacent Iron Road Right-Of-Way,

EXCEPT that part of Lot 1, Block 1 of said plat described as follows: Beginning at the Southeast corner of said Lot 1; Thence on the platted bearing of North 89°52'40" West, along the South line of said Lot 1, for a distance of 374.24 feet; Thence on the bearing of North 00°07'20" East for a distance of 415.64 feet; Thence on the bearing of South 47°41'17" East for a distance of 326.15 feet; Thence on the bearing of South 89°42'28" East for a distance of 130.05 feet to the East line of said Lot 1; Thence on the bearing of South 00°36'49" East, along said East line, for a distance of 196.23 feet to the Point of Beginning.
Containing 77.84 acres, more or less.

SECTION 2: The property will be designated R-S, Residential Suburban upon annexation.

SECTION 3: The City Clerk shall file a certified copy of this ordinance with the County Clerk and Register of Deeds of Ford County, pursuant to K.S.A 12-522.

SECTION 4: This ordinance shall take effect, from and following its publication in the official City paper, as provided by law.

PASSED BY THE CITY OF DODGE CITY GOVERNING BODY, IN REGULAR SESSION AND APPROVED BY THE MAYOR, THIS SIXTEENTH DAY OF DECEMBER, 2024.

CHUCK TAYLOR, MAYOR

ATTEST:

CONNIE MARQUEZ, CITY CLERK

Most Reverend John Balthasar Brungardt
Bishop of the Catholic Diocese of Dodge City

910 Central, PO Box 137
Dodge City, KS 67801

www.dcdiocese.org

620-227-1500
620-227-1545 - FAX



December 11, 2024

City of Dodge City
c/o Nick Hernandez
100 Chaffin Road
Dodge City, KS 67801

Re: 3231 N 14th Ave, Dodge City

Dear Mr. Hernandez,

I request that the City annex the property owned by the Catholic Diocese of Dodge City into the City of Dodge City. Lot 1, Lot 2, and Lot 3 Block 1, of the Church Subdivision, a subdivision of the Northeast Quarter of Section 15, Township 26 South, Range 25 West of the 6th Principal Meridian, Ford County, KS. Except for a tract in the Southeast corner of Lot 1, Block 1, which has already been annexed into the City.

Please let Theresa Tate, Finance Officer know of any additional contact information you may need.

Sincerely yours in Christ,

Bishop John B. Brungardt

"Ask and it will be given to you; seek and you will find; knock and the door will be opened to you" Matthew 7:7-11

Iron Rd.

Horse Tail
Trail

Iron Rd.

Proposed
Annexation

N. 14th Ave.

W. Ross Blvd.

W. Ross Blvd.

Loretta Ave.

Cherokee Rd.

Choctaw St.

Chickasaw Way

Center Ave.

Westview Ave.

Schrader
St.

Schrader St.

Plains St.



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Ray Slattery, PE, Director of Engineering Services
Date: December 16, 2024
Subject: Resolution 2024-24 – Boundary Resolution Describing and Defining the
Boundary of the City of Dodge City
Agenda Item: Ordinances and Resolutions

Purpose: Each year the City is required by KSA 12-517 to adjust the City's boundary by resolution to define any territory that has been added or excluded from the previous Boundary Resolution.

Recommendation: Approve Resolution 2024-24, the 2024 Boundary Resolution of the City of Dodge City

Background: Each year the City must adjust the boundary resolution that describes the City Limits of Dodge City to account for any additions or deletions of land that have been annexed or deannexed in the past year or correct any errors found in the description. This year's changes to the boundary limits are as follows.

- The addition of a tract of land in Section 33, Township 26 South, Range 24 West of the 6th Principal Meridian, Ford County, Kansas. This 2.41-acre tract of land is just north of the Lineage Warehouse and was part of their expansion project.

This property was annexed into the City on April 15, 2024, per Ordinance 3810.

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: None

Amount \$:

Funds:

☐ Budgeted Expense ☐ Grant ☐ Bonds ☐ Other

Legal Considerations: The City is obligated under state statute to update the boundary limits of the City each year.

Mission/Values: The City is responsible for following State laws. By updating our boundaries, we have identified what properties should be served by the City and can plan for the long-term improvements to those areas.

Attachments: Boundary Resolution of the current City Boundary and a map showing the 2024 annexed property.

Approved for the Agenda by:

A handwritten signature in blue ink that reads "Ray Slattery, PE". The signature is written in a cursive, flowing style.

Ray Slattery, Dir. Of Engineering Services

RESOLUTION NO. 2024-24

A RESOLUTION DESCRIBING AND DEFINING
THE BOUNDARY OF THE CITY OF DODGE CITY

WHEREAS, the City of Dodge City must define the corporate limits of said City by virtue of K.S.A. 12-517 of the General Statutes of Kansas:

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE
CITY OF DODGE CITY:

SECTION 1: That the Corporate limits of the City of Dodge City, Kansas shall be and are as follows, to wit:

(A) Beginning at the intersection of the south right-of-way line of Military Avenue and the east right-of-way line of Avenue P; thence East along the south line of said Military Avenue to the northeast corner of Shuman Tracts; thence South along the east line of Shuman Tracts to the southeast corner of Tract 7, Shuman Tracts; thence East and perpendicular to the east line of said Tract 7 to a point on the east right-of-way line of Road 113; thence South along the east right-of-way line of the Road 113 to a point that intersects the north right-of-way line of Wyatt Earp Blvd; thence East along the north right-of-way line of said Wyatt Earp Blvd to a point that intersects the northerly extension of the east right-of-way line of U.S. Highway 56-283; thence South along the extended east right-of-way line of U.S. Highway 56-283 to a point on the south line of Section 29; thence West along the south line of Section 29 to the west right-of-way line of U.S. Highway 56-283 Overpass; thence South along the west line of the U.S. Highway 56-283 Overpass to the south right-of-way line of the A.T. & S.F. Railroad; thence Southeasterly along the south right-of-way line of said A.T. & S.F. Railroad for a distance of 1904.07 feet; thence North along the right-of-way line of said A.T. & S.F. Railroad for a distance of 50.00 feet; thence Southeasterly along the south right-of-way line of said A.T. & S.F. Railroad for a distance of 250.45 feet; thence South to a point that is 360.00 feet North of the north right-of-way line of U.S. Highway 400; thence Southeasterly and parallel to the north right-of-way line of said U.S. Highway 400 to a point on the west line of Tract 15 of Wilkinson Place No. 2; thence South along the west line of said Tract 15 of Wilkinson Place No. 2 to a point that is 205.00 feet North of the north right-of-way line of U.S. Highway 400; thence Southeasterly and parallel to the north right-of-way line of said U.S. Highway 400 to a point on the east line of Tract 17 of said Wilkinson Place No. 2; thence South along the east line of said Tract 17 of Wilkinson Place No. 2 to the south right-of-way line of said U.S. Highway 400; thence Southeasterly along the south right-of-way line of said U.S. Highway 400 to the east line Happy Trails Subdivision a replat lots 12&14 of Wilkinson Place No. 1; thence South along the east line of said Happy Trails Subdivision to the southeast corner thereof; thence West along the south line of said Happy Trails Subdivision and continuing to the southwest corner of Tract 9 of Wilkinson Place No. 1; thence North along the west line of said Tract 9 to the south right-of-way line of U.S. Highway 400; thence Northwesterly along the south right-of-way line of said U.S. Highway 400 to a point that is 770.45 feet East of the west line of Section 32, Township 26 South, Range 24 West, thence South for a distance of 200.00 feet; thence West for a distance of 140.00 feet; thence South to a point on the north line of Lot 1, Block 2 Gladden Addition No.2, said point being 476.78 feet east of the east right-of-way line of U.S. Highway 56/283; thence East along said north line of Lot 1, Block 2 Gladden Addition No.2 to the northeast corner thereof; thence South along the east line of said Lot 1, Block 2 to the southeast corner thereof; thence West along the south line of Lot 1, Block 2 and Lot 1, Block 1 of Gladdens Addition No. 2 to the southwest corner thereof; thence North along the west line of said Lot 1, Block 1 of Gladdens Addition No. 2 to the northwest corner thereof, said corner being of the south line of the Northeast Quarter of Section 31, Township 26 South, Range 24 West; thence west along the south line of the northeast quarter of said Section 31 to a point 651.58 west of the southeast corner thereof; thence North a distance of 922.02 feet to a point on the south right-of-way line of East Trail Street 605.87 west of the west right-of-way of U.S. Highway 56/283; thence west along the south right-of-way line of East Trail Street a distance of 142.46 feet; thence South for a distance of 920.00 feet; thence West for a distance of 560.00 feet to the east line

of McCaustland Place; thence South along the east line of said McCaustland Place to the southeast corner thereof; thence West along the south line of said McCaustland Place to a point on the east line of the northeast drain of the Dodge City Flood Control Project; thence South along the east line of said northeast drain a distance of 1,601.50 feet; thence Southeasterly along a line having a deflection angle of 54 degrees 13 minutes a distance of 424.98 feet to the west line of McCaustland Road No. 2; thence South along the west line of said McCaustland Road No. 2 for a distance of 150 feet to the north bank of the Arkansas River; thence Northwesterly along the north bank of the Arkansas River to a point on the east line of Section 36, Township 26 South, Range 25 West of the 6th P.M.; thence South along the east line of said Section 36 to the southeast corner thereof; thence West along the south line of said Section 36 to the extended east right-of-way line of Red Avenue; thence South a distance of 30 feet along the extended east right-of-way line of Red Avenue to the north right-of-way line of Beeson Road; thence West along the south right-of-way line of Beeson Road to the east right-of-way line of Minneola Road; thence South along the east right-of-way line of Minneola Road to a point on said east right-of-way line intersecting the extended south line of Broce #1 Subdivision; thence West along the extended south line of Broce #1 Subdivision to the west right-of-way line of South Second Avenue; thence South along the west right-of-way line of said South Second Avenue to a point that is approximately 1314 feet North of the south line of Section 2; thence West and parallel to the south line of said Section 2 to a point that is 748.70 feet West of the west line of South Second Avenue; thence Northwesterly and parallel to the west line of said South Second Avenue for a distance of 1265.60 feet; thence North for a distance of 200 feet to the East-West half section line of Section 2; thence West along the said half section line of Section 2 to the east line of Veeann Avenue; thence South along the east line of said Veeann Avenue to the south line of Merrit Road; thence West along the south line of said Merrit Road to the east right-of-way line of South Fourteenth Avenue; thence South along the east right-of-way line of South Fourteenth Avenue to a point of on said east right-of-way intersecting the extended south line of Dodge City Business Park Unit One; thence West along the extended south line of said Dodge City Business Park Unit One to the southeast corner thereof; thence continuing West along the south line of Dodge City Business Park Unit One, said south line being the north right-of-way line of U.S. Highway 56 to the east right-of-way line of Road 109; thence North along said east right-of-way line of Road 109 to the southerly right-of-way line of McArtor Road; thence Northeasterly along said southerly right-of-way line of McArtor Road to the north line of the south half of Section 3, Township 27 South, Range 25 West; thence East along the north line of the south half of said Section 3 to the center corner thereof; thence North along the west line of the northeast quarter of said Section 3 to a point on the north right-of-way line of the Atchison, Topeka & Santa Fe Railroad; thence Southwesterly along the north right-of-way of said Atchison, Topeka and Santa Fe Railroad to the west line of Lewis Addition No. 2; thence North along the west line of said Lewis Addition No. 2 to the south right-of-way line of West Beeson Road; thence West along the south right-of-way line of West Beeson Road to the west line of Section 3, Township 27 South, Range 25 West; thence North along the west line of said section 3 to the northwest corner thereof; thence continuing North along the west line of Section 34, Township 26 South, Range 25 West to the northwest corner of Boley Morgison Addition; thence East along the north line of said Boley Morgison Addition to the northeast corner thereof; thence North along the half section line of Section 34 a distance of 432 feet; thence East parallel with the south line of said Section 34 a distance of 1,676 feet; thence South parallel with the said half section line to the north line of Beeson Road; thence East along the north line of said Beeson Road to the west line of Sunset Tracts; thence North along the west line of said Sunset Tracts to the northwest corner thereof; thence Northeasterly along the south bank along the Arkansas River to the extended east line of Tract 15 and Tract 88 of Westview Place No. 1; thence North along the extended east line of said Tract 15 and Tract 88 of Westview Place No. 1 to the north right-of-way line of the Dodge City Flood Control property; thence West along the north right-of-way line of the Dodge City Flood Control property a distance of 945.89 feet; thence continuing on a curve to the right along said flood control right-of-way having a radius of 5,639.58 feet, a chord length of 944.27 feet and a chord bearing of South 80 degrees 26 minutes 01 second west to a point which is 2,103 feet west of the east line of Section 34, Township 26 South, Range 25 West and 662 feet south of the south line of said Westview Place# 1; thence North 01 degree 38 minutes 04 seconds east parallel to the east line of said Section 34 a distance of 1052 feet to a point on the north right-of-way line of Pheasant Street 33 feet west of the southwest corner of Lot 27 of said Westview Place# 1; thence East along the north right-of-way line of Pheasant street to the southeast of lot 15 of said Westview Place# 1; thence North along the east line of said lot 15 to the northeast corner thereof; thence West along the north line of said Westview Place No. 1 to the east line of Moncrief Place No. 2; thence South along the east line of said Moncrief Place No. 2 to the southeast corner thereof; thence West along the south line of said Moncrief Place No. 2 to the southwest corner thereof; thence North along the west line of said Moncrief Place No. 2 to the south

line of West Park Street; thence West along the along the south right-of-way line of West Park Street to the west right-of-way line of Matt Down Lane; thence North along the west right-of-way line of Matt Down Lane to the south right-of-way line of Wyatt Earp Blvd.; thence West along the south right-of-way line of Wyatt Earp Blvd. to the extended west line of Lot 4, Block 1, West Hwy. 50 Addition; thence North along the extended west line of said Lot 4 to the northwest corner thereof; thence East along the north line of said Lot 4 to the northeast corner thereof; thence North along the west line of Block 3 and Block 7 of Glenridge Estates to the northwest corner of Lot 36, Block 7 of said Glenridge Estates; thence East along the north line of said Block 7 to the northeast corner thereof; thence continuing East along the north line of Green Crest Memorial Gardens (also known as Maple Grove West) to the west right-of-way line of Matt Down Lane; thence North along the west right-of-way line of Matt Down Lane to the south right-of-way line of U.S. Highway 50; thence Northeasterly along the south right-of-way line of said U.S. Highway 50 to a point intersecting the east-west half section line of Section 22 Township 26 South, Range 25 West; thence East along the half section line of said Section 22 for a distance of 110.0 feet to the northeast corner of Lot 3, Block 1, J.S. & L. Subdivision; thence North 73 degrees 7 minutes 19 seconds east for a distance of 204.45 feet; thence South 89 degrees 53 minutes 58 seconds east for a distance of 196.02 feet to the northeast corner of Lot 1, Block 1, of said J.S. & L. Subdivision; thence South 5 degrees 47 minutes 43 seconds west for a distance of 60 feet to a point on the east-west half section line of said Section 22; thence East along the half section line of said Section 22 to the center thereof; thence North along the north-south half section line of said Section 22 to the South right-of-way line of Frontview Street; thence West along the south right-of-way line of Frontview Street a distance of 1,385 feet; thence North perpendicular to and to a point on the south line of Section 15, Township 26 South, Range 25 West; thence West along the south section line of said Section 15 to the Southwest corner thereof; thence North along the west section line of said Section 15 to the West Quarter corner thereof; thence East along the east-west half section line of said Section 15 to a point 160 feet east of the Southwest corner of the Northeast Quarter of said Section 15; thence North 30 feet to the extended north line of Ross Blvd.; thence east along the North line of said Ross Blvd. to the west line of the Northeast Quarter of said Section 15, also being the Southwest corner of Lot 1, Block 3 Church Subdivision; thence north along the West line of said Lot 1, Block 3 to the Northwest corner thereof; thence east along the North line of said Lot 1, Block 3 to the Northeast corner thereof; thence southerly along the East line of said Lot 1, Block 3 to the North right-of-way line of Ross Blvd.; thence East 20 along said North right-of-way line of Ross Blvd.; thence South 40 feet along said North right-of-way line of Ross Blvd. thence East along the north line of said Ross Blvd. to the west line of the Southeast Quarter of the Northeast Quarter of said Section 15; thence North along the west line of said Southeast Quarter of the Northeast Quarter of Section 15 to the northwest corner thereof; thence East along the north line of said Southeast Quarter of the Northeast Quarter of Section 15 said line being the south line of Lot 1, Block 1, Church Subdivision on an assumed bearing of South 89 degrees 52 minutes 40 seconds east to a point 374.24 feet west of the southeast corner of said lot 1; thence North 00 degrees 07 minutes 20 seconds east for a distance of 415.64 feet; thence South 47 degrees 41 minutes 14 seconds east for a distance of 326.15 feet; thence South 89 degrees 42 minutes 28 seconds West for a distance of 130.05 feet to a point of on the west right-of-way line of North fourteenth Avenue; thence North along the west right-of-way line of North Fourteenth Avenue to the north line of Section 10, Township 26 South, Range 25 West; thence East along the north line of Sections 10 and 11, Township 26 South, Range 25 West to the northeast corner of the west half of said Section 11; thence South along the east line of the west half of said Section 11 to a point on said east line 30 north of the southeast corner thereof; thence East parallel to and 30 feet north of the south line of said section 11 extended to the east right-of-way of Avenue A; thence South along the east right-of-way line of Avenue A to the north right-of-way line of Canterbury Road; thence East along the north line of said Canterbury Road to the west line of Joel Avenue; thence North along the west line of said Joel Avenue to the north line of William Street; thence East along the north line of said William Street to a point on the extended east line of the alley in Block 5, Kliesen Subdivision; thence South along the east line of said alley to a point on the south line of Anna Avenue; thence West along the south line of said Anna Avenue to the northeast corner of Lot 3, Block 6, Kliesen Subdivision; thence South along the east line of said Lot 3 to a point on the south line of the alley in Block 6, Kliesen Subdivision; thence West along the south line of said alley to the northeast corner of Lot 2, Block 7, Kliesen Hills Subdivision; thence South along the east line of said Lot 2 to the southeast corner thereof; thence East along the north line of Ross Boulevard to a point on the extended east line of Lot 11, Block 6, Kliesen Hills Subdivision; thence South along the said east line of Lot 11 to the southeast corner thereof; thence South along the extended east line of Lots 1 through 8, Block 6, Kliesen Hills Subdivision to a point on the south right-of-way line of Saint Joseph Street; thence East along the said south line of Saint Joseph Street to the northeast corner Wagon Wheel Addition Unit Three;

thence South along the east line of said Wagon Wheel Addition Unit Three to the southeast corner thereof; thence West along the south line of said Wagon Wheel Addition Unit Three to the southwest corner of Lot 1 Block 2, of said Wagon Wheel Addition Unit Three; thence South 0 degrees 30 minutes 40 seconds east along the east right-of-way line of Barbara Lane East for a distance of 229.57 feet; thence South 89 degrees 35 minutes 11 seconds east for a distance of 1.94 feet; thence South 26 degrees 07 minutes 35 seconds east for a distance of 66.33 to the Southwesterly corner of Lot 9, Block 14 Kliesen Subdivision; thence South 06 degrees 28 minutes 24 seconds east for a distance of 60.45 feet to the north right-of-way line of U.S. Highway 50; thence East along the north line of said U.S. Highway 50, said line being the south line of Kliesen Street as platted by Kliesen Subdivision, and Kliesen Subdivision No.2 to a point on the east line of Section 13, Township 26 South, Range 25 West; thence continuing East 130 feet along said north line of U.S. Highway 50; thence South 240 feet to a point on the south line of said U.S. Highway 50 that is 130 east of the west line of Section 19, Township 26 South, Range 24 West; thence West along the south line of said Highway 50 to the east right-of-way line of Avenue P; thence South along the east right-of-way line of Avenue P to the south right-of-way line of Military Avenue and Point of Beginning,

(B) Cargill Main Plant No. 1 described as follows:

From the southwest corner, Section 33, Township 26 South, Range 24 West of the 6th P.M. and the northwest corner, Section 4, Township 27 South, Range 24 West of the 6th P.M.; thence Easterly 1,190 feet to a point "A" which is a point on a west building line. Point "A" will be the starting point of this building description; thence Southerly from point "A" along a west line 30 feet to point "B" of said building; thence Easterly along a south line, 270 feet to point "C" of said building; thence along an east line, Northerly 20 feet to a point "D" of said building; thence along a south line Easterly 400 feet to point "E" of said building; thence along an east line Northerly 50 feet to point "F" of said building; thence Westerly along a north line 275 feet to point "G" of said building; thence Northerly along an east line 15 feet to point "H" of said building; thence Westerly along a north line 48 feet to point "I" of said building; thence Northerly along an east line 35 feet to point "J" of said building; thence Easterly along a south line 25 feet to point "K" of said building; thence Northerly along an east line 35 feet to point "L" of said building; thence Westerly along a north line 23 feet to a point "M" of said building; thence Northerly along an east line 20 feet to point "N" of said building; thence Easterly along a south line 80 feet to point "O" of said building; thence Northerly along an east line 20 feet to point "P" of said building; thence Westerly along a north line 90 feet to point "Q" of said building; thence Northerly along an east line 60 feet to point "R" of said building; thence Westerly along a north line 95 feet to point "S" of said building; thence Northerly along an east line 30 feet to point "T" of said building; thence Westerly along a north line 40 feet to point "U" of said building; thence Northerly along an east line 33 feet to point "V" of said building; thence Westerly along a north line 390 feet to point "W" of said building; thence Southerly along a west line 170 feet to point "X" of said building; thence Easterly along a south line 170 feet to point "Y" of said building; thence Southerly along a west line 113 feet to point "A" of said building.

Cargill Secondary Plant No. 2 described as follows:

From point "B" of Excel Main Plant Easterly along a south building line 90 feet to point "A1" of said building; thence Southerly and on a perpendicular line between Main Plant No. 1 and Secondary Plant No. 2, 30 feet to point "B1" of Secondary Plant No. 2. Point "B1" of said exhibit will be the starting point of this building description; thence from point "B1" Southerly along a west line 35 feet to point "C1" of said building; thence Easterly along a south line 60 feet to point "D1" of said building; thence Southerly along a west line 90 feet to point "E1" of said building; thence Easterly along a south line 265 feet to point "F1" of said building; thence Northerly along an east line 20 feet to point "G1" of said building; thence Easterly along a south line 60 feet to point "H1" of said building; thence Northerly along an east line 55 feet to point "I1" of said building; thence Westerly along a north line 60 feet to point "J1" of said building; thence Northerly along an east line 50 feet to point "K1" of said building; thence from point "K1" Westerly along a north line 325 feet to point "B1" of said building.

(C) Part of the east half of Section 21, Township 26 South, Range 24 West and part of the west half of Section 22, Township 26 South, Range 24 West, Ford County, Kansas, referred to as Chaffin Industrial Park, more fully described as follows:

Commencing at the southwest corner of the southeast quarter of Section 21, Township 26 South, Range 24 West, Ford County, Kansas; thence North 0 degrees 50 minutes East along the west boundary line of the southeast quarter of said Section 21 for 102.85 feet to a point of beginning, said point being at the intersection of the north right-of-way of the Atchinson, Topeka and Santa Fe Railway with the east right-of-way line of U.S. Hwy 56-283; thence continuing North 0 degrees 50 minutes East along the west boundary line of the southeast quarter of said Section 21 for 110.88 feet; thence North 31 degrees 57 minutes East along the east right-of-way line of said U.S. Hwy 50 for 4,378.95 feet; thence North 33 degrees 10 minutes East along the east right-of-way line of said U.S. Hwy 56-283 for 295 feet; thence Northeasterly along a curve to the right having a radius of 2,292.01 feet along the south right-of-way line of said U.S. Hwy 50 for 1,722.53 feet; thence South 0 degrees 38 minutes East for 3,594.2 feet to a point on the north right-of-way line to the Atchinson, Topeka and Santa Fe Railway; thence South 77 degrees 11 minutes West along the north right-of-way line of said Atchinson, Topeka and Santa Fe Railway for 2,510.63 feet; thence North 12 degrees 49 minutes West for 25 feet; thence South 77 degrees 11 minutes West for 15.6 feet; thence along a curve to the left having a radius of 2,694.93 feet along the north right-of-way line of said Atchinson, Topeka and Santa Fe Railway for 1,722.6 feet to the point of beginning, containing 194.28 acres.

AND

Commencing at the southwest corner of the southeast quarter of Section 21, Township 26 South, Range 24 West, Ford County, Kansas; thence East 90 degrees along the south boundary line of the southeast quarter of said Section 21 for 174.87 feet to a point of beginning, said point being on the south right-of-way line of the Atchinson, Topeka and Santa Fe Railway; thence continuing East 90 degrees along the south boundary line of the southeast quarter of said Section 21 for 1,170.62 feet to a point on right-of-way; thence Northeasterly on a curve to the right having a radius of 8,594.42 feet along the center line of the abandoned Atchinson, Topeka and Santa Fe Railway right-of-way for 1,542.0 feet to a point on the east boundary line of the southeast quarter of said Section 21, said point being 883.0 feet North of the southeast corner of the southeast quarter of said Section 21; thence North 0 degrees 26 minutes East along the east boundary line of the southeast quarter of said Section 21 for 230.15 feet to a point on the south right-of-way line of said Atchinson, Topeka and Santa Fe Railway; thence South 77 degrees 11 minutes West along the south right-of-way line of said Atchinson, Topeka and Santa Fe Railway for 1,130.42 feet; thence South 12 degrees 49 minutes East for 25 feet; thence South 77 degrees 11 minutes West for 15.6 feet; thence along a curve to the left having a radius of 2,764.93 feet along the south right-of-way line of said Atchinson, Topeka and Santa Fe Railway for 1,164.4 feet to the point of beginning, containing 25.63 acres.

Lot 7, Section 28, Township 26 South, Range 24 West, Ford County, Kansas, except railroad right-of-way, more fully described as follows:

Commencing at the northwest corner of Lot 7, Section 28, Township 26 South, Range 24 West, Ford County, Kansas; thence East 90 degrees along the north boundary line of said Lot 7 for 134.33 feet to a point of beginning, said point being on the present south right-of-way line of the Atchinson, Topeka and Santa Fe Railway; thence continuing East 90 degrees along the north boundary line of said Lot 7 for 1,170.62 feet to a point on the centerline of an abandoned Atchinson, Topeka and Santa Fe Railway right-of-way; thence Southwesterly on a curve to the left having a radius of 8,594.42 feet along the centerline of said abandoned Atchinson, Topeka and Santa Fe Railway right-of-way for 395.1 feet to a point on the south boundary line of said Lot 7; thence North 89 degrees 56 minutes West along the south boundary line of said Lot 7 for 1,043.7 feet to the southwest corner of said Lot 7; thence North 0 degrees 50 minutes East along the west boundary line of said Lot 7 for 59.7 feet to a point on the present south right-of-way of the Atchinson, Topeka and Santa Fe Railway; thence Northeasterly along a curve to the right, having a radius of 2,964.93 feet for 263.5 feet to the point of beginning, containing 6.63 acres, more or less.

(D) A tract of land located in the southwest quarter of Section 33, Township 26 South, Range 24 West of the 6th P.M., Ford County, Kansas, referred to as Lineage Warehouse, more fully described as follows:

Beginning at the southwest corner of the southwest quarter of Section 33, Township 26 South, Range 24 West of the 6th P.M., Ford County, Kansas; thence North 0 degrees 15 minutes 38 seconds West along the west line of the southwest quarter of said Section 33 for 600 feet; thence North 89 degrees 44 minutes 22 seconds East at right angles to the west line of the southwest quarter of said Section 33 for 350 feet; thence South 0 degrees 15 minutes 38 seconds East parallel with the west line of the southwest quarter of said Section 33 for 605.84 feet; thence North 89 degrees 18 minutes 15 seconds West for 350.05 feet to the point of beginning; containing 211,022 square feet or 4.84 acres, more or less.

AND

Beginning at a point that is North 0 degrees 29 minutes 36 seconds East 600 feet from the Southwest Corner of the Southwest Quarter of said Section 33; thence North 0 degrees 29 minutes 36 seconds East 300 feet; thence South 89 degrees 38 minutes 40 seconds East 350 feet; thence South 0 degrees 29 minutes 36 seconds west 300 feet; thence North 89 degrees 38 minutes 40 seconds West 350 feet to the point of beginning; containing 105,000 square feet or 2.41 acres, more or less.

(E) A tract of land being part of Sections 20, 21, 28 and 29, Township 26 South, Range 24 West of the 6th P.M., Ford County, Kansas, referred to as the Dodge City Municipal Airport, more fully described as follows:

Commencing at the northeast corner of Section 29; thence South 0 degrees 12 minutes 04 seconds West along the east line of Section 29 for 894.76 feet to the point of beginning; thence continuing South 0 degrees 12 minutes 04 seconds West along said east line of Section 29 for 1,060.53 feet; thence South 26 degrees 10 minutes 18 seconds East, parallel with and 750 feet easterly of the centerline of Runway 14-32 to the northerly right-of-way line of US Highway 56-283; thence Westerly along said northerly right-of-way line of US Highway 56-283 to a point on the west line of the east half of Section 29; thence North 0 degrees 00 minutes 41 seconds West along said west line of the east half of Section 29 to the North Quarter Corner of Section 29; thence North 0 degrees 14 minutes 05 seconds West along the west line of the Southeast quarter of Section 20 for 28 feet; thence North 29 degrees 10 minutes 18 seconds West parallel with and 750 feet westerly of the centerline of Runway 14-32 for 2,928.26 feet to a point on the north line of the southwest Quarter of Section 20; thence South 89 degrees 15 minutes 43 seconds East along said north line of the southwest quarter of Section 20 for 279.5 feet; thence North 26 degrees 10 minutes 18 seconds West for 1,228.08 feet; thence North 63 degrees 49 minutes 42 seconds East for 300 feet; thence North 26 degrees 10 minutes 18 seconds West for 500 feet; thence North 63 degrees 49 minutes 42 seconds East for 150 feet; thence North 26 degrees 10 minutes 18 seconds West for 961.60 feet to the south right-of-way line of US Highway 50; thence South 89 degrees 16 minutes 23 seconds East along said south right-of-way line of US Highway 50 for 112.13 feet; thence South 26 degrees 10 minutes 18 seconds East for 910.87 feet; thence North 63 degrees 49 minutes 42 seconds East for 150 feet; thence South 26 degrees 10 minutes 18 seconds East for 500 feet; thence North 63 degrees 49 minutes 42 seconds East for 300 feet; thence South 26 degrees 10 minutes 18 seconds East for 900 feet; thence North 63 degrees 49 minutes 42 seconds East for 100 feet; thence South 26 degrees 10 minutes 18 seconds East, parallel with and 600 feet easterly of the centerline of Runway 14-32 for 2,361.81 feet; thence South 89 degrees 03 minutes 34 seconds East for 1,785.95 feet to a point on the east line of Section 20; thence South 89 degrees 06 minutes 17 seconds East parallel to the south line of Section 21 for 700 feet; thence South 57 degrees 39 minutes 37 seconds East for 464.77 feet; thence South 32 degrees 20 minutes 23 seconds West for 719.66 feet; thence South 0 degrees 30 minutes 56 seconds East parallel to the west line of Section 21 for 462.45 feet to a point on the south line of said Section 21; thence South 0 degrees 12 minutes 04 seconds West parallel to the west line of Section 28 for 254.76 feet; thence South 89 degrees 06 minutes 17 seconds East parallel to the north line of said Section 28 for 457 feet; thence South parallel to said west line of Section 28 for 640 feet; thence west parallel to said north line of Section 28 for 1,157 feet to the point of beginning.

(F) A tract of land being part of Sections 21 and 28, Township 26 South, Range 25 West of the 6th P.M. Ford County, Kansas, referred to as Casino and Event Center, more fully described as follows:

Commencing at the northeast corner of the Southeast Quarter of said Section 21; thence on an assumed bearing of North 89 degrees 39 minutes 54 seconds West along the north line of the Southeast Quarter of said Section 21 for a

distance of 222.21 feet to the Northwestern right of way line of U.S. Highway 50; thence South 34 degrees 50 minutes 32 seconds West along said right of way line for a distance of 402.92 feet to the Point of Beginning; thence South 26 degrees 58 minutes 43 seconds East along said right of way line for a distance of 158.82 feet; thence South 34 degrees 50 minutes 32 seconds West along said right of way line for a distance of 6,241 feet more or less, to the Northeast corner of a tract recorded in the Ford County Register of Deeds, Book 176, page 274; thence West along the North line of two tracts described in the Ford County Register of Deeds Book 176, page 274 and Book 188, page 563, a distance of 807.95 to a point on the East line of a tract described in Ford County Register of Deeds, Book 151, page 233; thence North along the east line of and the projection thereof of said tract a distance of 749.23 feet; thence West a distance of 539.03 to the West line of said section 28, said point being 440 feet north of the West Quarter corner of said section 28; thence North along the west line of said Section 28 a distance of 1,784.58 feet; thence East parallel to the north line of said Section 28 a distance of 417.59 feet; thence North parallel to the west line of said Section 28 a distance of 417.42 to the north line thereof; thence West along the north line of said Section 28 to the northwest corner thereof; thence North along the west line of Section 21 to the West Quarter corner of said Section 21; thence South 89 degrees 39 minutes 54 seconds East along the east-west half section line of said Section 21 to a point 1,332.5 feet west of the East Quarter corner of said Section 21; thence South 0 degrees 20 minutes 06 seconds West a distance of 80 feet; thence South 55 degrees 09 minutes 28 seconds East a distance of 869.61; thence North 34 degrees 50 minutes 32 seconds East a distance of 292.00 feet to the point of beginning.

Said tract of land is considered contiguous with the City of Dodge City via right of way U.S. Highway 50 and Matt Down Road.

(G) A tract of land in the Northeast Quarter (NE/4) of Section Twelve (12), Township Twenty-seven (27) South, Range Twenty-five (25) West of the Sixth Principal Meridian, Ford County, Kansas.

Commencing at a 5/8-inch diameter smooth bar, at the Northeast Corner of the Northeast Quarter of Section 12, Township 27South, Range 25 West of the Sixth Principal Meridian, Ford County, Kansas; Thence bearing North 89°01'51"West (as the bearing is described in Corporate Warranty Deed, recorded at Book 202, Page 342, with the Office of the Register of Deeds, Ford County, Kansas) along the North line of said Northeast Quarter of Section 12 a distance of 2638.15 feet to a 3/4-inch iron pipe with a red plastic I.D. cap stamped "PEC LS65" inside of an aluminum Ford County monument box at the Northwest Corner of said Northeast Quarter of Section 12; Thence bearing South 01°02'13" West along the West line of said Northeast Quarter of Section 12 a distance of 249.86 feet to the South line of the right of way for U.S. Highway 56 and to the POINT OF BEGINNING; Thence continuing bearing South 01°02'13" West along the West line of said Northeast Quarter of Section 12 a distance of 2402.03 feet to a 3/4-inch iron pipe with I.D. cap stamped "A TO Z LS 1053" at the Southwest Corner of said Northeast Quarter of Section 12; Thence bearing South 89°00'31"East along the South line of said Northeast Quarter of Section 12 a distance of 2644.44 feet to a 1/2-inch diameter rebar, at the Southeast Corner of said Northeast Quarter of Section 12; Thence bearing North 0°54'04"East along the East line of said Northeast Quarter of Section 12 a distance of 2304.49 feet to a point on the South line of the right of way for U.S. Highway 56, said point being distant 348.42 feet south of said Northeast Corner of the Northeast Quarter of Section 12; Thence, following said South line of the right of way for U.S. Highway 56 for the remaining courses, bearing North 68°18'35"West a distance of 272.16 feet; THENCE bearing South 89°56'40"West a distance of 200.06 feet; Thence bearing North 88°37'24"West a distance of 1500.00 feet; Thence bearing South 82°50'45"West a distance of 101.12 feet; Thence bearing North 88°06'09"West for a distance of 584.29 feet to the POINT OF BEGINNING. Encompassing 145.30 acres, more or less.

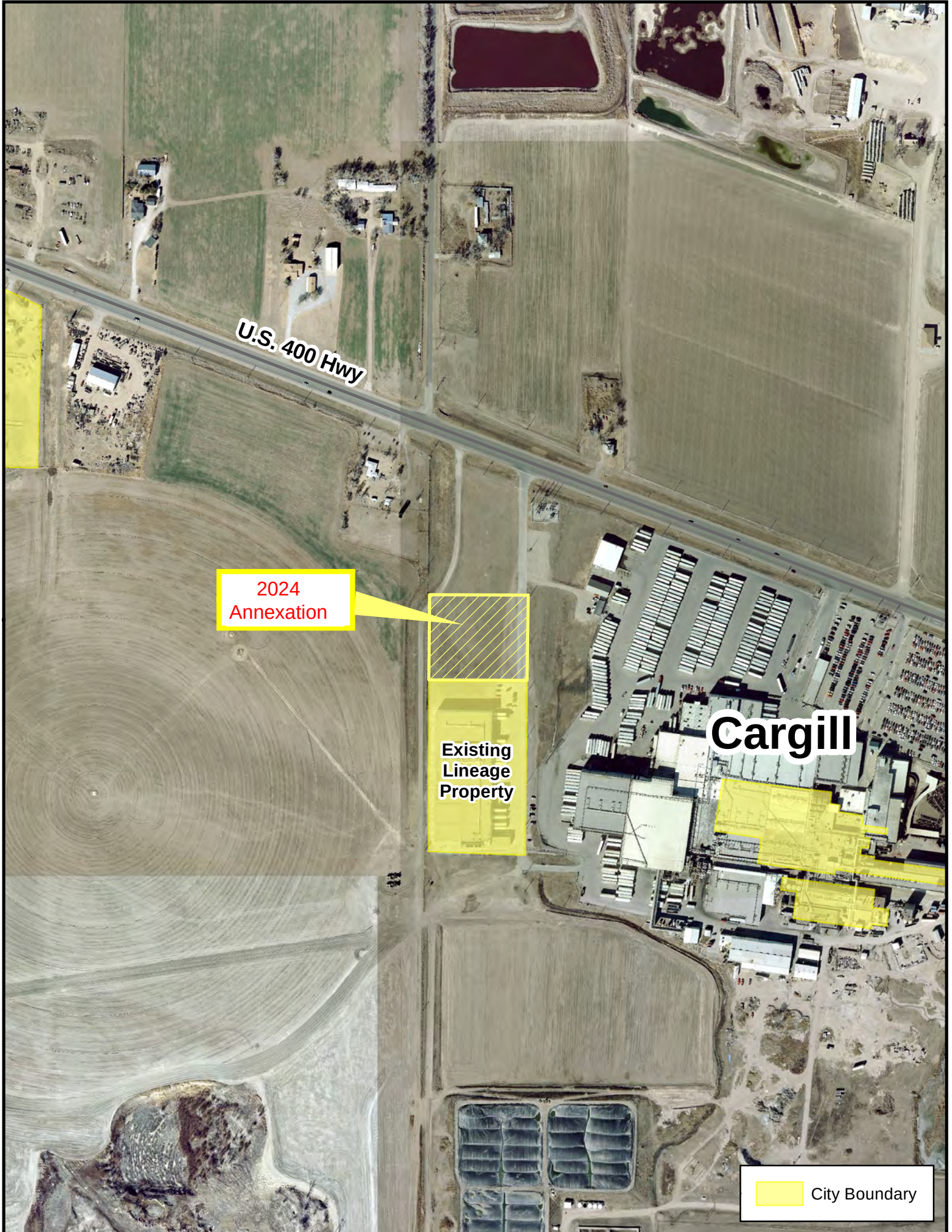
Adopted by the Governing Body of the City of Dodge City

This 16th, day of December, 2024.

Chuck Taylor, Mayor

ATTEST:

Connie Marquez, City Clerk



U.S. 400 Hwy

2024
Annexation



Existing
Lineage
Property

Cargill

City Boundary



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Tanner Rutschman, PE, City Engineer
Date: December 16, 2024
Subject: Construction of a Product Compressor Bypass to the Flare, SS1601
Agenda Item: New Business

Purpose: Installation of this product compressor bypass line will allow us to commission the H2S media vessels without having to operate the 300 hp product compressor.

Recommendation: Approve the proposal from UCI to have Tatro install the bypass line for \$28,897.00.

Background: The H2S media polishing vessels at the Warrior Biogas Facility have been in operation for just over a year and it is time to start thinking about how to handle the first media change out. When we commissioned the vessels last November, residual moisture in the media caused the RNG delivered to Northern Natural Gas to fall out of pipeline spec. The most efficient way to drive off that moisture was to push warm biogas through them and have the product compressor send the out of spec RNG to the flare. This process took over two weeks to accomplish. During the process the 300 hp product compressor was required to operate just to deliver the RNG to the flare and used an unnecessary amount of electricity. This bypass would allow the H2S media vessels to be commissioned without operating the product compressor.

Following the construction of this bypass line, staff is going to explore other possible end uses for the RNG besides flaring. Having the RNG at a pressure of 100 psi will make identifying other end uses more manageable.

City Commission Options:

1. Approve the Proposal
2. Disapprove the Proposal
3. Table for further discussion

Financial Considerations:

Amount for Equipment Quote: \$28,897.00

Fund: 52142200 441010

☐ Budgeted Expense ☐ Grant ☐ Bonds ☒ Other

Legal Considerations: By approving the proposal from UCI, the City will enter an agreement with UCI and be responsible to make payments in accordance with the terms and conditions stated in the proposal.

Mission/Values: The completion of this project aligns with the City's Core Value of Ongoing Improvement by preparing for the community's future.

Attachments: Proposal

Approved for the Agenda by:

A handwritten signature in blue ink that reads "Ray Slattery, PE". The signature is written in a cursive style.

Ray Slattery, PE, Dir. of Engineering Services



November 14, 2024

City of Dodge City
P.O Box 880
Dodge City, KS 67801

Attention: Ray Slattery

Reference: Biogas Expansion – Bypass to Flare

Dear Mr. Slattery,

UCI is pleased to submit the following proposal budget for your review and consideration on the above referenced project.

Scope of work:

- Installation of 4" CS piping(includes painting), fittings, hand operated butterfly valves, ball valves, and supporting pipe from existing I-Beam per plans dated 9/27/24
- Product data for butterfly valves provided
- Tatro Proposal provided
- Duration of work is five working days

Clarifications:

- This proposal letter being incorporated by reference into any contract issued to UCI for the work described herein is contingent on all the items in scope of work, clarifications, and exclusions being accepted and performed. Should the scope of work, clarifications or exclusions be at variance with the information provided, The City of Dodge City should consider this prior to acceptance of UCI's proposal.
- Proposal is contingent upon acceptance of a mutual agreed upon contract between The City of Dodge City and UCI.

Exclusions:

Design and engineering, permits, sales tax, and any other items or work except those listed above.

Total Price: **\$28,897.00**

UCI's proposal has been calculated based on the current prices for building materials, labor costs & subcontractor costs. However, the market for certain building materials, as well as labor, is considered to be volatile, and sudden price increases could occur. UCI agrees to use its best efforts to obtain the lowest possible prices, with manageable



deliveries, from available building material suppliers and subcontractors. However, should there be an increase in the prices of specified materials, subcontracts, or labor greater than 5% of the prices utilized by UCI to create its estimate that are purchased or contracted after execution of any contract for UCI's work, the Owner and/or General Contractor agree to pay that cost increase to UCI.

Sincerely,

UTILITY CONTRACTORS, INC.

Walter D. Marcotte

Walter Marcotte
Project Manager



1930 S. Hoover • Wichita, KS • 67209 • Phone 316.265.9506 • Fax 316.265.8314

Project Title: City of Dodge City, Ks. Package 1 & 3 System Expansion

Proposed Change Order - #19

Title: Biogas Expansion - Bypass to Flare

Additional Days for PCO : 5 days

Description: Biogas Expansion - Bypass to Flare. Installation of 4" CS piping(includes painting), fittings, hand operated butterfly valves, ball valves, and supporting pipe from existing I-Beam per plans dated 9/27/24.

DIRECT LABOR	Rate	Unit	Duration	Subtotal
Supervisor	\$75.00	MH	2	\$150
Operator	\$44.00	MH	0	\$0
Concrete / Pipe Tech	\$35.00	MH	2	\$70
		MH	0	\$0
		MH	0	\$0
DIRECT LABOR TOTAL			4	\$220
MATERIALS				Subtotal
Pipe Hangers				\$500
MATERIAL TOTAL				\$500
EQUIPMENT RENTAL	Rate	UNIT	Duration	Subtotal
PU Truck	\$80.00	DY	0	\$0
	\$0.00	DY	0	\$0
	\$0.00	DY	0	\$0
	\$0.00	DY	0	\$0
	\$0.00	DY	0	\$0
	\$0.00	DY	0	\$0
	\$0.00	DY	0	\$0
Subtotal				\$0
Misc Equipment Running Costs				
Fuel, oil, gas, grease (30% of Equipment Rental Cost)				\$0
Equipment Hauling (Equipment is on site)	\$130.00	HR	0	\$0
Subtotal				\$0
EQUIPMENT TOTAL				\$0
GENERAL EXPENSE				
Labor				
Project Leader	\$95.00	MH	10	\$950
Site Manager	\$95.00	MH	0	\$0
Production Leader	\$105.00	MH	0	\$0
Production Associate	\$85.00	MH	0	\$0
QA/QC Associate	\$85.00	MH	0	\$0
Procurement Associate	\$85.00	MH	0	\$0
Safety Supervisor	\$85.00	MH	10	\$850
Subtotal			20	\$1,800
Materials				
Safety provisions	\$1.00	MH	24	\$24
Area yard charges	\$1.00	MH	24	\$24
Small tools	\$1.50	MH	24	\$36
Subsistence (20mhs/10)	\$150.00	Day	2	\$300
Utilities	\$15.00	Day	0	\$0
Office Facilities	\$45.00	Day	0	\$0
Subtotal				\$384
GENERAL EXPENSE TOTAL				\$2,184
UCI TOTAL WORK ITEMS				\$2,904
UCI Overhead	10%			\$290.40
Subtotal				\$3,194.40
UCI Profit	5%			\$159.72
UCI TOTAL COST				\$3,354
SUBCONTRACTS				
Tatro(per attached scope of work)				\$21,061
Gray Painting				\$1,900
SUBCONTRACT TOTAL WORK ITEMS				\$22,961
UCI SUBCONTRACT FEE	10%			\$2,296.10
UCI SUBCONTRACT TOTAL COSTS				\$25,257
TOTAL COST (UCI WORK AND SUBCONTRACTORS)				\$28,611
Insurance/Bond	1.0%			\$286
CHANGE ORDER TOTAL				\$28,897



Main: 620.277.2167 – 1413 W Thompson St., Garden City, KS 67846
CO Spg: 719.621.1047 – 717 Seedling Ct., Colorado Springs, CO 80915
Summit: 970.538.2876 – 256 Annie Rd, Unit B, Silverthorne, CO 80498
Toll Free: 888.TATRO4U / 888.828.7648
Fax: 620.277.0244
www.TATRO.co

November 13, 2024

Mr. Walter Marcotte
UCI

Re: Dodge City Bio Gas Facility
Flare By-Pass

Dear Mr. Marcotte,

We offer the following for your review and consideration:

- Provide and Install Two (2) HAND Operated Valves
- Provide and Install Flanges for Valve Installations
- Provide and Install One (1) 3" Weld Tee
- Provide and Install One (1) 4" Weld Tee
- Provide and Install Three (3) 4" Well 90s
- Provide and Install Two (2) ¾" Stainless Steel Ball Valves
- Provide and Install One (1) 4" x 3" Concentric Weld Reducer
- Provide and Install Two (2) ¾" Thread-O-Lets
- Provide and Install Two (2) ¾" Nipples
- Provide Supervision, Welder and Fire Watch for TATRO's work

Project Price \$21,061.00

Exclusions:

- Engineering of Any Kind
- Restart or Shutdown of System
- Painting of ANY Kind
- Holiday Testing, MT/PT, or X-Ray of welds
- Existing System conditions

Please feel free to call with questions.

Sincerely,
TATRO

Justin Sanchez / Curtis Logan



Building connections that last™



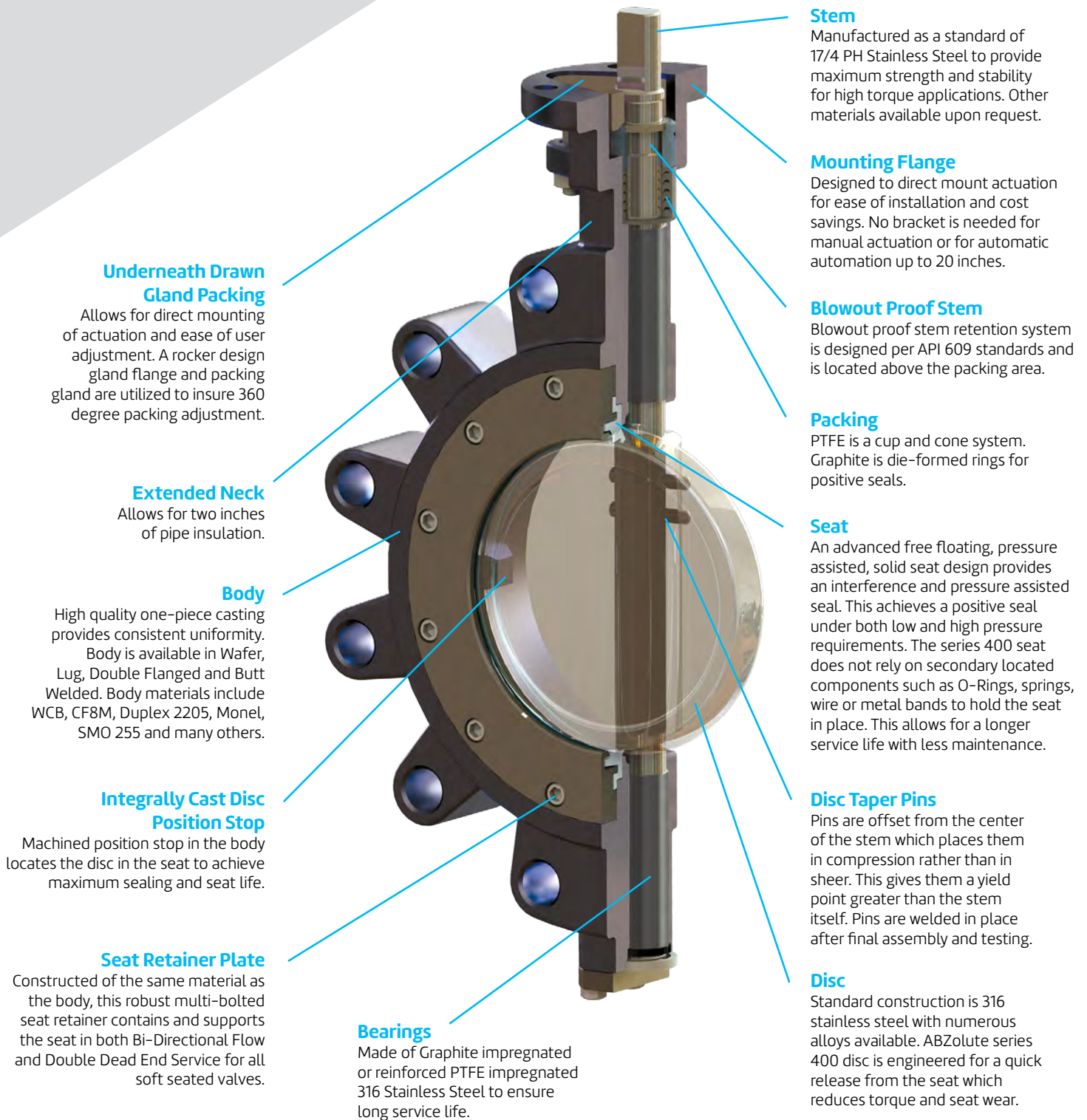
ABZ Series 400

ABZolute Double Offset High Performance Butterfly Valves Datasheet



ABZolute Double Offset High Performance Butterfly Valves

ABZ Series 400



ABZolute Double Offset High Performance Butterfly Valves

ABZ Series 400

Soft Seat Design

- Solid seat, free floating, pressure assisted seal
- No additional parts are required to maintain positive seal
- ABZolute series 400 soft seated valves are rated full ASME pressure
- Seat and seat retainers are designed for Bi-Directional and Double Dead End Service
- Bubble-tight Bi-Directional shut off



Recommended Flow Direction →

Fire Safe Seat Design

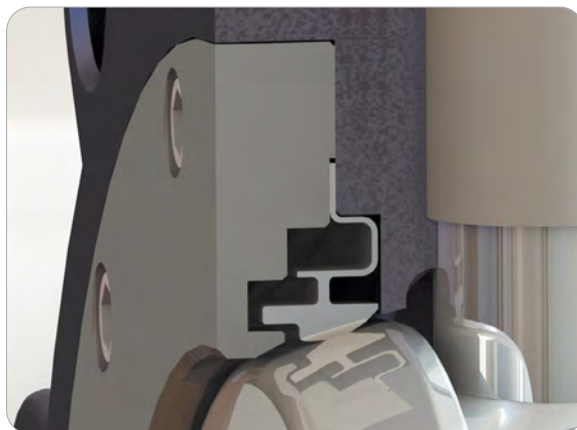
- Solid seat with metal back up seat, free floating, pressure assisted seal
- No additional parts are required to maintain positive seal
- ABZolute Series 400 Fire Safe valves are rated full ASME pressure
- API 607 Fire Safe tested
- Class VI shut off before fire and Class V shut off after fire



Recommended Flow Direction →

Metal Seat Design

- Machined metal seat, free floating, Uni-Directional, pressure Assisted seal
- ABZolute Series 400 metal seated valves are rated full ASME pressure
- API 607 Fire Safe tested
- Class V Uni-Directional shut off

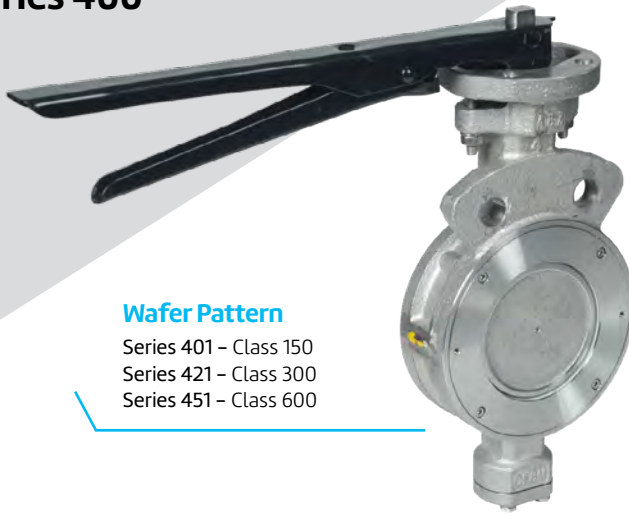


Recommended Flow Direction →

Note: Soft and Fire Safe Seated valves are rated for vacuum. Valves in vacuum service should be installed with vacuum on downstream side of valve. (Shaft side)

ABZolute Double Offset High Performance Butterfly Valves

ABZ Series 400



Wafer Pattern

Series 401 – Class 150
Series 421 – Class 300
Series 451 – Class 600



Lug Pattern

Series 402 – Class 150
Series 422 – Class 300
Series 452 – Class 600

Manufacture Standard

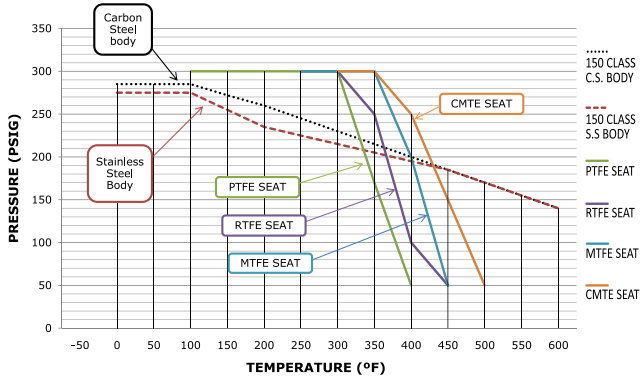
End Connection		Wafer Type, Lug Type	Double Flange Type
Design Standard	ABZ Standard	API 609 & ASME B16.34 API 607 (Fire Safe Test)	API 609 & ASME B16.34
	Optional Configurations	BS 5155	BS 5155
Face to Face	ABZ Standard	API 609 Category B MSS-SP-68 Table 1 ASME B16.10 Table 8 ISO 5752 Table 1 & BS 5155	ISO 5752 Table 6 BS 5155 Table 6 ASME B16.10 Table 6 (Only 2" & 2.5")
	Optional Configurations	DIN 3202 ISO 5752 BS 5155	DIN 3202 ISO 5752 BS 5155
Flange Connection	ABZ Standard	ASME B16.5 CL150, 300, 600 ASME B16.47 Series A CL150, 300 MSS-SP-44:CL150, 300, 600 API 605 : CL.150, CL.300	ASME B16.5 CL150, 300, 600 ASME B16.47 Series A CL150, 300 MSS-SP-44:CL150, 300, 600 API 605 : CL.150, CL.300
	Optional Configurations	JIS B 2210 10K,16K, 20K, 30K, 40K DIN02501, ISO 7005-1 PN10, PN16, PN20, PN25, PN40	JIS B 2210 10K,16K, 20K, 30K, 40K DIN02501, ISO 7005-1 PN10, PN16, PN20, PN25, PN40
Testing	ABZ Standard	API 598 ASME B16.34 BS 1560 BS 5155	API 598 ASME B16.34 BS 1560 BS 5155
	Optional Configurations	JIS B 2203, 2201 DIN 3230 ISO 7005 FCI 70-2 ASME B16.104 MSS-SP 61	JIS B 2203, 2201 DIN 3230 ISO 7005 FCI 70-2 ASME B16.104 MSS-SP 61

Double Flanged Pattern Available.

ABZolute Double Offset High Performance Butterfly Valves

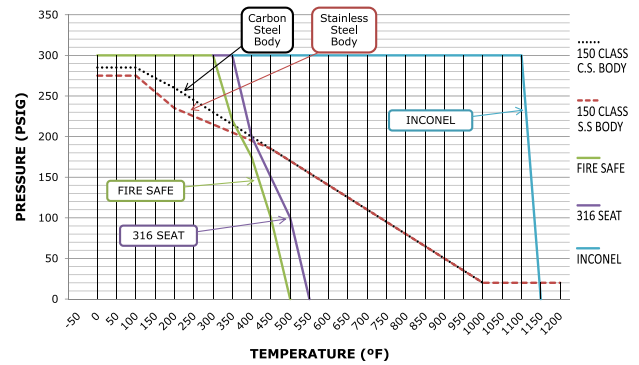
ABZ Series 400

ABZolute - Class 150 Soft Seat - Temp/pressure



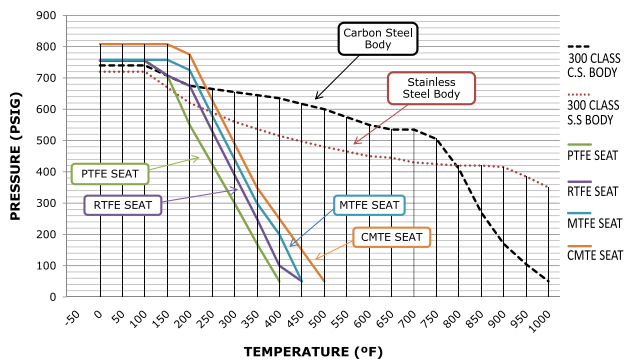
The pressure/temperature rating is determined by the seat or body rating whichever is less.

ABZolute - Class 150 Fire Safe and Metal Seat - Temp/pressure



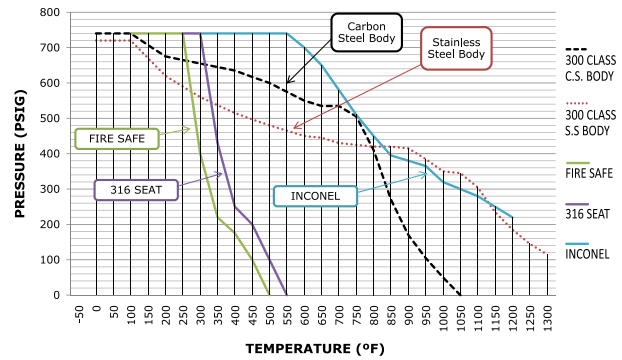
The pressure/temperature rating is determined by the seat or body rating whichever is less.

ABZolute - Class 300 Soft Seat - Temp/pressure



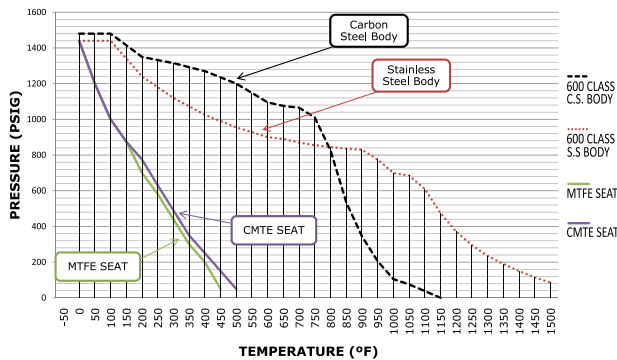
The pressure/temperature rating is determined by the seat or body rating whichever is less.

ABZolute - Class 300 Fire Safe and Metal Seat - Temp/pressure



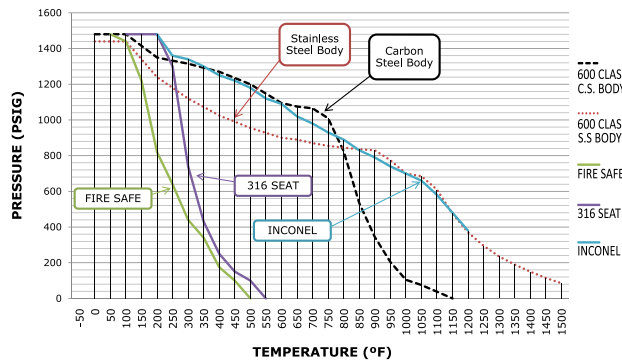
The pressure/temperature rating is determined by the seat or body rating whichever is less.

ABZolute - Class 600 Soft Seat - Temp/pressure



The pressure/temperature rating is determined by the seat or body rating whichever is less.

ABZolute - Class 600 Fire Safe and Metal Seat - Temp/pressure

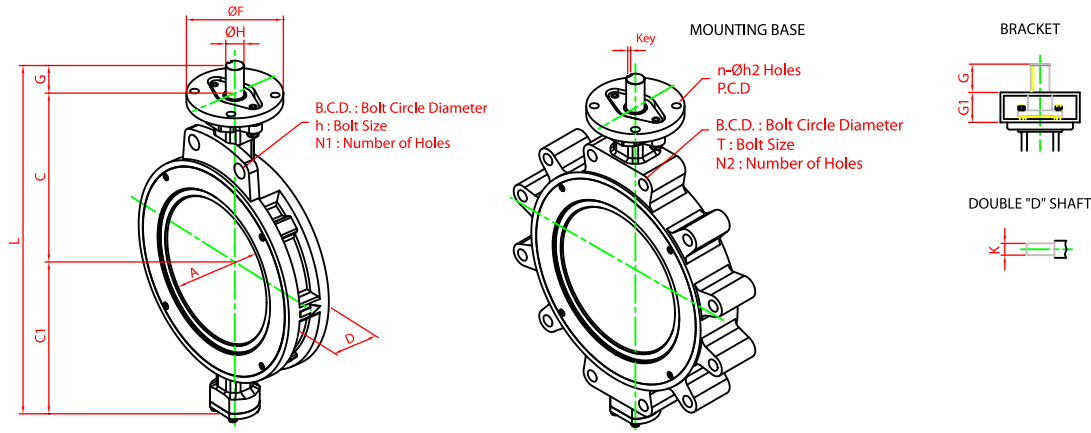


The pressure/temperature rating is determined by the seat or body rating whichever is less.

ABZolute Double Offset High Performance Butterfly Valves

ABZ Series 400

Dimensions Wafer & Lug Type ABZolute Series 400

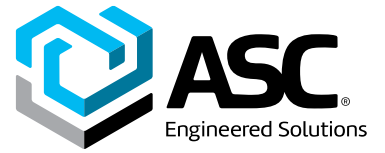


ASME Class 150 (ASME B16.5, ASME B16.47 Series A)

Size inch	Flange Dimensions											Mounting Dimensions						
	A	D	L	C	C1	G	G1	K	H	F	B.C.D	H	T	N1	N2	P.C.D	N	H2
2	1.85	1.69	10.12	4.92	3.94	1.26	-	0.374	0.551	4.02	4.75	0.750	5/8" x 11unc	2	4	3.25	4	0.43
2.5	2.40	1.85	11.15	5.87	4.02	1.26	-	0.437	0.626	4.02	5.50	0.750	5/8" x 11unc	2	4	3.25	4	0.43
3	2.83	1.89	11.97	6.30	4.41	1.26	-	0.437	0.626	4.02	6.00	0.750	5/8" x 11unc	2	4	3.25	4	0.43
4	3.74	2.13	13.15	7.01	4.88	1.26	-	0.500	0.748	4.02	7.50	0.750	5/8" x 11unc	2	8	3.25	4	0.43
5	4.65	2.24	14.41	7.60	5.55	1.26	-	0.500	0.748	4.02	8.50	0.875	3/4" x 10unc	2	8	3.25	4	0.43
6	5.43	2.24	16.22	8.39	6.57	1.26	-	0.500	0.748	4.02	9.50	0.875	3/4" x 10unc	2	8	3.25	4	0.43
8	7.40	2.52	18.39	9.45	7.68	1.26	-	0.626	0.874	5.98	11.75	0.875	3/4" x 10unc	2	8	5.00	4	0.55
10	9.25	2.83	21.73	11.02	8.66	2.05	-	.25 x .25	1.126	5.98	14.25	1.000	7/8" x 9unc	2	12	5.00	4	0.55
12	10.83	3.19	24.64	12.20	10.43	2.01	-	.25 x .25	1.126	5.98	17.00	1.000	7/8" x 9unc	2	12	5.00	4	0.55
14	12.48	3.62	27.24	13.19	11.81	2.24	-	.31 x .31	1.374	5.98	18.75	1.125	1" x 8unc	2	12	5.00	4	0.55
16	14.13	4.02	31.85	15.47	13.39	2.99	-	.50 x .50	1.874	8.03	21.25	1.125	1" x 8unc	2	16	6.50	4	0.83
18	16.38	4.49	34.56	16.81	14.76	2.99	-	.50 x .50	1.874	8.03	22.75	-	1 1/8" x 8un	4	16	6.50	4	0.83
20	18.39	5.00	36.46	17.72	15.75	2.99	-	.50 x .50	2.126	8.03	25.00	-	1 1/8" x 8un	4	20	6.50	4	0.83
22	20.00	6.06	40.63	19.29	17.32	4.02	-	.75 x .50	2.555	11.42	27.25	-	1 1/4" x 8un	4	20	10.00	8	0.75
24	21.57	6.06	43.59	20.87	18.70	4.02	-	.75 x .50	2.555	11.42	29.50	-	1 1/4" x 8un	4	20	10.00	8	0.75
28	25.12	6.50	49.49	23.62	21.85	4.02	-	.75 x .50	2.555	11.42	34.00	-	1 1/4" x 8un	4	28	10.00	8	0.75
30	27.01	7.48	52.87	25.39	23.03	4.45	-	.87 x .55	3.146	12.99	36.00	-	1 1/4" x 8un	4	28	10.00	8	0.75
36	33.03	7.99	59.57	28.74	26.38	4.45	-	.87 x .55	3.146	12.99	42.75	-	1 1/2" x 8un	4	32	10.00	8	0.75
42	39.45	9.49	72.83	30.71	31.10	4.72	6.30	1.10 x .63	3.933	-	49.50	-	1 1/2" x 8un	8	36	11.73	8	0.91
48	44.37	10.00	81.69	34.65	35.43	5.31	6.30	1.26 x .71	4.720	-	56.00	-	1 1/2" x 8un	8	44	11.73	8	0.91

ABZolute Double Offset High Performance Butterfly Valves

ABZ Series 400



ASME Class 300 (ASME B16.5, ASME B16.47 Series A)

Size inch	Flange Dimensions											Mounting Dimensions						
	A	D	L	C	C1	G	G1	K	H	F	B.C.D	H	T	N1	N2	P.C.D	N	H2
2	1.85	1.73	10.12	4.92	3.94	1.26	-	0.374	0.551	4.02	5.00	0.750	5/8" x 11unc	2	8	3.25	4	0.43
2.5	2.40	1.89	11.15	5.87	4.02	1.26	-	0.437	0.626	4.02	5.88	0.875	3/4" x 10unc	2	8	3.25	4	0.43
3	2.83	1.93	11.97	6.30	4.41	1.26	-	0.437	0.626	4.02	6.62	0.875	3/4" x 10unc	2	8	3.25	4	0.43
4	3.74	2.13	13.15	7.01	4.88	1.26	-	0.500	0.748	4.02	7.88	0.875	3/4" x 10unc	2	8	3.25	4	0.43
5	4.65	2.24	14.41	7.60	5.55	1.26	-	0.500	0.748	4.02	9.25	0.875	3/4" x 10unc	2	8	3.25	4	0.43
6	5.39	2.32	16.85	8.66	6.93	1.26	-	0.500	0.748	4.02	10.62	0.875	3/4" x 10unc	2	12	3.25	4	0.43
8	7.32	2.87	20.71	10.24	8.46	2.01	-	.25 x .25	1.126	5.98	13.00	1.000	7/8" x 9unc	2	12	5.00	4	0.55
10	9.06	3.27	22.96	11.42	9.53	2.01	-	.25 x .25	1.126	5.98	15.25	-	1" x 8unc	4	16	5.00	4	0.55
12	10.79	3.62	25.56	12.80	10.75	2.01	-	.31 x .31	1.374	5.98	17.75	-	1 1/8" x 8un	4	16	5.00	4	0.55
14	12.32	4.61	30.55	14.76	12.80	2.99	-	.50 x .50	1.874	8.03	20.25	-	1 1/8" x 8un	4	20	6.50	4	0.83
16	14.02	5.24	34.09	16.73	14.37	2.99	-	.50 x .50	2.122	8.03	22.50	-	1 1/4" x 8un	4	20	6.50	4	0.83
18	16.26	5.87	38.47	18.31	16.14	4.02	-	.75 x .50	2.555	11.42	24.75	-	1 1/4" x 8un	4	24	10.00	8	0.75
20	18.35	6.26	41.62	19.88	17.72	4.02	-	.75 x .50	2.555	11.42	27.00	-	1 1/4" x 8un	4	24	10.00	8	0.75
24	21.50	7.13	47.83	22.83	20.55	4.45	-	.87 x .55	3.146	12.99	32.00	-	1 1/2" x 8un	4	24	10.00	8	0.75
30	27.17	9.06	62.59	25.59	25.98	4.72	6.30	1.10 x .63	3.933	-	39.25	-	1 3/4" x 8un	4	28	11.73	8	0.91
36	33.46	10.75	71.25	29.92	29.72	5.31	6.30	1.26 x .71	4.720	-	46.00	-	2" x 8un	8	32	11.73	8	0.91
48	43.07	13.78	86.21	36.61	34.84	6.89	7.87	1.77 x .98	7.039	-	54.00	-	1 7/8" x 8un	8	32	15.98	8	1.54

ASME Class 600 (ASME B16.5)

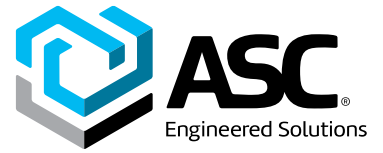
Size inch	Flange Dimensions											Mounting Dimensions						
	A	D	L	C	C1	G	G1	K	H	F	B.C.D	H	T	N1	N2	P.C.D	N	H2
3	2.91	2.17	12.67	6.57	4.92	1.18	-	0.500	0.748	4.02	6.62	0.875	3/4" x 10unc	2	8	3.25		0.43
4	3.78	2.52	14.65	7.68	5.71	1.26	-	0.626	0.874	5.98	8.50	1.000	7/8" x 9unc	2	8	5.00	4	0.55
6	5.20	3.07	19.76	9.45	8.07	2.24	-	.31 x .31	1.374	5.98	11.50	-	1" x 8unc	4	12	5.00	4	0.55
8	6.85	4.06	23.86	11.42	9.45	2.99	-	.50 x .50	1.874	8.03	13.75	-	1 1/8" x 8un	4	12	6.50	4	0.83
10	8.78	4.61	27.20	13.19	11.02	2.99	-	.50 x .50	1.874	8.03	17.00	-	1 1/4" x 8un	4	16	6.50	4	0.83
12	10.59	5.51	31.90	15.16	12.72	4.02	-	.75 x .50	2.358	11.72	19.25	-	1 1/4" x 8un	4	20	10.00	8	0.75
14	11.81	6.10	35.72	17.13	14.57	4.02	-	.75 x .50	2.555	11.42	20.75	-	1 3/8" x 8un	4	20	10.00	8	0.75
16	13.74	7.01	38.66	18.70	15.94	4.02	-	.75 x .50	2.555	11.42	23.75	-	1 1/2" x 8un	4	20	10.00	8	0.75
18	15.59	7.87	41.86	19.69	17.72	4.45	-	.87 x .55	3.146	12.99	25.75	-	1 5/8" x 8un	4	20	10.00	8	0.75
20	17.72	8.50	49.61	19.69	19.29	4.72	5.91	1.10 x .63	3.933	-	28.50	-	1 5/8" x 8un	4	24	11.73	8	0.91
24	21.50	9.13	56.88	22.83	23.03	4.72	6.30	1.10 x .63	3.933	-	33.00	-	1 7/8" x 8un	4	24	11.73	8	0.91

• 26" and larger API Flange Patterns are available – consult factory
 • Double Flanged Patterns are available – consult factory

• Larger sizes available
 • Custom sizes available

ABZolute Double Offset High Performance Butterfly Valves

ABZ Series 400



Cv Value of Series 400 ABZolute Seal Double Offset High Performance Valves

Cv is defined as the volume of water in U.S.G.P.M. that will flow through a given restriction or valve opening with a pressure drop of one (1) PSI at room temperature. Recommended control angles are between 25°-70° open. Preferred angle for control valve sizing is 60°-65° open. This chart is calculated and is to be used as a guide only.

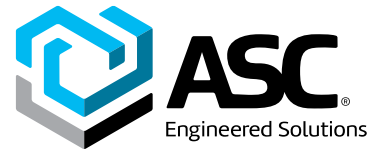
ASME Class 150

Size		Angle of Opening (Degrees)									
Inch	mm	Class	10°	20°	30°	40°	50°	60°	70°	80°	90°
2	50	150	2	5	12	19	32	45	65	81	88
2½	65	150	3	9	21	33	54	77	111	138	150
3	80	150	5	14	32	50	82	116	168	209	227
4	100	150	9	25	57	90	148	209	303	377	410
5	125	150	16	44	104	163	266	377	548	681	740
6	150	150	25	65	150	235	380	540	785	975	1060
8	200	150	55	130	305	480	785	1110	1615	2005	2200
10	250	150	85	205	475	750	1225	1735	2520	3135	3400
12	300	150	115	280	655	1025	1680	2380	3450	4290	4700
14	350	150	150	355	830	1305	2140	3030	4395	5465	5900
16	400	150	200	475	1115	1750	2860	4055	5880	7310	7900
18	450	150	265	630	1475	2315	3790	5365	7790	9680	10500
20	500	150	345	830	1935	3040	4975	7050	10230	12715	13800
22	550	150	375	975	2275	3580	5855	8295	12035	14960	16300
24	600	150	485	1265	2955	4640	7590	10755	15605	19405	21100
26	650	150	550	1450	3350	5300	8650	12250	17800	22100	24000
28	700	150	650	1750	4050	6350	10350	14650	21300	26450	28800
30	750	150	750	2000	4600	7250	11900	16850	24400	30350	33000
32	800	150	850	2350	5450	8600	14050	19900	28850	35850	39000
34	850	150	1000	2750	6450	10150	16650	23550	34200	42500	46200
36	900	150	1100	2950	6900	10900	17800	25200	36600	45500	49400
40	1000	150	1550	4000	9300	14650	23950	33900	49200	60500	66500
42	1050	150	1650	4350	10100	15900	26000	36850	53450	65000	72200
48	1200	150	2350	6100	14200	22350	36550	51800	75150	91450	101600



ABZolute Double Offset High Performance Butterfly Valves

ABZ Series 400



ASME Class 300

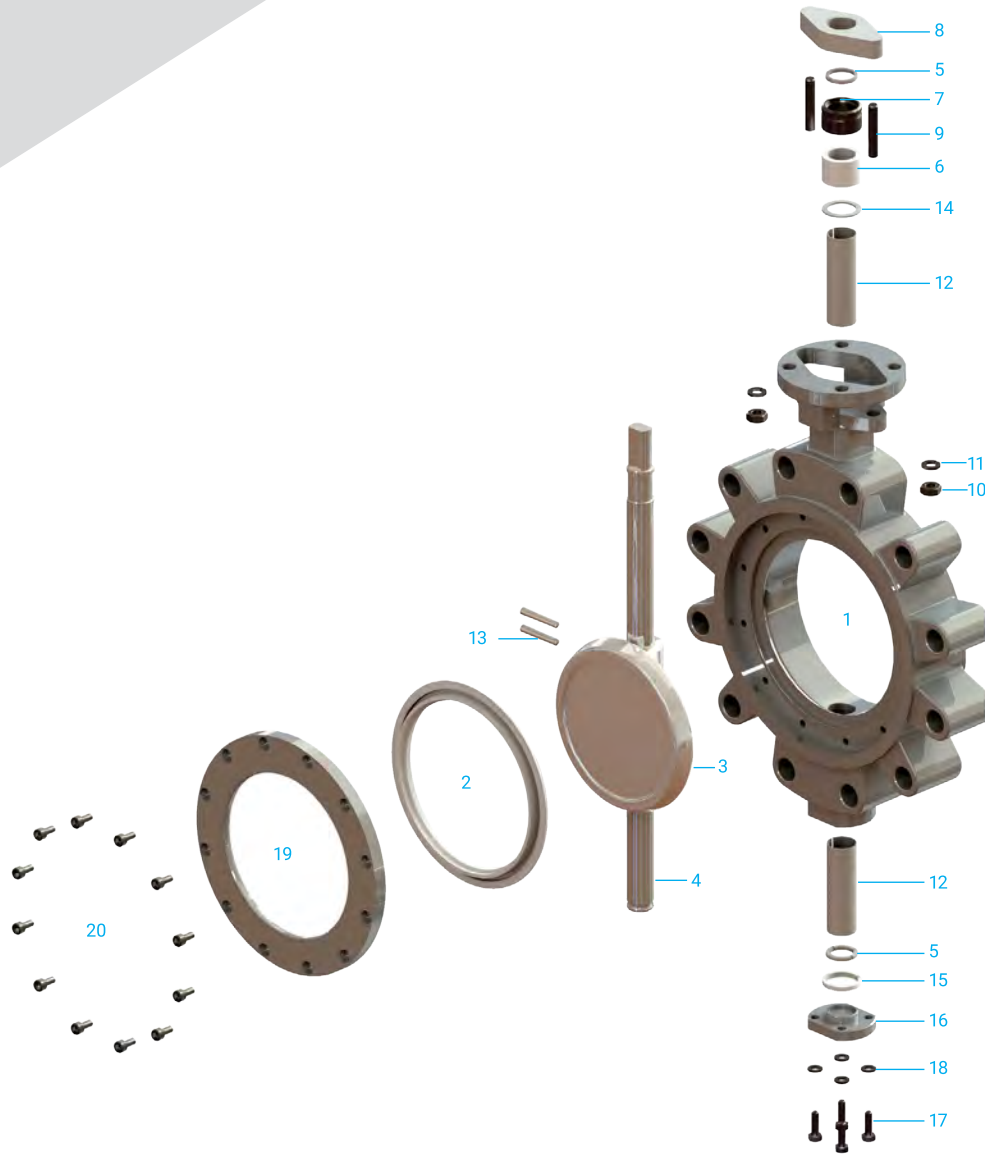
Size		Angle of Opening (Degrees)									
Inch	mm	Class	10°	20°	30°	40°	50°	60°	70°	80°	90°
2	50	300	2	5	12	19	32	45	65	81	88
2½	65	300	3	9	21	33	54	77	111	138	150
3	80	300	5	14	32	50	82	116	168	209	227
4	100	300	9	25	57	90	148	209	303	377	410
5	125	300	16	44	104	163	266	377	548	681	740
6	150	300	24	60	139	218	357	506	735	914	995
8	200	300	45	110	260	410	670	945	1375	1710	1900
10	250	300	75	175	415	650	1065	1505	2185	2720	3000
12	300	300	105	250	580	910	1495	2115	3070	3815	4100
14	350	300	135	325	755	1185	1940	2750	3985	4955	5400
16	400	300	175	415	970	1520	2490	3525	5120	6365	6900
18	450	300	245	590	1375	2165	3540	5015	7275	9045	9800
20	500	300	315	760	1770	2780	4555	6450	9360	11635	12600
24	600	300	435	1135	2645	4155	6800	9635	13980	17380	18900
30	750	300	650	1750	4050	6400	10450	14800	21500	26700	29000
36	900	300	1000	2700	6300	9900	16200	22900	33250	41350	44900

ASME Class 600

Size		Angle of Opening (Degrees)									
Inch	mm	Class	10°	20°	30°	40°	50°	60°	70°	80°	90°
3	80	600	3	9	21	33	54	77	112	139	151
4	100	600	5	15	34	53	87	124	180	224	243
6	150	600	15	38	88	139	228	322	468	581	630
8	200	600	30	70	160	250	410	580	845	1050	1100
10	250	600	50	120	285	450	735	1040	1510	1875	2000
12	300	600	70	165	380	600	980	1390	2015	2505	2700
14	350	600	90	220	515	810	1330	1880	2730	3395	3700
16	400	600	125	305	705	1110	1820	2575	3735	4645	5100
18	450	600	135	325	765	1200	1965	2780	4035	5015	5500
20	500	600	195	470	1095	1715	2810	3980	5775	7180	7800
24	600	600	300	750	1750	2750	4500	6400	9250	11500	12500



ABZolute Double Offset High Performance Butterfly Valves ABZ Series 400



Standard Parts Schedule

- | | |
|--|--|
| 1. Body: A216-WCB Carbon Steel
A351-CF8M 316 Stainless Steel | 11. Spring Washer: Stainless Steel |
| 2. Seat Ring: Soft / Metal / Fire Safe | 12. Bush Bearing: RTFE + S.S. or Graphite + S.S. |
| 3. Disc: A351-CF8M (316 Stainless Steel) | 13. Disc Pin: Stainless Steel |
| 4. Stem: 17/4 PH Stainless Steel | 14. Packing Retainer: Stainless Steel |
| 5. Retainer Ring: 316 Stainless Steel | 15. Cap Packing: PTFE or Graphite |
| 6. Packing: PTFE Graphite | 16. Cap: A216-WCB Carbon Steel
A351-CF8M 316 Stainless Steel |
| 7. Packing Gland: 316 Stainless Steel | 17. Cap Bolt: Stainless Steel |
| 8. Gland Flange: A351-CF8M
(316 Stainless Steel) | 18. Spring Washer: Stainless Steel |
| 9. Gland Bolt: Stainless Steel | 19. Seat Retainer: A216-WCB Carbon Steel
A351-CF8M 316 Stainless Steel |
| 10. Nut: Stainless Steel | 20. Retainer Bolt: Stainless Steel |

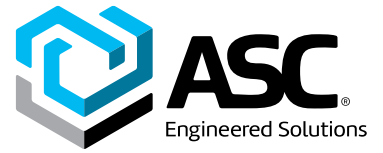
Available Materials

- Hastelloy
- Duplex 2205
- ALX6N
- SMO 254/255
- Monel

Other materials are available on request.

ABZolute Double Offset High Performance Butterfly Valves

ABZ Series 400



How to order ABZolute Butterfly Valves

Example: 12" 402 102 NSF GO

A 12" ASME Class 150 single flange lug-design, with cast CF8M stainless steel body, cast CF8M stainless steel disc, 17-4 PH SS stem, reinforced PTFE seat, PTFE shaft seals, NSF, and gear operators, is: 12" 402 102 NSF GO.

12		402	102	NSF GO
Size		Series	Trim	Variations / Options
2"	24"	ASME Class 150	XXX	<blank> Bare stem
2.5"	26"	401 Wafer	↑	NSF NSF certified ‡
3"	28"	402 Lug		NACE NACE
4"	30"	403 Double Flanged, SP *		SF Silicone free
5"	32"	404 Double Flanged, LP *		HDL Handle
6"	34"	ASME Class 300		GO Gear operator
8"	36"	421 Wafer		
10"	38"	422 Lug		
12"	40"	423 Double Flanged, SP *		
14"	42"	424 Double Flanged, LP *		
16"	44"	ASME Class 600		
18"	48"	451 Wafer		
20"	54"	452 Lug		
22"	60"	453 Double Flanged, SP *		
		454 Double Flanged, LP *		

* Contact Factory.
SP = short pattern. LP = long pattern.

50+ additional variation codes available. Contact Factory with your requirements.

‡ Available with Trim Codes 100, 101, 102, 103, 126, 182, 183.

Trim Code	Seat Type	Body Material	Disc Material	Stem Material	Seat Material	Stem Packing	Availability	Trim Code
Most Popular								
100	Resilient	WCB CS	CF8M (316 SS)	17-4 PH SS	RTFE	PTFE	CL150 2"-60"; CL300 2"-48"; CL600 3"-24"	100
102		CF8M (316 SS)						102
108	Fire-Safe	WCB CS	CF8M (316 SS)	17-4 PH SS	RTFE + 316 SS	GRAPHITE	CL150 2"-60"; CL300 2"-48"; CL600 3"-24"	108
109		CF8M (316 SS)						109
105	Metal	WCB CS	CF8M (316 SS) / ENP	17-4 PH SS	316 SS	GRAPHITE	CL150 2"-60"; CL300 2"-48"; CL600 3"-24"	105
107		CF8M (316 SS)						107
Popular								
182	Resilient	WCB	CF8M (316 SS)	17-4 PH SS	MTFE	PTFE	CL150 2"-60"; CL300 2"-48"; CL600 3"-24"	182
126		CF8M (316 SS)	CF8M (316 SS)	316 SS	RTFE	PTFE	CL150 2"-60"; CL300 2"-48"; CL600 3"-24"	126
183		CF8M (316 SS)	CF8M (316 SS)	17-4 PH SS	MTFE	PTFE	CL150 2"-60"; CL300 2"-48"; CL600 3"-24"	183

200+ additional trim codes available.
Contact Factory with your requirements.



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ASC Engineered Solutions is defined by quality—in its products, services and support. With nearly 2,000 employees, the company's portfolio of precision-engineered piping support, valves and connections provides products to more than 4,000 customers across industries, such as mechanical, industrial, fire protection, oil and gas, and commercial and residential construction. Its portfolio of leading brands includes ABZ Valve®, AFCON®, Anvil®, Anvil EPS, Anvil Services, Basic-PSA, Beck®, Catawissa, Cooplet®, FlexHead®, FPPI®, Gruvlok®, J.B. Smith, Merit®, North Alabama Pipe, Quadrant®, SCI®, Sharpe®, SlideLOK®, SPF®, SprinkFLEX®, Trenton Pipe and VEP. With headquarters in Oak Brook, IL, ASC also has ISO 9001:2015 certified production facilities in PA, TN, IL, TX, AL, LA, KS, and RI.



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Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Ray Slattery, PE, Director of Engineering Services
Date: December 16, 2024
Subject: Design Services for the Managed Aquifer Recharge (MAR) Project, SS 2202

Agenda Item: New Business

Purpose: Design a facility that will further treat effluent to a quality that can be discharged into the Arkansas Riverbed to recharge the aquifer to help sustain our intown well field.

Recommendation: Approve Task Order and Scope of Services with Burns & McDonnell Engineering Company, Inc. in the amount of \$5,955,500.00 for the development of preliminary and detailed 100% design documents.

Background: As you are aware the City has been working on the concept of a MAR project since the South WWTP needed to be expanded. The City hired Burns and McDonnell to help with a grant application to the Bureau of Reclamation and the required Title XVI – Water Reclamation and Reuse Feasibility Study. The City received \$14.25 Million Dollar grant from the BOR and \$20 Million grant from the Kansas Infrastructure Hub for this project.

In August of 2024, the City posted and advertised a Request for Qualifications (RFQ) for professional engineering services to develop construction plans & specifications and regulatory compliance & permitting for an Advanced Wastewater Treatment Facility & Reuse Via Managed Aquifer Recharge. Two submittals were received and reviewed. One submittal did not follow the format requested. Burns & McDonnell was the only firm to send a complete submittal. Staff has been working with Burns & McDonnell on a scope of services and cost since late September. Burns & McDonnell has also been in contact with both State and Federal government agencies to determine all the necessary permits for a project of this type.

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations:

Amount \$: \$5,955,500.00

Fund: Water and/or Wastewater Fund

X Budgeted Expense X Grant Bonds Other

Legal Considerations: The City will be entering into a contract with Burns & McDonnell Engineering Company, Inc. and will be bound by the provisions of this agreement.

Mission/Values: This project aligns with the City's Core Value of Ongoing Improvements, Safety, and Working Towards Excellence.

Attachments: Task Order #4 and Scope of Services from Burns & McDonnell Engineering Company, Inc.

Approved for the Agenda by:

A handwritten signature in blue ink that reads "Ray Slattery, PE". The signature is written in a cursive, flowing style.

Ray Slattery, PE, Dir. of Engineering Services



**TASK ORDER 4
ENGINEER-OWNER AGREEMENT
(Doc. No. AE-2 Exhibit A)**

This Task Order is entered into and authorized by Owner this _____ day of November, 2024, by and between City of Dodge City, Kansas (hereinafter called OWNER) and Burns & McDonnell Engineering Company, Inc. (hereinafter called ENGINEER).

The parties agree that the ENGINEER shall perform the following Services in accordance with the terms of the Engineer-Owner Agreement dated May 27, 2020:

1. Scope of Services:

See the attached Exhibit B

2. Compensation:

The basis of compensation for the above Services shall be:

- ☐ Hourly Rate per ENGINEER's Rate Sheet, attached hereto
Subject to a Not-to-Exceed Cap of five million nine hundred fifty-five thousand and five hundred dollars \$5,955,500.00, without further authorization

3. Other Terms:

(describe below)

- A. The terms of this Task Order supersede any contrary terms of the Engineer-Owner Agreement.
- B. ENGINEER may engage temporary staffing agencies or obtain assistance from its affiliates and subsidiaries including, without limitation, Burns & McDonnell Canada Ltd., Burns & McDonnell Global, Inc., Burns & McDonnell Europe (UK) Limited, and Burns & McDonnell India Pvt. Ltd. ("Labor Sources") to fulfill ENGINEER's performance obligations under this Agreement. The parties agree that contracts, purchase orders, or similar agreements between ENGINEER and any Labor Sources are not subcontracts as that term is used in this Agreement, and personnel from such Labor Sources shall not be considered a subcontractor and shall be billed according to the applicable rate sheet for the scope of work as if such personnel is a direct hire employee. Personnel from Labor Sources shall be considered agents of ENGINEER and able to act on behalf of ENGINEER within the scope of the authority granted to such personnel according to job function and billing classification. ENGINEER remains fully responsible for the work and services performed by all Labor Sources.

IN WITNESS WHEREOF, the parties have made and executed this TASK ORDER as of the day and year first above written.

OWNER: City of Dodge City, Kansas

**ENGINEER: Burns & McDonnell
Engineering Company, Inc.**

By:

By:

Name: Nick Hernandez

Name: Ron Coker

Title: City Manager

Title: Senior Vice President

Exhibit B

City of Dodge City, Kansas Advanced Wastewater Treatment Facility and Reuse Conceptual and Final Design

Scope of Services

In 2024, the City of Dodge City, Kansas (OWNER) became home to a Hilmar Dairy Processing Facility (Hilmar). The OWNER will be providing water supply and wastewater management services for Hilmar. The OWNER currently has a zero discharge permit from its existing South Wastewater Treatment Plant (South WWTP) with effluent water currently being used for irrigation. The OWNER has been evaluating the opportunities to utilize the new Hilmar effluent along with existing municipal and industrial wastewater effluent received from National Beef for targeted beneficial use including Managed Aquifer Recharge (MAR) and accrual of aquifer recharge credits to increase the available water supply. Burns & McDonnell (ENGINEER) has provided a Feasibility Analysis for implementing MAR with an additional mechanical wastewater treatment plant (Reuse WWTP).

The nominal 4 mgd Reuse WWTP will treat pre-treated wastewater from the OWNER's existing South WWTP, with blended influent from municipal (~ 2 mgd) and industrial sources (~1.5 mgd Hilmar and ~0.5 mgd National Beef) and will discharge treated effluent to the Arkansas River riverbed. Flow will be diverted either post anaerobic lagoons, or directly from the anaerobic lagoons, depending upon the evaluations from the conceptual design. It is assumed that wastewater sources will be consistent into the future and that anaerobic lagoons will continue to remain functional. The influent blend has been preliminarily evaluated in the Feasibility Analysis and will be refined in conceptual design.

ENGINEER will build upon the prior Feasibility Analysis and develop preliminary and detailed 100% design documents. The Scope of Services outlined in this document are intended to describe the ENGINEER's work necessary to complete conceptual design, detailed design and permitting for the Reuse WWTP, effluent pump station and forcemain.

1. Project Management and Administration

- a. The ENGINEER shall prepare for, attend, and conduct monthly progress meetings with the OWNER. These meetings will generally be held via telephone conference/Microsoft Teams. ENGINEER shall provide meeting minutes with a list of action items as applicable. Meeting minutes will be distributed via e-mail. A total of fourteen (14) monthly meetings are anticipated, inclusive of one (1) kickoff meeting. It is assumed that the kickoff meeting and up to one additional meeting will be attended by up to four representatives of the ENGINEER at the OWNER's offices.
- b. Assist OWNER with grant management. A total of 160 project management hours have been allotted for this task.
- c. The project team will conduct monthly internal project meetings to review progress, offset from the monthly progress meetings with the OWNER.
- d. The project team will follow the ENGINEER's QA/QC program. This task includes internal review of the project by qualified staff.
- e. The project manager will facilitate budget tracking, and invoice preparation.

2. Reuse WWTP Conceptual Design

- a. Water quality projections for the Reuse WWTP Raw Influent that were used for concept development in the Feasibility Analysis will be confirmed by evaluating data obtained during the recent sampling event implemented by the OWNER. The nominal plant capacity is anticipated to be 4 mgd with no peak flows. Blended influent design characteristics are assumed to be BOD = 350 mg/L, TSS = 330 mg/L, TN = 70 mg/L and TP = 12.1 mg/L. The anticipated influent quality characterization was based on data from the existing facility and data from a similar Hilmar facility at another location. The characterization forms the basis of the concept development.
- b. Proposed water quality goals for the MAR concept as described in the Feasibility Analysis (BOD < 15 mg/L, NH₃ < 0.5 mg/L, TN < 10 mg/L, nitrate < 6.4 mg/L, etc.) will be used as the basis for Conceptual Design and this Design Scope. Concurrently, formal water quality goals for the MAR concept will be developed with the OWNER, ENGINEER, and KDHE through the completion of an antidegradation report. Following review and approval of the antidegradation report, the conceptual design will be confirmed and adjusted, if necessary.
- c. The ENGINEER will use the results of the sampling plan and the water quality goals for the MAR concept to initiate conceptual design. Elements of this phase of work include the following:
 - i. Analyze data from sampling plan and work with the OWNER to determine selected Reuse WWTP influent streams and quantities. Recommendations for additional sampling to be completed by OWNER.
 - ii. Review geotechnical data provided by OWNER in the vicinity of the South WWTP. No additional geotechnical will be taken during the conceptual design.
 - iii. Review of background documents, including but not limited to, record drawings of existing South WWTP facilities, prior reports, monthly and annual South WWTP reports, correspondence with KDHE and DWR.
 - iv. Conduct biological treatment alternatives analysis and desktop modeling of the proposed Reuse WWTP to determine the process flow diagram and conceptual sizing of equipment. Present up to three proposed treatment processes to the OWNER and develop a consensus with the OWNER on the selected treatment process. Base scope assumes influent pumping, screening, biological phosphorus and nitrogen reduction membrane bioreactor (MBR), UV disinfection and effluent pumping.
 - v. Evaluate options for biosolids management. Base design scope assumes that biosolids will be returned to the ponds, but if alternative pathways are deemed necessary then this basis will be revisited.
 - vi. Evaluate potential future influent wastewater composition and flow impacts due to regulatory changes impacting Cargill.
 - vii. South WWTP siting confirmation as determined with OWNER. Base scope assumes location adjacent to existing ponds.
 - viii. Antidegradation Report.
 1. An antidegradation report will be prepared for submission to the KDHE. The report will include the following:
 - a. Introduction describing the project and intended discharge
 - b. Existing site plan
 - c. Projected wastewater flows and loadings

- d. Alternatives evaluation (up to three options). This will include block flow diagrams and conceptual cost projections.
 - e. Preferred alternative process flow diagram
 - f. Preferred alternative plot plan
 - g. Managed Aquifer Recharge
 - i. Preferred alternative effluent water quality projection
 - ii. Discharge location groundwater existing water quality
 - iii. Projected discharge limits
- 2. Provide a draft report to the OWNER for review and incorporate OWNER's review comments in a draft report.
- 3. Revise report and submit the final report to KDHE for approval.
- ix. Work with KDHE to develop water quality goals, including up to 2 in-person meetings attended by 2 ENGINEER representatives.
- x. A separate Conceptual Design Report will not be produced. The Antidegradation Report will contain similar content and is anticipated to satisfy KDHE requirements for submittal at the conceptual design phase.
- 3. Effluent Forcemain and Pump Station Conceptual Design
 - a. For MAR, a pump station and forcemain will be required to transfer treated effluent from the Reuse WWTP site approximately 12-miles to the discharge location at the Arkansas Riverbed.
 - i. Evaluate up to three routes for forcemain alignment and pump station location including critical route impacts, utilities impacts, property lines, etc.
 - ii. Evaluate hydraulics to verify pipeline and lift station design requirements.
 - iii. Develop an opinion of probable construction cost for each alignment.
 - iv. Conduct a workshop with the OWNER to review all alignments and select an alternate.
 - v. Prepare a Conceptual Design Report to document the selected forcemain alignment and pump station location.
- 4. Kansas Division of Water Resources (DWR) Aquifer Storage and Recovery (ASR) Program Permit
 - a. Facilitate Pre-Application Meetings and Regulatory Agency Interaction
 - i. ENGINEER will facilitate up to four (4) pre-application meetings with the OWNER by:
 - 1. Develop agenda and provide meeting minutes.
 - 2. Meetings will be focused on data requirements and needs for the DWR ASR application process.
 - 3. One (1) meeting will be held in person, three (3) meetings will be held digitally.
 - ii. ENGINEER will facilitate up to four (4) pre-application meetings with DWR by.
 - 1. Develop agenda and provide meeting minutes.
 - 2. Two (2) meetings will be held in person, two (2) meetings will be held digitally.
 - b. Develop new application forms to appropriate water for beneficial reuse at up to eighteen (18) existing OWNER wells for recovery of ASR recharge credits.
 - i. Complete DWR application form for permit to appropriate water for beneficial use based on ASR recharge credit recovery and subsequent municipal use.
 - ii. Complete supplemental application forms
 - 1. Municipal use
 - 2. Minimum desirable streamflow acknowledgements

- iii. Develop supporting application information maps.
 - 1. Surrounding active groundwater rights within one half (1/2) mile of proposed ASR credit recovery well locations.
 - 2. Identify active domestic wells according to KDHE water well completion database within ½ mile.
 - 3. Develop water demand projections for a 20-year forecasted period.
- c. Groundwater Modeling to Establish proposed ASR Basin Storage Area and ASR Accounting Process.
 - i. Develop ASR recharge credit accounting based on the use of a MODFLOW groundwater model.
 - 1. The Groundwater model will be based upon existing models available from Groundwater Management Districts or the Kansas Geological Survey.
 - 2. Conduct up to three digital (3) meetings with DWR technical staff to validate general ASR accounting metrics and variables for inclusion in modeling ASR accounting scenarios.
 - 3. Model scenarios will be based upon simulation of a prospective forecasted period of up to 20 years:
 - a. Baseline No ASR Scenario - Normal historic correlated water use of surrounding water right holders and projected water demands of the OWNER.
 - b. With ASR Program No Credit Recovery Scenario - historic correlated water use of surrounding water right holders and anticipated projected demands of the OWNER with 4.0 MGD of simulated recharge to the dry Arkansas River bed with no ASR Recharge credit recovery.
 - c. With ASR Program and Credit Recovery Scenario - historic correlated water use of surrounding water right holders and projected water demands of the OWNER with 4.0 MGD of simulated recharge to the dry Arkansas River bed with periodic recharge credit recovery to meet projected OWNER demands.
 - d. Drought With ASR Program and Credit Recovery Scenario – develop a drought of duration and intensity to be determined in consultation with DWR that reflects water use of surrounding water right holders and anticipated demands of the OWNER during the associated drought cycle with 4.0MGD of recharge and associated ASR recharge credit recovery by the OWNER.
 - ii. Based on groundwater modeling results develop a proposed basin storage area extent
 - iii. Develop a spreadsheet-based ASR accounting system based upon groundwater modeling results accounting for submittal within the ASR Program Permit documents as the proposed ASR accounting methodology.
- d. ASR Permit Application Report
 - i. Develop maps and descriptive text for the “Aquifer storage and recovery system, which will describe the physical infrastructure required for diversion of source water, treatment of source water, along with the conveyance, storage, capture and distribution of recharge credits.

- ii. Develop maps and descriptive text for the “Basin Storage Area” to define the portion of the aquifer used for aquifer storage that has a defined horizontal boundary and is delimited by a maximum index level and a minimum index level.
 - 1. Index Level Sites – The number and location of proposed index water level sites will be determined in consultation with OWNER and DWR.
 - 2. Maximum index level – The maximum index level will be developed for each index level site based on land surface elevation minus a 10 foot or greater safety factor.
 - 3. Minimum index level – The minimum index level will be developed in consultation with DWR and the OWNER or be based upon known or interpreted bedrock elevation plus 20 feet in accordance with the DWR rules, regulations, and definitions.
 - e. Develop ASR Permit Application Report.
 - i. Develop an ASR Program Permit report which will accompany the required DWR forms summarizing findings from OWNER and DWR meetings and groundwater modeling.
 - ii. Document groundwater modeling tasks, groundwater model calibration and suitability, and the proposed accounting methodology.
 - iii. Up to two (2) rounds of draft ASR Program Permit document review by the OWNER are anticipated
 - 1. One OWNER review at 80% completion to review formalized application data, final proposed ASR accounting methods.
 - 2. One OWNER review at 100% completion.
 - f. Water Rights Consumptive Use Review
 - i. Conduct up to two (2) digital meetings with DWR
 - ii. Review historic water use and water rights documents relating to OWNER operation of municipal wells and historic wastewater discharges.
 - iii. Develop a consumptive use memorandum providing a proposed calculation of the historic consumptive use of OWNER water rights.
 - g. Assumptions: Additional scope may be required based on the assumptions listed below for this task.
 - i. DWR will likely hold hearings and there may be some need for ENGINEER to be present to explain data/findings to GMD3 for consideration / explanation. This is not currently included in the scope of services.
 - ii. Installation and sampling of monitoring wells is not included in the scope/fee.
 - iii. OWNER is responsible for all ASR Program Permit application fees.
- 5. Bureau of Reclamation Environmental Assessment and Permitting
 - a. Interagency Interaction
 - i. ENGINEER will prepare and submit initial agency letters to local, state, and federal agencies. The letters will include a description of the proposed project and maps that depict the proposed waterline route. ENGINEER will provide the draft letters to the OWNER for review and one round of comments. ENGINEER will address any comments, finalize the letters, and provide a final electronic version to OWNER. ENGINEER will submit the letters by email to the following agencies.
 - 1. U.S. Fish and Wildlife Service

2. Kansas Department of Wildlife and Parks
 3. U.S. Department of Agriculture - Natural Resources Conservation Service
 4. Kansas Department of Health and Environment
 5. U.S. Army Corps of Engineers
 6. Kansas Department of Agriculture - Division of Water Resources
 7. Kansas State Historical Society - State Historic Preservation Office
 8. Kansas Biological Survey
- ii. ENGINEER will prepare and submit initial letters to Native American Tribes listed by the U.S. Department of Housing and Urban Development's Tribal Directory Assessment Tool (<https://egis.hud.gov/TDAT/>) for Ford County, Kansas. The letters will include a description of the proposed project and maps that depict the proposed waterline route. ENGINEER will provide the draft letters to the OWNER for review and one round of comments. ENGINEER will address any comments, finalize the letters, and provide a final electronic version to OWNER. ENGINEER will submit the letters by email to the following Native American Tribes.
1. Apache Tribe of Oklahoma
 2. Cheyenne and Arapaho Tribes, Oklahoma
 3. Comanche Nation, Oklahoma
 4. Osage Nation
 5. Wichita and Affiliated Tribes (Wichita, Keechi, Waco and Tawakonie), Oklahoma
- iii. Assumptions: Additional scope may be required based on the assumptions listed below for this task.
1. Additional field surveys and permits may be required based on the comments received from the agencies.
 2. The project scope and footprint will not change once the initial agency letters are submitted.
- b. Field Survey and Environmental Permitting Efforts
- i. Wetlands
 1. The U.S. Army Corps of Engineers (USACE) has jurisdiction over wetlands and other waters of the U.S. in accordance with Section 404 of the Clean Water Act. ENGINEER proposes to perform a wetland delineation along the project corridor to identify boundaries of wetlands and streams that may be affected by the proposed project, summarize the results of the field delineation in a wetland delineation report, and work with the USACE regarding the proposed project.
 2. ENGINEER will conduct a field visit to evaluate the proposed project corridor for the presence of wetlands and other waters according to USACE requirements. The site visit will consist of a pedestrian survey by a wetland scientist and a global positioning system (GPS) specialist to identify any wetlands or other water bodies that may be present and to record locations and boundaries using GPS. These areas will be delineated in accordance with the 1987 Corps of Engineers Wetlands Delineation Manual (USACE Manual) and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual, Version 2.0: Great Plains Region (Regional Supplement). In addition, ENGINEER will gather

information on the hydric soils, wetland hydrology, and upland and wetland vegetation of the project corridor. The wetland scientist will assess whether a delineated area is likely to be considered under the jurisdiction of the USACE by determining if a hydrologic connection to waters of the U.S. exists. As part of this effort, photographs will also be taken onsite to provide visual documentation of any identified features.

3. ENGINEER will prepare a wetland delineation letter report for the proposed project that describes the background research, methodologies, and results. In addition, the report will include completed wetland determination data forms from the Regional Supplement, photographs of identified waters, and figures of the project corridor. ENGINEER will provide the draft letter report to the OWNER for review and one round of comments. ENGINEER will address any comments, finalize the report, and provide a final electronic version to OWNER. ENGINEER will submit the permit application package to the USACE.

ii. Threatened & Endangered Species

1. Based on information obtained from the initial discussions with state and federal agencies, ENGINEER will complete a protected species habitat assessment field survey along the project corridor. The habitat assessment survey will be conducted at the same time as the wetland delineation field survey. Photographs will be taken to document potential protected species habitat within and immediately adjacent to the proposed project corridor. The location of any observed potential protected species habitats, including the location of any suitable lesser prairie-chicken habitat, eastern spotted skunk habitat, or bald eagle nests, will be photographed and delineated using a GPS with sub-meter accuracy.
2. Based on the results of an initial agency discussions, review of available information, and habitat assessment field survey, ENGINEER will prepare a protected species habitat assessment letter report. The protected species habitat assessment letter report will be suitable for submittal to the U.S. Fish and Wildlife Service (USFWS) and Kansas Department of Wildlife and Parks (KDWP) to obtain their concurrence with the findings of the habitat assessment.
3. ENGINEER will provide the draft habitat assessment letter report to the OWNER for review and one round of comments. ENGINEER will address any comments, finalize the report, and provide a final electronic version to OWNER. If requested by the OWNER, the protected species habitat assessment letter report will be submitted to the USFWS and KDWP for their review and concurrence with the findings and conclusions presented in the habitat assessment letter report.

iii. Cultural Resources

1. The project is subject to a variety of state and federal permits requiring compliance with cultural resources statutes. ENGINEER will conduct Phase I background research to identify previously recorded cultural resources within 1.0-mile of the project. This review will include

consultation of the archaeological site files and previously conducted archaeological surveys maintained by the Kansas State Historical Society (KSHS), resources available online via the KSHS Archaeological Inventory (KHSI) and the Kansas Historic Resources Inventory (KHRI), and the National Register of Historic Places (NRHP).

2. This research will be supplemented by a review of the available General Land Office plat maps and historical atlases for Ford County, accessed online via Kansas Memory, which is maintained by KSHS. Additional research will include a review of historic era U.S. Geological Survey (USGS) topographic maps. ENGINEER's archaeologist will work with the Bureau of Reclamation and Kansas State Historic Preservation Office (SHPO) to determine requirements for cultural resources clearance. Engineer assumes that the project will need to comply with Section 106 of the National Historic Preservation Act and will consult with the SHPO. It is also assumed that a cultural resources field survey will be required for the Project. ENGINEER assumes this effort will include a field survey of the entire length of the project corridor in 15-meter (50-foot) transects to determine if any unrecorded archaeological sites are present. Following the fieldwork, ENGINEER's archaeologists will prepare a Phase II cultural resources report that includes the results of background research and field survey. The report will be submitted to the OWNER for review and one round of comments. Any comments will be addressed before submitting the final document to the Bureau of Reclamation and SHPO for review.
- iv. Assumptions: Additional scope may be required based on the assumptions listed below for this task.
 1. OWNER will provide landowner permission to access the project Reuse WWTP site and approximately 12-mile forcemain route .
 2. The proposed route does not cross any federally owned land; thus, no permits to conduct archaeological investigation on public lands will be required.
 3. The wetland delineation will be conducted under normal circumstances with no atypical situations as defined by the USACE Manual.
 4. It is assumed that the wetland delineation will be conducted outside of the normal growing season but the results of the wetland delineation will be acceptable to the USACE.
 5. Delays causing demobilization associated with weather, access, and other unforeseen events are not included.
 6. The project will qualify for a USACE nationwide permit.
 7. The project will receive 401 water quality certification in association with the nationwide permit.
 8. If the USFWS or KDWP require species-specific presence/absence surveys requiring a state or federal permit, ENGINEER will submit a separate scope and cost estimate for the species-specific presence/absence survey effort.

9. All tree removal for the project will occur from July 16 to April 14 to avoid impacting potential summer nesting habitat for migratory birds protected under the Migratory Bird Treaty Act.
10. The habitat assessment field survey will occur at the same time as the wetland field work.
11. State-designated critical habitat along the Arkansas River for the state-listed as threatened eastern spotted skunk should not be impacted by the project; thus, a State Action Permit will not be required.
12. Efforts and cost for mitigation associated with wetlands or protected species are not included.
13. Full archaeology survey, consisting of a ground survey of 100% of the project corridor, is required.
14. No more than 1 archaeological site with no more than 50 artifacts will be collected and processed.
15. If collection and/or removal of artifacts from any given property or properties is required, then written and signed authorization from each landowner to remove artifacts from their property must be obtained by OWNER and provided to ENGINEER.
16. If cultural or historic resources are identified that could be eligible for the NRHP, additional investigations may be necessary, and a cost estimate can be provided.
17. This scope does not include deep testing for archaeological sites or site potential. It is possible (though unlikely) the USACE or SHPO will require deep testing on landforms with the geologic potential to contain deeply buried resources. In that case, additional investigations may be necessary, and a cost estimate can be provided.
18. Cultural resources survey area will be no more than 29 meters (95 feet) wide.
19. Cultural resources survey area will be evaluated in 15-meter (50-foot) transects.
20. One team of two will be able to complete the cultural resources survey in one 5-day mobilization.
21. One Call notification will be completed by ENGINEER prior to deployment.
22. One archaeological survey report will be prepared for submission to the lead federal agency and SHPO.
23. No chain of title research will be necessary. A cost estimate can be provided should sites be present that will require chain of title research as part of the documentation mandates of the reviewing agencies.
24. This scope does not include curation or returning artifacts to landowners. ENGINEER does not provide long term artifact storage and can assist with curation preparation or returning artifacts to landowners in a separate proposal.
25. Identification and evaluation of historic non-archaeological resources is not included in this scope.

c. Environmental Assessment Document (EA) Preparation Efforts

- i. Based on the responses obtained during the Initial Agency Interaction Effort and the requirements of the U.S. Bureau of Reclamation grant funding program, an

Environmental Assessment Document (EA) will be prepared for the construction of the waterline. The EA is part of the Bureau of Reclamation's National Environmental Policy Act (NEPA)-based review for projects within the Bureau of Reclamation's Community Grants Program.

- ii. The EA will include the need for the proposed project, a description and evaluation of potential alternatives, the results of any field surveys or studies, the environmental impacts of the proposed action and alternatives, all agency correspondence, and copies of any local, state, or federal permits that are obtained for the project. The EA effort will include data collection and working with Bureau of Reclamation and various local, state, and federal agencies to obtain existing reports, maps, publicly available data, and other important literature; and Draft EA document preparation.
- iii. Assumptions: Additional scope may be required based on the assumptions listed below for this task.
 - 1. A separate site reconnaissance effort for the EA will not be required. Data collected during the field surveys conducted for the wetland delineation, habitat assessment, and cultural resources effort during the Field Survey and Environmental Permitting Efforts of the project will be adequate.
 - 2. No significant resources or impacts to them will be identified as part of field surveys or other Project data collection or investigation activities, including through agency contact scoping.
 - 3. Costs are included to obtain background data and contact agencies as needed for the EA environmental impact analysis. Much of the background information is anticipated to be readily available in GIS format or collected during the field survey efforts. No costs for digitizing non-electronic data have been included.
 - 4. Information regarding the project's purpose and need, feasible alternatives, and existing easement documentation will be provided by the OWNER.
 - 5. Visually sensitive areas or the need for visual simulations of the project are not included.
 - 6. Significant delays due to agency responsiveness, agency reviews, or OWNER staff availability are not anticipated and could result in the need for additional funding.
 - 7. The organization and attendance of public meetings and newspaper or other public notifications are not included in this scope or cost estimate. A separate scope of work and cost estimate will be required if these services are required.
 - 8. Environmental staff will be available for periodic conference calls to discuss project status and review materials, but regularly scheduled conference calls or meetings are not anticipated.
 - 9. Extra meetings that are required and are not specifically listed in the scope of work will be billed extra for both labor and any travel expenses.

10. We will use the most recent readily available aerial photography for our mapping needs. No custom aerial photography or aerial reconnaissance of route alignments is included.
11. Public or other opposition to the project is not anticipated.
12. EA draft and final versions will be provided in electronic format only.
13. EA documents will be subjected to one round of comments from the OWNER and one additional round from Bureau or Reclamation.
14. Although ENGINEER will be available to assist with notification for the EA, distributing the EA and responding to comments on the EA and FONSI preparation, no costs for these services are included in this scope. Should OWNER or Bureau of Reclamation require such assistance, we will provide a cost estimate to complete the activities requested.

d. Construction Permitting

- i. Stormwater Pollution Prevention Plan (SWP3) Preparation: ENGINEER will provide stormwater specialists to draft a SWP3 and Notice of Intent (NOI) form to obtain authorization to discharge stormwater runoff under the construction stormwater general permit. The land disturbance for construction activities requires the completion of an application form, location of land disturbance, water quality, and best management practices to be used. The draft SWP3 and draft application will be submitted to the OWNER for review and one round of comments. ENGINEER will address any comments, finalize the SWP3 and permit applications, and provide final electronic versions to OWNER.
- ii. Construction within a Floodplain Permit: If the initial discussions with the floodplain administrator indicates that a construction within a floodplain permit will be required, ENGINEER will provide permitting specialists to draft the construction within a floodplain permit application and provide it to OWNER for review and one round of comments. It is assumed that the OWNER will submit the final application package to obtain the permit and will be responsible for all permit application fees.
- iii. State and/or County Road Crossing Permit: The project may require Utility Crossing Permits and/or public right-of-way use permit for constructing the project across and along county roads and state highways. ENGINEER will assist OWNER by working with the county and Kansas Department of Transportation (KDOT) to obtain permits for construction within public road rights-of-way and any proposed crossings. ENGINEER will work with OWNER to prepare permit application packages with necessary support drawings for submittal to KDOT and/or the county for review and approval.
- iv. Railroad Crossing Permit: The project will likely require a BNSF Railroad crossing permit. ENGINEER will assist OWNER by working with the BNSF Railroad to obtain permits for construction across the railroad corridor. ENGINEER will work with OWNER to prepare permit application packages with necessary support drawings for submittal to the BNSF Railroad for review and approval.
- v. Assumptions: Additional scope may be required based on the assumptions listed below for this task.
 1. A hydraulic analysis study (HEC/RAS study) and Certificate of No-Rise will not be required to obtain a construction within a floodplain permit.

2. A "typical" traffic control plan drawing that is consistent with Manual of Uniform Traffic Control Devices (MUTCD) standards will be prepared for road crossing permits; a project specific traffic control plan and temporary lane reductions or closures on public roadway ROW will not be required.
 3. One railroad crossing application will be prepared for the project.
 4. OWNER is responsible for all permit application fees.
- e. NEPA Review and Update
- i. Once the 30% reclaimed water main alignment has been finalized, amend existing environmental surveys with desktop information as necessary.
 - ii. Develop an addendum to the NEPA permitting document developed in the pre-award phase of the Project to assess the final reclaimed water main alignment. Submit the addendum to the OWNER and Bureau of Reclamation.

The following description describes subsequent steps necessary to complete the detailed design for the proposed Reuse WWTP. The detailed design is generally described as 30%, 60%, 90%, and 100% design. Design is based on the influent and effluent targets and preliminary process flow diagram described earlier in this document.

6. Field Services

- a. Prior to beginning the 30% design, the ENGINEER will subcontract with a qualified and Kansas-registered surveying firm to provide the following:
 - i. Perform topographic and utility survey for a the corridor along the proposed forcemain route, as identified in the conceptual design and in the vicinity of the area identified for the Reuse WWTP.
 - ii. Perform research and field work to establish the horizontal location of underground utilities throughout the Project corridor while contacting Kansas One Call and utility owners.
 - iii. Locate buildings, structures, and substantial features, including parking strips, sidewalks, paving limits/types, landscape areas, signs, etc.
 - iv. Obtain up to 45 certified Ownership and Encumbrance (O&E) reports for the property parcels along the project corridor. Existing easements identified in the O&E reports will be shown on survey map. Copies of O&E reports obtained will be provided to OWNER.
 - v. Electronic file of survey in AutoCAD format will be provided for use as the basis of the reclaimed water main design.
 - vi. Easement Documents and Acquisition
 1. Easement Documents
 - a. Easement documents including legal description and exhibits for the proposed reclaimed water main alignment will be prepared. Electronic copies of prepared easement documents will be provided to ENGINEER. Up to 45 descriptions are included in the scope.
 - b. ENGINEER will update the 30% design drawings based upon any agreed upon alignment/easement changes.
 2. Easement Acquisition will be by OWNER
- b. The ENGINEER will subcontract with a qualified and Kansas registered geotechnical firm to provide the following:

- i. Perform soil borings along the proposed reclaimed water main alignment, or utilize previous information as available. A total of 7 borings will be performed along the effluent pipeline and 10 borings will be taken in the vicinity of the proposed Reuse WWTP locations. A limited number of borings are proposed along the alignment based on historic understanding that subgrade material is similar across the potential alignments.
- ii. Laboratory testing will be performed to determine the following index and engineering properties:
 - 1. Moisture Content
 - 2. Density
 - 3. Atterberg Limits
 - 4. Percent Passing #200 sieve
 - 5. Swell/Consolidation
 - 6. Unconfined compressive strength
 - 7. Soil Corrosivity
- iii. Prepare a Geotechnical Engineering Report, including boring logs, soil descriptions and classifications, groundwater elevations at the time of drilling, and laboratory test results.
- iv. Geotechnical Engineering Report recommendations will be used in preliminary and final design and will be made available during Bid Phase to the bidders.

7. 30% Design

a. Membrane Bioreactor (MBR) Pre-selection

- i. A pre-selection package will be provided to OWNER for selection of a membrane manufacturer for the design basis. This activity may be advanced to the conceptual design phase should sufficient information be available to provide performance criteria to suitable vendors.
- ii. OWNER will advertise or solicit proposals in accordance with City/Project requirements.
- iii. The package will result in an OWNER selected MBR vendor, who will provide a purchase price for their equipment package. The purchase of this equipment will be assigned to the selected contractor after bid. The selected MBR vendor may require a fee for provision of system design details.

b. 30% Design Documents/Activities

- i. ENGINEER will generate base plan sheets utilizing existing aerial mapping (existing LIDAR as provided by City or best publicly available) and survey data gathered in previous task. Drawings will include property lines and existing easements identified in the O&E reports. Proposed easements will be identified on the drawings as they are developed.
- ii. Drawings will be developed to depict the necessary improvements for the Reuse WWTP and Effluent Pump Station and Forcemain. It is anticipated that the plan sheets will be arranged into two bid packages. Drawings and specifications will be developed to a 30% design level, including updating the documents to address comments received from OWNER during the 30% design review. 30% design drawings will include, to various levels of completion, the following:
 - 1. Package 1 – Reuse WWTP
 - a. Preliminary site plan;
 - b. Process flow diagram;

- c. Preliminary hydraulic profile;
 - d. Preliminary P&IDs (process only);
 - e. Preliminary equipment layouts;
 - f. Preliminary floor plans;
 - g. Preliminary mechanical layouts;
 - h. Preliminary structural plans;
 - i. Preliminary block diagrams;
 - j. Preliminary single line diagrams.
- 2. Package 2- Effluent Pump Station and Forcemain
 - a. Preliminary pump station plan and section view;
 - b. Preliminary alignment;
 - c. Incorporation of survey data into alignment;
 - d. Preliminary locations for installation of a surge relieve valve at the Effluent Pump Station.
 - e. Identification of utility crossings.
- iii. Preliminary control strategies.
- iv. Preliminary equipment elections with unit process capacities, weights and dimensions identified
- v. Initial hydraulic evaluations, including development of hydraulic profiles and hydraulic calculations for the effluent forcemain.
- vi. Materials of construction identified for structures, pipes, etc.
- vii. Preliminary HVAC sizing based on projected building size and materials of constructions.
- viii. Architectural themes and initial renderings.
- ix. Motor loads and locations of major electrical equipment identified.
- c. Basis of Design Report (BODR)
 - i. A BODR will be developed for the selected alternative. The BODR will include the following components:
 - 1. Summary of previous reports and efforts
 - 2. Preferred alternative selected from the Antidegradation Report
 - 3. Findings of field investigations
 - 4. Preliminary opinion of probable construction cost (OPCC) – see below for details.
 - 5. Preliminary drawing list
 - 6. Preliminary specification list
 - ii. The BODR will be provided to the KDHE for review.
- d. Prepare 30% Engineer's Opinion of Probable Construction Cost
 - i. Based on the 30% design drawings, prepare two Opinion of Probable Construction Cost (OPCC) estimates, one each for Package 1 and 2. The OPCC will be based on recent similar (representative project) construction cost estimates, historical cost data, discussions with local suppliers and/or contractors as needed, and/or RSMeans Construction Cost Data, when applicable. The OPCC will be developed per the Association of Advancement of Cost Engineering (AACE) Recommended Practice 18R-97 guidance for the characteristics of a Class 4 estimate, and relevant and significant assumptions will be included for reference.
- e. Evaluate and review alternative project delivery options with OWNER.
- f. Submit 30% Documents to OWNER for review.

- i. Electronic (PDF) drawing sets, one full size set and the BODR will be provided to the OWNER for review.
 - g. Conduct 30% design review meeting with OWNER
 - i. After OWNER completes their review of the documents, a design review meeting will be held with OWNER staff. The 30% design documents will be reviewed in detail with the OWNER. OWNER may provide written comments to be presented at the 30% design meeting. Meeting minutes, including a list of action items, will be distributed to all meeting participants.
- 8. 60% Design
 - a. 60% Design Documents/Activities
 - i. Package 1 and Package 2: Drawings and specifications will be developed to a 60% design level, including updating the documents to address comments received from OWNER during the 30% design review. 60% design drawings will include, to various levels of completion, the following:
 - 1. Package 1 – Reuse WWTP
 - a. Site plans;
 - b. Yard piping;
 - c. Equipment layouts and sections;
 - d. Hydraulic profile;
 - e. P&IDs;
 - f. Building floor plans and sections;
 - g. Building mechanical and key plumbing;
 - h. Structural plans and sections;
 - i. Block diagrams;
 - j. Single line diagrams;
 - k. Detail sheets;
 - 2. Package 2 – Effluent Pump Station and Forcemain
 - a. Pump station plans and sections;
 - b. Proposed alignment;
 - c. Ground surface profile;
 - d. Effluent water main profile;
 - e. Buried utility crossings;
 - f. Reclaimed water main crossing locations: highway, roads, creeks;
 - g. Proposed interconnect locations;
 - h. Isolation and air release valve locations;
 - i. Isolation valves will be located approximately every mile and near road intersections as necessary; and
 - j. Detail sheets;
 - ii. Draft specifications will be developed.
 - iii. Develop Draft I/O list.
 - b. Utility Review
 - i. Contact utility companies with existing utilities that will be crossed with the new reclaimed water main to review crossing requirements and determine if utility reviews and or encroachment agreements will be required.
 - ii. If necessary, submit applicable plan information for utility review.
 - iii. If necessary, obtain draft encroachment agreements. Draft encroachment agreements will be submitted to OWNER for review and approval.

- c. Perform 60% Internal Quality Review
 - i. The 60% design documents, including, drawings, specifications, and calculations will undergo an internal quality review. Drawings and specifications will be reviewed for design and construction considerations.
- d. Prepare 60% Engineer's Opinion of Probable Construction Cost
 - i. Based on the 60% design drawings, prepare two Opinion of Probable Construction Cost (OPCC) estimates, one each for Package 1 and 2. This OPCC will be submitted along with the design documents for review and comment by the OWNER. The OPCC will be based on recent similar (representative project) construction cost estimates, historical cost data, discussions with local suppliers and/or contractors as needed, and/or RSMeans Construction Cost Data, when applicable. The OPCC will be developed per the Association of Advancement of Cost Engineering (AACE) Recommended Practice 18R-97 guidance for the characteristics of a Class 3 estimate, and relevant and significant assumptions will be included for reference.
- e. Submit 60% Documents to OWNER for review.
 - i. Electronic (PDF) copies of the drawings and specifications and one full size set will be provided to the OWNER for review.
- f. Conduct 60% Design Review Meeting
 - i. After OWNER completes their review of the documents, a design review meeting will be held with OWNER staff. The 60% design documents will be reviewed in detail with the OWNER. OWNER may provide written comments to be presented at the 60% design meeting. Meeting minutes, including a list of action items, will be distributed to all meeting participants.
- 9. 90% Design Documents/ Activities
 - a. Prepare 90% Design Drawings and Specifications
 - i. Drawings and Specifications will be refined to a 90% design level, including updating the documents as necessary to address comments received from OWNER during the 60% design review. Drawings and specifications will be near completion at the 90% level.
 - ii. Temporary and permanent easements information, land ownership information and all design-related appurtenances will be included on the Drawings.
 - b. Prepare agency permit applications.
 - i. National Pollutant Discharge Elimination System (NPDES) General Permit for stormwater from land disturbance: A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) will be prepared. The NOI will be submitted to Kansas Department of Health and Environmental (KDHE).
 - ii. Local permit applications to Ford County will be prepared and submitted.
 - iii. State Road Crossing Permit: A permit application will be submitted to the Kansas Department of Transportation to cross any state-controlled highways.
 - iv. Railroad Crossing and Right of Entry Permit Applications will be prepared and submitted.
 - c. Perform 90% Internal Quality Review
 - i. The 90% design documents, including, drawings, specifications, and calculations will undergo an internal quality review. Drawings and specifications will be reviewed for design and construction considerations.
 - d. Prepare 90% Engineer's Opinion of Probable Construction Cost

- ii. Based on the 90% design drawings, prepare two Opinion of Probable Construction Cost (OPCC) estimates, one each for Package 1 and 2. This OPCC will be submitted along with the design documents for review and comment by the OWNER. The OPCC will be based on recent similar (representative project) construction cost estimates, historical cost data, discussions with local suppliers and/or contractors as needed, and/or RSMeans Construction Cost Data, when applicable. The OPCC will be developed per the Association of Advancement of Cost Engineering (AACE) Recommended Practice 18R-97 guidance for the characteristics of a Class 2 estimate, and relevant and significant assumptions will be included for reference.
 - e. Submit 90% Documents to OWNER for review.
 - i. Electronic (PDF) copy of the drawings and specifications and one full size set will be provided to the OWNER for review.
 - f. Submit Documents for State Review
 - i. Drawings, technical specifications, and other necessary documentation will be submitted to KDHE for review and approval.
 - g. Conduct 90% Design Review Meeting
 - i. After OWNER completes their review of the documents, a design review meeting will be held with OWNER staff. The 90% design documents will be presented and reviewed in detail with the OWNER. OWNER staff may provide written comments to be presented at the 90% design meeting. Meeting minutes, including a list of action items, will be distributed to all meeting participants.
10. Preparation of 100% (Final) Design Documents (
- a. Prepare 100% (Final) Design Documents
 - i. Drawings and specifications will address necessary comments received during the State review.
 - ii. Issued for Bid documents will be prepared.
 - iii. Up to two (2) full sized drawing sets, three (3) half sized drawing sets, and five (5) copies of the final specifications will be provided to the OWNER. Final documents will also be provided in AutoCAD (version 2019 or later), Microsoft Word, and Adobe Acrobat (.pdf) formats. These documents will be utilized as the Issued for Bid documents.
- Bid and Construction phase services are not included herein. A separate scope of services, or alternative delivery method, will be provided as the project progresses.

Schedule:

- 1. See below for preliminary schedule.
- 2. OWNER will contract directly with MBR vendor for purchase of design packages, as required, within two weeks of MBR vendor selection.

Milestone / Task / Activity	Planned Start Date	Planned Completion Date
Preliminary Design	12/1/2024	5/13/2024
NEPA Permitting/EA Report Preparation	12/1/2024	5/12/2025

Kansas Department of Water Resources Permitting	12/1/2024	9/1/2025
MBR Pre-Procurement/Selection	4/10/2025	6/10/2025
Detailed Design		
30% Design	5/14/2025	9/3/2025
60% Design	9/4/2025	12/11/2025
90% Design	12/12/2025	3/6/2026
100% Design	3/9/2026	4/17/2026
Project Bidding	4/20/2026	6/12/2026
Construction	6/15/2026	11/30/2027

Notes/Assumptions:

1. The ENGINEER shall rely on information made available by the OWNER as accurate and without independent verification.
2. Design budget represents general process concept described in the Feasibility Study (headworks, MBR treatment, UV disinfection and biosolids discharge directly to existing ponds) based on the influent loadings and projected treatment goals described earlier in this scope. Should wastewater process requirements change substantially due to variations in influent/effluent/treatment requirements, i.e., higher industrial loads or advanced oxidation process added per KDHE request, etc., the scope of services will need to be modified to reflect additional work.
3. Siting assumes location adjacent to existing ponds. Should alternative location be deemed necessary scope of services will need to be modified to reflect new location.
4. The antidegradation report scope is based upon a format that is reflective of reports done for other locations. Should the KDHE request additional information the scope for this activity will be revisited.
5. Should additional geotechnical evaluations/borings be required beyond the number identified herein, additional scope will be developed.
6. Handling of contaminated soils and offsite removal of spoils are not included.
7. Electrical design assumes a new service will be required with new SCADA panel and that there is existing capacity to connect SCADA to the South WWTP. Additionally, the design will include site lighting, new fiber and SCADA panel, interior and egress lighting, and switchboard at the Reuse WWTP. The design assumes site lighting is not necessary for the effluent forcemain. Radio communications will be used as required for forcemain control valves and metering devices.
8. Lightning protection and building surveillance/access control systems for building and structures are excluded.
9. Building Wifi and fire detection/alarm systems included for the Administration Building only.
10. No design standards, outside of City and potentially State Revolving Fund (SRF) requirements, will be required.

11. See other notes/assumptions identified in specific tasks above.

Owner Responsibilities:

1. OWNER will provide sample data from recently executed sampling plan. No additional sampling is included in this scope of work.
2. Provide right of entry for ENGINEERS personnel for performing site visits, field surveys, and inspections. All-Terrain Vehicles (ATV) may be used to collect data throughout the site.
3. Provide drawings, studies, reports, and other information available pertaining to the existing building and site.
4. Owner shall locate any private utilities that are not located by an appropriate One-Call utility locate system. These shall be identified prior to survey/drilling teams arrival onsite, or OWNER shall make arrangements for an OWNER representative with knowledge of such utilities to meet onsite prior to commencement of survey/drilling activities.
5. Provide information related to known and/or potentially hazardous subsurface conditions and/or history of site contamination.
6. Obtain and facilitate laboratory testing of water samples for the OWNER's existing groundwater wells, as applicable.
7. Obtain and facilitate laboratory testing of water samples for wells located in the Arkansas River Alluvium, as applicable.
8. Obtain and facilitate laboratory testing of water samples for the Raw Wastewater Sources at the South WWTP, as applicable.
9. Obtain and facilitate laboratory testing of water samples for the intermediate treatment points at the existing South WWTP, as applicable.
10. Provide Hilmar raw wastewater quality and quantity projections.
11. Provide a 20-year flow projection for the combined Hilmar Dairy/National Beef streams and the municipal effluent stream.
12. Easement acquisition shall be by OWNER.
13. Any required permit fees, land acquisitions/easements/right-of-way fees or laboratory fees for requested sampling shall be paid by the OWNER.
14. Purchase of pre-selected vendor design information packages, as required.
15. OWNER will provide front-end/contractual documents for the bid packages. This will include any flow-down requirements required as part of the funding/grants, i.e., Division 1 specifications by ENGINEER will not reflect these terms.
16. Any other item that is needed for completion of the Task Order that is not specifically identified in this Task Order as being the responsibility of the ENGINEER.



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Nicole May, Finance Director
Date: December 11, 2024
Subject: Allocation of 2024 Special Alcohol and Drug Funds
Agenda Item: New Business

Purpose: The City receives a portion of the alcohol and drug tax that is collected in the community. The City solicits applications from those who qualify for the funds. The applications received met the general requirements of the program. The recommendations by the committee are the amounts they feel best meets the overall goals of the program.

Recommendation: I recommend the approval of the disbursements of Special Alcohol and Drug Tax money for the recommended programs.

Background:

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: The City of Dodge City receives a portion of the alcohol and drug tax that is collected in the community. That tax is allocated 1/3 to the General Fund, 1/3 to a Special Park and Recreation Fund and 1/3 to a Special Alcohol and Drug Fund. This allocation is spelled out in the Kansas State Statutes. The amount deposited into the Special Alcohol and Drug fund are to be used for “the purchase, establishment, maintenance or expansion of services or programs whose principal purpose is alcoholism and drug abuse prevention and education, alcohol and drug detoxification, intervention in alcohol and drug abuse or treatment of persons who are alcoholics or drug abusers or are in danger of becoming alcoholics or drug abusers”. In order to accomplish this, we take applications from agencies/programs that provide those services. There is approximately \$150,000 to be allocated for these programs. The applications received, the amount applied for and the recommended allocation is:

Organization	Project	Amount of Request	Recommendation
New Chance	Assist with social detox position & bilingual licensed counselor position	88,010	88,200
Compass Behavioral Health	Dual Diagnosis services	22,715	22,715
Friends of Recovery	Oxford Houses of Dodge City	50,000	40,000

Amount \$: \$150,915

Fund:124

Dept:65000

Expense Code: 420003

☒ Budgeted Expense

☐ Grant

☐ Bonds

☐ Other

Legal Considerations: None

Mission/Values: Support the quality of life in Dodge City by best spending the monies the City receives for drug and alcohol treatment, education and prevention programs.

Attachments: None

Approved for the Agenda by:



Nicole May, Finance Director



Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Corey Keller, Public Works Director
Date: December 12, 2024
Subject: Purchase of Aircraft Rescue & Fire Fighting Safety Equipment (AFFF Measurement System)
Agenda Item: New Business

Purpose: To acquire Aqueous Film Forming Foam (AFFF) testing equipment as recommended in the Federal Aviation Administration National Part 139 CertAlert No. 21-01 issued 6/01/2021

Recommendation: To approve a quote received No Foam Systems to purchase Aqueous Film Forming Foam (AFFF) testing equipment as recommended in the Federal Aviation Administration in the amount of \$25,999.19. In addition, a separate purchase to No Foam Systems in the amount of \$7,414.65 for the back up ARFF Truck.

Background: This year, the FAA awarded Grant 3-20-0017-043-2024 to the airport to purchase AFFF testing equipment for the 2010 Oshkosh ARFF truck, which was originally purchased in 2010. This truck is required by the FAA to be operational 15 minutes before and after all commercial service flights operated by aircraft designed for more than 30 passengers, as classified by our airport.

During the latest safety inspection, we were informed that the current test procedures for the AFFF chemicals loaded on the trucks are no longer compliant. AFFF must be tested at 3% concentration every six months to meet FAA safety regulations.

The additional purchase of \$7,414.65 is for the same equipment needed to bring the 1993 Oshkosh backup truck into compliance with these regulations. Since this truck is a backup, it is not covered under the grant, and the City will need to fund this purchase separately.

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: This is an unbudgeted purchase. The FAA AIP grant will cover 100% of the \$25,999.19. The City will need to provide funds for the separate purchase of \$7,414.65. There are sufficient funds available within the Airport Budget this year to cover this cost.

Quotes received

Oshkosh Airport Products	\$31,561.85	No Quote Received
No Foam Systems	\$25,999.19	\$7,414.65

FAA Grant amount	\$25,999.19
City's Portion	\$ 0.00
Additional ARFF	<u>\$ 7,414.65</u>
Total Purchase	\$33,413.79
FAA Grant	<u>- \$25,999.19</u>
Total Amount	\$ 7,414.65

Legal Considerations: None

Mission/Values: Approving this purchase aligns with the City's Core Values of Working Towards Excellence and Ongoing Improvement.

Approved for the Agenda by:





Page Number 1
Date 6/3/2024
Customer 4158192
Brn/Plt APG001
ETT 540603-000376
Order Nbr 247389 SQ
Invoice

QUOTE

Sold To: CITY OF DODGE CITY
100 AIRPORT ROAD
DODGE CITY KS 67801
UNITED STATES OF AMERICA

Ship To: CITY OF DODGE CITY
100 AIRPORT ROAD
DODGE CITY KS 67801

Email:
Tax ID:
Tax Cert:

Tax ID:

Request Date		Customer P.O.		Request Type				
6/3/2024		SN/ 124827		Standard				
Line	Description	Item Number	UM	Qty	Price	Extended Price	Avail	LT
1.000 6/3/2024	STI-STA 15-30 ECO-POP UPGR KIT	5SK823	EA	1	31179.8905 Per EA	31179.89	0	7
2.000 6/3/2024	SPARES KIT,1500 TANK PULL	5SK842	EA	1	200.5042 Per EA	200.50	0	7
3.000 6/3/2024	SEALANT,LOCTITE 567,WHT	46642AX	EA	1	83.6066 Per EA	83.61	2	21
4.000 6/3/2024	SEALANT RTV-3 OZ.	69895AX	EA	1	18.1087 Per EA	18.11	39	28
5.000 6/3/2024	LOCTITE,#248	4083097	EA	1	79.7400 Per EA	79.74	0	21
10-12 WEEK LEAD TIME FOR THIS GROUP OF PARTS								
					Sales Tax	Total Order		
Tax Rate 0 %						31561.85		
Terms Net 30					Discount Available		USD	

Quotes are valid for 30 days. Please reference SQ number in the ETN field when placing order.
All lead times and quantities available are based on current inventory and are subject to prior sales.
Quoted lead times are considered standard lead times and do not reflect pending purchase orders or supplier stock on hand.
Quote quantities are subject to change based on minimum quantities from Pierce suppliers. You will be notified of this quantity upon order submission.

NoFoam Systems

ARFF Testing Without Foam = NoFoam System

COST ESTIMATE – PROPRIETARY

NOFOAM SYSTEM COST ESTIMATE

1 NOFOAM PORTABLE SYSTEM P-574 1 FITTINGS FOR ARFF VEHICLES

VERSION DATE: 6/3/2024

Submitted via email to: City Of Dodge for Dodge City Regional Airport (DDC) KS

Point of Contact: Director Corey Keller

Email: coreyk@dodgecity.org

Phone number: (620) 255-9198



ITEMIZED COST ESTIMATE FOR CITY OF DODGE FOR DODGE CITY REGIONAL AIRPORT (DDC), KS

COST ESTIMATE

Model P - Industrial			
Units of each	Description	Unit price	Sum
1 of each	Portable system Series 500	\$18,670.19	\$18,670.19
1 of each	Portable tank and hoses	\$615.00	\$615.00
1 of each	Retrofit Kit #2 - for any ARFF	\$7,314.65	\$7,314.65
1 of each	Portable Hydrant Meter	\$1,734.00	\$1,734.00
Total			\$28,333.84
5 Items	Shipping		\$615.48
Total including standard shipping to CONUS			\$28,949.32
Discount			\$ 2,950.13
Adjusted Total including Standard Shipping			\$25,999.19

Note: In many cases, we are able to apply a discount to match any lower price offer for the same or comparable equipment related to this NoFoam quote.

NoFoam Systems

ARFF Testing Without Foam = NoFoam System

COST ESTIMATE – PROPRIETARY

OVERVIEW

The cost estimate requested is noted as follows:

- ✓ 1 NoFoam Portable System p-574
- ✓ 1 Retro Fit Kits (2010 Oshkosh Model STA-1500)
- ✓ 1 Fire Hydrant Meter
- ✓ Door-to-door delivery
- ✓ Optional cost of installation of Kit is included
- ✓ Partial delivery and partial invoicing (line item invoicing) allowed upon our request
- ✓ Expected payment terms are our standard payment terms (net 30 days)

THE SMALL PRINT

Notes and terms:

Valid 45 days. All prices are subject to change. Not liable for any errors or omissions.

Shipping and Delivery:

Cost is based on delivery to City Of Dodge for Dodge City Regional Airport (DDC), KS using ground transportation and standard packaging, excluding any taxes, duties, levies, or other assessed fees.

Delivery charges are not expected to deviate from this cost estimate for domestic deliveries within mainland US (CONUS). Deliveries outside mainland US may be based on an approximate estimate and may differ from the amount estimated in this cost estimate.

Domestic delivery time is usually 4-8 weeks, final delivery date based on long lead time items.

Package sized deliveries may be shipped by ground or by air, by any carrier, individually or in a combined shipment as determined by NoFoam Systems.

Payment:

Payment terms are our standard payment terms (net 30 days). Prices are quoted in US\$. Sales tax and other local taxes may be added at any point in time, as necessary – they are not specified in this cost estimate.

NoFoam Systems

ARFF Testing Without Foam = NoFoam System

COST ESTIMATE – PROPRIETARY

Included/Excluded:

All major items are listed as line items. The system itself comes with a connection hose (between the testing unit and the ARFF vehicle), drain hose, 5-gallon collection containers for drainage and a funnel. The Retro Fit Kits come with all parts needed to perform the retrofit installation. Each kit also provides you with access to a PDF manual for the installation of the kit.

For on-going testing, you will have access to free PDF format user manuals, vehicle-specific test sheets and test report templates, as well as free online support (phone, text or email) on an as-available basis.

Installation of retrofit kit is included in the quote and is considered optional. The Installation can always be performed by your own mechanic on-site, or we can set you up with a third-party installer and provide installation supervision at most locations – this service is in any case optional based on your preference.

Options and Notes:

Note: In many cases, we are able to apply a discount to match any lower price offer for the same or comparable equipment related to this NoFoam quote.

NoFoam Systems

ARFF Testing Without Foam = NoFoam System

COST ESTIMATE – PROPRIETARY

NOFOAM SYSTEMS BACKGROUND AND POINT OF CONTACT INFORMATION

This cost estimate is issued by NoFoam Systems, a division of Emerging Growth Enterprise, which holds exclusive licensing rights to the Intellectual Property Rights to the system and the associated modification kits.

NoFoam Systems has won the Federal Labs Consortium's award for Technology Transfer. The technology is recognized as an **acceptable method in the NFPA 412 standard** and is also **approved by the FAA** and specified in Part 139 CertAlert no. 19-01, 19-02, and updated 21-01 (June 2021) "Aqueous Film Forming Foam (AFFF) Testing at Certificated Part 139 Airports".

NoFoam Equipment is also **included under Policy Guidance Letter** 19-01, Aqueous Film Forming Foam (AFFF) Input-Based Testing Equipment (June 2019) to address the funding eligibility of equipment, including airport rescue and firefighting truck modifications, to install in-line proportioner testing systems for AFFF. Updated: PGL 23-01 "Increased Federal Cost Share for Input-Based AFFF Testing Equipment" (March 2023).

The NoFoam System is installed and used on hundreds of ARFF vehicles all over the world. Our users include civil aviation as well as all branches of the US DoD (Navy, Marine, Air Force, and Army), and the Department of Defense in Australia. NoFoam Systems are currently used in the US, Canada, Australia, Asia, Africa, and Europe (UK, Germany, Belgium, Italy, Spain, Portugal and Greece).



Lina Ramos, Principal, NoFoam Systems

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Web: www.NoFoamSystem.com

NoFoam Systems

ARFF Testing Without Foam = NoFoam System

COST ESTIMATE - PROPRIETARY

NOFOAM SYSTEM COST ESTIMATE

1 FITTING FOR ARFF VEHICLE

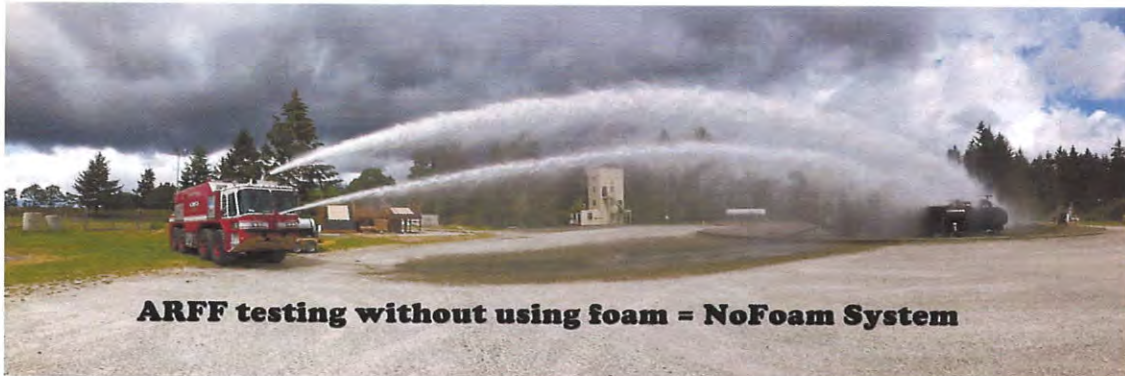
VERSION DATE: 8/29/2024

Submitted via email to: City Of Dodge for Dodge City Regional Airport (DDC), KS

Point of Contact: Director Corey Keller

Email: coreyk@dodgecity.org

Phone number: (620) 255-9198



NoFoam Systems

ARFF Testing Without Foam = NoFoam System

COST ESTIMATE - PROPRIETARY

ITEMIZED COST ESTIMATE FOR CITY OF DODGE FOR DODGE CITY REGIONAL AIRPORT (DDC), KS

COST ESTIMATE

Model C-500 Series				
Units	of each	Description	Unit price	Sum
	1 of each	Retrofit Kit #2 - for any ARFF	\$7,314.65	\$7,314.65
Total				\$7,314.65
	1 Items	Shipping		\$ 100.00
Tax TBD - not included in this estimate				
= Total including Standard Shipping				\$ 7,414.65

NoFoam Systems

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COST ESTIMATE – PROPRIETARY

OVERVIEW

The cost estimate requested is noted as follows:

- ✓ 1 Retro Fit Kit (#2 Any ARFF)
- ✓ Door-to-door delivery
- ✓ Expected payment terms are our standard payment terms (net 30 days)

THE SMALL PRINT

Notes and terms:

Price valid 45 days. Not liable for any errors or omissions.

Shipping and Delivery:

Cost is based on delivery to Dodge City Regional Airport (DDC), KS using ground transportation and standard packaging, excluding any taxes, duties, levies, or other assessed fees.

For the final quote, the delivery charges are not expected to deviate from this cost estimate for domestic deliveries within mainland US (CONUS). Deliveries outside mainland US may be based on an approximate estimate and may differ from the amount estimated in this cost estimate.

Package sized deliveries may be shipped by ground or by air, by any carrier, individually or in a combined shipment as determined by NoFoam Systems.

Payment:

Payment terms are our standard payment terms (net 30 days). Prices are quoted in US\$. Sales tax and other local taxes may be added at any point in time, as necessary – they are not specified in this cost estimate.

NoFoam Systems

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COST ESTIMATE – PROPRIETARY

Included/Excluded:

All major items are listed as line items. The Retro Fit Kit comes with all parts needed to perform the retrofit installation. Each kit also provides you with access to a PDF manual for the installation of the kit.

For on-going testing, you will have access to free PDF format user manuals, vehicle-specific test sheets and test report templates, as well as free online support (phone, text or email) on an as-available basis.

Installation support of the retrofit kit is included in the quote. Expect to use 4 hours of HDN's on-site mechanic's time for this installation.

Options:

None listed.

NoFoam Systems

ARFF Testing Without Foam = NoFoam System

COST ESTIMATE - PROPRIETARY

NOFOAM SYSTEMS BACKGROUND AND POINT OF CONTACT INFORMATION

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NoFoam Systems has won the Federal Labs Consortium's award for Technology Transfer. The technology is recognized as an acceptable method in the NFPA 412 standard. The system is approved by the FAA and listed in Part 139 CertAlert number 19-01.

The NoFoam System is installed and used on hundreds of ARFF vehicles all over the world. Our users include civil aviation as well as all branches of the US DoD (Navy, Marine, Air Force, and Army), and the Department of Defense in Australia. NoFoam Systems are currently used in the US, Canada, Australia, Asia, Africa, and Europe (UK, Germany, Belgium, Italy, Spain, Portugal and Greece).



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Memorandum

To: Nick Hernandez, City Manager and City Commissioners
From: Corey Keller, Public Works Director
Date: December 12, 2024
Subject: Purchase of Equipment to Repair the Chlorine Building
Agenda Item: New Business

Purpose: To purchase equipment necessary to make repairs to the water system to ensure compliance with federal and state quality water standards.

Recommendation: To approve a quote for equipment to make repairs to the chlorine building from R.E. Pedrotti in the amount of \$62,409.00.

Background: Last year, during a storm, the Chlorine building suffered a lightning strike that damaged the flow meter, pressure transducer, and chlorine analyzer inside the building. This purchase will replace the damaged equipment. The equipment is necessary to monitor the water flows produced by National Beef's south well field. The flow meter and chlorine analyzer assist in determining the precise amount of chlorine required to treat the water effectively. Since the damage occurred, staff have had to perform these functions manually. This purchase will restore the system's automation that was lost due to the lightning strike.

Also included in this purchase is a new RTU panel for the recycling center to collect pressure and chlorine data. This data will help staff determine which wells need to operate as additional VFDs come online at the well sites. The purchase also includes a chlorine analyzer, which will assist staff in monitoring the chlorine levels within the system. Staff will install the equipment in-house, and Pedrotti will make the necessary programming adjustments to the SCADA system.

City Commission Options:

1. Approve
2. Disapprove
3. Table for further discussion

Financial Considerations: There is \$70,000.00 in the Water Department Budget for the Chlorine Building Repairs. This purchase will be under that budgeted amount \$7,591.00

Chlorine Building Equipment	\$34,981.00
Recycling Building RTU	\$24,367.00
Total Rehab	\$62,409.00

Legal Considerations: None

Mission/Values: Approving this purchase aligns with the City's Core Values of Working Towards Excellence and Ongoing Improvement.

Approved for the Agenda by: 



Memorandum

To: City Manager
From: Paola Aguinaga and Brandon Roy, Human Resources Officers
Date: 12/11/24
Subject: Justification of proposed Personnel Policy Amendments

The following is a page-by-page review and justification for all changes to the Proposed Personnel Policy Manual, except for simple formatting, changes that are grammatical in nature, title changes, previous revision dates, and language preferences without change to meaning. Those will not be included in the outline below.

Page 1, Definitions –Administrative Working Days - reflects current schedule.

- Regular Full-Time – deleted pay, typo.
- Regular Part-Time I – expanded hours of eligibility due to removal of Regular Part Time II.
- Removed Regular Part-Time II – status was obsolete.

Page 4, Chapter 1, Section 3 – Scope of Policies, Procedures and Provisions - Defining who the Policy is applicable to – added (if contractual) to the City Attorney allowing for flexibility of this position. If the position is an employee, it is subject to the policy manual.

- Removed reference to the Employee Unit.

Page 5, Chapter 1, Section 6 - Departmental Policies and Regulations – will no longer be kept in the HR office, but on the employee intranet for ease of review.

Page 6, Chapter 1, Section 7 – Revisions and/or Additions to the Manual - HR office will no longer provide paper updates to change of the manual, they will be provided through the Employee Intranet.

Page 6, Chapter 1, Section 8 – Distribution of the Manual – A paper copy will not be provided for all employees. Electronic signoff will be maintained. The policy will be maintained on the intranet and a computer for access to the employee intranet and emails will be available to all employees. If the employee wants a paper copy, it will be provided, but maintenance will be the employees' responsibility.

Page 9, Chapter 3, Section 5 – Bonus Pay – Changes reflect actual procedure for bonuses.

Page 11, Chapter 4, Section 1 – Announcement of Vacant Positions – Change reflects actual procedure for job posting.

Page 11, Chapter 4, Section 2 – Application Form – Change reflects actual procedure for application process and signature.

Page 11, Chapter 4, Section 4 – Nepotism and Fraternization – This entire section has been revised to implement a stronger Nepotism and Fraternization policy than what previously existed. In addition, added City Manager right to waive with Commission approval.

Page 14, Chapter 5, Section 3 – Appointing Authority – change reflects that only the City Manager has authority to appoint individuals to positions.

Page 15, Chapter 5, Section 6 – Employee Requested Transfers – prevents employees under a Personal Improvement Plan (PIP) from being transferred and anyone who is subject to disciplinary investigation without prior approval of HR. Other changes reflect actual procedure.

Page 15, Chapter 5, Section 7- Outside Employment – Now requires written notification to the HR Department for approval by the City Manager. As well as annual renewal of approval.

Page 16, Chapter 6, Section 2 – Duration – Reflects changes due to Union contract for interruptions and better define Entry Level Police officer introductory period. Amended Supervisory duration of 1 year and clarification that Department Heads have 2 year introductory periods.

Page 16, Chapter 6, Section 3 – Extension – Clarification of how introductory period extensions actually occur.

Page 16, Chapter 6, Section 4 – Interruption of Introductory Period – amends the criteria for consideration of previous service from an absence of 6 months to 90 days. Union contract issue.

Page 17, Chapter 6, Section 5 – Assignment out of Position – reflects addition from Union contract.

Page 18, Chapter 7, Section 2 – Period of Evaluation – allows for more frequent evaluations other than just annually.

Page 18, Chapter 7, Section 3 – Process – requires all evaluators to undergo training at least every two years. Clarifies that City Manager reviews all evaluations prior to discussion with employee by the supervisor. Reflects how evaluations are maintained in files.

Page 19, Chapter 7, Section 5 – Changes in Evaluation – Clarifies procedure to amend evaluation.

Page 20 – 32, Chapter 8, All Sections – Discipline – This Chapter has the most significant changes. Changes were made to reflect the disciplinary process and guidelines that were utilized in the Union contract, while merging with the still relevant information from the existing general policy for discipline. Most employees will never know the difference in this process; however, it does require a heavier administrative burden on the Department Head and the Human Resources Office.

Page 33, Chapter 9, Section 2 – Compulsory Resignation – Clarifies job abandonment.

Page 33, Chapter 9, Section 4 – Death – Clarifies that accumulated pay will be provided too, within a reasonable time.

Page 34, Chapter 9, Section 9 – City Owned Equipment and Employment Separation – adds more definition to what is considered City owned property as well as clarifying that we may withhold portion of wages for failure to return property.

Page 35, Chapter 10, Section 2 – Grievance Definition – Allows a grievance based on claims of sexual harassment, hostile work environment or Discrimination; no longer a separate process. Clarifies that disciplinary actions issued directly from the City Manager cannot be aggrieved. Incorporated items from the union contract that could not be aggrieved.

Page 36, Chapter 10, Section 4 – Formal Grievance Procedure – Requires audio recording for hearings. Clarifies pay status of aggrieved employee. Requires the City Manager or his/her designee to attempt to arrange a mutually agreeable time to meet with the aggrieved employee.

Page 38, Chapter 10, Section 6 – Court Appeal – Incorporates from the union contract, the ability of the employee to seek judicial review of the City Manager's decision, as well as requirements and time frames.

Page 38, Chapter 10, Section 7 – Findings – Incorporates from the union contract, the posting in the impacted Department of the basis for the grievance and the summary resolution.

Page 45, Chapter 13, Section 2 – Paid Time Off (PTO) – substantial changes incurred in this chapter to transition to PTO. Changes are reflected from Administrative Order (AO) 2023-10. In addition to the AO, we have added a cap to anyone hired after approval of the Personnel Policy Manual. PTO bi-weekly accrual will be capped at 8.31 biweekly and a maximum accrual of 472.2 hours for all employees except Partially Exempt Fire Dept. personnel. Partially Exempt Fire Dept. personnel will be capped at 12.17 biweekly accrual rate and a maximum of 693.948 hours. PTO covers vacation, sick and bereavement leave, so those sections were eliminated and reincorporated through PTO.

Page 47, Chapter 13, Section 3 – Holiday Pay – changes the way that accruals work as a result from switching from 5 day work week to 4 ½ day work weeks. Previously accrual was maintained on a rolling basis, which was confusing for employees. In addition, Police Officers and Fire Fighters are provided floating holidays due to mandatory operations, if

an employee terminates and has used more holiday hours than accrued the value in excess of the accrued amount will be deducted from the employees final pay. Removed vacation and sick time wording and replaced with PTO.

Page 48, Chapter 13, Section 4 – Leave without Pay – clarified new process for Leave without Pay and the reflection of PTO.

Page 49, Chapter 13, Section 5 – PTO Bank – Creation of PTO Bank in replacement of Sick Leave Bank.

Page 49, Chapter 13, Section 6 – Maternity/Paternity Leave – Reflects the utilization of PTO and short-term leave for maternity/paternity leave. Limiting short term leave to not more than 4 weeks. Incorporates Family and Medical Leave Act (federal law) requirements. Creation of Lactation Accommodation requirements.

Page 49, Chapter 13, Section 7 – Worker’s Compensation Act and Injury Leave - Incorporates PTO usage with Work Comp absences and clarifies procedure. This whole section was previously in another area of this same chapter.

Page 50, Chapter 13, Section 8 – Short Term Leave – This is a new section that is a result of the incorporation of AO 2023-10. Short Term Leave provisions are typically made under PTO type systems. Section 8 establishes the system, requirements and processes.

Page 51, Chapter 13, Section 9 – Family and Medical Leave – changes are the reflection of PTO incorporations and redirection of employees to Section 4 (Leave without Pay) regarding how payroll deductions are managed if an employee elects to utilize FMLA Leave without pay and has employee payroll deductions that must be managed.

Page 54, Chapter 13, Section 10 – Military Leave – Updates in this section were done in accordance with changes to the Uniformed Services Employment and Reemployment Rights Act (USERRA). Additionally, changes were made to reflect PTO.

Page 56, Chapter 13, Section 12 – Violent Crime Victim Leave – referenced the state statute that requires this leave for future reference. Updated this section to reflect changes in the Kansas Law and utilization of PTO.

Page 59, Chapter 14 – Employee Assistance Program – changes reflect PTO utilization.

Page 64, Chapter 15, Section 11 – Tuition Reimbursement – reflects changes from AO 2023-6. The City utilizes the Higher Learning Commission as the source for determining if a college is an accredited institution and eligible for reimbursement if other factors are met. Policy now covers 100% of tuition and fees instead of 70%. Amends continued employment requirements from 3 years to variable requirements based on level of degree – Associates 2 years, Bachelors 3 years and Masters 4 years.

Page 65, Chapter 15, Section 12 – Education Incentive – Incorporates AO 2023-8 regarding education incentives which had been utilized in the police department to be applicable for all employees. Establishes the amounts and the process and criteria for recognition.

Page 66, Chapter 15, Section 13 – Multilingual Skills Pay – Incorporates AO 2023-9 which amended a previous stand-alone policy. The policy creates a method to establish skill level, the process for being evaluated and the pay to be received based upon the testing and the job being performed.

Page 67, Chapter 15, Section 14 – Early Retirement Program – Incorporates another previous stand-alone policy regarding the Early Retirement Program.

Page 69, Chapter 15, Section 15 – KP&F DROP Program - Incorporates the States program for Police and Fire members, which allows the employee when eligible to receive retirement benefits that would be put in a separate account by the State and paid out in lump sum when employee actually retires. This is a state established effort to retain police and fire employees that are eligible for retirement.

Page 70, Chapter 16, Section 1 – City Business – amends the name of equipment to better reflect today’s terminology. Clarifies the discipline for abuse or misuse could be action up to and possibly including termination.

Page 70, Chapter 16, Section 2 – Records – again amends the terminology to reflect today’s equipment.

Page 71, Chapter 16, Section 3 – Telephone Usage – provides for inclusion of city issued cell phones.

Page 71, Chapter 16, Section 4 – Cell Phone Policy – Incorporates a previous stand-alone cell phone policy requirements into this section.

Page 72, Chapter 16, Section 5 – City Furnished Phones/Mobile Wireless Devices – changes reflect the relocation of some of this information to Section 4.

Page 73, Chapter 16, Section 6 – Connecting to City Equipment – Amends policy to reflect obligations through use versus authorizations individual sign off. Again changes are made to reflect evolving technology and uses.

Page 73, Chapter 16, Section 7 – Separation/Resignation/Termination – again changes reflect evolution of technology uses and retaining access once an employee separates.

Page 73, Chapter 16, Section 8 – Initial Connection, Problem Support and Wireless Mobile Device Security – amends policy again to better reflect how the IT department interacts with employees on employee-owned devices. As an example, many individuals want their calendars and emails on their personal phones so that multiple phones are not necessary.

Page 74, Chapter 16, Section 10 – Required Behavior Regarding Cell Phones and Communication Devices – better defines communication devices that require behavioral compliance.

Page 75, Chapter 16, Section 11 – Computers and Network – includes preventing the installation of personal keyboards, mice, web cams or other input devices for use with city equipment without prior approval.

Page 75, Chapter 16, Section 12.1 – General Provisions – clarifies what is prohibited when using city email. Refers employees to Chapter 17, Section 7 if releasing City information to media outlets.

Page 77, Chapter 16, Section 13 – Social Media Policy – changes better define purpose of the policy.

Page 78, Chapter 16, Section 13.1- .3 – Definitions, City Sponsored Social Media Sites and Personal Social Media Sites of City Employees – Incorporates a previous stand alone policy reflecting a range of items from who approves City social media sites, who is authorized to speak on behalf of the City, adherence to federal laws on these sites, expectations of privacy on social media sites while using city equipment or systems. Rules for utilization of personal social media sites during work or referencing City emails or sites, no expectation of privacy when using social media sites, etc.

Page 80, Chapter 16, Section 13.4- Application of Other Policies – information moved to other more appropriate areas of the policy.

Page 80, Chapter 16, Section 13.5 – Additional Prohibited Practices – incorporates personal and professional activities that may be prohibited. Notes that anti-harassment policies extend to all forms of communications. And that disciplinary action up to and including termination can occur for violations.

Page 80, Chapter 16, Section 13.6 – Duty to Report – clarified where reports should be made.

Page 81, Chapter 16, Section 13.7 – Questions about this Policy – clarifies where to seek guidance prior to social media posting, if employee has concerns.

Page 81, Chapter 16, Section 14 – Video Camera Policy – clarifies the expanded use of security cameras. Incorporates vehicle cameras and adds uses for the recordings.

Page 81, Chapter 16, Section 14.1 -Guidelines – Clarifies where cameras may be placed, who has access to archived videos, who has access to monitor real time cameras, where footage is stored and for how long, how footage may be used, clarified employees duty to report as cameras are not always monitored, defined that disabling or covering cameras is prohibited, cameras will not be installed in areas with an expectation of privacy. Also added a reminder that by signing and accepting the overall policies the employee has consented to the driving being recorded. Added that questions regarding this policy will be directed to the City Attorney.

Page 83, Chapter 17, Section 1 – Dress Code – Substantial clarification was added to this section to better define what is considered appropriate attire in the office and in the field. As well as clarification given to hats, footwear, body art or

tattoos, body piercing and proper hygiene. It also defines when exceptions can be made and that the City Manager has final authority.

Page 84, Chapter 17, Section 4, Training Activities – clarified education as part of training.

Page 85, Chapter 17, Section 5, Travel – Incorporated a previous stand-alone policy for travel.

Page 88, Chapter 17, Section 6, City Purchase Cards – clarified that the supervisor shall be responsible for collecting the purchase card of a terminating employee. Old card then should be submitted to Accounts Payable for termination.

Page 90, Chapter 18, Section 1 – Use of City Owned Vehicles – add to definition of who may operate City vehicles.

Page 91, Chapter 18, Section 5 – Motor Vehicle Records (MVR) – Added a matrix for use regarding what is an acceptable MVR, provided guidance on what is a major, minor or non-moving violation. Provided guidance regarding what type of discipline may occur for someone who has or develops a borderline or poor MVR.

Page 94, Chapter 19, Section 3 - Safety, Worker's Compensation & Related Programs – removed Western Plains Regional Hospital ER and replaced with local hospital ER. Changed unauthorized work comp medical expense deductible from \$500 to \$800 as dictated by work comp provider (KMIT).

Page 95, Chapter 19, Section 5 – Temporarily Unable to Return to Work – Replaced sick (IIP) and vacation with PTO.

Page 97, Chapter 20, Section 1 – Purpose – Clarified that intent is immaterial in harassment cases.

Page 99, Chapter 20, Section 5 – Respectful Workplace – moved up in chapter to better organize the chapter.

Page 101, Chapter 20, Section 9 – Investigation Procedure – substantial work was done to establish a specific procedure to be used for sexual harassment, hostile work environment, discrimination and respectful workplace investigations.

Page 103, Chapter 21 -Commission Relations and Political Activities – Added the statement “City employees are neither appointed to nor retained in the City’s service on the basis of their political affiliations. Added “k. Allow family member to utilize documents created by the City of Dodge City employees for a political purpose, unless the document has been received through a Kansas Open Records Request.”

Page 107, Chapter 22, Section 5 – Training – clarified roles of HR and Director of Administration.

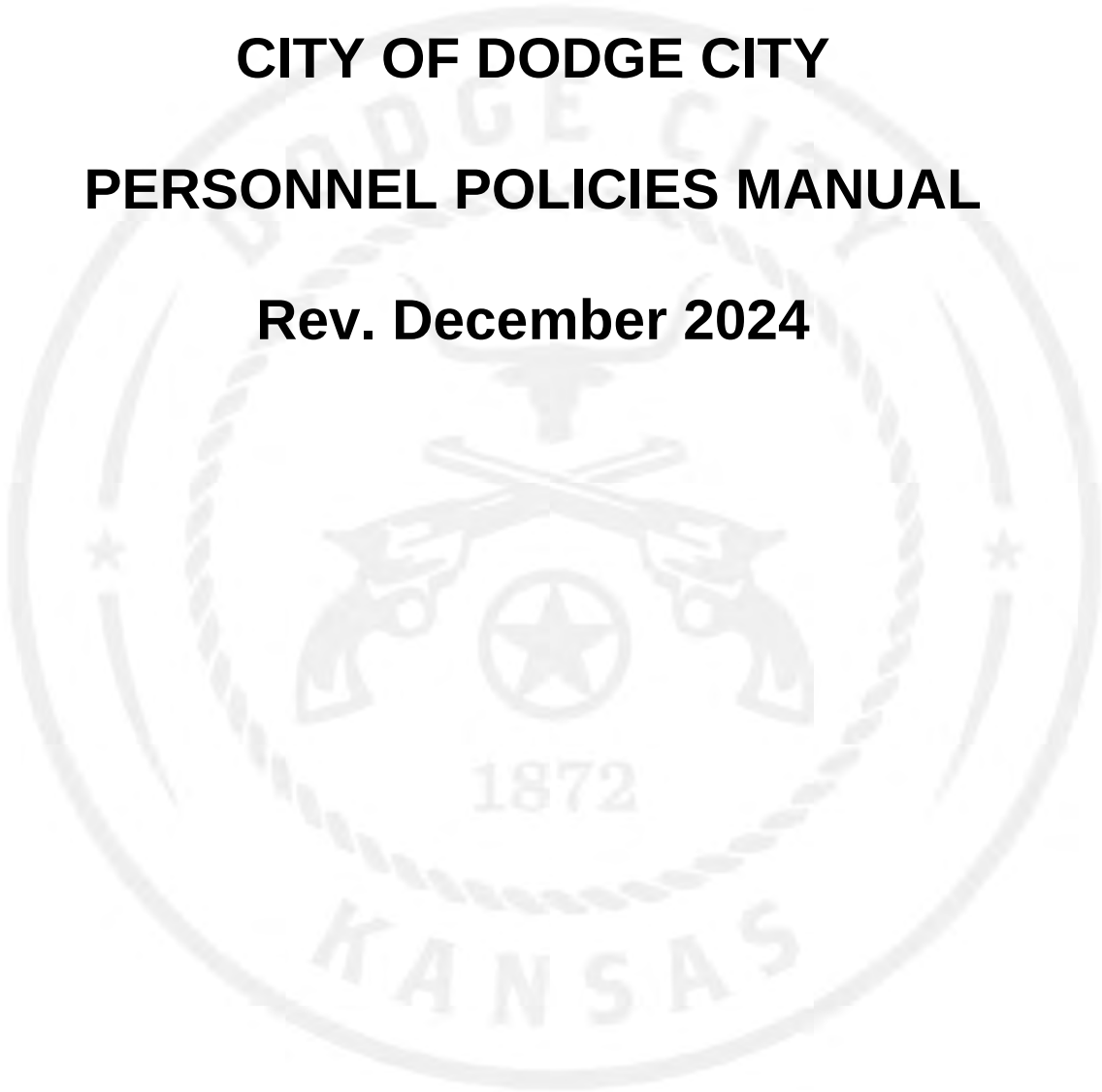
Page 110, Chapter 24, Section 2 – FTA and FMCSA Employees Policies – Attempted to clear up confusion regarding FTA (transit operators program) and FMCSA (all other CDL operators) criteria.

Page 110-12, Chapter 24, Section 3 -Testing Conditions for Non-FTA or Non-FMCSA Employees– Merged non-cdl testing into same chapter. Made significant clarifications in the process to better align with FTA and FMCSA employee requirements for ease of administration.

Page 113, Chapter 24, Section 4 -Testing Procedures– Again made significant clarifications to align all 3 programs. Amended the MRO to City’s designated physician instead of one individual.



CITY OF DODGE CITY
PERSONNEL POLICIES MANUAL
Rev. December 2024



Revised 12/01/2024

..... DODGECITY.ORG

P.O. Box 880 * 100 Chaffin Rd * Dodge City, KS 67801 * PHONE 620.225.8100

Core Values

Safety – together, we endeavor to provide a safe and secure workplace and community.

Honesty, Integrity & Respect – Together, we work honestly and with integrity, while respecting the rights of others.

Ongoing Improvement – Together we value progress, growth & new possibilities by providing and preparing for the community's future.

Working Towards Excellence – Together, we strive to achieve high performance and service standards set by us and expected by the community.

Core Purpose

WE ARE DODGE CITY

Together we serve - to make Dodge City the best place to be.

WE ARE DODGE CITY

Mission Statement

Together, we promote open communications with our community members - improve quality of life - preserve our heritage - foster a better future.

We are Dodge City

EMPLOYEE ACKNOWLEDGEMENT OF PERSONNEL POLICY MANUAL AND AT-WILL STATUS

I acknowledge that I have been made aware of the City of Dodge City Personnel Policy Manual as well as my responsibility to read and acquaint myself with this manual. I understand I can access the manual through my department, the City intranet and the Human Resource Office. I understand this manual describes the personnel policies of the City of Dodge City, and this manual is intended to be an information book only. If I have questions regarding the contents of this manual, I will contact my supervisor or the Human Resource Office. **I understand and agree that I am an “employee-at-will.” As an employee-at-will, either the City of Dodge City or I may terminate our employment relationship at any time, either with or without cause, and also with or without advance notice. I understand and agree the information contained in this manual does not constitute an employment contract between the City of Dodge City and myself and the City has the right to amend this manual or any statement made in this manual, at will and at any time. I understand that abiding by the policies in this manual is a condition of continued employment with the City of Dodge City.**

Employee Name (Printed)

Employee Signature

Date

CITY GOVERNMENT AND ORGANIZATION OF THE CITY OF DODGE CITY

The City of Dodge City operates under a Commission – Manager form of government. This form of government provides for a five (5) member City Commission and a City Manager.

The City Commission is responsible for developing policy and giving general direction to the government. The City Commission selects the Mayor from among its members on an annual basis. The City Commission also selects a Vice-mayor, who shall serve as Mayor in the Mayor's absence. Elections to the City Commission are held on even years and members are elected at large for overlapping terms, two or four years. Elections are nonpartisan. City Commission meetings are held the first and third Monday of each month at 7:00 PM at City Hall or other designated sites.

The City Manager, a full-time professional administrator, is appointed by the City Commission. The City Manager is the Chief Executive Officer of the City and therefore responsible for overseeing the general administration of all City business. He insures the Commission's policies are implemented and carried out. The City Manager is responsible for all recruitment, selection, appointment, assignments, discipline and termination of all City employees. The City Manager is responsible to the City Commission, which is responsible to the public for the conduct of the City's affairs.

In order to accomplish these tasks, the City Manager appoints Department Heads, who in turn recommend appointments of all other departmental employees. Authority and responsibility for keeping the City's services and activities operating is delegated by the City Manager to each Department Head, each superintendent, each supervisor and ultimately to each employee whose individual job duties contribute to the provision of service to the citizens.

Each of us needs to remember our jobs exist for the sole purpose of serving the public. As employees and representatives of the City, we should always be concerned with the impression our activities may create.

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DEFINITIONS

Administrative Working Days – any Monday through Thursday between working hours of 7:30 a.m. and 5:30 p.m. and Friday from 7:30 a.m. to 11:30 a.m., excluding Saturday, Sunday and City of Dodge City observed holidays.

Position Classification Plan - the City of Dodge City's official system of grouping job titles into appropriate classes.

Position Classification - a system of identifying and describing the different kinds of work in an organization and then grouping together under common job descriptions those positions which are basically similar with respect to nature of work, level of difficulty, responsibility, training and experience and assigning those job titles to a particular classification.

Regular Full-Time – An appointment to a position within the City that calls for the employee to work full time, a minimum of forty (40) hours per seven (7) day period, for an unspecified period of time. Appointments to full-time positions shall include an introductory period as specified for the position. Employment under this type of appointment is eligible for receipt of all City benefits.

Temporary Full-Time – An appointment made in an emergency situation or in the event a regular full-time employee is off work for a prolonged period of time and the position is integral to the operations of the City. The maximum duration for this type of position shall not typically exceed six (6) months, unless to fill a position due to an approved leave. Employment under this type of appointment may be eligible for City benefits. Should this type of appointment lead to a regular full-time appointment, anniversary date shall be calculated from the date of the regular full-time appointment except for KPERS membership where the date of the initial appointment shall be considered the anniversary date.

Regular Part-Time I (Working 20 – 35 Hours Weekly) – An appointment made for an unspecified duration to a position which requires regular attendance for a minimum of twenty (20) hours within a seven (7) day pay period but less than thirty-six (36) working hours for a seven (7) day pay period. Appointments to regular part-time positions shall include an introductory period as specified for the position. This type of appointment shall be subject to KPERS membership. Employment under this type of appointment is eligible for receipt of City benefits on a limited basis. Benefits include single health, dental, and life insurance, accrual of PTO is on a pro-rated basis and holiday leave is calculated one time a year based on hours worked throughout the year.

Temporary Part-Time – An appointment made to fill a position when the work of the City requires the services of the employees on a flexible, irregular and/or intermittent basis, typically not to exceed 1000 hours within a calendar year without prior approval from the Human Resource Office or typically not to exceed 1560 hours within a calendar year without prior

approval from the City Manager's office. This type of appointment is not eligible for City benefits.

Seasonal – An appointment made to fill a temporary position which may consist of forty (40) hours of work within a seven (7) day work period or less usually associated with a specific program or purpose and for a finite period of time (such as holidays, vacations, seasonal activities, etc.). This type of appointment typically will not exceed 1000 hours within a calendar year without prior approval from the Human Resource Office or typically will not exceed 1,560 hours within a calendar year without prior approval from the City Manager's office. This type of appointment is not eligible for City benefits.

CHAPTER 1 - GENERAL PROVISIONS

Section 1 – General Personnel Policy

The City of Dodge City bases its personnel program on the merit system of employment. This means all employees are selected, retained, and advanced on the basis of their ability to demonstrate the City's core values and excellence of job performance. It also means equal employment opportunity is provided to all individuals without regard to race, sex, disability, religion, age, national origin or ancestry, genetic information, or any other factors that cannot be lawfully used as a basis for employment decision.

The contents of this manual are not a contract of employment between the City of Dodge City and any employee, and should not be considered as such. Personnel policies are intended as a guide and information for all employees. They do not create a vested right to any particular benefit for any particular employee.

These personnel policies, or any part thereof, are subject to change, amendment, modification or deletion at any time by action of the City Manager and without prior notice to the employees. The City administrative staff will attempt to notify employees of such changes in policy as they occur, but such changes shall be effective on the date of adoption by the City Manager or on such date as otherwise provided in the policy and shall be affective as to all employees regardless of whether the employee receives the actual notice of any change.

Section 2 – Purpose of the Manual

It is the purpose of this manual to establish and maintain a uniform system of policies and procedures to be followed by the City of Dodge City, Kansas, in the administration of its personnel program. The policies and procedures established herein are intended to provide an efficient, equitable and functional system of personnel administration based on organizational core values which govern the appointment, promotion, transfer, layoff, dismissal and other related conditions of employment, as well as job performance. **The manual and its provisions are designed to serve only as a guide to the City's policy and procedures and not as a contract of employment or warranty of benefits.**

Section 3 – Scope of Policies, Procedures and Provisions

The policies, procedures and provisions set forth in this manual shall apply in their entirety to all employees in the service of the City, except the following:

Mayor
City Commission Members
City Manager

City Attorney (if contractual)
Municipal Court Judge
Members of Appointed Boards and Commissions
Persons employed under contract to supply professional or technical services for the City
Unpaid appointees and volunteers

Those persons listed above may be subject to some of the policies, procedures and provisions set forth in this manual and should address any questions regarding such policies, procedures and provisions to the Human Resource Office.

Section 4 – Administration of the Personnel Program

All personnel policies and procedures for the City of Dodge City shall be administered by the City Manager.

Human Resource Office. The Human Resource Office is appointed and authorized by the City Manager to administer the personnel program of the City consisting of all policies, procedures, classification plans and pay plans that are related to personnel in the service of the City, and to perform any other lawful acts which may be necessary or desirable to carry out the purposes and provisions of state and federal employment laws and regulations as well as these policies and procedures. These responsibilities shall include, but are not limited to, the following:

1. Interpreting, applying and enforcing personnel policies, procedures and provisions as delineated in the Personnel Policies Manual and other administrative policies and regulations.
2. Recommending amendments and revisions to these policies and procedures at such times as are necessary or warranted by any change in city, state or federal law regarding employment practices.
3. Recommending revised job descriptions, wage and salary schedules, benefit plans and programs, recruitment and testing procedures, and performance evaluation systems as necessary.
4. Compliance with all applicable state and federal employment laws and their resultant effect upon personnel policies, procedures and practices.
5. Endeavoring to provide a fair and equitable system of policy interpretation, compensation and discipline throughout the city organization.

Department Heads and Supervisors. Department Heads, and all other supervisors, are expected to give efficient and effective supervision to their employees and are responsible, along with the City Manager and the Human Resource Office, for implementing the provisions of the personnel program within their individual departments, divisions and work units. These responsibilities include, but are not limited to, the following:

1. Providing employees under their direction with information regarding City personnel policies.
2. Responding to employee grievances.
3. Recommending pay actions, promotion, demotion, dismissal and transfer.

4. Evaluating the job performance of employees.
5. Recognizing and rewarding employee performance.
6. Disciplining employees when necessary.
7. Providing guidance, training and instruction to employees.

Section 5 – Equal Employment Opportunity (EEO).

Equal employment opportunity will be assured in the personnel system. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, transfer, reassignment, discipline, or any other aspect of personnel administration, because of religious affiliation, race, color, sex, age, disability, genetic information, or national origin is prohibited, except where sex or physical requirements constitute a bona fide occupational qualification necessary for proper and efficient job performance.

The City of Dodge City does not discriminate on the basis of disability in its hiring or other employment practices. The City will not ask a job applicant about the existence, nature or severity of a disability or medical condition. Applicants may be asked about their ability to perform specific job functions. Requests for medical examinations or inquiries regarding medical conditions may be made, but only after a conditional offer of employment is made and only if required of all applicants for the position. The City will make reasonable accommodations for the known physical or mental limitations of a qualified applicant or employee with a disability upon request by the qualified applicant or employee unless the accommodation would cause an undue hardship on the operation of the City's business. To the extent its selection criteria for employment decisions have the effect of disqualifying an individual because of disability, the criteria will be job-related and consistent with business necessity. Employees' medical information will be maintained separately from personnel files and protected by confidentiality except when allowed and/or mandated by statute or regulation.

Section 6 – Departmental Policies and Regulations

The head of any City department or division may develop, implement and revise as necessary written policies and procedures to meet the unique operation requirements of their individual departments, division, and work units. Such policies, procedures and regulations must be approved by the Human Resource Office and the City Manager or his/her designee prior to implementation. Upon approval, such departmental/divisional policies and procedures shall be in effect and disciplinary action may be imposed for violations of the same. A current copy of the approved departmental/divisional policies and procedures shall be maintained on the City employee intranet. The final decision shall rest with the City Manager in any situation in which conflict exist between the City Personnel Policies Manual and departmental policies and procedures.

Section 7 – Revisions and/or Additions to the Manual

The policies and procedures of this manual are issued by the authority of the City Manager. Revisions and additions to these policies and procedures are subject to change at the City's discretion in order to maintain their legal compliance, occupational effectiveness and the general scope of desired workplace conditions. Upon amendment of any part of this manual, the City will endeavor to use normal communication channels to apprise employees in a timely fashion of such changes and their effect, if any. The Human Resource Office will place updates on the employee intranet but will not assume responsibility for providing updates to each individual employee in possession of a Personnel Policies Manual.

Section 8 – Distribution of Manual

Copies of this manual will be maintained on the City of Dodge City Employee Intranet. It shall be the responsibility of every Department Head to ensure all employees under their supervision have access to a computer for access to the employee intranet and employee emails. Any employee who desires a copy of the complete Personnel Policies Manual may obtain one from the Human Resource Office, however, it will be the employee's responsibility to keep it updated.

CHAPTER 2 – POSITION CLASSIFICATION PLAN

Section 1 – Definitions

For definitions of Position Classification Plan and Position Classification refer to the Definitions section at the front of the Personnel Policies Manual.

Section 2 – Uses of a Classification Plan

The City of Dodge City uses a position classification plan. Each position classification was developed by analyzing the nature, degree of difficulty and degree of responsibility of the qualifications required of an individual for successful performance of the job. The logical grouping of similar positions under meaningful job titles provides a common language for everyone concerned with planning and budgeting.

The structure created by a classification plan allows management to, when necessary, revise the organizational structure, clarify lines of authority, and judge the need for new positions. If a new job title needs to be established, there is a framework into which it can be inserted. The classification plan does not reflect the manner in which duties are being performed nor an individual employee's competence, efficiency, capability, length of service, or experience. The classification plan addresses jobs, not the people doing the jobs.

Section 3 – Administration of the Classification Plan

The Human Resource Office shall work with the City Manager to insure the position classification plan is maintained and updated as needed. The Human Resource Office will maintain position descriptions for all positions authorized and approved by the City Manager. The City Manager will allocate all authorized and budgeted positions to one of the job titles in the classification plan. The Human Resource Office shall maintain an official copy of the Position Classification Plan which shall be available for inspection by appointment during regular business hours.

Section 4 – Classification Appeals

If an employee has information that indicates his or her position is improperly classified, he or she may request a review of the classification by the Human Resource Office and that employee's Department Head (or City Manager if the employee is a Department Head). Such request shall be submitted in writing and shall contain a detailed explanation of why the employee believes the position is improperly classified.

Section 5 – Interpretation of Position Descriptions

Position descriptions are descriptive of the position but not restrictive as to what duties may be performed and/or required. An employee shall not use a position description as a reason to refuse to perform tasks requested of them. If an employee believes they are consistently being expected to perform tasks of greater difficulty and responsibility than those delineated in the position description for their position, and consistently spend a substantial amount of their working time in the performance of those tasks, they may request a review of their position classification as explained in Section 4.

CHAPTER 3 – PAY PLAN

Section 1 – Composition and Maintenance

The City has established pay plans including the minimum and maximum rate of pay for each position in the Position Classification Plan. These pay plans are intended to provide fair compensation for all positions in the Position Classification Plan. Generally, each regular position title is assigned a classification, which establishes that position's pay range. The pay plans are maintained in the Human Resource Office and can be viewed by appointment during regular business hours.

Section 2 – Overtime

Those employees classified as nonexempt from overtime compensation are limited to working forty (40) hours for a seven (7) day work period. Fire Department firefighting personnel will work a one-hundred and fourteen (114) hour, fifteen (15) day work period. Sworn Police Department personnel may work one hundred seventy-one hours in a twenty-eight (28) day work period. Employees will receive one and one-half (1 ½) time their regular rate of pay for those hours actually worked which exceed those specified in their respective work period. Overtime compensation shall be calculated based on time actually worked. Paid leave is not considered to be time worked. Overtime compensation must be approved by the Department Head.

Some positions will be classified as exempt from overtime in accordance with the provisions of the Fair Labor Standards Act. Any declaration of exemption from overtime shall be subject to approval by the City Manager or his/her designee based on the position's established duties and the manner in which those duties correspond to requirements for exempt status set forth and specified in the Fair Labor Standards Act.

Section 3 – Pay Periods

Employees shall be paid every two (2) weeks.

Section 4 – Pay on Termination

An employee who resigns or is dismissed from a position with the City will receive his/her final paycheck on the first regular scheduled payday following the resignation or dismissal unless otherwise approved by the City Manager or his/her designee.

Section 5 – Bonus Pay

Each Department has the discretion to recommend to the City Manager to provide bonus pay to employees who perform above and beyond the established responsibilities for their

position. In order to receive authorization from the City Manager, the Department head should submit a written justification to the Human Resources Department for submission to the City Manager for approval.

Section 6 – Year End Bonus

The City Commission may, by resolution, annually award a special bonus to regular full-time and regular part-time employees who have a minimum of one (1) year's continuous service as of the date designated by the City Commission for the year in which payment is being made. No person whose employment is terminated for any reason prior to that date shall accrue this benefit. With the exception that qualified persons who retire from City service within the year may receive a bonus for that year.

Section 7 – Employee Recognition Program

The City provides an Employee Recognition Program by which employees are recognized upon five (5) year increment anniversaries of employment by receipt of City selected awards and/or gifts.

Section 8 – Maintenance of Pay Records

The Finance Director shall maintain records of all persons employed with the City, including pay scale, time worked, accrued vacation and sick leave, all absences of vacation, sick leave, and accrued overtime as submitted to payroll.

CHAPTER 4 - APPLICATIONS

Section 1 – Announcement of Vacant Positions

Position vacancies may be advertised on social media, in newspapers, technical and professional periodicals, employment websites, at job fairs and/or by any other means as the Human Resource Office deems appropriate. Announcements of openings may be posted to all City Employee emails if no employment list is available for use. The announcements shall specify title, closing date of acceptance of applications, and any other pertinent information deemed necessary. All advertisements shall indicate the City of Dodge City is an Equal Opportunity Employer. The Human Resource Office shall have the discretion to solicit applications for vacant positions from outside the city organization, regardless of the nature or number of internal candidates.

Section 2 – Application Forms

Application shall be made in an online format provided by the City. Such format shall require information covering training, experience and other pertinent information. All applications shall be electronically signed and dated by the applicant.

Section 3 – Employment Requirements

All positions shall be open only to persons who meet or can readily obtain the desirable and/or necessary requirements as listed in the position descriptions with or without reasonable accommodation. Requirements may include but shall not be limited to the following factors: knowledge, skills, abilities, education, training and experience. An applicant, at the time of hire, will be required to produce documentation of their right to work in the United States as specified on the I-9 Form of the Immigration and Naturalization Service.

Section 4 – Nepotism and Fraternization

Section 4 DEFINITIONS

For purposes of this Section 4 of Chapter 4, the following words shall have the following meanings.

Relative – Parent, foster parent, spouse, child, sibling, grandparent, grandchild, aunt, uncle, first cousin, niece, nephew, in-law or step-relative, or any person not related by blood, marriage, or other legal relationship who resides with the employee.

Personal relationship – relationship between individuals who have a relationship of a romantic or intimate nature.

Fraternization – relationship of an intimate or romantic nature between a supervisor and his/her subordinate or conduct by a supervisor that creates the appearance or impression that such a relationship exists.

The City is committed to the highest standards of professional conduct and expects all employees to adhere to them. The City must take care to ensure that personal and familial relationships do not create favoritism or the appearance thereof, as conflicts of interest or situations that may impair objective judgment. The purpose of this policy is to promote a positive work environment.

It is the City's policy to hire, promote and transfer employees on the basis of individual merit and to avoid any suggestion/perception of favoritism or discrimination in making such decisions. The employment of relatives, or individuals involved in personal relationships, in positions where one employee has influence over the terms and conditions of the other's employment is a violation of this policy. Even if favoritism or discrimination is not actually established, the mere existence of a personal or familial relationship between employees may precipitate questions about favoritism or cause discomfort for co-workers.

It is, therefore, the policy of the City to:

- A. prohibit the hiring of relatives to positions where a relative would be under the direct or general supervision of a Department Head or supervisor, or
- B. prohibit the hiring or employment of relatives of Elected Officials, City Manager, or any employee of a Confidential Department (Administration, Finance, HR or IT) where the terms and conditions of employment of that person might be influenced by the Elected Officials, City Manager or Confidential Department employees, or
- C. prohibit employees involved in a personal relationship may not work in the same department or supervise the employee with whom he/she is involved.
- D. deny employment to any person who is related to any member of the Dodge City Governing Body, as a spouse, parent, mother in-law, father in-law, or child of such elected official.

Adherence to this policy will avoid favoritism and discriminatory treatment based on personal or familial relationships.

The City recognizes that there may be existing relationships among employees that are contrary to this policy. It is the purpose of this policy to avoid creating any new situations in violation of this policy and not to affect any current employment situations unless favoritism or an actual conflict of interest is established. However, the employment of any existing employee

within the City shall be immediately terminated if a spouse, parent, mother in-law, father in-law or child of such employee is elected to the Dodge City Commission.

The City permits members of the same family and those involved in personal relationships to work at the City as long as it does not violate A., B., C., or D. above. However, the City will not authorize an appointment, transfer, promotion, or new hire where employment would result in the creation of a violation of A., B., C., or D. above.

If a nepotism or fraternization issue exists or develops, it is the responsibility and obligation of the employee involved in the violation to disclose the existence of the relationship to the Department Head and Human Resources Department. If the City determines that a conflict affecting employment or a potential for conflict exists because of the personal relationship, the employees involved will be given the opportunity to decide which employee will be transferred to another position or terminated if no position is available. If the employees do not decide, the City will make the decision.

If a rare situation dictates that hiring or promoting an individual or utilizing an individual as an interim that qualifies under A, B, C or D above arises; the City Manager may waive this policy with the City Commissions approval.

Section 5 - Emergency Appointment

In emergency situations, the City Manager or his/her designee shall have the discretion to forego the formal application procedure set out in this chapter.

CHAPTER 5 - APPOINTMENTS

Section 1 - Types of Appointments

When a person is initially employed by the City, he or she shall be given one of the following types of original appointments. Refer to the Definitions section at the front of the Personnel Policies Manual for additional information on each type of appointment.

- Regular Full-Time
- Temporary Full-Time
- Regular Part-Time
- Temporary Part-Time
- Seasonal

Section 2 – Promotional Appointments

Promotional appointments shall be open to all employees who meet the desirable values, education, training and experience requirements included in the position description. Positions will be filled on the basis of the ability to demonstrate the City's core values and excellence of job performance. Examinations, interviews and other methods may be utilized to determine qualification of applicants.

Section 3 – Appointing Authority

The City Manager shall be the appointing authority for all positions.

Section 4 – Political or Partisan Endorsement Prohibited

No consideration shall be given to political or partisan endorsement for appointments or promotions to positions in the City's service; only merit and fitness for duty shall be considered.

Section 5 – Certification of Health

An appropriate physical examination will generally be required of persons (1) entering regular full-time and regular part-time employment with the City of Dodge City, (2) being reappointed to a previously held regular full-time or part-time position, or (3) being reinstated to full duty after an injury or serious illness requiring medical or workers compensation leave. A physical examination may include, but is not limited to, review of previous medical history, medical tests which determine the ability of the individual to perform the essential functions of the position to which they are being appointed, drug screens, functional capacity examinations

and any other medical and/or psychological test which may assist in determining or evaluating fitness for duty.

Section 6 – Employee Requested Transfer

All employee requested transfers shall be approved by the City Manager or his/her designee. In order to qualify for a transfer, the employee must not be under a Personal Improvement Plan (PIP) in their existing department and may not be the subject of a disciplinary investigation without prior approval from the Human Resource Office. Interdepartmental transfers shall entail the following steps:

- a) A request for transfer must be completed by the interested employee and returned to the Human Resource Office. Forms for this purpose are available on the employee intranet. Individuals under a PIP will receive a denial and will not proceed further. Individuals that are subjects of a disciplinary investigation may be considered after Human Resource Office discussion with the City Manager.
- b) The request for transfer is reviewed and forwarded to the respective Department Head. Participation in the selection process will be granted to those applicants who are considered qualified for transfer and have the necessary qualifications for the vacant position. Nothing in this process restricts the City from also considering applicants from outside the city organization.
- c) Each employee, if granted an interview or participation in a selection process, is responsible for making time arrangements with their current supervisor.
- d) After completion of the selection process the employee will be notified if they have obtained the transfer. If the transfer is granted, the date the transfer takes effect will be coordinated by the employee's current Department Head, receiving Department Head and the Human Resource Office.

Section 7 – Outside Employment

Outside employment constitutes a City employee holding a job with another employer. Outside employment by a regular full-time employee is considered a privilege and is granted only when such outside employment:

- a) Does not interfere with the performance of duties for the City
- b) Does not impair the efficiency or physical wellbeing of the employee
- c) No legal, financial or ethical conflict of interest, or appearance thereof, results from such employment

Employees holding a regular full time or regular part-time appointment with the City must provide written notification to their Department Head of any secondary outside employment. Such written notification shall be provided to the Human Resources Department for approval by the City Manager. Such approval shall be maintained in the employee's official records and should be resubmitted annually.

CHAPTER 6 - INTRODUCTORY PERIOD

Section 1 – Introductory Period Objective

The introductory period shall be regarded as an integral part of the selection process and shall be utilized for observing the employee's work, for securing the most effective adjustment of an employee to his or her position and for rejecting any employee whose performance falls below minimum standards for the position or is otherwise unacceptable. **Introductory employees are not eligible to utilize the grievance procedure outlined in Chapter 10 of this manual or the disciplinary appeal procedure outlined in Chapter 8, Section 17 of this manual.**

Section 2 – Duration

The duration of an introductory period is determined by the position as shown below. Any unpaid leave interruptions of seven (7) continuous days or more, during the introductory period, shall not be counted as part of such introductory period:

- Entry level Firefighter – One (1) year during which time the employee shall successfully complete the proper public safety certifications and training required.
- Entry level Police Officer – One (1) year during which the officer shall successfully complete the proper Kansas Law Enforcement Training certification and FTO training. Police Officers will not accrue seniority during this time. Once completed the officer's seniority date will be measured from their date of hire. The Introductory Period should be extended if the applicable training cannot be completed within the first year due to scheduling.
- Supervisory position – One (1) years
- Department Heads – two (2) years
- All other regular full-time positions – One (1) year.

Section 3 – Extension

The appropriate Department Head may extend the duration of an employee's introductory period through consultation with the Human Resources Office and the approval of the City Manager or his/her designee. Reasons for the extension shall be provided in writing and filed with the Human Resource Office.

Section 4 – Interruption of Introductory Period

If an employee voluntarily resigns in good standing during the introductory period and is re-appointed to the same position within ninety (90) days and providing his/her previous

services have been satisfactory, he/she may be given credit for the completed portion of the introductory period with Department Head approval.

Other interruptions of the introductory period such as layoff, unpaid leave, etc. may qualify for credit towards completion of the introductory period provided the employee's service has been satisfactory and upon Department Head and Human Resource Office approval.

Section 5 – Assignment out of Position

From time to time, it may be necessary to temporarily assign an individual to a vacant position of higher grade than their own. If the position is to be held for more than 30 days, a temporary pay change should occur. If the employee is officially promoted to the position, their temporary assignment time should be counted toward their introductory period for the new position. Authorized leave of less than thirty (30) days is not considered a vacancy.

Section 6 – Promotional or Transfer Introductory Period

An employee promoted or transferred to a different position will complete an introductory period of the same length as a newly hired employee in the same type of position before being granted regular full-time status in the new position. An employee who fails to satisfactorily complete such introductory period may, at the City Manager's or his/her designee's discretion:

- a) Be terminated if circumstances dictate.
- b) Be returned to the pay and position held immediately prior to the promotion or transfer, provided the position is available; or
- c) If the position is unavailable, the employee may be placed in a position with similar pay and responsibilities provided a vacancy is available.

Section 7 – Introductory Period Reports

Prior to the completion of an employee's introductory period, the employee should receive an evaluation of their performance and be advised that they have completed the introductory period or that the introductory period is being extended.

CHAPTER 7 - EMPLOYEE PERFORMANCE EVALUATION

Section 1 – Objective

The City will maintain a system for evaluating the work performance of all employees in the City's service. The primary purpose of the employee performance evaluation is to inform employees of how well they are performing their work and how they can improve their performance. The performance evaluation shall also be used in determining pay adjustments; as a factor in determining order of layoff, as a basis for training, promotion, demotion, transfer or dismissal; and for such other purposes as set forth in these regulations.

Section 2 – Period of Evaluation

Performance evaluations shall be prepared as necessary, but at least once per year by the immediate supervisor of each employee.

Section 3 – Process

All individuals completing performance evaluations for employees shall be subject to evaluator training presented by Human Resources at least every two years and prior to completion of any performance evaluation.

The initial completed performance evaluation shall be reviewed by the Department Head and by the City Manager or his/her designee prior to discussion with the employee.

Following approvals stated above, the evaluator shall discuss each performance evaluation with the employee being evaluated. If an employee disagrees with any statement in an evaluation, the employee may submit, within ten (10) administrative working days following the discussion, a written statement which shall be attached to the evaluation form and maintained with the Employees Personnel File by the Human Resources Office.

The final signed evaluation will be maintained in the Employees Personnel File by the Human Resources Office.

Section 4 – Performance Evaluations Confidential

An employee's performance evaluations shall be confidential and shall be made available to the employee evaluated, his or her supervisor, the appropriate Department Head, the Human Resource Office, the Assistant City Manager and City Manager. Performance evaluations may also be made available to other supervisors within the City who have a legitimate work-related interest. Certain circumstances may require the City to release performance evaluations.

Section 5 – Changes in Evaluation

If, for any reason, a supervisor shall request an alteration of the performance evaluation form of an employee after it has been submitted to the Human Resource Office, such request shall be in writing and shall set forth the reasons for the request. A copy of the request shall be provided to the employee involved.

CHAPTER 8 - DISCIPLINE

This chapter is in place to provide guidelines for conducting discipline. It does not create a vested employee right or contractual obligation to continued employment.

Section 1 – General

The purpose of discipline is to improve performance, efficiency, and morale of city employees. Supervisors are expected to be expedient with disciplinary actions. However, it should be understood by all employees that past or previous allegations of misconduct may be investigated and considered as part of a current disciplinary action. Any employee whose conduct or performance is unsatisfactory or unacceptable under City policy, or who fails to demonstrate the City's core values, is subject to disciplinary action. Any action or failure to act which brings discredit upon the City of Dodge City or causes a hindrance to the effective performance of a departmental or city function is considered a basis for disciplinary action.

All complaints or allegations of misconduct or violations of city or department policies shall be investigated and/or coordinated by the Human Resources Office, or whomever is appropriate as determined by the City Manager.

Section 2 – Applicability

This discipline policy applies to all employees except:

- a) Introductory employees.
- b) All employees who are classified as temporary part-time or seasonal.

Section 3 – Criteria for Application of Discipline

The primary objective of the disciplinary policy is to correct disciplinary problems with fairness and consistency. The following criteria are to be considered, as appropriate, in determining actions to be taken under the disciplinary policy.

- a) Severity and type of offense(s).
- b) Impact of the offense(s) on other employees and/or operations in the City.
- c) Employee's length of service and work record.
- d) Period of time since previous coaching or discipline.
- e) Past discipline actions taken by the City for similar offense(s).
- f) Circumstances at the time the action occurred.

Section 4 – Employee’s Privacy

All such investigations shall be treated as confidential personnel matters and personally identifiable information concerning the subject of the investigation shall not be released to the news media without the consent of the employee under investigation unless disclosure of the information is required by the Kansas Open Records Act or other Federal or State regulation. Once a final determination of the investigation has been made, a summary of the determination may be released at the discretion of the City Manager.

Section 5 – Reporting Disciplinary Actions

All disciplinary actions shall be recorded in writing on a form either provided or approved by the Human Resource Office and signed by the supervisor and the employee. The employee’s signature acknowledges receipt of the notice of discipline, not that the employee agrees with the discipline. The written document shall include the policy violation and describe the action or behavior which resulted in the disciplinary action. All recorded disciplinary actions shall be made a part of the employee’s personnel file to be maintained in the Human Resource Office. The employee may, within five (5) administrative working days of the receipt of the disciplinary action, file a written response to be included in the employee’s personnel file.

Section 6 – Authority to Issue Disciplinary Actions

Disciplinary actions may be administered by regular or acting supervisors, Department Heads and the City Manager or his/her designee. All actions taken by regular supervisors and acting supervisors will be reported through supervisory channels to the Department Head. No employee will be suspended without pay, demoted, or removed from a promotion/eligibility list without authorization from the Department Head. No employee will be terminated without authorization from the City Manager or his/her designee.

Section 7 – Coaching

Coaching is an everyday activity performed by supervisors to teach and show employees how to perform their jobs properly. Recognizing employees for work well done is a valuable feature of coaching. Supervisors may also use coaching when an employee exhibits a performance, conduct, or attendance problem. Coaching is not a form of discipline. However, discipline may be imposed for the same conduct about which an employee was coached. A policy or procedure violation may simultaneously be the subject of both coaching and imposition of discipline. The objective of coaching is to recognize employees for work well done and to help employees with poor performance recognize that a problem exist and develop effective solutions to solve it.

Section 8 – Forms of Disciplinary Action

When an employee's performance does not improve after coaching, or an incident occurs which warrants disciplinary action regardless of whether prior coaching has occurred or not, the supervisor may discipline the employee utilizing any form of action outlined below. The form of discipline imposed shall be conditional upon the severity of the conduct or behavior for which the discipline is being imposed.

The City reserves the right to, "with just cause" as defined herein, take any form of disciplinary action listed below against an employee for violations of City and/or Department rules and regulations or other misconduct; provided however the City may discharge or otherwise discipline an employee who is within his/her new hire introductory period, at any time and without compliance with the procedures set out below. All actions to terminate employee shall require the approval of the Human Resource Office and the City Manager.

For purposes of this Article, the phrase "with just cause" shall mean any grounds or reasons put forth by management in good faith and which are not arbitrary, capricious, unwarranted, irrational, unreasonable or irrelevant to providing and maintaining an efficient and effective municipal operation.

All disciplinary actions except for oral reprimand or actions taken during the new hire introductory period shall be preceded by a Disciplinary Conference (see Section 15) with the Department Head or his/her designee.

A. Oral Reprimand

1. The employee and supervisor discuss the problem. The employee is reminded of the importance of commitment to meet the City of Dodge City's performance standards and to exhibiting the City's core values. In this problem-solving discussion, the employee is informed this is a disciplinary action and the employee is responsible for immediately improving and maintaining a satisfactory work record in regard to the immediate problem and all other aspects of employment.
2. The occurrence of an oral reprimand will be documented in writing and a copy of the written documentation shall be forwarded through supervisory channels to the Department Head and to the Human Resource Office. Forms are available from the Human Resource Office which supervisors may use in documenting an oral reprimand.

B. Written Reprimand

1. A written reprimand consists of a written record of a violation of a rule, regulation, policy or procedure. The employee and supervisor discuss the problem. The employee is reminded of the importance of commitment to meet the City of Dodge City's performance standards and to exhibiting the City's core values. In the problem-solving discussion, the employee is informed this is a disciplinary action and what further levels of discipline may follow if total performance requirements

are not met. Forms are available from the Human Resource Office which supervisors may use in preparing a written reprimand.

2. A copy of all written reprimands shall be forwarded through supervisory channels to the Department Head and to the Human Resource Office.

C. Personal Improvement Plans

1. A Personal Improvement Plan (PIP) covers specific areas of performance deficiencies, identifies skills or training gaps and sets clear expectations for an employee's future conduct. Objectives must be met within a certain period, and failure to do so may result in employment actions up to and including termination.
2. A typical PIP should not exceed six (6) months in term, but may be extended upon review with the employee, Department Head and Human Resources and with approval by the City Manager.
3. An employee under a PIP shall not be eligible for transfer, nor shall they be eligible for pay increases until the PIP has been successfully resolved.
4. If a PIP becomes necessary during an employee's introductory or probationary period, the introductory or probationary period shall be extended the amount of time necessary to for the PIP fulfillment and release to occur.
5. Unless unusual circumstances exist to support otherwise, no employee shall be offered or placed on additional PIPs for the same position. Should the documented need arise for additional PIPs involving the same employee within the same position, the supervisor shall proceed to request a disciplinary action investigation, citing a failure to maintain competence or demonstrated pattern of repeated disregard of duties. If sustained, discipline shall result in demotion to the last position satisfactorily performed, transfer to another position within the city, or, if warranted, dismissal from city employment.

D. Change of Work Assignment

A change in work assignment may be utilized in an effort to retain an employee. It can be used if the employee is unable to fulfill the job requirements for the position and a lesser position that the employee is capable of performing is available. Actions such as this should not be utilized to address personality conflicts.

E. Suspension with Pay/Administrative Suspension:

When an employee's behavior, or alleged behavior, warrants immediate removal from the workplace the employee will be placed on paid suspension and required to leave City property immediately. Use of paid suspension is limited to situations in which the presence of the employee will hamper the investigation, create a safety or security issue, or serious issues relevant to the employee's suitability to perform their job are raised. The supervisor advises the employee he/she is being placed on paid suspension pending investigation and that he/she will report to the appropriate Department Head at a time specified. An employee on paid suspension

will remain available for call back to the work place on any day of business that their Department is required to work.

F. Demotion or Removal from Promotion/Eligibility List:

Demotion or removal from a promotion/eligibility list may be administered by a Department Head following consultation with Human Resources.

G. Suspension without Pay:

1. A forced unpaid leave of absence imposed upon an employee whose conduct or performance is unsatisfactory or unacceptable under City policy, or who fails to demonstrate the City's core values,
2. Suspension without pay may be administered by the Department Head following discussion with the Human Resources Office or by the City Manager or his/her designee.

H. Dismissal/Discharge:

1. Dismissal/Discharge is an involuntary separation from employment.
2. The Department Head may recommend this action with final approval to be given by the City Manager or his/her designee.

Other disciplinary actions not listed above may be taken by the Department Head after consultation with the Human Resource Director with final approval by the City Manager.

Section 9 – Reasons for Disciplinary Action

Listed below are reasons for disciplinary action. Disciplinary action is not limited to the offenses listed:

- a. Being convicted of a felony or misdemeanor.
- b. Excessive absenteeism or tardiness.
- c. Being absent without leave.
- d. Abuse of PTO policies.
- e. Inefficiency or ineffectiveness.
- f. Neglect, damage to, theft of, abuse, or misuse of City property.
- g. Willfully giving false statement(s) or information to a supervisor, City official, member of the public, or the City Commission.
- h. Violation of Departmental or City policy, rules and/or regulations.
- i. Being under the influence of, or in possession of, or impaired by the use of drugs, alcohol or intoxicants while on duty. Failure to pass a drug screening examination or refusing to take a drug screen when required. Tampering with, hindering, or influencing a drug and/or alcohol test in an attempt to falsify the test result.
- j. False statements in an application, which had not been detected previously.

- k. Acceptance of gratuities, gifts, or favors from persons or agencies for the performance of duties as a City employee.
- l. Refusal to be examined by a City designated physician.
- m. Political activity in conflict with the City's policies.
- n. Insubordination.
- o. Personal use of City equipment without permission.
- p. Conduct on or off the job unbecoming to a City employee or which brings discredit to the City or compromises the employee's ability to perform job functions and responsibilities.
- q. Neglect, abandonment or dereliction of Departmental or City duties.
- r. Failure to cooperate with fellow employees or supervisory personnel.
- s. Unauthorized disclosure of official or confidential information.
- t. Retaliation against an employee for utilizing the grievance procedure consistent with Chapter 10 of this manual or the disciplinary appeal process consistent with Chapter 8 of this manual.
- u. Subjecting any citizen or fellow employee to vulgar, abusive or profane language or sexual, racial or cultural slurs or harassment.
- v. Illegal possession or use of weapons or contraband while on the job or on City property.
- w. Assault, threatening assault, or fighting on City property.
- x. Theft.
- y. Failure to maintain a valid motor vehicle operator's license and/or remain insurable under City insurance coverage, if required by the job description.
- z. Knowingly violating safety rules.
- aa. Failure to cooperate in an investigation when directed to do so.
- bb. Using an official position, uniform, or identification card for personal benefit.
- cc. Failing to utilize proper supervisory channels regarding submission of grievances or complaints.
- dd. Behavior which has an adverse effect on the confidence of the public in the integrity of City government.
- ee. Submitting false work time reports.
- ff. Being absent from a work site or station and/or manipulating work assignments, schedules and/or time-off provisions to enable overtime assignment for oneself or to another employee.

Repeated violations of City of Dodge City or departmental policies and procedures, or any other course of conduct indicating an employee's disregard for his/her obligations as an employee of the City shall be cause for dismissal. This shall apply regardless of the severity of the offenses and regardless of whether the violations are of the same type.

Section 10 – Investigation Procedure

When conducting an investigation of any complaint or allegation the designated investigator, shall have access to all documents, files and records related to the complaint or

allegation and may question and interview any employee who may have information related to the complaint or allegation.

An “Initial Inquiry” occurs when an employee who is **not** the named subject of a complaint or allegation is asked to clarify, confirm or state facts and circumstances relevant to the investigation. If during an Initial Inquiry the investigator recognizes that disciplinary action against the employee being interviewed is probable, the investigator shall cease the Initial Inquiry and proceed with questioning as an “Investigatory Interview.”

An “Investigatory Interview” occurs when the investigator questions an employee **who is the named subject** of a complaint or allegation to obtain information which could be used as a basis for disciplinary action against the employee being questioned or the investigator asks the employee to defend his/her conduct in response to a complaint or allegation. If the employee at any time has a reasonable belief that disciplinary action against the employee may result from what he/she says, the employee has a right to request that an Employee Liaison be present during the interview. The employee may make the request for the Employee Liaison at any time before or during the interview and may not be disciplined for making the request.

Once a request is made for the presence of an Employee Liaison, the investigator may either (1) grant the request and delay or reschedule the questioning until the Employee Liaison arrives and has an opportunity to consult privately with the employee, or (2) deny the request and end the interview immediately, or (3) give the employee the choice of either (a) having or completing the Initial Inquiry or Investigatory Interview without the presence of the Employee Liaison or (b) ending the Initial Inquiry or Investigatory Interview. If the investigator denies the request for the presence of the Employee Liaison and continues to ask questions the employee may refuse to answer and may not be disciplined for such refusal.

If the investigator grants the request for the presence of the Employee Liaison, when the Liaison arrives the investigator will inform the Liaison of the subject matter of the interview and will allow the Liaison to:

- Meet privately with the employee before questioning begins or continues;
- Speak during the interview;
- Request that the investigator clarify a question being asked;
- Advise the employee on how to answer the investigator’s questions, and
- Following the questioning, provide any additional information or evidence to the investigator.

In exercising the above privileges, the Liaison shall not unduly delay, disrupt or interfere with the interview, argue or bargain over the purpose of the interview or direct the employee not to answer any question or falsify any answer. Once the Liaison has been requested and is present the refusal of the employee to answer the investigator’s questions or to fully cooperate in the investigation, shall be the basis for disciplinary action.

Neither the employee being investigated, nor the Liaison shall interfere with or attempt in any manner whatsoever to obstruct the investigation. Although the employee being investigated and the Liaison may discuss the matter together, neither the employee nor the

Liaison shall discuss the investigation, complaint or allegations directly or indirectly with any other employees, Department personnel or City employees or officials prior to receipt of the Department Head's notice of a disciplinary conference result as provided in Section 16. Any such violation may be the basis for disciplinary action, up to and including termination.

When the employee being questioned is the subject of an Investigatory Interview the following will apply:

- The employee shall be advised of the opportunity to utilize a Liaison and have them present for the interview.
- *The employee* shall be advised of his/her Garrity rights prior to the interview, if necessary.
- *Police officers only* shall be advised of his/her Miranda rights prior to any criminal interview.
- Employee interviews that are believed to lead to criminal charges will be investigated by a law enforcement official.
- The employee shall be advised of the allegations of the complaint prior to the interview.
- The interview shall be at a reasonable hour, preferably just before or after the employee is at work, unless the circumstances of the investigation dictate otherwise.
- The interview shall take place at a location designated by the investigator which shall normally be at the Department facility or other City office.
- Upon request the employee shall be informed of the title and name of the investigator and the identity of all persons present during the interview.
- The employee shall not be subjected to any offensive language, coercion, or promise of reward as inducement to answer questions. Nothing herein is to be construed as to prohibit the investigator from informing the employee that his/her conduct or refusal to answer questions or cooperate in the investigation may become the subject of disciplinary action.
- The complete interview shall be recorded mechanically. There shall be no "off-the-record" conversation except by mutual agreement. All recesses called during the interview shall be noted in the record.
- The employee may request to be given a copy of any audio/visual recording made of the interview. The employee will reimburse the Department for the cost of producing the recording. The request must be made within seventy-two (72) hours of the interview.

Section 11 – Other Rights and Responsibilities of the Employees

Subject to the oversight and approval of the City Manager and the City Attorney, human resources may request the use of the following tools in exceptional circumstances:

- A. **Psychological Evaluation** – The Department Head may, in coordination with the Human Resources office, order any employee to submit to a psychological evaluation whenever the Department Head determines such examination to be necessary to ensure

that no underlying factors are present that would affect the employee's overall ability to perform their duties. The employee will sign a release allowing a "fitness for duty" letter be provided to the Human Resource Office.

- B. **Search and Seizure** – If a search of an employee's home, personal vehicle or other private premises is necessary; the employee shall be given opportunity to sign a Consent to Search Form by a Law Enforcement Officer. If the employee refuses to sign the waiver, any search associated with the investigation shall be in accordance with the Kansas Criminal Code and the Kansas Code of Criminal Procedure.
- C. **Polygraph/CVSA Examinations** – The Department Head may order an employee to submit to a polygraph or computerized voice stress analysis (CVSA) examinations when the examinations are specifically directed and narrowly related to a particular investigation being conducted. Whenever a complaint from a citizen is the basis for the investigation, the matter is non-criminal, and no corroborating information has been discovered, employees shall not be required to submit to a polygraph or CVSA examination unless the complainant also submits to a polygraph or CVSA examination which is specifically directed and narrowly related to the complaint. No employee will be required to sign any document which does not accurately state the conditions under which he/she is taking the examination. No statement of an employee shall be subject to psychological stress evaluation without being advised that the statement will be subject to such before making any statement.
- D. **Cooperation with Investigation or Inquiry** – During an investigation/inquiry, all employees shall fully cooperate with the investigators, and shall truthfully answer all questions asked. The refusal of an employee to answer questions or give a statement during a non-criminal investigation/inquiry may result in disciplinary action. Prior to the issuance of notice of disciplinary conference results as provided in Section 15.2.a, all employees shall refrain from discussion of the inquiry, investigation, complaint or allegation directly or indirectly with any other employee(s), Department personnel and/or official(s); provided, however, nothing set forth in this Section 11.d shall prevent the employee being investigated and the Employee Liaison representing the employee from discussing the investigation with each other. Any violation may be the basis for disciplinary action up to and including termination.
- E. **False Information** – any employee found to have knowingly given false information, or to have concealed information during an investigation will be subject to disciplinary action up to and including termination.
- F. **Failure to Report Misconduct** – Failure of an employee to report observed misconduct may subject the observing employee to disciplinary action up to and including termination.

Section 12 – Notification of the Results of an Investigation

The employee who has been the subject of an Investigatory Interview shall be given a written notification of the results of the investigation. Human Resources, in its discretion, may give notice to reporting parties of disposition, when human resources deems such notice is appropriate.

Section 13 - Documentation & Record Retention

All documents concerning complaints or allegations of misconduct or policy violations by an employee shall be considered confidential. During any investigation no documents relating to the investigation may be removed from the City Manager's assigned investigator's office without the express consent of the Human Resources Department, the City Manager, or upon the written order of a court of competent jurisdiction or as required under the Kansas Open Records Act. All closed internal investigations files shall be retained as required by state and federal law and held in a confidential file in the Human Resource office. Only investigation records which resulted in disciplinary action will be placed in the employee's personnel file in the Human Resource Office.

Section 14 – Removal of Disciplinary Actions from Employee Personnel Files

Documentation of disciplinary actions shall not be removed from an employee's personnel file except at the direction of the City Manager.

Section 15 Procedure for Issuing Discipline

The disciplinary conference is an administrative process which shall be utilized for all forms of discipline except oral reprimand or actions taken during the new hire introductory period. At the request of the employee an Employee Liaison may attend with and represent the employee at any disciplinary conference.

1. The disciplinary conference shall include the following:
 - a. At least twenty-four (24) hours preceding the time of the disciplinary conference a written report shall be provided to the employee or delivered to the employee's last known address, advising of the reasons for the proposed action and shall include a copy of the investigative report. The report shall describe the alleged misconduct leading to the disciplinary action, the violation of any policies or regulations involved, and the level of discipline being proposed. An employee may submit a request to extend the time of the disciplinary conference up to an additional twenty-four (24) hours; the Department Head will not unreasonably deny the request.
 - b. At the time of the conference, the employee and/or the Employee Liaison shall be given an opportunity to respond to the written report and proposed disciplinary action. Any written response from the employee and/or the Employee Liaison shall be placed in the disciplinary file.

2. Within seventy-two (72) hours (exclusive of Saturdays, Sundays and/or recognized City Holidays) of the close of the disciplinary conference, the Department Head or his/her designee shall either,
 - a. provide the employee the written decision of the disciplinary action to be imposed, if any or
 - b. advise the employee in writing that the matter is under advisement and that additional information is being gathered in response to the employee's statements at the time of the conference. An employee shall have twenty-four (24) hours to provide a written rejection of an agreement to extend the time for additional consideration or investigation. If a written rejection is filed by the employee, the person initiating the discipline shall provide a written decision with seven (7) calendar days from the close of the disciplinary hearing. The failure of the employee to attend the disciplinary conference shall constitute the employee's agreement with and consent to the disciplinary action as described in the conference report as provided in subsection 15(2)a, and forfeits the right of further grievance.

Section 16 – Penalties

Penalties listed in Chapter 8, Section 9 of this manual shall be a guide for disciplinary action in the interests of uniformity and fairness. Discipline for sworn officers may also refer to the penalties list and shall be within the prescribed limits in Regulation 2.2 of the Dodge City Police Department Policy and Procedure Manual. The penalty guide in the manual and that of Regulation 2.2 shall in no way limit any penalty which the Department Head may impose.

Whenever taking any disciplinary action (other than Oral Reprimand), a copy of the disciplinary report will be placed in the disciplined employee's Personnel File. A written copy of any written reprimand, suspension, demotion or dismissal shall be provided to the disciplined employee. Repeated violations of the City of Dodge City Personnel Policies Manual or Departmental Policies and Regulations, or any other course of conduct indicating an employee has little or no regard for his/her obligations as an employee of the City shall be a cause for dismissal. This shall apply regardless of the severity of the offenses, regardless of any Reckoning Period, and regardless of whether the violations are of the same type.

Section 17 – Review of Disciplinary Action

Upon receipt of the Department Head's written decision, a non-new hire introductory employee may request a review of such decision to the City Manager by filing a written Request for Review with the Human Resource Office within seven (7) calendar days of receipt of the Department Head's written decision. The Request for Review shall set forth in detail the reasons for the employee's request that the Department Head's written decision be reviewed, as well as any controverted facts and/or interpretations of policy. The request will also state the employee's description of appropriate disciplinary action, if any.

- A. If the disciplinary action involves suspension without pay of nine (9) days or less, the employee may request review of the written decision by the City Manager as provided in Sections 18 below. A hearing pursuant to Section 19 shall not be available to the employee.

- B. If the disciplinary action involves suspension without pay of ten (10) days or more, demotion or dismissal, the employee may request review of the written decision by the City Manager as provided in Section 18, 19 and 20 below. The employee's request for review shall specifically state the reasons that the employee believes the decision to be arbitrary, capricious, unwarranted or unreasonable under the circumstances, and the employee's contention as to the appropriate disciplinary action, if any.
- C. If no Request for Review is timely filed, the Department Head's written decision is deemed final and no further review and/or grievance under this Section may be taken.

Section 18 – Administrative Review

The City Manager shall have thirty (30) calendar days to conduct his/her administrative review of the Department Heads's written decision. The City Manager will have available all documentation regarding the matter and may conduct such additional investigation as the City Manager deems appropriate or necessary to render a decision. The employee shall be afforded the opportunity to personally meet with the City Manager, along with the Employee Liaison, if the employee so chooses. In the absence of a hearing under Section 19 below the City Manager will render a decision no later than thirty (30) days following the conclusion of the administrative review.

Section 19 – Hearing Procedure

As part of the Administrative Review, and when required by Section 17.b, the City Manager shall afford the employee a hearing conducted by the City Manager at a date and time established by the City Manager. The employee shall be notified of the time and place of the hearing in writing at least seven (7) days in advance of the hearing, unless a shorter time frame is agreed to by the employee. An Employee Liaison and/or an attorney may represent the employee at the hearing, and the City Attorney may represent the City. The City and the employee will exchange lists of all anticipated witnesses at least forty-eight (48) hours in advance of the hearing. The City Manager, at his /her discretion, may adjourn and re-convene the hearing as the needs of the parties may require.

A record will be made of the hearing either by court reporter or by audio recording. Any fees for court reporter services shall be shared equally between the employee and the City.

If proceedings occur during normal working hours of the employee, the employee shall be in pay status, unless the employee has been suspended without pay.

Within thirty (30) days of the conclusion of the hearing, the City Manager will render a decision in writing, which shall be submitted to the employee with a copy to the Department Head. The City Manager may request an extension of up to an additional fourteen (14) calendar days, which request shall not be unreasonably refused. A copy of the decision will be included in the employee's personnel file.

Section 20 – Court Grievance

The employee may seek judicial review of the City Manager's decision by the Ford County District Court, but only after exhausting the applicable administrative review procedures as set forth in Section 18. The judicial review, if pursued, must be filed with the District Court no later than thirty (30) days following the date of the City Manager's decision, otherwise the City Manager's decision is final.

Section 21 – Release of Findings

When a final determination of disciplinary action has been made and all grievances are concluded, a notice will be posted for Department staff stating the policy(ies) violated, the corresponding penalty code (if applicable) and range of potential discipline, the date the violation occurred, the date the disciplinary conference occurred or the date the investigation was closed (if not sustained), and the disciplinary action taken (if sustained). No other information will be included in this posting.

CHAPTER 9 - SEPARATIONS

Any employee may be separated from the service of the City by any methods described in **Section 1** through **Section 8**.

Section 1 – Resignations

An employee who resigns his/her employment with the City shall be deemed to be separated in good standing if he/she gives reasonable notice in writing to the Department Head of his/her intention to resign and if other circumstances of the separation are such to justify good standing. Reasonable notice shall be two (2) weeks, not to include any vacation days, unless extenuating circumstances exist. The Department Head will in turn notify the City Manager and the Human Resource Office of the employee's resignation.

Section 2 – Compulsory Resignation

All employees of the City shall be on duty at the time indicated by the rules and under the conditions of their employment. An employee who is absent without approved leave, shall be deemed to have resigned the position through job abandonment. Such resignation is not in good standing, and the employee shall not be eligible for re-employment.

Section 3 – Dismissal

An employee may be dismissed for any circumstance/situation set forth in, but not limited to Chapter 8, Section 9

Section 4 – Death

In the event of a current employee's death, the employee's legal beneficiary shall be eligible to receive payment for his or her accumulated pay and benefits within a reasonable period of time.

Section 5 – Retirement

Retirement from City Service is usually a voluntary separation occurring when an employee attains the appropriate years of service and age to qualify them for benefits under the Kansas Public Employees Retirement System (KPERS) or Kansas Police and Fire Retirement System (KP&F). Employees with questions regarding the retirement system should contact the Director of Finance, the City's Designated Agent.

Section 6 – Abolition of Position and Reduction in Labor Force

The City Manager may require the abolition of any position or reduction in the labor force. Competition for retention is limited to employees in good standing holding similar positions and selection will be based on performance. Decisions regarding a reduction in force are at the discretion of the City Manager.

Section 7 – Separation for Medical or Psychological Reasons

An employee's employment may be terminated based upon the advice of an appointed physician or psychologist, when it is determined the employee's performance of the essential functions of the position, with or without reasonable accommodation, is unsatisfactory because of physical or mental impairment.

Section 8 – Loss of Job Requirements

Any employee who is unable to perform his or her job adequately because of loss of, or failure to obtain, a necessary license or other requirement may be dismissed.

Section 9 – City Owned Equipment and Employment Separation

Upon separation, any employee who has City owned property, including but not limited to keys, uniforms, merchandise, tools of the trade or profession, personal safety equipment, computers, electronic devices, mobile phones, etc. shall return the property to the appropriate department immediately. Failure to return City owned equipment may result in criminal prosecution and or the withholding of earned wages that are in excess of minimum wage until any and all property of the City is returned by the employee.

CHAPTER 10 - GRIEVANCES

It is the intent of this chapter to provide guidelines for processing and reviewing an employee grievance. It does not create a vested employee right or contractual obligation to continued employment.

Section 1 – Policy

Effectively accomplishing the work of the City requires prompt consideration and equitable resolution of employee complaints. Both supervisory and non-supervisory employees shall make every effort to resolve problems informally as they arise. However, it is recognized there may be situations which will only be resolved by a formal grievance process.

Section 2 – Grievance Definition

A grievance is defined as a written expression of dissatisfaction by an employee related to the terms and conditions of employment. Complaints arising from the following actions will not be accepted or processed under this procedure:

1. The selection or hiring of an applicant.
2. Disciplinary actions issued directly from the City Manager. (See Chapter 8 of this manual).
3. Layoffs due to reduction in force or abolition of position.
4. Management's prerogative to assign reasonable duties and responsibilities to employees.
5. Wage/compensation issues pertaining to the validity of established salary ranges of the City pay plan or an employee's placement within the plan (See Chapter 2, Section 4 of this manual).
6. Departmental/divisional reorganizations.
7. Management's prerogative to determine the services and level of services to be offered by the City.
8. Management's prerogative to determine the number of employees deemed necessary.
9. Management's prerogative to schedule overtime as necessary.

Section 3 – General Provisions

- Grievances must be submitted in writing on a form provided by the Human Resource Office. All responses and appeals must also be in writing.
- Only Regular Full-Time and Regular Part-Time employees, who have completed any introductory period of employment and any extensions thereof, may utilize the Grievance Procedure.
- Grievances may be initiated only by the employee concerned.

- Repeated filing of grievances concerning an issue which has already been addressed by the grievance procedure will not be considered.
- Should a number of employees file separate grievances concerning the same matter, those grievances may be consolidated. A final determination on a consolidated grievance shall be binding on all grievants.
- Due to the on-going nature of some issues and the fact that employees are encouraged to attempt to resolve issues with their immediate supervisors, there is no set time limit on how long an employee has to request a grievance for a particular issue. However, employees should submit the request for grievance within a reasonable amount of time, normally a few weeks, of becoming aware of the issue and being unable to resolve it with lower-level supervisors. Grievances relating to issues which are considered unreasonably far in the past may be rejected.
- All grievances will be handled upward through supervisory channels. No employee will seek resolution to any grievance outside the procedure set forth herein. Taking any issue directly to the City Manager or a member of the City Commission is prohibited under most circumstances and may be grounds for disciplinary action.
- Any supervisory personnel involved in the grievance procedure may meet with City staff and other witnesses without the aggrieved employee present to determine facts related to the grievance.
- The grievance procedure is an internal administrative review of a contested situation and as such legal counsel or other representation shall not be present during any phase of the grievance process. Findings made during the grievance process are not subject to public release.

Section 4 – Formal Grievance Procedure

The Human Resource Office will assist any employee in interpreting the grievance procedure and/or in completing paperwork relating to the grievance procedure.

In the event a grievance cannot be resolved informally by the employee's lower-level supervisors, an eligible employee may initiate the formal grievance procedure. The grievance procedure will begin at the Department Head level. If the time limit for responding to a Department Head recommendation is not met by an employee, the Department Head's recommendation to resolve the dispute shall become the final resolution to the grievance and further proceedings shall be deemed waived or forfeited. If the Department Head fails to respond to the grievance within ten (10) administrative working days, the failure shall be deemed a denial, and the employee may proceed to Level 2 of the grievance process. Either the Department Head or the City Manager may extend the ten (10) administrative working day response time if conditions do not allow a complete investigation of the grievance within the time period allowed. The employee will be notified that an extension will occur as well as the length of the extension. All grievance resolutions shall be forwarded to the Human Resource Office.

A record will be made of any hearing with a supervisor, Department Head or the City Manager by an audio recording device.

If proceedings occur during normal working hours of the employee, the employee shall be in pay status, unless the employee has been suspended without pay.

A step-by-step breakdown of the process follows.

LEVEL 1

Step 1: An employee with a grievance shall submit the grievance in writing on a form provided by the Human Resource Office to the Human Resource Office. The Human Resource Office will forward the grievance to the Department Head.

Step 2: Within ten (10) administrative working days of receiving the grievance the Department Head will;

1. Investigate the grievance and may meet with the employee and lower-level supervisors. The Department Head will document his/her response to the grievance in writing. This response will include whether a resolution was or was not reached, along with the attempt at resolution. A copy of this document shall be provided to the employee and the employee will sign the document to indicate it was received. The employee will state on the document whether they accept or reject the recommended resolution. If the employee rejects the resolution, they may proceed to Level 2; or
2. If the Department Head is not able to adequately investigate the grievance within the ten (10) administrative working days, he/she may request an extension in writing from Human Resources; or
3. If the Department Head fails to request an extension or to respond to the grievance within ten (10) days of receiving the grievance, the employee may proceed to Level 2.

LEVEL 2.

Step 1: If the Department Head fails to respond to the grievance within the allotted time, or the recommended resolution is not acceptable to the employee, the employee may, within five (5) administrative working days, appeal the Department Head's decision to the City Manager for final administrative review. The employee will submit this request in writing to the Human Resource Office along with copies of all the documentation relating to lower level attempts to resolve the issue.

Step 2: Upon receipt of a request for a final administrative resolution, the Human Resource Office will submit the request, along with all relevant documents and attempts at resolution to the City Manager or his/her designee. The City Manager or his/her designee, within ten (10) administrative working days, will state in writing a final resolution to the grievance. A copy of the decision will be provided to the employee and the Department Head. The City Manager's or his/her designee will attempt to arrange a mutually agreeable time to meet with the employee in person prior to rendering a decision.

A copy of the grievance, and a copy of the decision shall be filed with the Human Resource Office with copies included in the employee's personnel record.

Section 5 – No Prejudice Clause

The filing of a legitimate grievance by an employee pursuant to these rules shall in no way jeopardize the employee with regard to his/her employment with the City. Retaliation against an employee for filing a legitimate grievance is strictly prohibited.

Section 6 – Court Appeal

The employee may seek judicial review of the City Manager's decision by the Ford County District Court, but only after exhausting the applicable administrative review procedures as set forth in Chapter 10, Section 4. The judicial review, if pursued, must be filed with the District Court no later than thirty (30) days following the date of the City Manager's decision, otherwise the City Manager's decision is final.

Section 7 – Release of Findings

When a final determination of a grievance action has been made and all appeals are concluded, a notice will be posted for the impacted Department staff stating the basis for the grievance and a summary of the resolution.

CHAPTER 11 - RECORDS AND REPORTS

Section 1 – Employee Records Confidentiality Philosophy

It is the City's intent to safeguard personal employee information in its possession to ensure the confidentiality of the information. Additionally, the City will only collect personal information required to pursue its operations and comply with government reporting and disclosure requirements. Personal information collected by the City includes, but is not limited to, employee names, addresses, telephone numbers, e-mail addresses, emergency contact information, EEO data, social security numbers, date of birth, employment eligibility data, benefits plan enrollment information, which may include dependent personal information, and education or certification credentials.

Personal employee information will be considered confidential and as such will be shared only as required by law and with those who have a need to have access to such information. Participants in benefit plans should be aware personal information will be shared with plan providers as required for their claim handling or record keeping needs.

City assigned information, which may include organizational charts, staff rosters, job titles, budgets, coding and recording systems, telephone directories, e-mail listings and similar materials, is considered by the City to be proprietary City information. The City maintains the right to communicate and distribute such information as it deems necessary to conduct operations.

If an employee becomes aware of a material breach in maintaining the confidentiality of his/her personal information, the employee should immediately report the incident to the Human Resource Office. The Human Resource Office has the responsibility to investigate the incident and take corrective action, if necessary. Examples of the release of personal employee information that will not be considered a breach include, but are not limited to, the following:

- Release of partial employee birth dates, i.e., day and month is not considered confidential and will be shared to allow recognition of employees on their birthdates.
- Personal phone numbers and addresses may be distributed to facilitate work schedules, emergency notifications, and City operations.
- Employment anniversaries and service recognition information.
- Employee and dependent information may be distributed in accordance with enrollment processes for benefit plans or periodic benefit statement updates.
- Salary, but only upon receipt of an open records request or appropriate release.

Section 2 – Personnel Transactions

All appointments, separations and other personnel transactions shall be made on standard forms designated or approved by the Human Resource Office. The information contained in a

personnel file is the property of the City of Dodge City. A file shall be prepared and maintained for each employee and information may be maintained in its original form or in any other duplicate form the Human Resource Office deems appropriate.

Section 3 – Public Inspection

All personnel records of employees covered under these policies and all other records and materials relating to the administration of personnel policies shall be considered confidential and the property of the City of Dodge City. Information which is obtained in the course of official duties shall not be released by anyone except the City Manager, Assistant City Manager, City Clerk or Human Resource Office staff.

The following information relative to employees and former employees is available for public inspection at reasonable times and in accordance with such procedures as the Human Resource Office may prescribe: name, class, title, employment dates, eligibility for rehire and salary. Other records including selection records, performance evaluations, and disciplinary records are accessible only to the City Manager, Assistant City Manager, Human Resource Office, appropriate supervisors and the employee involved.

Section 4 – Employee Inspection

Employees who wish to inspect their personnel file may do so by appointment during regular office hours of City Hall. Inspection of an employee's personnel file by that employee shall be in the Human Resource Office. An employee may not remove documents from the Human Resource Office. An employee may not duplicate information found in their files except with the consent and authorization of the Human Resource Office. The Human Resource Office shall have the discretion to determine what information may be duplicated.

Section 5 – Reference Checks

Upon receiving a written request from a prospective employer and signed authorization by the employee, the City of Dodge City may respond to the prospective employer regarding the reasons for an employee's separation from the City and written employee evaluations received by the employee. Otherwise, only the information outlined in Section 3 of this chapter shall be released.

All requests for reference checks shall be treated as confidential and will be referred to the Human Resource Office. Only the Human Resource Office shall provide such information. Violation of this policy may result in disciplinary action up to and including dismissal from employment.

Section 6 – Release of Medical Records

Employee medical records shall not be released by the City of Dodge City under any circumstances absent a signed authorization by the employee or a valid court order. Employees may request release of employment related medical records from the Designated Physician or the Worker's Compensation Administrator.

Section 7 – Retention of Files

Employee service records shall be retained following termination of employment. Such information may be kept in the original form or in any duplicate form the Human Resource Office deems appropriate.

CHAPTER 12 - ATTENDANCE

Section 1 – Hours of Work Prior to Overtime

Work periods and maximum hours of work prior to overtime being paid are established by the Fair Labor Standards Act (FLSA) and have been adopted by the City Commission through resolution. The currently established work periods and maximum hours of work prior to overtime are defined in the following table for the specified positions. Under certain circumstances involving Fire Department personnel only, half time may be paid.

WORK PERIOD IN DAYS	HOURS WORKED PRIOR TO OVERTIME	POSITIONS IN SPECIFIC WORK PERIOD
15	114	Partially exempt Fire Personnel
28	171	Partially exempt Sworn Law Enforcement Personnel
7	40	All other positions

The City reserves the right to change the above work periods or hours worked. Employees shall only exceed the specified hours worked when overtime work is necessary to carry out the essential services of the City. The authorization and control of overtime work is the direct responsibility of the Department Head.

Section 2 – Attendance

Scheduling employees for work shall be the responsibility of the department in which the employee is employed. All employees shall be at their work when scheduled in accordance with general and departmental regulations and policies. In the event an employee will be late for work it is the responsibility of the employee to notify his/her supervisor as soon as possible.

Section 3 – Fitness for Duty

Employees shall report for work in condition, mentally and physically, to perform the work to which they are assigned. If an employee reports for work in an impaired condition, due to consumption of alcohol or use of a controlled substance, the employee shall be subject to disciplinary action up to and including dismissal.

The City may require an employee who has utilized PTO for a serious non-work-related injury or illness or whose healthcare provider recommends a short term light duty status to provide a return to work, or “fitness –for-duty certification” from the employee’s health care

provider. This certification must state that the employee is able to resume work in a defined light duty capacity. The City may request a fitness-for-duty certification only regarding the health condition that caused the employee's need for PTO. Light duty is at the sole discretion of the City. If light duty is available, the City may require an employee to complete a fitness for duty certification when they are released to their regular duties. An employee's return to work may be delayed until the fitness-for-duty certification is provided and evaluated by the City's designated medical provider. The City may request a second opinion by asking the City Designated Physician to provide a fitness for duty certification at the City's expense.

Section 4 – On-Call and Emergency Call Back Procedures

Certain departments and divisions will routinely require some employees to be assigned **On-Call status** for response to situations occurring outside regular duty hours. Employees assigned on-call status must remain prepared to respond. They are required to remain fit for duty while on-call and must respond within the time constraints specified. On-call employees receive a base compensation for being on-call plus their regular rate of pay for a physical response if called. Hours worked in an on-call situation may be eligible for overtime payment if the employee actually works more than the specified hours in the work period during which the on-call duties occurred. Duties and compensation of on-call employees will vary by department and division. Employees should refer to their department /division policies and procedures for more information.

Emergency call-back occurs when unplanned circumstances result in the need for selected City employees to report for work. Employee response in a call back situation is on a voluntary basis. Employees are not restricted in their movement or use of off-duty hours due to the possibility of emergency call-back. Employees who respond to emergency call-back shall be compensated at their regular rate of pay except that the employee will be paid for no less than two (2) hours of work even if the call back work period is less than two (2) hours in length. However, if the employee is called back again within an eight (8) hour period of completing an emergency call-back they will be paid for actual time worked and the two (2) hour minimum shall not apply to the additional call-back. Hours worked in a call-back situation may be eligible for overtime payment if the employee actually works more than the specified hours in the work period during which the call-back occurred. Employees shall, in the event of a response to an emergency call-back, be subject to all personnel policy provisions including, but not limited to, fitness for duty requirements. If an employee is not fit for duty, they will not respond to an emergency call-back and no supervisor will order or encourage the employee to respond.

Incidental calls to a City employee for information or assistance which can be resolved by telephone without a physical response will not be compensated under either on-call or emergency call-back policies and/or procedures.

Section 5 – Attendance Records

Records of employee attendance at work shall be maintained by each department. Records shall indicate the days an employee works, type of leave taken, etc. Exempt employee records shall designate days of leave taken only in half day (four (4) hour increments) or greater. Nonexempt employee records shall indicate hours of leave and hours of work per day in no less than fifteen (15) minute increments.

CHAPTER 13 – LEAVE

Section 1 – Purpose and Scope

The purpose of a leave policy is to provide for paid and unpaid time off from employment and to provide a system for requesting time off. All requests for leave must be made to the requesting employee's appropriate supervisor in accordance with City, departmental or divisional procedures.

All regular full-time employees are eligible for leave under the provisions in this chapter. Regular part-time and temporary full-time are eligible on a limited basis. Temporary part-time and seasonal employees are not eligible for leave.

Section 2 - Paid-time-off (PTO)

In recognition of the varying work schedules of City employees and each employee's diverse need for time away from work, the City provides a general leave policy of paid-time-off (PTO). PTO shall be accrued by full-time and regular part-time employees to use for vacations, illness, on or off the job injuries, medical/dental appointments, personal business, childcare problems, pregnancies, for care of immediate family members, funerals, or for any other valid absence as determined by the employee's supervisor.

All new hires after December 25, 2023 will be on the PTO method of leave. Any employee hired prior to December 25, 2023 not selecting PTO as their method of leave by the 2024 open enrollment period will be subject to the previous policy in effect on December 24, 2023. That policy can be found as an addendum to this document. Any employee not selecting PTO cannot change leave methods after December 25, 2023 unless they leave employment and are considered for rehire.

PTO Accrual Rate and Process - City of Dodge City employees shall accrue the following amount of PTO on a biweekly basis and regular part-time employees will accrue PTO on a prorated basis dependent upon hours worked:

All Employees Except Partially Exempt Fire Personnel	PTO Bi-weekly Accrual	Maximum accrued PTO Hours per year
From Date of Hire	6.78	176.28
After 182 Pay Periods	8.31*	216.06*
After 390 Pay Periods	9.85	256.1

Partially Exempt Fire Personnel Only	PTO Bi-weekly Accrual	Maximum accrued PTO Hours per year
From Date of Hire	9.83	255.58
After 182 Pay Periods	12.17*	316.42*
After 390 Pay Periods	14.5	377

PTO Accrual During Absence - Employees will not accrue PTO after two weeks of absence from the job. Employees will not accrue PTO for any leave without pay (including disciplinary suspensions) or anytime during which Short Term Leave is being paid to the employee.

Maximum Accumulation of Paid Time Off. All employees shall have a maximum amount of PTO accrual equal to the number of hours listed below. Employees who exceed the accrual maximum shall not be credited with further PTO accrual until their accruals are reduced below the maximum accrual level. A waiver of the maximum accumulation rule may be granted under special circumstances with the permission of the City Manager or his designee.

All Employees Except Partially Exempt Fire Dept. Personnel	Maximum Accruals
From Date of Hire	360.185
After 182 Pay Periods	472.2*
After 390 Pay Periods	512.2

Partially Exempt Fire Personnel Only	Maximum Accruals
From Date of Hire	633.108
After 182 Pay Periods	693.948*
After 390 Pay Periods	753.948

*All employees hired after approval of this document will be subject to a maximum biweekly accrual of 8.31 and 12.17 biweekly and a maximum accrual of 472.2 hours and 693.948 hours respectively.

Scheduling of PTO.

- a. **Scheduled PTO** - The scheduling of time off shall be at the discretion of the supervisor based upon operational consideration. Every effort will be made to accommodate the employee's requested date for PTO. PTO must have the prior approval of the employee's supervisor.
- b. **Unscheduled PTO** - Employees are to request PTO in advance whenever possible and in accordance with their department's policies. If advanced notice is not given in accordance with their department's policies, it shall be called unscheduled PTO. The abuse of unscheduled PTO, which may be considered excessive by the supervisor, shall be investigated and the employee may be subject to disciplinary action. Employees may be required to furnish medical verification to prove that unscheduled leave was unavoidable. Note: Use of more than 3 days annually maybe considered excessive by the supervisor.

Exhaustion of PTO. Any employee who is sick or temporarily disabled and who has exhausted all PTO and holiday banks if applicable may request additional PTO. Requests must

be made in writing and are subject to approval by the Department Head and City Manager or his/her designee. Factors to be considered in approval will include, but are not limited to, the employee's length and quality of past service and patterns of past PTO usage. Upon approval, the employee may be granted additional PTO up to two weeks. The employee will be required to repay this loan from his/her accrued PTO upon return to full-time employment.

Pay for PTO Accrued – An employee leaving City employment shall be compensated for PTO accrued and unused. This compensation shall be paid at the employee's base rate of pay at the time of termination.

Section 3 – Holiday Pay

The following days are designated as official paid holidays for all regular full-time employees in City Service:

January 1	New Year's Day
Third Monday in January	Martin Luther King Jr's Birthday
Last Monday in May	Memorial Day
July 4	Independence Day
First Monday in September	Labor Day
November 11	Veteran's Day
Fourth Thursday in November	Thanksgiving Day
Fourth Friday in November	Day after Thanksgiving
December 24, after 12:00 noon	Christmas Eve
December 25	Christmas Day
December 31, after 12:00 noon	New Year's Eve

If one of these holidays falls on a Saturday, the preceding Friday shall be designated as the official holiday. If one of these holidays fall on a Sunday, the following Monday shall be designated as the official holiday. Exceptions to this rule may be granted by the City Manager insofar as the rule is uniformly applied.

Regular full-time employees accrue nine (9) hours pay for holidays that fall on Monday through Thursday , with four (4) hours pay for holidays that fall on Friday. In regard, to half day holidays such as New Years Eve and Christmas Eve full time employees will accrue four (4.) hours.. Partially exempt Fire Department personnel accrue 11.2 hours pay for holidays. Regular part-time employees are paid for holidays on a prorated basis depending upon hours worked. For employees to receive holiday pay, they must work their regularly scheduled days before and after the holiday or be on approved leave. In the event an employee terminates after utilizing the benefit of a holiday and prior to satisfactory holiday accruals, pay for accrued Paid Time Off shall be reduced by an amount equal to that paid for the holiday. If there is insufficient Paid Time Off leave accrued, the amount shall be deducted from the employee's final pay for hours worked.

With the exception of the Fire Department, departments that are required to maintain operations on designated City holidays shall award employees who work on those holidays floating holidays in lieu of extra compensation for the holiday. Police employees, classified as partially exempt under Section 207 (k) of the Fair Labor Standards Act (FLSA), shall have all City designated holidays classified as floating holidays. Floating holidays shall be utilized within the same or following pay period if reasonably possible. Departmental policies shall be followed when scheduling floating holidays. Floating holidays may be scheduled prior to the actual holiday occurring but may not be taken prior to the calendar year in which the holiday occurs. In the event an employee terminates after utilizing the benefit of a floating holiday and prior to the actual holiday occurring, pay for accrued Paid Time Off shall be reduced by an amount equal to that paid for the floating holiday. If there is insufficient Paid Time Off leave accrued, the amount shall be deducted from the employee's final pay for hours worked.

Holidays which occur during Paid Time Off leave shall not be charged against Paid Time Off leave.

Section 4 - Leave Without Pay

In the event that an employee must be off the job but does not have a sufficient amount of PTO time available, the employee may submit a leave request for leave without pay. The approval or non-approval of such request will be determined by the employee's Department Head with final approval or non-approval by the City Manager or his designee. All PTO must be used before taking time off without pay, except in the case of military leave. The following shall be applied to any employee utilizing leave without pay:

- 1) Paid Time Off shall not accrue.
- 2) Payments typically paid by payroll deduction are the employee's responsibility for payment.
- 3) If in effect, employer paid health, dental, and life insurance shall be continued during this leave, provided any employee contribution obligations are made unless dictated by the applicable policy.
- 4) Flexible spending account annual election will be reduced by the biweekly contribution amount for which no withholding is made. If an employee has exhausted their spending account prior to being authorized leave without pay, the City reserves the right to either recalculate the biweekly election amount based on the remaining pay periods in the benefit year after the employee returns to work or require the employee to reimburse the flexible spending account fund the contribution amount for which no withholding was made, prior to the employee returning to work.
- 5) For the purpose of Cafeteria benefits, unpaid leave, if for a qualifying event, will be considered a change in family status with all rights associated with a change in family status applying, discontinuing of coverage, interruption of contribution to flexible spending accounts, election changes, etc. Should an employee elect to discontinue contributions to the Flexible spending account, expenses incurred during the unpaid leave shall not be eligible for reimbursement.

Section 5 - PTO Bank

An Employee PTO Bank is available for catastrophic illnesses and disabilities which do not yet qualify for Short Term Leave Coverage or Long-Term Disability Coverage through KPERS/KP&F. The bank may be petitioned for a grant of PTO after the employee has exhausted all PTO leave due to illness or disability and has received and exhausted the two-week loan of PTO. Decisions on granting PTO from the bank are made by committee and factors to be considered in approval will include, but are not limited to, the employee's length and quality of past service and patterns of past PTO usage. Employees may contact the Finance Director for additional information and restrictions.

The PTO Bank may not be used to satisfy the waiting period of Short-Term Leave. The PTO Bank may not be used in place of submitting a Short-Term Leave request.

Section 6 - Maternity/Paternity Leave

Employees shall be granted maternity or paternity leave in accordance with the Family Medical Leave Act (FMLA) as outlined in Section 9. The employee will be required to use accrued paid-time-off (PTO) for the first two weeks of leave and/or, if eligible, short-term leave in accordance with Section 8, not to exceed 4 weeks of STL. An employee will be expected to return to work in accordance with the FMLA.

Lactation Accommodations. Employees shall be provided reasonable time to express milk while at work for up to one year following the child's birth. When possible, employees should use usual break and meal periods for expressing milk. If additional time is needed beyond the provided breaks, employees may use PTO or may make up the time as agreed upon with their supervisors. Employees will be provided a private place to express milk. No employees shall be harassed or discriminated against for expressing milk during the work period. Any employee requesting lactation accommodations should contact Human Resources.

Section 7 - Worker's Compensation Act and Injury Leave.

Employees injured on the job are covered by the Kansas State Workers Compensation Act, see Chapter 19. This law provides specific benefits. The employee may use PTO leave for injury leave during the Workers Compensation Benefit waiting period as explained in Section 2 of this Chapter.

In the event, that the employee is removed from regular and/or light duty by the City's Designated Physician, for a period not to exceed twenty-six (26) weeks, the following procedure will be followed:

- A. The supervisor shall report the employee's hours for those twenty-six (26) weeks as Injury Leave (IL) on the respective time sheet. The employee will continue to receive their current gross pay, excluding overtime from the City.

- B. The employee will endorse the Workers Compensation benefit check and return it to the City.
- C. If the employee chooses to accept the Workers Compensation benefit check instead of the City compensation, the employee must notify the Human Resources Office immediately.

In the event, that the employee is removed from regular and/or light duty by the City's Designated Physician, for a period in excess of twenty-six (26) weeks, the employee, may use PTO leave to replace the exhausted injury leave under the following provision:

If the employee's current gross pay, excluding overtime, is greater than the maximum benefit paid by Workers Compensation, the employee may be eligible, upon written request with the approval of the Department Head and the City Manager or his/her designee, to use PTO leave to make up the difference in gross pay. Under no circumstances shall the sum of the Workers Compensation benefit plus the allowed sick leave exceed an employee's regular gross pay.

Additional provisions of injury leave beyond the twenty-six (26) week period shall include:

- A. PTO shall continue to accrue.
- B. Insurance premiums typically paid by payroll reduction are the employee's responsibility for payment.
- C. Flexible spending account annual election will be reduced by the biweekly contribution amount for which no withholding is made. If the employee has exhausted the spending account prior to being granted leave without pay, the City reserves the right to either recalculate the biweekly election amount based on the remaining pay periods in the benefit year after the employee returns to work, or require the employee to reimburse the flexible spending account fund the contribution amount for which no withholding was made, prior to the employee returning to work.

Employees are reminded that if an injury results from the employee's deliberate intention to cause such injury; or from the employee's willful failure to follow proper safety procedures, any compensation in respect to that injury shall be disallowed.

Section 8 - Short-Term Leave

The short-term leave (STL) plan for the City of Dodge City is designed to protect employees against lost wages due to a disability or for care of a disabled family member, as defined in Section 2 above. In order to qualify for STL the employee must have complied under the provisions outlined below, STL will provide the employee with 100% of the employee's gross weekly wages (as determined as of date of qualifying event):

1. STL coverage for new full-time employees will take effect on the first of the month following a 90-day waiting period.

2. The administrator of the STL plan will be the Human Resources Office. The office reserves the right to request a second opinion at the employer's expense, or to investigate a claim as the employer sees fit at any time. The City Manager has final authority to approve all requests for STL.
3. Employees that anticipate the employee will be off work for more than two weeks due to a non-work-related injury, illness or pregnancy, or for care of a disabled family member as defined in Section 2 above, should contact the office of Human Resources as soon as feasibly possible in order to process the necessary paperwork. Failure to do so may cause the employee to be off work for a period of time without pay due to the processing time required.
4. Claims will be considered if they meet the standards for a FMLA qualifying event (See Section 9 below). All claims must be supported by sufficient documentation from a medical consultant, identifying the nature of the injury or illness, the short and long-term prognosis, and the anticipated length of time the employee will be required to be off work. The administrator of the STL plan reserves the right to request additional information from the employee and medical consultant if it is necessary to make a determination relative to the claim.
5. Employees who qualify for STL will receive 100% of their salary paid to the employee through payroll after 14 days off work due to a disability or illness due to a qualifying event.
6. At no time should an employee use Paid Time Off and receive STL benefits simultaneously.
7. STL claims shall not exceed 6 months for any individual qualifying event unless otherwise stated.
 - a. STL is limited to 4 weeks for Maternity/Paternity leave.
 - b. STL cannot be utilized for claims outside of the United States if the same services are provided in the United States.
 - c. STL Claims that cannot be completed within the United States are limited to FMLA requirements of up to 12 weeks of leave, if acceptable documentation can be provided.

Section 9 - Family and Medical Leave

If an employee has questions or needs assistance regarding the Family and Medical Leave Act of 1993(FMLA) or FMLA Leave, the Human Resource Office should be contacted. Definitions of family members, serious health conditions, and other terms as utilized in this policy can be obtained from the Human Resource Office. Applicable forms for requesting FMLA Leave and certification of serious health condition are available through the Human Resource Office.

The City will provide for FMLA Leave for eligible employees consistent with the FMLA. All eligible employees shall be granted up to twelve (12) work weeks of FMLA Leave during a

rolling twelve (12) month period measured backwards from the date any qualifying FMLA Leave is taken, and continuing with each additional leave day taken under this policy. FMLA Leave may be paid, unpaid, or a combination of paid and unpaid leave, depending upon the circumstances of the leave and as specified in this policy. Eligible employees are entitled to:

Twelve workweeks of leave in a 12-month period for:

1. the birth of a child and to care for the newborn child within one year of birth;
2. the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
3. to care for the employee's spouse, child, or parent who has a serious health condition;
4. a serious health condition that makes the employee unable to perform the essential functions of his or her job; or
5. any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty."

Eligible employees are entitled to twenty-six workweeks of leave during a single 12-month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember's spouse, son, daughter, parent, or next of kin (military caregiver leave).

The U.S. Department of Labor's Wage and Hour Division has announced a Final Rule to revise the definition of spouse under the Family and Medical Leave Act of 1993 (FMLA) in light of the United States Supreme Court's decision in *United States v. Windsor*, which found section 3 of the Defense of Marriage Act (DOMA) to be unconstitutional. The Final Rule amends the definition of spouse so that eligible employees in legal same-sex marriages will be able to take FMLA leave to care for their spouse or family member, regardless of where they live.

An eligible employee who is the spouse, child, parent, or next of kin of a covered military servicemember who is recovering from a serious illness or injury sustained or aggravated in the line of duty or of a veteran being treated for, recuperating from or receiving therapy for any serious injuries or illnesses which occurred within the preceding five (5) years and was caused or aggravated by military service shall be granted up to twenty-six (26) work-weeks of unpaid FMLA Leave during a rolling twelve (12) month period measured backwards from the date any qualifying FMLA Leave is taken and continuing with each additional leave day taken under this policy to provide care for that servicemember. This military caregiver leave is available during a single twelve (12) month period and the eligible employee is entitled to a combined total of twenty-six (26) weeks of all types of FMLA Leave.

FMLA Leave taken in conjunction with the birth or placement of a child must be taken in one continuous period of time and concluded within one (1) year of the birth or placement of a son or daughter, to bond with a newborn or newly placed son or daughter, or to care for a son or daughter with a serious health condition. FMLA Leave taken for an employee's or family member's serious health condition may be taken on an intermittent or reduced schedule when medically necessary. If such intermittent or reduced schedule leave is medically necessary, a medical certification is required outlining such need. Military Caregiver leave may be taken on

an intermittent or reduced schedule when approved by the department head. Intermittent or reduced schedule leave must be scheduled with supervisor/department head prior knowledge and schedule approval. The City may transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

Employees, upon request of FMLA Leave for a serious health condition of themselves or a family member, shall provide certification of the serious health condition prior to the beginning of leave. This certification shall be completed and signed by a licensed health care provider. If the certification is for the employee's own serious health condition it must state that the employee cannot perform the functions of his/her job and give an estimated return-to-work date. If the certification is for a family member, it must state the employee is needed to assist in the patient's care and give an estimate of the amount of time the employee will be needed. If the City questions the validity of the certification, the City may contact the health care provider for clarification and/or require a medical opinion from a second health care provider chosen and paid for by the City. If the second opinion is different from the first, the City may require the opinion of a third provider paid for by the City. The opinion of the third provider will be binding. A serious health condition is defined as a condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition that requires continuing care by a licensed health care provider. This policy covers illnesses of a serious and long-term nature, resulting in recurring or lengthy absences. Generally, a chronic or long-term health condition, which, if left untreated, would result in a period of incapacity of more than three (3) days, would be considered a serious health condition. Employees with questions regarding what illnesses are covered under this FMLA Leave policy are encouraged to consult with the Human Resource Office.

An employee's twelve (12) week FMLA Leave entitlement will run concurrently with any employee absence resulting from a worker's compensation claim.

General Provisions of Family Medical Leave - Employees are eligible for FMLA Leave if they have worked for the City of Dodge City a minimum of twelve (12) months, which need not be consecutive, and have worked at least 1,250 hours during the twelve (12) month period immediately preceding the date when the FMLA Leave is requested to commence. Paid Time Off or unpaid leave taken during the preceding twelve (12) months does not count towards the 1,250 hours.

At the City's option, paid leave may be combined or substituted for unpaid leave. If this occurs, the total amount of leave utilized may not exceed twelve (12) weeks or twenty-six (26) weeks in the case of Military Caregiver leave. Should an employee not return to work after unpaid FMLA Leave is utilized, the City has the right to recover the cost of the health and dental insurance premiums paid on the employee's behalf during the duration of the unpaid leave, unless the failure to return is due to continuation of a serious health condition or for reasons outside the employee's control. Other payments normally made by the employee through payroll deduction will be managed as explained in Section 4— Leave without Pay or if an employee elects to take unpaid FMLA Leave.

Spouses who both work for the City may receive up to twelve (12) weeks total FMLA Leave combined between them for the birth or placement of a child. Employees are required, whenever possible, to give thirty (30) days advance notice to their supervisor before taking FMLA Leave. If thirty (30) days' notice is not possible, the employee must notify their supervisor as soon as practicable. Failure to comply with this requirement may result in the time off work being considered an absence without leave and subsequent disciplinary action up to and including termination of employment.

An employee who takes leave under this policy will be able to return to the same position or a position with equivalent status, pay, benefits and other employment terms. Key employees are defined as those employees in the highest paid ten percent (10%) of the City's employees or employees occupying a position in which a prolonged absence would cause substantial and grievous economic injury to operations. Key employees may be denied job restoration after FMLA Leave.

It is unlawful for any employer to interfere with, restrain, or deny the exercise of any right provided by the FMLA. It is also unlawful for an employer to discharge or discriminate against any individual for opposing any practice, or because of involvement in any proceeding, related to the FMLA. The U.S. Department of Labor Wage and Hour Division investigates complaints. If violations cannot be satisfactorily resolved, the U.S. Department of Labor may bring action in court to compel compliance. Individuals may also be able to bring a private civil action against an employer for violations.

Fitness for Duty - The City may require an employee who has taken leave of more than ten (10) working days or whose healthcare provider recommends a light duty status for a period exceeding ten (10) working days, to provide a return to work, or "fitness-for-duty certification" from the employee's health care provider. This certification must state that the employee is able to resume work. The City may request a fitness-for-duty certification only with regard to the particular health condition that caused the employee's need for FMLA Leave. An employee's return to work may be delayed until the fitness-for-duty certification is provided and evaluated by the City's designated medical provider.

The City follows all current FMLA regulations and any FMLA regulation change that may occur prior to a change being made in the City's Personnel Policy Manual.

Section 10 - Military Leave

Any full or part-time employee who is a member of the National Guard or an organized military reserve of the United States shall be granted military leave for a tour of active duty or field training encampment. Leave of absence shall be approved only upon presentation of orders pursuant to such training and with the consent of the Department Head and the City Manager or his/her designee which shall not be unreasonably withheld.

Military leave for periods of thirty (30) days or less. Military leave with pay shall be granted for the purpose of allowing an employee to engage in military training or duty of short term duration. Military leave with pay is only available to employees who will be on military leave for 30 days or less. An employee must report back to the City at the beginning of the first regularly scheduled work period that begins on the next calendar day following completion of service, if duration of military service was 1-30 days. If, due to no fault of the employee, and timely reporting back to work would be impossible or unreasonable, the employee must report back to work as soon as possible after the expiration of an 8-hour rest period. During military leave with pay for 30 days or less, the City will continue to provide all benefits the employee was receiving prior to being on military leave with pay, including paying the employer portion of health insurance.

The employee may choose one of the following options with regard to pay received during military leave with pay:

- A. Present re-numeration to City Clerk received for such period from the military and receive full pay from the City.
- B. Use accumulated Paid Time Off or holiday leave and retain re-numeration received from the military.
- C. Take leave without pay and retain military remuneration.

Military leave for periods of thirty-one (31) days to one hundred eighty (180) days. Any employee who leaves the City service for military duty of thirty-one (31) days or more shall be placed on military leave without pay. The City will provide no benefits to employees on military leave without pay. An employee returning from military leave shall be entitled to restoration to the former position or position of like pay and responsibility, if the employee makes application for reinstatement within fourteen (14) days after release from active duty if duration of service was 31-180 days, provided further, that the employee is physically and mentally capable of performing the duties of the position involved.

Military leave for periods of one hundred eighty-one (181) days or more. Any employee who leaves the City service for military duty of one hundred eighty-one (181) days or more shall be placed on military leave without pay. The City will provide no benefits to employees on military leave without pay. An employee returning from military leave shall be entitled to restoration to the former position or position of like pay and responsibility, if the employee makes application for reinstatement within ninety (90) days after release from active duty if duration of service was more than one hundred eighty-one (181) days, provided further, that the employee is physically and mentally capable of performing the duties of the position involved.

Service-connected injury or illness. Any employee who leaves the City service for military duty and is unable to return due to a service-connected injury or illness shall continue on military leave without pay. Reporting or application deadlines are extended for up to two years for persons who are hospitalized or convalescing due to service-related injury or illness.

Health and Pension Plan coverage. Health and pension plan coverage for service members is also addressed by USERRA. Individual performing military duty of more than thirty (30) days may elect to continue employer sponsored health care for up to twenty-four (24) months; however, they may be required to pay up to one hundred two (102) percent of the full premium. For military service of less than thirty-one (31) days, health care coverage is provided as if the service member had remained employed. USERRA pension protection apply to defined benefit plans and defined contribution plans for government employees. For purposes of pension plan participation, vesting and accrual of benefits, USERRA treats military service as continuous service with the employer.

General. The City fully complies with the provisions of the Uniformed Services Employment and Reemployment Rights Act (USERRA). The right to restoration of employment may end after an employee has performed service in the uniformed services for a cumulative period in excess of five (5) years while in an employment relationship with the City of Dodge City. Employees with concerns in this area are encouraged to reference the Department of Labor Uniformed Services Employment and Reemployment Rights Act or contact the Department of Labor, Veterans Employment and Training Service.

Section 11 - Civil Leave

It is the civic obligation of each City employee to serve on a jury if he/she is summoned. While on jury duty, or while appearing as a legally required witness, an employee may elect to receive his/her regular salary with payment for such jury or witness duty returned to the City. The employee may be required to produce proof of jury duty or witness subpoena prior to receiving this type of leave with pay. Employees will not receive pay for appearing in court as the subject of a criminal or civil case. Employees appearing in court as witnesses in connection with their city employment shall be considered to be on duty and receive their normal salary.

Section 12 - Violent Crime Victim Leave (K.S.A. 44-1131 and 1132)

If an employee is a victim of violent crime, such as domestic violence or sexual assault the employee may use any or all of the employee's PTO under the City's regular policy included in this chapter for reasons stated below. If the employee's PTO is exhausted Kansas law requires the City to grant the employee up to eight (8) days per calendar year for reasons stated below.

- A. To obtain, or attempt to obtain, any relief including but not limited to a temporary restraining order or other injunctive relief to help ensure the health, safety or welfare of the victim or the victim's children;
- B. To seek medical attention for injuries caused by domestic violence or sexual assault;
- C. To obtain services from a domestic violence shelter, domestic violence program or rape crisis center as a result of domestic violence or sexual assault; and/or
- D. Make court appearances in the aftermath of domestic violence or sexual assault.

The employee shall provide advance notice of the need for leave if feasible and shall provide documentation of the need for the leave within forty-eight (48) hours of returning to work. The City must keep the reason for absence confidential to the extent allowed by law. Acceptable documentation is considered: a police report, a court order or other documentation from an appropriate medical professional, domestic violence advocate or counselor.

The City must keep confidential, to the extent allowed by law, both the fact that an employee requests or uses leave under this law and all supporting documentation regarding the leave. Any employee who needs to utilize this policy and is hesitant to discuss the need with his/her immediate supervisor should report the need to another member of management or the Human Resource Office.

NOTE: This State law does NOT require the victim of the domestic abuse to leave the abusive environment as a condition of take the job-protected leave.

Section 13 - Special Leave

For certain reasons, special leave, with or without pay, may be granted. The most common example would be a short leave for an employee to attend training which would be of mutual benefit to the employee and the City but which was not approved as City paid training. Any request for Special Leave must be approved by the City Manager or his/her designee and the Department Head.

Section 14 - City Facility Closure Due to Power Outage, Inclement Weather or Disaster

Certain conditions may occur which result in the closing of some city offices or facilities for the safety of both employees and the public. In the event of such conditions, the City Manager, or his/her designee, shall determine if non-emergency, nonessential staff may leave the workplace. In all cases, employee and public safety will be the primary consideration. In the event of a closure, all non-emergency, non-essential employees advised to leave or not report to work will be paid their normal pay for the day. Emergency and essential personnel will still be required to report to work. Employees who are late or absent due to travel difficulties in cases in which the weather may be extreme, but city facilities and offices remain open, will not be paid for the time away from work. Paid Time Off may be substituted for the absence.

Section 15 - Temporary Limited Duty Assignments

Temporary Limited Duty (TLD) assignments due to non-work related injuries, illnesses or other reasons may be requested. Any employee requesting a TLD assignment for a non-work

related injury, illness or other reason must provide a statement from a medical provider documenting the employee's restrictions and giving an estimated date the employee may return to performing full duties of their normal position. Approval of the TLD will be made by the Department Head and Human Resources Office and will be dependent upon the availability of meaningful work within the employee's restrictions, the estimated length of the TLD, and the employee's past work history. The City is under no obligation to provide TLD for non-work related injuries, illnesses or other reasons. Any request for TLD for non-work related injuries, illnesses or other reasons in excess of 90 days in length must be approved by the City Manager or his/her designee. An employee utilizing reduced schedule or intermittent leave under the Family Medical Leave Act (FMLA) may be temporarily assigned to an alternative available position with equivalent pay and benefits, if the alternative position would better accommodate the intermittent or reduced schedule.

CHAPTER 14 - EMPLOYEE ASSISTANCE PROGRAM

The goal of the Employee Assistance Program (EAP) is to assist employees of the City of Dodge City who may experience personal or emotional difficulties, which may affect job performance. The City of Dodge City has contracts with an outside agency to provide this service. The EAP is available to all full and regular part-time employees of the City of Dodge City and their immediate family members.

Section 1 – General Policy Statement

- The City of Dodge City recognizes that personal and emotional difficulties that may include alcohol and drug problems, marital and family difficulties, stress, anxiety, depression, financial issues, and workplace conflicts, may affect any employee.
- The City of Dodge City recognizes personal and emotional difficulties can contribute to deteriorating job performance.
- The City of Dodge City encourages employees to utilize the services available through the EAP. In addition, supervisors may utilize the resources of the EAP as an integral part of an intervention program when personal problems are suspected of causing poor job performance.
- The City of Dodge City acknowledges that use of the EAP does not in any way alter management's responsibility or authority as an employer.
- Participation in the EAP will not in any way jeopardize future employment or career advancement; however, participation will not protect the employee from disciplinary action for substandard job performance or policy violations.
- The City of Dodge City recognizes and encourages employees to use the EAP on a voluntary basis. The City therefore agrees to help promote the EAP for employees and immediate family members who seek assistance with personal or emotional difficulties. All Departments are expected to support and cooperate with the EAP.

Section 2 – Scope

The EAP covers all Departments and full-time or regular part time employees. Employees and immediate family members residing in the same household and/or benefit eligible dependents may use the EAP.

Section 3 – Designated Provider

The EAP Program Administrative Agency reserves the right to name individuals or agencies to serve as designated providers for the EAP. For information regarding designated providers an employee may contact the EAP.

Section 4 – Coordination

An EAP program is coordinated by the Human Resource Office. The Human Resource Office will be the City's contact with the agency administering the program and will facilitate the EAP internally. The Human Resource Office will maintain statistical records and will report to management on the operation of the EAP. Only statistical information will be reported to the City, not employee names or specific information about the issues they address with the provider. Any questions about, or problems with, the operation of the EAP should be directed to the Human Resource Office.

Section 5 – Confidentiality Statement

The City of Dodge City recognizes that the success of the EAP will be enhanced by protecting the confidentiality of those employees utilizing the program. The name of any employee who self refers to the EAP will not be revealed by the EAP. Information supplied to the City on employees referred to the EAP by a supervisor will be limited to acknowledgment of failed or kept appointments and acknowledgment of treatment compliance. Additional information, including specific diagnosis or treatment, will not be released unless the employee signs a release specifying the information to be released and to whom. All information regarding an employee's participation in the EAP is part of the clinical records maintained by the EAP and is subject to all state and federal confidentiality laws governing such medical records.

Section 6 – Referral Procedure

The EAP referral procedure will be coordinated by an external agency. This program will include a toll-free telephone number by which the EAP can be contacted directly by the employee or household member. A face-to-face contact with a therapist will be assured within specific time frames according to the level of urgency. The number of visits as provided by agreement with the City will be at no expense to the employee. A visit is described as "per member per problem per year" for the employee and their immediate household members. Expenses incurred for all following visits, whether voluntary or mandatory, will be the responsibility of the employee and their medical insurance provider. The EAP number will be provided to each individual employee. There are two ways an employee may utilize the EAP – self referral and supervisory referral.

Self-Referral – Employees may contact the EAP on their own to make use of EAP services. The EAP provides telephone access to all full-time and regular part-time employees and immediate family members for use at their own discretion as needed. Crisis intervention, telephone assessment and timely access to ongoing treatment resources, if appropriate, are available. Employees should arrange to contact any face-to-face provider on their own time whenever possible. However, PTO may be used subject to normal medical appointment processes for the employee's department. Employees need in no way reveal they intend to use PTO to contact the provider and are not to be asked by supervisors. Contact with the provider will take place away from City facilities.

Supervisors may suggest an employee use the EAP on the employee's own for help with a personal problem. This is considered a self-referral. It is appropriate when a supervisor feels a problem exists, but no significant work performance problems have developed, or when an employee tells the supervisor that he/she is having personal problems.

Supervisory Referral Procedure – Supervisors are to refer an employee to the EAP when significant problems with work performance have developed in which personal problems may have a role. These performance problems must be accurately documented. It is not a supervisor's role to diagnose an employee's personal problems. A supervisor shall approach an employee with the documented performance problem(s), acknowledge that perhaps some personal problem(s) may be contributing to the performance problem(s), and formally refer the employee to the provider. The referral may not be used as the basis of any employment action and no record of the referral will be placed in the employee's files. Supervisors are to ensure the situation is discussed only with those person(s) whose input is needed to handle the matter. Confidentiality is of the utmost importance.

A supervisory referral is not a disciplinary action. The employee's participation in the EAP is voluntary. Any disciplinary actions taken are to be based on work performance, not on whether the employee participated in the EAP. Disciplinary action can be taken for the same performance problems which prompted an EAP referral. A supervisor is justified in expecting improvement in work performance whether or not the employee chooses to utilize the EAP. The disciplinary procedure outlined in Chapter 8 of this manual will be followed.

For a supervisory referral, the same leave policy as for self-referrals will apply. When a supervisory referral is made, the supervisor is to notify the Human Resource Office. If the employee agrees to utilize the EAP, the supervisor or Human Resources will contact the EAP in advance to advise the EAP of the circumstances of the referral. The employee will be asked to sign the provider's Release of Information form. This form, if signed, allows the provider to advise Human Resources if the employee is keeping appointments and following the recommended course of action. No other details regarding the employee may be released.

Supervisors shall contact the Human Resource Office or the provider for advice or if they have questions about the procedure. This can be done prior to any discussion with the employee.

Section 7 – Employee Participation

In case of either self or supervisory referrals, an employee's participation or non-participation, in and of itself, will have no effect on the employee's job status, opportunities or other terms of employment. These decisions are to be made on the basis of job performance and work behavior only. The fact that an employee has utilized EAP assistance shall not be reflected in performance appraisals.

CHAPTER 15 - EMPLOYEE BENEFITS AND INCENTIVES

Section 1 – Retirement Program

All eligible full time and regular part time employees shall be members of the Kansas Public Employees Retirement System (KPERS) or the Kansas Police and Fire Retirement System (KP&F) and shall be subject to all laws and supplemental regulations governing such membership. Participation in KPERS or KP&F is mandatory by state statute. Both the employee and the City make contributions to the retirement system, with contribution amounts to the systems being established by statute. Employee contributions are made through payroll deduction. Employees with questions regarding the retirement system should contact the City Designated Agent, which is the Finance Director or their designee.

Section 2 – Social Security

Social Security is administered by the Federal Government and is made up of joint contributions by the employee and the City, based upon a percentage of the employee's salary. Complete details of Social Security Benefits are available from the Finance Director or their designee.

Section 3 – Health/Dental/Life Insurance

Regular full-time employees, along with their eligible dependents, upon the employee's designation, may be enrolled in group life, medical, and dental insurance programs. Regular part time employees may be enrolled in single coverage in the same programs. Regular part time employees may choose to cover their eligible dependents under the City's insurance programs through payroll deduction for the difference between the single and family premiums. The effective date of the coverage is the first day of the month following full-time or regular part-time employment. Details of the programs can be obtained from the Benefits Specialist in the Human Resource Office. The plan documents are available in the Human Resource Office.

An employee who leaves city employment and who has met minimum plan requirements may be eligible to continue medical/dental insurance coverage for a limited time under the Consolidated Omnibus Budget Reconciliation Act ("COBRA") or through the Health Insurance Marketplace, or until eligible for Medicare coverage, or until coverage is offered by another employer. The former employee must pay the monthly premiums. For questions regarding continuation of Health Insurance Benefits after retirement or upon leaving city employment, contact the Benefits Specialist in the Human Resource Office.

Section 4 – Worker’s Compensation

All City employees are insured for injuries resulting from accidents on the job through Worker’s Compensation insurance. See Chapter 19 of this manual for more information.

Section 5 – 457 Deferred Compensation

The City offers participation in 457 deferred compensation plans. Details of the plans are available through the Benefits Specialist in the Human Resource Office. Contributions to the plans are made through payroll deduction.

Section 6 – Section 125 Spending Accounts

The City offers participation in a Flexible Spending Accounts plan, whereby employees may elect to have money deducted from their pay on a pretax basis to pay for unreimbursed medical expenses or childcare expenses. The amount to be withheld is determined by the employee. The money may be used for eligible expenses incurred during the benefit year only and will be forfeited if unused. Contact the Benefits Specialist in the Human Resource Office for more information.

Section 7 – Health Savings Account

Eligible employees may choose to participate in a Health Savings Account (HSA). An HSA is a tax-exempt custodial account established exclusively for the purpose of paying qualified medical expenses. Participating employees may have money deducted from their pay on a pretax basis. Maximum contribution limits are set by the Federal government. Funds in an HSA can accumulate from year to year and can be withdrawn for non-qualified use, subject to the payment of appropriate penalties and taxes.

Section 8 – Supplemental Insurance Coverage

Employees may choose to purchase supplemental insurance coverage through approved vendors by payroll deduction. Further information may be obtained from the Benefits Specialist in the Human Resource Office.

Section 9 – Relocation and Moving Expenses

Persons to be employed in certain designated positions may be reimbursed moving expenses incurred in relocating to accept employment with the City. Prior reimbursement

approval must be granted by the City Manager or his/her designee in writing before relocating and moving expenses are incurred.

Section 10 – Professional Meetings and Memberships

It is recognized that it is a mutual benefit to the employee and the City to have City employees attend professional meetings, educational seminars and other training sessions which relate to their work and their standing in their profession. As such, the City may provide for payment of professional membership fees and professional conference attendance for certain professional or administrative employees subject to approval of the Department Head and/or City Manager. If an employee chooses to have a spouse accompany them to a professional conference, the employee will be responsible for the cost of all travel, additional accommodations costs, meals etc. for the spouse.

Section 11 – Tuition Reimbursement

The purpose of the tuition reimbursement incentive is to encourage the development of employees as it is mutually beneficial to the employees and the City of Dodge City. Tuition reimbursement may be granted for courses which are directly or reasonably related to the employee's present job or to a position into which the employee could reasonably progress. Regular full-time employees who have completed their Introductory Period of employment are eligible to request reimbursement of tuition. Only courses offered by Higher Learning Commission (www.hlcommission.org) accredited educational institutions will be considered for reimbursement. Reimbursement covers tuition and fees only, not textbooks or materials.

Procedures for tuition reimbursement are:

1. A request for reimbursement shall be filed with the Human Resource Office **prior to enrolling** in the course on the form provided by that office. Final determination regarding whether the course work is reasonably related to the employee's duties or potential duties with the City and the employee's eligibility for tuition reimbursement shall be made by the City Manager or his/her designee. The employee's current and past job performance and demonstrated ability to utilize the education gained to benefit the City in their current or potentially future position will be strongly considered. Employees may be required to submit a proposed career path within the organization prior to approval. Tuition reimbursement shall only be granted in cases in which there is benefit to both the City and the employee. Requests for tuition reimbursement may be rejected based on availability of funds budgeted for the purpose.
2. If approved, upon successful completion of the course (Grade C or better) and evidence of the tuition cost, i.e., bill, canceled check, etc., the City will reimburse the employee up to 100% of the tuition and fees. The City will not reimburse the cost of tuition or fees which are paid by other sources, i.e. scholarships, grants, aid programs or other subsidies.

The total amount of tuition assistance an employee may receive within any year will be largely determined by budget restrictions within the department to which the employee is assigned.

3. Requests for payment are to be made to the Human Resource Office.
4. It is permissible for Department Heads to authorize employees to adjust their schedules to attend classes if the Department Head determines such attendance will not disrupt the department's operations or create any undue hardship for the City.
5. Employees who apply for and receive tuition reimbursement will be required to contractually agree to remain employed with the City in accordance with the following:
 - a. Once an employee completes a class which shall be applied towards an associate's degree, they will be required to maintain their employment with the City for two years following completion of the class.
 - b. Once an employee completes a class which shall be applied towards a bachelor's degree, they will be required to maintain their employment with the City for three years following the completion of the class.
 - c. Once an employee completes a class which shall be applied towards a master's degree, they will be required to maintain their employment with the City for four years.

The contract is available in the Human Resources office.

6. If an employee who has received tuition reimbursement from the City leaves City employment within the time period specified in paragraph 5, above, that employee will be required to repay all or part of the reimbursement depending upon amount of service time completed. The amount to be repaid will be calculated on a monthly prorated basis.

Section 12 – EDUCATION INCENTIVE

Eligible employees shall be considered those who are not required by their job description to have higher education requirements.

Each employee who is eligible for the education incentive bonus shall receive the incentive pay increase starting the pay period immediately after their transcripts are reviewed and verified by Human Resources to qualify for the appropriate incentive. Employees are only allowed one incentive, which shall be the highest applicable.

Education	Incentive Pay
Associate's Degree or 60 college hours from an accredited institution	\$.29 per hour
Bachelor's Degree or 124 college hours from an accredited institution	\$.58 per hour
Graduate Degree (Masters) or college hours from an accredited institution	\$.87 per hour

Education for Sworn Police and Fire	Incentive Pay
Associate's Degree or 60 college hours from an accredited institution	\$.44 per hour
Bachelor's Degree or 124 college hours from an accredited institution	\$.87 per hour
Graduate Degree (Masters) or college hours from an accredited institution	\$1.31 per hour

All academic degrees or college hours earned must be from an institution which has been accredited by the Higher Learning Commission, using the appropriate website to verify the accreditation. The current website is www.hlcommission.org. Employees are required to submit official transcripts from the accredited institution for which the hours or degree was obtained to the City Human Resources Office. If the review is based on hours and not degree, the passing grade standard will be utilized as a "C" or better to count toward the hours for this incentive.

Employees shall only be reimbursed for degrees or hours reasonably associated with their work or a related field or meet the requirements of the department as approved by the Department Head, the Human Resource Office with the City Manager having final approval on this issue.

Section 13 – MULTILINGUAL SKILLS PAY

To effectively meet the needs of the community, the City of Dodge City will, upon prior and reasonable certification as approved by the Human Resources Director, pay qualified employees for multilingual skills.

The fee for an initial multilingual skills evaluation will be paid by the City. Fees for any subsequent multilingual skills evaluations are to be paid by the employee unless the subsequent evaluation is requested by the employee's department head or at least five (5) years have passed since the initial evaluation date. The multilingual skills evaluation measures proficiency in the following categories: oral, listening comprehension, vocabulary and reading. A separate test will be administered for writing.

Multilingual pay will be awarded based upon three (3) considerations. The City will first consider the position the employee holds with the City. Second, will be based on life safety issues and written skills for clerical use. Third, the City will consider the evaluation ranking for the employee's proficiency in the language that has been evaluated. Multilingual skills pay will be awarded on the following scale:

Evaluation Ranking	1*	2*	3*
Novice	4%	1%	1%
Intermediate	7%	3%	2%
Advanced	8%	5%	3%
Superior	10%	7%	4%

(Positions to be covered may vary through authorization of the City Manager).

1* Police Officer, Police Corporal, Police Sergeant, Detective, Fire Fighter, Fire Engineer, Fire Captain, Animal Control Officer and Clerical Positions with necessary and acceptable written skills

2* Any clerical position which interfaces with the public on a regular basis, counter workers, persons who frequently answer the telephone, etc., Lead workers as authorized by the City Manager.

3* Any other position not previously listed.

Employees who are certified as multilingual will be required to make themselves available to other functional areas of the City periodically and upon request for their particular skills. The City reserves the right to determine if a second language skill is compensable. Failure or refusal to assist with bilingual needs without prior authorization will be cause for removal of the compensation and dependent upon the circumstances, may be cause for disciplinary action.

The multilingual skills pay is a percentage increase to the base pay and is eligible for merit and economic adjustment amounts, if issued. It is paid as a separate stipend pay on the paycheck. Multilingual skills pay may cause an employee to earn a base rate above the respective grade maximum.

Employees who take and pass the initial multilingual skills evaluation within ninety (90) days of their employment start date will receive the multilingual pay retroactive to their start date. All other employees who take the initial multilingual skills evaluation will receive the multilingual pay effective on the date that the multilingual skills evaluation is completed.

Employees may be asked to provide a written sample prior to being administered the written translation test. If the review is deemed to be unsatisfactory, the formal test will not be administered.

Section 14 – EARLY RETIREMENT PROGRAM

Regular Full-Time who find it necessary or desirable to retire from employment with the City prior to the normal retirement age may elect to take early retirement under the terms and conditions set forth herein. Requesting early retirement is entirely voluntary and is at the discretion of the eligible Regular Full-Time employee.

- A. A Regular Full-Time employee is eligible for early retirement if such employee:
 - 1. Is less than 65 years of age;
 - 2. Has ten (10) years or more of continuous full-time employment with the city immediately prior to applying for this program;
 - 3. Is eligible for full retirement benefits with the Kansas Public Employees Retirement System (KPERS) or the Kansas Police and Fireman's Retirement System (KP&F); and
 - 4. Is in good employment standing with the City.
- B. A Regular Full-Time employee may apply for early retirement by completing the application and giving written notice to the Human Resources Office at least ninety (90) days preceding the anticipated retirement date.

The Human Resources Office shall submit to the City Manager all applications for early retirement. Following the decision by the City Manager on any application for early retirement, the Human Resources Office shall notify the applicant, in writing, of the final disposition and the date and amount of benefits to be paid.

- C. An eligible Regular Full-Time employee who receives early retirement shall be entitled to receive an annual sum of seven thousand two hundred dollars (\$7,200) payable in equal installments of two hundred seventy-six dollars and ninety-two cents (\$276.92) following City payroll schedule. These payments will cease upon the early retiree reaching 65 years of age.
- D. The following terms and conditions shall apply to the early retirement program:
 - 1. The City retains the right to adopt the early retirement program on a year-to-year basis. Should the City choose to discontinue the program, notification shall be given by August 31st, immediately prior to discontinuing the program on December 31st.
 - 2. Should the City of Dodge City decide to discontinue the early retirement program in any given year, all early retirees participating in the program prior to the date of discontinuation shall continue in the program and not be affected.
 - 3. An early retiree shall keep the Human Resource Office informed of his/her current mailing address and telephone number. This information shall be given to the Human Resource Office in writing.
 - 4. Early retirement program benefits shall cease upon the death of the early retiree.
 - 5. If any provision of this early retirement program is determined to be in violation of any federal or state law or regulation, the program shall then be immediately terminated by the City and shall not be in further force or effect unless re-adopted by the City.
- E. A Regular Full-Time employee who is approved for participation in the early retirement program shall not thereafter be eligible for Full-Time, or Regular Part-Time, employment by the City of Dodge City.

A participant in the early retirement program may be employed by the City of Dodge City as a Temporary Part-Time or Seasonal employee if approved by the City Manager.

Section 15 – KP&F DROP PROGRAM

The Kansas legislature created a program to offer a Deferred Retirement Option Program (DROP) for Kansas Police and Fire (KP&F) members and the City has committed to participate with interested employees.

Instead of retiring, this optional benefit allows eligible members to keep working while their monthly retirement benefit accumulates in a DROP account. They receive their salary and their DROP account grows each month while they work. Members can choose to work another three, four or five years. When they retire, they receive their DROP account balance and begin receiving their monthly retirement benefit.

If an employee is interested in this program, they should contact the Human Resources Office Benefits Specialist for more details regarding the State of Kansas program and the rules and regulations in place by the State at time of consideration.

Participating employees should be aware that this does not guarantee continued employment.

CHAPTER 16 – TECHNOLOGY, CITY-OWNED DEVICES AND SOCIAL MEDIA

Section 1 – City Business

Like other City resources, employees should use City issued personal computers; issued electronic data communication devices such as tablets, cell phones, and wireless mobile devices e-mail (hereinafter referred to as “EDCD”); or the City Internet for authorized City business purposes. Limited, occasional personal use that does not infringe upon employees’ productivity, interfere with the performance of job duties, violate any City policy, produce any direct costs, or create potential risk to the hardware, software City information systems, or the individual is permitted. (See Cell Phones Policy - Section 4. Abuse or misuse of the City’s resources may be grounds for disciplinary action up to and possibly including termination.

Under no circumstances are employees permitted to use City computers, EDCD or internet to access, transmit, post, display, print, forward or otherwise disseminate material that is fraudulent, illegal, harassing, offensive, sexually explicit, obscene, threatening, infringing, defamatory or otherwise objectionable.

Section 2 – Records

1. Employee Work. All employee generated e-mails, letters, computer files, documents, mail, and telephonic communications that are made or created with City resources are owned by the City of Dodge City. These materials are not private and are subject to inspections, monitoring, and review by management without the employee’s knowledge or consent.
2. Computer Records. All computer-generated files or data such as e-mail, word processing, databases, spreadsheets, or media files that are created, maintained, or sent by City employees that are accessible on City computers, EDCD, or internet are the property of the City and are the responsibility of the City including cloud systems and personal devices. Employees do not have a reasonable expectation of privacy as to any information transmitted, received or stored on the computer system.
3. Record Inspection. The City will not read computer documents as a routine matter; however, the City reserves the right to monitor any information transmitted, received, or stored in the computer system and to conduct paper/electronic inspections at any time, with or without notice in order to implement and enforce personnel policies. Employees should be aware that even after computer generated documents are deleted from personal computers, they may remain on system backup files indefinitely.
4. Open Records Act. Computer records, including e-mails and web browsing history, may be subject to the Kansas Open Records K.S.A. 45-215 et seq. All requests for computer

records should be distributed in compliance with State Statute and related policy regarding open records.

5. Special Retention. All records relative to matters subject to ongoing or potential litigation or any investigation must be retained, even if the retention period has been met on the records retention schedule, except as advised by the City Attorney.

Section 3 – Telephone Usage

The City's telephones and City-issued cell phones are for the purpose of conducting City business. Limited personal use is allowed, however, the use of phones for personal business should not be abused and, under no circumstances, shall calls that result in charges be made for personal use.

Section 4 – Cell Phone Policy

4.1 Demonstrated Need – Employees in some positions, determined by the City Manager and/or Department Heads, are required to provide their own cell phone in order to fulfill their job requirements. The City will provide those employees with a monthly predetermined allowance for the expense of using their personal cell phone for job related City business. The allowance is taxable income to the employee and will be included with the normal payroll process. A list of the employees required to carry a cell phone and a list of their cell phone numbers will be provided to the Human Resource Office for the processing of the cell phone allowance and for keeping a master emergency list of cell phone numbers for key employees. Employees who require the use of a cell phone or wireless mobile device will be required to complete a Cell Phone Reimbursement and Policy Acknowledgement form prior to being issued an allowance. The City Manager has final authority to authorize such reimbursement.

Employees who feel their monthly allowance is not adequate to cover their job-related cell phone expenses may request an increase in their allowance. Any such request must be made in writing and must include the six (6) most recent months' cell phone bills with all City job related calls identified and having the purpose for the call notated. Any decisions to increase an employee's cell phone allowance shall be made on a case-by-case basis and requires the approval of the Department Head, Director of Finance, and the City Manager or his/her designee. On occasion, additional reimbursement may be provided if an employee has extraordinary cell phone usage due to a specific event, such as a weather-related emergency, outside the normal operation of day-to-day business. Employees seeking this additional reimbursement must furnish copies of cell phone bills to substantiate their requests.

The City may, at any time, require an employee to produce copies of their cell phone bills which show an itemized list of city job related calls. Also, all employees receiving the cell phone allowance will be required to have their cell phone turned on and available for City business use as per the directions and/or guidelines of their Department or Division Head. The employee will assume all responsibility for the cell phone contract. This includes lost/broken phone

replacements, minute coverage, etc. The City may consider, on a case by case basis, the replacement of an employee's required personal cell phone that is destroyed in the performance of the employee's job.

Employees who fail to meet all requirements to acquire and maintain a cell phone, and to abide by this policy and procedure while receiving an allowance, may face disciplinary action up to and including separation.

4.2 The following criteria should be used to determine whether an employee is eligible for either a cell phone, wireless mobile device or an allowance:

- a) Immediate Availability: The employee's job duties and responsibilities are such that it is important that the City be able to reach them by phone immediately, or that the employee has access to e-mail after hours or when they are out of the office. It should be noted that the phone is not to replace a City provided radio.
- b) On-call: The employee is required to be on-call outside of normal business hours.
- c) Fixed location: The employee's job duties and responsibilities are such that they are not working at a fixed location most of the time and there is not an alternative mode of communication to use.
- d) Field Work: The employee's job duties and responsibilities are such that they make frequent and/or prolonged work from their primary work site and need to remain in contact with those they serve, their office, or other employees for customer service purposes. It should be noted that the phone is not to replace a City provided radio.
- e) Safety: The employee's job duties and responsibilities are such that they need a portable communication device for their safety or the safety of their employees, customers, or constituents, if a city provided portable radio is not sufficient.

Section 5 – City Furnished Phones/Mobile Wireless Devices

The City may provide some cell phones or other EDCD which are not assigned to individuals. An example would be a cell phone assigned to a vehicle or an office for specific purposes and used by rotational shift employees. Personal calls on these City-owned phones are not allowed other than in rare situations when an employee needs to inform others of a change of plans caused by unexpected work requirements. Violation of this policy will require the employee to reimburse the City for any personal call expenses and may result in disciplinary action.

Section 6 – Connecting to City Equipment

No employee may connect, dock, or otherwise synchronize any cellular telephone or other EDCD, whether owned personally by the employee or provided by the City, with any City computer, laptop, server, system or network, without the prior consent of the Information Technology (“IT”) Department. Employees who utilize the City’s e-mail server through their personal cell phone or wireless mobile device shall consent through use to the IT Department accessing their personal device if necessary.

Bluetooth is an acceptable form of connection with City vehicles to allow for hands free usage of City authorized phones or personal phones.

Section 7 – Separation/Resignation/Termination

In the event an employee is separated, resigns, or is terminated, the IT Department will disable all e-mail accounts and system access. Additionally, if an employee has any cloud or web-based data, the terminating employee shall provide the data or the password to the City. Data resources stored offsite need to be transferred to the City network prior to separation. IT will assist with this issue.

Section 8 – Initial Connection, Problem Support and Wireless Mobile Device Security

The IT Department may assist with the initial connection of employee-owned devices which meet prescribed specifications. Employees **required** to have e-mail access must use a device compatible with the City’s computer system. IT may provide support for e-mail, calendaring and contacts.

Employees with connectivity issues must allow IT staff access to their personal equipment and software. Some device software may be incompatible, and, in this situation, the IT Department may contact the employee about options available to them, including wiping the device for compatibility. If the IT Department cannot connect the equipment, it will be up to the employee to wipe the device, obtain new equipment, or surrender any pertinent allowance.

The IT Department may take the appropriate security actions, if necessary, to screen lock the device and may require a pin to access the mobile device.

Section 9 – Non-Required Cell Phones

Permission for an employee to use and/or carry non-required personal cell phones or other communication devices during the workday rests with the Department/Division Head, and/or the City Manager. Criteria for granting such permission will be based upon such factors

as the employee's statement of need, safety of the employee and coworkers, interruption or disruption of production, the enhancement of productivity, or any other factor deemed by supervision to affect working conditions.

The City assumes no responsibility for an employee's non-required personal cell phone or other similar device that is lost or damaged as a result of the employee's job.

Section 10 – Required Behavior Regarding Cell Phones and Communication Devices

The following pertains to all on-the-job use of personal communication devices and cell phones, whether required, non-required, or otherwise:

1. Placing or receiving personal communications has the potential of reducing an employee's productivity. Thus, as a general rule, personal communications should be kept to a minimum and ideally only made during the employee's breaks or lunch period.
2. Cell phones and other devices should be set to vibrate or silent mode during meetings or other times when audible ringers may be disruptive.
3. Employees should allow incoming communications to "roll" to their voice mail if answering the communication would be disruptive to the work environment or would create a safety hazard.
4. Supervisory personnel may disallow employees to carry personal cell phones and similar devices and/or may impose disciplinary actions on employees, up to and including termination, when the employee is not following the rules contained within this policy, or when, in the judgment of supervisory personnel, it is deemed contrary to a safe and productive work environment.
5. Employees are responsible for the safe operation of their vehicle, motorized equipment, power tools, and other equipment. Using a cell phone, or other communication device, while operating a vehicle or equipment creates an unsafe distraction for the driver/operator and/or others and is strictly prohibited, except that employees may operate city issued radios and hands-free cellular devices. Employees are specifically prohibited from texting or making use of electronic mail functions while a vehicle is in motion. This prohibition includes the time waiting for a traffic signal to change.
6. In the event of an emergency, management may waive the rules of this policy and procedure.

Section 11 – Computers and Network

The City has provided an e-mail system and network to enhance communication between employees and outside parties. E-mail is often used as a means for communication with all City employees. Following are guidelines for use:

1. Employees should not install any hardware or software on computers without prior approval of the Information Technology Director or his/her designee including keyboard, mice, web cam or other input devices, etc.
2. Employees who use data files generated by sources other than City equipment should make sure that the files are free of viruses prior to using them. Assistance with this is available through the Information Technology Department.
3. Each employee will be assigned a confidential password to allow access to City computers and electronic devices. Employees should not disclose their personal password to anyone other than the IT Department.
4. Non-exempt employees who are required by their supervisor to have Internet e-mail access should submit for compensation any time authorized and spent using the Internet for City business while off-duty. The minimum amount of compensable time for use of the Internet for City business while off duty shall be 15 minutes per day.

Section 12 – Internet/E-mail Policy

12.1 General Provisions – The City provides Internet access to employees to assist them in the effective and efficient performance of their duties. This access is intended for business related purposes including, but not limited to, expediting normal business communications, researching relevant topics, and obtaining useful business information. Limited personal use of the Internet is allowed; however, employees are reminded all City property is primarily intended for the purpose of City business. Any personal use of the Internet is expected to be on the employee's own time and is not to interfere with the employee's job responsibilities. City time should be spent conducting City business.

All existing laws, City policies and City procedures apply to employee conduct when accessing the Internet on City owned devices and networks, including but not limited to those which deal with intellectual property protection, privacy, misuse of City resources, data security, confidentiality, harassment, discrimination, offensive conduct, political activity, or inappropriate behavior. Employees are prohibited from using the Internet for any unethical purpose, including but not limited to, pornography, violence, gambling, racism, harassment, or any illegal activity. Employees are forbidden from using profanity or vulgarity when using City e-mail.

To be well informed regarding an employee's responsibilities as it pertains to various media outlets, please review Chapter 17, Section 7 regarding release of City information to any media outlet.

12.2 Detailed Internet Policy Provisions – The City provides employees access to the vast information resources of the Internet with the intention of increasing productivity. While Internet access has the potential to assist employees in performing their jobs, there is justifiable concern that it can be misused. Such misuse can interfere with the performance of job responsibilities and can violate laws, policies and procedures. The following detailed provisions are to help employees understand the expectations for the use of this resource.

1. City Internet access is provided to employees for the purpose of study, research, public service, and other activities, which, with the exception of occasional minimal personal use, must be in the conduct of official business or in support of the City's mission. Employees are prohibited from using City information technology resources for any other business or profit-making activities.
2. Only City employees are to utilize City information technology resources. City employees shall not allow family members, friends, unauthorized coworkers, or others to utilize City information technology resources.
3. Each City employee using the City's Internet access for work shall identify themselves honestly, accurately, and completely when corresponding or participating in online activities.
4. City Internet facilities and computing resources must not be used to knowingly violate the laws and regulations of the United States or any nation, or the laws and regulations of any state, city, province, or local jurisdiction in any material way.
5. Employees have no right to ownership or expectation of personal privacy as to their City Internet usage. It is possible to monitor internet usage and the City reserves the right to inspect any and all network traffic and files stored on City resources. The City reserves the right, without notice, to limit or restrict any employee's Internet usage.
6. Offensive content may not be accessed, displayed, archived, stored, distributed, edited, or recorded using City network, printing, or computing resources. Offensive content includes, but is not limited to, pornography, sexual comments or images, profanity, racial slurs, gender specific comments, or any content which can reasonably offend someone on the basis of sex, race, color, religion, national origin, age, sexual orientation, gender identity, mental or physical disability, veteran status or any protected status. Any content which may be interpreted as libelous, defamatory, or slanderous is prohibited, the only exception being departments that are required to view such offensive content as part of their normal job, and during the normal course of particular job duties, such as Police, IT or Human Resource Departments.

7. Nothing in this policy shall be construed as requiring the City to provide any technical resources or assistance in support of any Internet use which is not directly related to the conduct of official City business.
8. No employee may use City resources to download or distribute pirated software or data. Any software or files may be used only in ways consistent with their licenses and copyrights.
9. No employee may use City resources or facilities to monitor use of City computing or network resources by any other individual, or perform any probing, scanning, "sniffing" or vulnerability testing, except as otherwise provided by City policies or law.
10. No employee may use the City's Internet facilities to deliberately propagate any virus, worm, Trojan horse, trapdoor, or back-door program code or knowingly disable or overload any computer system, network or to circumvent any system intended to protect the privacy or security of another user.
11. No employee may install, remove, or otherwise modify any hardware or software for the purpose of bypassing, avoiding, or defeating any filtering, monitoring, or other security measures the City may have in place, except as otherwise provided by City policies.
12. Employees shall not assume that any data or databases are automatically subject to public inspection under law. City data may not be forwarded, uploaded, or otherwise transmitted to non-City entities without appropriate approvals.

Section 13 – Social Media Policy

The purpose of this policy is intended to provide a policy establishing the protocol and procedures for use of social media by employees. This policy addresses the responsibilities of individual employees regarding social media. It also provides guidance to City employees regarding appropriate content for personal social media sites, appropriate use of City equipment for social media and/or social networking purposes as well as responsibilities related to public records.

The City supports the use of social media to further organizational goals and the missions of individual departments, when appropriate and done in accordance with the requirements of this policy. Recognizing social media as a tool for reaching a broader audience, the City has an overriding interest and expectation in deciding what is "spoken" on its behalf in such a visible public arena. The integrity and public image of the City must be above reproach, and any conduct which would reflect negatively on the City or otherwise compromise public confidence in the organization is strictly prohibited. Infractions of the policies set forth herein may result in disciplinary action up to and including dismissal.

To be well informed regarding an employee's responsibilities as it pertains to various media outlets, please review Chapter 17, Section 7 regarding release of City information to any media outlet.

13.1 Definitions

1. Social media - Various forms of on-line discussion and information sharing, including but not limited to social networking websites (Facebook, MySpace, X, Instagram, Linked-In, Snap Chat, wikis and others), personal web pages, on-line forums, message boards, individual blogs, e-mail and any other electronically transmitted material otherwise known as social media.
2. Social networking - The practice of expanding business, commerce, and/or social contacts through use of on-line, web-based applications.

13.2 City Sponsored Social Media Sites

1. All City of Dodge City social media sites will be subject to approval by the City Manager or his/her designee.
2. Only employees who are authorized to speak on behalf of the City are allowed to post information on any City-sponsored Social Media site. (City employees are allowed to "like" or comment on existing authorized posts, in accordance with this policy.) Except where assigned as part of their official duties, City employees are prohibited from using social media to conduct City business. Employees specifically authorized to represent the City on City sponsored social media sites must conduct themselves at all times as representatives of the City and in accordance with all supervisory instructions and City policies.
3. All official City of Dodge City social media sites must comply with applicable federal, state, and local laws and policies. This includes adherence to established laws and policies regarding copyrights, public records, the Freedom of Information Act, the First Amendment, and privacy laws.
4. Employees should have no expectation of privacy as to any social media activities conducted using City equipment and/or systems.
5. Employees authorized to post on social media sites shall only post links authorized by the City Manager or designee.

13.3 Personal Social Media Sites of City Employees

1. Employees should minimize their personal social media activities (monitoring, posting, reading, responding), even using their own devices, during their paid working time. Engaging in personal social media activities that are excessive, disruptive, or that

otherwise interfere with the employee's ability to effectively and efficiently perform job functions during working time (just as engaging in excessive and/or disruptive personal phone calls or other personal activities) may subject an employee to discipline up to and including termination.

2. Employees should be cautious when using any City e-mail address, or otherwise linking to any City website or resource, when using social media in their personal capacities. Such activities should be conducted in accordance with the guidelines set out in this policy.
3. Employees should be aware that postings made to on-line platforms are not private, and employees should have no expectation of privacy in them. The City may monitor on-line communications, or others may bring such communications to the City's attention. Employees are personally responsible (and may, in appropriate circumstances, be subject to discipline) for the content they publish through their own social media sites.
4. Employees who are not authorized to speak on the City's behalf should not imply that they are speaking in their official capacities, or on behalf of the City, on their personal social media sites. Whether or not employees specify on their personal social media accounts that they are employed by the City, the fact that they are is a matter of public record. Therefore, City employees should be mindful that whenever they discuss anything using on-line platforms, those comments may be attributed to the City. Where employees' association with the City is obvious, they should specifically state that any posting reflects their own opinions, and not those of the City.
5. Employees shall not disclose any information about confidential City business on their personal sites. They should be cautious when posting pictures of co-employees, citizens, members of the public, or other users of City services related to their interactions with the City.
6. Employees shall not disclose any information about City employees or personnel information of employees, elected or appointed officials they are privy to solely because of their employment with the City.
7. City policies related to anti-harassment extend to all forms of communications including social media both inside and outside the workplace. Posting, linking, transmitting, or otherwise disseminating any material or personal sites that is: discriminatory or harassing of other employees is strictly prohibited.
8. Although employees retain the right to express opinions on matters of public concern, communications that cause the City's operations disruption or disharmony, that adversely affect that City's Mission and functions, or that otherwise interfere with the employee's job performance may result in discipline up to and including termination.

13.4 Application of Other Policies

All of the City's employment policies apply to conduct online in the same way that they apply to conduct that occurs in the workplace. For example, employees' online conduct must comply with Sexual Harassment, Hostile Work Environment, Discrimination and Respectful Workplace policy.

13.5 Additional Prohibited Practices

Employees are prohibited from engaging in any of the following in their online activities, whether Personal or Professional:

1. Disparaging the City's services, clients, customers, citizens, executive leadership, employees, strategies or philosophies.
2. Making any false or misleading statements.
3. Promoting or endorsing violence.
4. Promoting illegal activity, including the use of illegal drugs.
5. Directing any negative comment towards or about any individual or group based on race, religion, gender, disability, sexual orientation, national origin, citizenship, or other characteristic protected by law.
6. Disclosing any confidential or proprietary information belonging to the City or obtained by the employee as a result of his/her employment with the City.
7. Posting, uploading, or sharing any recording or images (including audio, pictures and videos) taken in the workplace or at any City-sponsored event without express advance authorization.
8. City policies related to anti-harassment extend to all forms of communications including social media both inside and outside the workplace. Posting, linking, transmitting, or otherwise disseminating any material on personal sites that is discriminatory, or harassing is prohibited.

Failing to comply with any or all parts of this policy may result in disciplinary action, up to and including termination.

13.6 Duty To Report

Employees have an ongoing duty to report any violations of this policy by other employees. The City considers the duty to report to be a critical component of its efforts to ensure the safety of its employees and to preserve the City's reputation and goodwill in the community. Therefore, any employee who fails to report any conduct that reasonably appears

to be in violation of this policy may be subject to discipline for such failure. If you wish to report a concern, please contact the Human Resources Office.

13.7 Questions About This Policy

Social media changes rapidly and there will likely be events or issues that are not addressed in this policy. If, at any time, an employee is uncertain about the application of this policy or has questions relating to the appropriate use of social media, the employee should seek guidance from their department head and/or the City's Public Information Officer *before* posting or otherwise engaging online.

Section 14 – Video Camera Policy

The City of Dodge City provides a variety of services and work in multiple building/facilities, locations throughout the City and through use of a variety of equipment. The City strives to offer a welcoming, open atmosphere and provide a safe environment for citizens and employees alike.

Video cameras, which includes vehicle cameras, are used where needed to provide peace of mind for staff and public, to assist in preventing disturbances on City property, to prevent fraudulent claims, to confirm compliance with City policies and to assist law enforcement in prosecuting criminal activity. The purpose of this policy is to establish guidelines for the placement and use of video cameras, as well as the access and retrieval of recorded video images.

The City of Dodge City currently does not have cameras in every vehicle; however, employees should behave as if an audio and visual recording is being made at all times while the vehicle is in operation.

14.1 Guidelines

1. Cameras may be installed at entrances, hallways, lobbies, the courtroom, and other locations on an as-needed basis, both inside and outside City buildings and in City vehicles and equipment. Cameras may be placed in both indoor and outdoor areas, as well as in equipment where security staff and designated staff can randomly monitor activity.
2. Access to the archived video is restricted to IT, the City Manager, and the City Manager's authorized designees. The City Manager, at his discretion, may authorize designees to access archived video for limited and specific purposes.
3. Access to real-time monitors will be viewed on desktop monitors placed in secure areas to ensure private access. Such access is available to City Manager and the City Manager's designated staff only.
4. Footage will be stored on secure servers or through authorized cloud operations and will be accessible only by authorized personnel. Facility video records will not be maintained for any designated period of time, provided no criminal activity or accident/incident has occurred that necessitates a specific request to maintain a segment of video record. Vehicle video records will be maintained for six (6) months or longer

if an issue arises. Police video tapes will follow the City's records retention schedule for use in police cases.

5. Footage may be used for the following purposes:
 - a. To investigate accidents and incidents involving City vehicles and facilities.
 - b. To monitor driver behavior and compliance with company policies.
6. Footage is not monitored continuously. Therefore, employees will maintain responsibility as indicated in Chapter 8, Section 1 that an employee has a responsibility to report to their supervisor any action or failure to act which brings discredit upon the City of Dodge City or causes a hindrance to the effective performance of a departmental or city function. Such failure to report is considered a basis for disciplinary action.
7. Because cameras are not constantly monitored, City staff and the public should take appropriate precautions for their safety and for the security of personal property. The City of Dodge City is not responsible for loss of property or personal injury.
8. Disabling or covering cameras by any unauthorized employee is strictly prohibited.
9. Cameras may be installed in public spaces where individuals lack a reasonable expectation of privacy. Examples include common areas such as: entrances, hallways, the lobby, the court room, parking areas, and inside City vehicles.
10. Cameras will not be installed in areas where individuals have a reasonable expectation of privacy, such as bathrooms or locker rooms.
11. Employees should be aware that a vehicle camera may be installed in City owned vehicles and that their driving may be recorded.

Employees signing and accepting the policies of this Personnel Policies Manual are deemed to have consented to the installation of a vehicle camera in the City-owned vehicle driven by the employee, are deemed aware that their driving may be recorded and are deemed to have agreed to comply with the policy. Failure to comply may result in disciplinary action up to and including termination.

A copy of this policy may be shared with members of the public upon request. Questions from the public regarding this policy may be directed to the City Attorney. The policy is also posted on the City of Dodge City's official website.

CHAPTER 17 – MISCELLANEOUS PROVISIONS

Section 1 – Dress Code

Any City employee who is required to wear a uniform in the performance of his/her duties shall be provided with such uniform at the expense of the City. Replacement schedules for uniforms will be determined by the City Manager and Department Heads. Under most circumstances, City issued uniforms shall be worn only while at work and off duty wear of uniforms is prohibited.

City personnel who wear a uniform or City issued shirts that may be directly associated with the City are not allowed to patronize any drinking establishment, liquor store, or any establishment or event which would bring discredit to the City while in uniform, unless their presence is required by the official performance of their duties. Employees may take their meal break in a restaurant which also serves alcohol but shall not consume alcohol nor sit with anyone who is consuming alcohol.

Office attire is considered as slacks, long or knee length skirts or dresses, nice jeans or capris, an appropriate collared dress shirt, and appropriate dress shoes. No clothes or pants shall have holes or frays and shall not expose an undergarment. No shirts shall have spaghetti straps or cropped waists. No leggings or other form fitting pants are permitted unless covered at least to the mid-thigh by a dress or appropriate-length shirt. Friday office attire allows t-shirts that have a City approved logo on the shirt. Other t-shirts or attire may be allowed for special occasions as authorized by the City Manager.

Office employees performing field duties should wear collared or City uniform-shirts; jeans or other appropriate work pants with no holes or frays will be acceptable.

Shoes and Footwear should be appropriate to the employee's position. Please refer to the employee safety manual for further information.

Hats are typically not acceptable for employees in an office environment. Casual hats such as ball-caps should not be worn in the office, to City Commission meetings, or to municipal court. Head covers that are required for religious purposes or cultural tradition are allowed.

Safety attire may be required per work requirements. Please refer to the employee safety manual for further information.

Visible body art or tattoos that depict illegal activities or could be perceived as offensive or hostile to a reasonable person are prohibited. Any body art or tattoos that might diminish the employee's ability to effectively perform or represent the particular position he/she holds with the City must be covered during their normal work schedule. The Department Head shall be the judge of what constitutes unacceptable body art or tattoos, with the City Manager available for a final decision if necessary.

Unacceptable body piercings include, but are not limited to tongue posts, eyebrow rings or posts and lip rings. The Department Head shall be the sole judge of what constitutes unacceptable body piercings, with the City Manager available for a final decision if necessary.

Employees are expected to maintain proper hygiene and shower/bathe routinely. Employees are also expected to refrain from using heavy perfume, cologne, aftershave, or other scents whose odor could be considered reasonably offensive to coworker(s). If an employee's poor hygiene or use of too much perfume/cologne is an issue, the supervisor should discuss the problem with the employee in private and identify the type of corrections that need to be made. If the problem persists, supervisors should follow the normal corrective action process.

Exceptions may be made on a case-by-case basis. Exceptions will be made as appropriate for disability accommodations, or religious beliefs or practices. Employees with medical conditions requiring otherwise non-permitted clothing may be required to provide certification from the employee's health care professional. The City Manager has the final authority on all exceptions and/or decisions made.

Section 2 –Identification Cards

The City may issue employee identification cards to employees for whom it is deemed necessary. The identification card is given to the employee for the purpose of personal identification and to illustrate his/her relationship with the City. Misuse of the card as for personal gain or fraudulent purposes or any display of the card which brings discredit to the City will be reason for disciplinary action up to and including termination of employment. If an identification card is lost, it shall be reported immediately to the Department Head or supervisor. The identification card is the property of the City and must be surrendered immediately upon termination of employment.

Section 3 – Residency

Employees are not required to maintain residency within the city limits. However, employees subject to frequent call-back or on-call duty are expected to reside within a thirty (30) mile radius of the city limits. Residency outside the thirty (30) mile radius must be approved by the City Manager or his/her designee.

Section 4 – Training Activities

It is the policy of the City to provide employees with appropriate educational and training opportunities to improve their skills and capabilities as may be appropriate to their duties and responsibilities. Attendance at training activities must be authorized in advance by the Department Head. Under most circumstances, training time is considered time at work for pay purposes. The Federal Labor Standards Act (FLSA) sets regulations concerning reimbursement

for travel time and time spent away from the employee's home. Employees who are unclear about pay while attending training should consult with the Human Resource Office. If a dispute arises involving pay in association with training, the City Manager or his/her designee will be the deciding authority. College course work taken for credit hours is not considered as a training activity.

Section 5 – Travel

When travel is required by the City Manager or an employee's Department/Division head, expenses associated with those training opportunities will be paid by the City according to the Fair Labor Standards Act (FLSA), Internal Revenue Service (IRS) guidelines and the City's Travel policy.

Travel Expenses – City of Dodge City employee may be required to travel in fulfilling their official duties or in attending seminars or other educational and training activities benefiting the City. The City will reimburse employees within prescribed limitations.

When travel requires an overnight stay, any time traveling as a passenger that falls within the employee's normal work hours is compensable, regardless of what day of the week the travel takes place. Time spent traveling to an airport terminal or train station is considered commute time and is not treated as hours worked, but the time spent waiting at the terminal until arrival at the destination is compensable when it falls during normal work hours.

Employees are expected to use good judgment in requesting reimbursement of travel expenses. The following are general guidelines that summarize travel/training reimbursements to be made.

Definitions –

1. Authorized Travel – Travel outside of City limits that is directly relevant to, and necessary for successful accomplishment of, legitimate City requirements (i.e., official City business, training, etc.).
2. Authorized Individuals – Individuals who are either performing City business or representing the City in some fashion.
3. Reimbursable Mileage Rate – IRS business standard mileage rate in effect at the time of Authorized Travel (<https://www.irs.gov/tax-professionals/standard-mileage> rate).
4. Purchasing Card – Any card or other similar item or arrangement which authorizes credit purchases by a City employee in the name of the City of Dodge City. See Section 6 below.
5. Reimbursable Expenses – Only those expenses for which City funds will be used for reimbursement.
6. Travel Approving Official – Person authorized to approve travel and related expenses. For this policy the Travel approving Official will be the department/division head. If the Authorized Individual is a department/division head, the Travel Approving Official will be the City Manager. International travel will require approval from the City Manager or his/her designee.

Approval Process – Any Authorized Individual intending to travel on City business shall request approval from their Travel Approving Official prior to the planned departure date.

Authorized Expenses – The City of Dodge City shall compensate employees according to the FLSA when travel is required for official business. Only reasonable expenses will be reimbursed. Reasonable expenses normally include transportation, lodging, meal expenses and incident travel expenses.

1. Transportation costs (specified below) for out-of-town meetings, conferences, and seminars.
2. Lodging for approved overnight business -related functions at a reasonably priced hotel/motel as detailed below.
3. Actual meal expenses for business related activities when traveling out of town as explained below.
4. Incidental travel related expenses such as tolls, parking, etc.

Unauthorized Expenses –

1. Alcohol.
2. Appetizers unless ordered as a meal.
3. Snacks.
4. Personal expenses.
5. Expenses for family members or others.
6. Entertainment expenses such as tickets to concerts, plays, sporting events, etc.; and/or, maid tips.

Modes of Transportation – The City will provide transportation when in the best interest of the City. It is expected that each employee will use the best means of traveling to and from the destination taking into consideration cost, time, and transportation availability.

Employees needing to travel may use the following means of transportation:

1. City Vehicle – City owned vehicles will be used whenever possible. Employees without assigned City vehicles may request a City vehicle for business travel. City vehicle issuance is based on availability.
2. Private Vehicle – Rates for reimbursement will be the Reimbursable Mileage Rate. Mileage will be determined by the usually traveled, most direct route in accordance with figures obtained by Google Maps. If approved, this use of a Private Vehicle may be selected but reimbursement will be limited to cost of the most economical mode of transportation available (i.e. limited to the total cost of reimbursable mileage to airport, airport parking, airfare, etc.)
3. Commercial Carrier – Allowable expense is economy or tourist class if by air; first class day coach if by train. When possible, commercial travel should be planned far enough in advance to take advantage of reduced fares. Under no circumstances will

an airline be selected, or route established solely for the purposes of accruing airline bonus points.

4. Rental Vehicle – May be authorized if most economical either traveling to and from or at an authorized event.
5. Other Travel Related Expenses – Other business expenses directly attributed to City related travel such as public transportation, baggage fee, airport parking, taxi/bus fares, tolls and parking fees are allowed if receipts detailing the charges are provided.

Please note mileage will not be reimbursed for travel within the city limits of the City of Dodge City.

Lodging – The City will pay lodging costs associated with attendance at an authorized business meeting, seminar, or conference. Reimbursement will be for the best available room rate.

Phone calls and internet access charges on the hotel bill shall be the employee's responsibility unless identified as to who was called and the nature of City business conducted.

Meal Expense – Expenses for meals associated with a training seminar or meeting with the city limits of Dodge City will not be reimbursed. If meals are not included during a training event or business meeting held within the city limits of Dodge City, reimbursement will not be provided to the employee. Meals provided by the conference or training, or meals provided as part of the lodging, reimbursement will not be provided to the employee.

Meal Expense Reimbursement will be made on a per diem rate schedule. Employees are required to use the U.S. General Services Administration (GSA) (www.gsa.gov) Guidelines for the per diem rate schedule. Under no circumstance shall the amount exceed GSA guidelines for the area.

The meal reimbursement will be made based upon the authorized travel form submitted by the employee, approved by the department head or supervisor. If an advance for the meal expense is to be made, the request will be turned into Accounts Payable two (2) weeks prior to the travel/training event. If the request is not made in advance of the travel/training event, the per diem will be made as a reimbursement.

When an overnight stay is not required but an employee's travel extends their workday by three (3) or more hours, the employee will be provided with one (1) additional meal.

Certification License Testing – When attempting Certification/License Testing (job requirement), the City will reimburse the employee for the cost of (1) the first attempt (pass or fail), and (2) the final successful attempt at testing. The expense for all other attempts will be the responsibility of the employee.

These policies may be waived in special circumstances, including travel of City Commissioners.

All employees and/or employees' supervisors will be responsible for a full accounting of any travel/training events.

Section 6 – City Purchase Cards

Designated employees, whose duties require it, will be issued a purchase card to be used for the purchase of goods and services in support of the City. Cardholders will:

- a) make reasonable efforts to keep the card and card number secure.
- b) ensure the card is only used for legitimate City purposes.
- c) ensure only the card holder uses the card.
- d) obtain all sales slips and register receipts.
- e) advise all vendors accepting the card that the City is a tax exempt organization and sales tax should not be applied to purchases.
- f) report any lost or stolen card immediately to the Director of Finance and/or program administrator.
- g) maintain all records and documentation required by the City.

Cardholders are responsible for following up with vendors regarding any erroneous charges, disputed items, or returns. If the cardholder is unable to resolve the issue with the vendor, the matter should be referred to the Director of Finance or his/her designee. Vendors should issue a credit to the card for any items returned. **Under no circumstance should a cardholder accept cash in lieu of a credit to the purchase card account.**

Any use of a purchase card outside the cardholder's expressed authority is considered misuse or abuse. Misuse and abuse of a card includes, but is not limited to:

- a) using the card for personal or unauthorized purposes.
- b) using the card to obtain a cash advance or cash in lieu of a credit to the purchase card account.
- c) using the card to purchase alcoholic beverages or any substance, material, or service which violates any policy or regulation of the City.
- d) splitting a purchase or using another cardholder's card to circumvent the purchasing limit of the card.
- e) failing to properly document purchases by obtaining receipts and maintaining records as required.
- f) failing to provide, when requested, information regarding a specific purchase(s).
- g) failing to adhere to all City Purchase Card policies and procedures.

Misuse or abuse of a City Purchase card can result in suspension of card use and purchasing authority; and disciplinary action up to and including termination.

Supervisors shall be responsible for collecting the purchase card of an employee ending their service with the City of Dodge City prior to them leaving City facilities on their last day of employment. The Supervisor should then submit the old card immediately to accounts payable for termination of the account.

Section 7 – Release of City Information to the Media

No City employee is to provide any information about, or make any statements regarding, city operations, business matters, etc., unless authorized to do so by their supervisor or by the Public Information Officer (PIO) or City Manager.

Section 8 – Smoke-Free Workplace Policy

The City of Dodge City is committed to providing a safe and healthy workplace and to promoting the health and wellbeing of employees. As required by Kansas State law and also motivated by our desire to provide a healthy work environment for our employees, the following smoking policy has been adopted and shall apply to all property of the City of Dodge City (hereinafter “City”).

Smoking is prohibited in all City facilities. Kansas law defines smoking as possession of a lighted cigarette, cigar, pipe or burning tobacco in any other form or device designed for the use of tobacco.

This smoke-free workplace policy applies to:

- All areas of buildings owned and/or operated by the City.
- All City sponsored off-site activities.
- All vehicles owned or leased by the City.
- All members of the public while in City facilities.
- All City employees, including seasonal and part-time employees.

Smoking is permitted in:

- Outdoor areas no less than ten (10) feet from any doorway, open window, or air intake to any building.

Employees who violate this policy will be subject to disciplinary action up to and including termination of employment.

No employee, applicant for employment or member of the public will be discharged, barred from employment or in any way retaliated against because they report or attempt to prosecute a violation of the provisions of this policy or K.S.A 21-4009 through 21-4014 and amendments thereto.

CHAPTER 18 - EMPLOYEE TRANSPORTATION/EQUIPMENT USAGE

Section 1 – Use of City Owned Vehicles

Vehicle operations create a substantial risk for the City of Dodge City. As best practices dictate, we reduce this risk by allowing only safe drivers to operate vehicles and controlling the criteria for use. A City owned vehicle is to be used for official City business only. **Personal use of City vehicles is prohibited.** No City employee is allowed to operate any City vehicle or equipment unless they possess a current and valid Kansas motor vehicle operator's license for the type of vehicle or equipment operated (see Section 5 below). Employees operating City vehicles and equipment are required to fully observe all traffic laws, safety procedures, and the dictates of common sense. **Employees shall notify their supervisor immediately if their motor vehicle operator's license is suspended, revoked or restricted in any fashion.** Reference Chapter 9, Section 8, Loss of Job Requirements.

Only personnel properly authorized by the City Manager are allowed "take home" vehicles. Use of City vehicles to transport non city business related passengers (i.e. dependents, family members, friends) is strictly prohibited, except in circumstances specifically authorized by the City Manager or his/her designee. Employees should be aware that authorized personal use of a City owned vehicle is considered a taxable benefit in many situations and is subject to applicable tax laws. Employees shall submit proper documentation of personal use as required.

Section 2 – Use of Private Vehicles

If an employee is required to use his/her private vehicle in the performance of official duties for the City, the employee will receive a monthly car allowance or be paid for the use of the vehicle on official City business at the current mileage rate for actual miles driven. Driving to and from a job site from the employee's residence is not considered performance of official duties. The City Manager or his/her designee will authorize the payment of any and all monthly car allowances paid to employees.

Section 3 – Use of City Equipment

No equipment owned by the City is to be used for anything other than City work. Using City equipment for personal gain during working or non-working hours is prohibited. Under any circumstances, operation of City equipment is restricted to City employees. Failure to adhere to this policy may result in disciplinary action up to and including separation of employment.

Section 4 – Accidents Involving City Owned Vehicles/Equipment

If, while operating a City owned vehicle or other equipment, an employee is involved in a traffic accident resulting in injuries to any person(s) or damage to any property, the employee is required to:

- Summon medical assistance if appropriate for anyone involved in the accident.
- Notify the appropriate law enforcement agency immediately.
- Insist that all parties and property concerned remain at the scene of the accident until law enforcement officers arrive.
- Report the accident, no matter how minor, to the Department Head.
- Discuss the accident with no one except the investigating law enforcement officers and City officials.
- Be available for post-accident drug and alcohol testing if requested.
- If the employee is injured in the accident it must be immediately reported to their supervisor. This situation may be a Workers Compensation Accident and employees should refer to Chapter 19 of this manual for further instruction.

Section 5- Motor Vehicle Records (MVR)

As noted above, no City employee is allowed to operate any City vehicle or equipment unless they possess a current and valid Kansas motor vehicle operator's license for the type of vehicle or equipment operated. **Employees shall notify their supervisor immediately if their motor vehicle operator's license is suspended, revoked or restricted in any fashion. Reference Chapter 9, Section 8, Loss of Job Requirements.**

The City will review the MVR of all City employees who drive our vehicles at a minimum every two years. All new applicants who will operate vehicles will have a review of the MVR prior to officially being hired. All employees considered to have marginal driving records will have their MVR reviewed annually. Accidents with City equipment that are not reported and are not reflected on the MVR will be considered in our MVR review.

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In order to evaluate and establish a screening process for consistent administration of our MVR review, we have established the following general guidelines for use in evaluating MVR's:

Major/Minor/Non-moving Violations generally include:

Major: * Leaving the scene of an accident * Driving under the Influence of drugs or alcohol * Excessive speed (>20 mph over limit) * Reckless, negligent or careless driving * Felony, homicide or manslaughter involving the use of a motor vehicle * License suspension or revocation resulting from accidents or moving violation	Minor: * Speeding <20 mph * Failure to obey sign * Failure to yield * Illegal turn	Non-moving: * Parking tickets * Motor Vehicle equipment violations * Failure to have a valid operator's license available where one exists ** Non-moving violations are typically not included when evaluating MVR's, but will be looked at for severity/excess.
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*accidents provided through the MVR process will be discussed with employee to determine preventability.

*multiple minor violations arising from one incident MAY be considered for occurrence consolidation, this will be considered as the MVR is reviewed by Human Resources.

MVR Evaluation Grid

Minor Moving Violations (past 3 years)	PREVENTABLE ACCIDENTS (Past 3 years)			
	0	1	2	3+
0	CLEAR	ACCEPTABLE	BORDERLINE	POOR
1	ACCEPTABLE	ACCEPTABLE	BORDERLINE	POOR
2	BORDERLINE	BORDERLINE	POOR	POOR
3	POOR	POOR	POOR	POOR
4+	POOR	POOR	POOR	POOR
Any Major Violations (Past 5 years)	POOR	POOR	POOR	POOR

If an employee has or develops a borderline or poor MVR per the grid above, the City will determine the level of disciplinary action to be taken which may include termination, consideration will be given to reassignment to non-driving positions, until their driving records become acceptable.

CHAPTER 19 - SAFETY, WORKER'S COMPENSATION & RELATED PROGRAMS

Section 1 – General Statement

Safety is a Core Value of the City of Dodge City and as such the City shall make every reasonable effort to promote standards of safety and good health among employees. To those ends the City has developed an Employee Safety Handbook (Addendum #1). Employees are expected to abide by the provisions and guidelines in the handbook. Failure to do so may result in disciplinary action up to and including dismissal from employment.

An employee who is aware of an unsafe or dangerous condition should report it immediately to his/her supervisor. If the supervisor is not available or responsive, the employee should immediately report the condition to the Department Head, Human Resource Office, Safety Director, or City Manager.

Section 2 – Worker's Compensation

All City employees are insured against injuries occurring on the job and job-related illnesses through Worker's Compensation insurance regulated by the Kansas State Worker's Compensation Act. This law provides specific benefits, the amounts of which are dependent upon the seriousness of the injury or illness. Injury or illness incurred from on-the-job activities will entitle the employee to the benefits of Worker's Compensation and injury leave in accordance with the Worker's Compensation Act and the leave policy of the City as discussed in Chapter 13, Section 7 of this manual.

Any on the job injury, regardless of extent, should be reported immediately to the supervisor to insure utilization of the benefits of Worker's Compensation if appropriate. Failure to report a work-related injury or accident in a timely manner may result in inability to receive Worker's Compensation benefits. The following procedure is established:

1. The employee shall immediately report any injury or work-related illness, regardless of extent, to his/her immediate supervisor.
2. The immediate supervisor shall ensure first aid is provided and, if necessary, the injured employee is transported to the City's Designated Physician or designated medical treatment facility. If the injury/illness does not require immediate medical attention, an appointment shall be made with the City's Designated Physician or designated medical treatment facility for the employee. If the employee receives medical treatment from the City's Designated Physician or designated medical treatment facility an Authorization for Work Comp Medical Treatment form must be taken with the employee for the medical provider to complete.

3. The Supervisor will ensure a **Supervisor's Report of Injury** form is immediately completed documenting the circumstances related to the injury. This form must be completed whether medical attention is provided or not.
4. The Supervisor shall insure the Department Head and the Human Resource Office are notified of the incident by the next administrative working day.

Employees are reminded to follow the guidelines established in the Employee Safety Handbook, and that the City will not accept responsibility for accidents or injuries which result because of failure by the employee to follow proper safety procedures.

Section 3 – Designated Physician Program

The City of Dodge City utilizes a designated physician to treat all work-related injuries. In the event this physician is not available, these services may be performed by another medical professional designated by the City. If the situation is an emergency requiring the employee be transported to the local hospital emergency room, hospital staff must be notified it is a Worker's Compensation Injury and the identity of the City's designated physician.

For work related injuries, employees are instructed that seeking medical attention without first notifying the City may result in medical expenses which are not covered by Worker's Compensation Medical Insurance or by the City of Dodge City. The designated physician must be seen first and can make subsequent referrals. In the event an employee chooses to go to another medical provider, this is considered unauthorized medical expenses and any expenses incurred in excess of \$800 may become the responsibility of the employee. Employee group medical and dental insurance will not cover work related injuries and illnesses. Unauthorized medical care shall be used only if the employee requests a second opinion and further coverage under workers compensation will only occur if the City is administratively ordered to accept a different physician of record.

Section 4 – Restricted Work Assignments

If an employee is seen by a medical provider for a worker's compensation injury/illness the employee will be released from medical care to:

- a. return to work with no restrictions;
- b. return to work with restrictions; or
- c. not to return to work until a future date.

In the event an employee is to return to work with restrictions for a period of time of seven (7) days or less, the supervisors will assign work within the restrictions. If the period covered by restrictions is in excess of seven (7) days, the supervisors and the Human Resource

Office will determine a temporary limited duty (TLD) work assignment, if such is available. Under this approach, the injured employee can be assigned to another position or department. The employee will continue to receive his/her pre-injury salary and benefits. These provisions shall apply for employees who temporarily lose the ability to perform the essential functions of the position to which they are appointed, due to a work-related injury. In the event of a permanent loss of the ability to perform essential functions of a position, the employee will receive a final disability rating which restricts the duties and type of work he/she may perform, and the provisions set forth in the Americans with Disabilities Act (ADA), including those related to reasonable accommodation and undue hardship shall apply.

Section 5 – Temporarily Unable to Return to Work

In the event that the employee is removed from regular or light duty by the City's Designated Physician, for a period not to exceed twenty-six (26) weeks, the following procedure will be followed:

1. The supervisor shall report the employee's hours for those twenty-six (26) weeks as Injury Leave (IL) on the respective time sheet.
2. The employee will continue to receive their current gross pay, excluding overtime from the City. The employee will endorse the Worker's compensation benefit check and return it to the City.
3. If the employee chooses to accept the Worker's compensation benefit check instead of the City compensation, the employee must notify the Human Resources Office immediately.

In the event, that the employee is removed from regular or light duty by the City's Designated Physician, for a period in excess of twenty-six (26) weeks, the employee, may use PTO to replace the exhausted City injury leave under the following provision:

If the employee's current gross pay, excluding overtime, is greater than the maximum benefit paid by Worker's Compensation an employee may be eligible, upon written request with approval from the Department Head and City Manager or his/her designee, to use PTO to make up the difference in gross pay. Under no circumstances shall the sum of the Worker's Compensation benefit plus the allowed sick leave exceed an employee's regular gross pay.

Additional provisions of injury leave beyond the twenty-six (26) week period shall include:

1. PTO shall not accrue unless the employee works a minimum of forty hours per pay period in a restricted duty capacity.
2. Insurance premiums typically paid by payroll reduction are the employee's responsibility for payment.

3. Flexible spending account annual election will be reduced by the biweekly contribution amount for which no withholding is made. If the employee has exhausted the spending account prior to being authorized leave without pay, the City reserves the right to either recalculate the biweekly election amount based on the remaining pay periods in the benefit year after the employee returns to work or require the employee to reimburse the flexible spending account fund the contribution amount for which no withholding was made, prior to the employee returning to work.

CHAPTER 20 - SEXUAL HARASSMENT, HOSTILE WORK ENVIRONMENT, DISCRIMINATION, RESPECTFUL WORKPLACE

Section 1 – Purpose

The City of Dodge City prohibits unlawful harassment and discrimination in all forms. The City seeks to promote a diverse and productive work environment and will not tolerate conduct by any employee which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile work environment based upon an individual's race, gender, religion, age, disability, sexual orientation, ancestry, family status or national origin. Treatment of employees shall be based on job performance and job requirements. This policy applies to all applicants and employees, whether related to conduct engaged in by a fellow employee or someone not directly connected to the City (e.g. an outside vendor, consultant, or customer). Conduct prohibited by this policy is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events. Harassment which occurs off-duty and off City premises but effects the work environment is also prohibited. ***This is the case even if the offending employee does not intend to be offensive. Lack of intent is immaterial.***

Section 2 - Definitions

Sexual Harassment - Sexual harassment is defined as any form of unwelcome conduct of a sexual nature which is directed at or affects an individual of either sex and which has an adverse effect on the individual. Examples of conduct that, if unwelcome and resulting in an adverse effect, may constitute sexual harassment include but are not limited to:

- a. Sexual advances, propositions or flirtations;
- b. Requests or pressure for any kind of sexual favors, activities, or contact (to include but not limited to, a supervisor or other person with authority to affect an employee's working conditions promising favorable treatment or threatening unfavorable treatment based upon the employee's response to sexual demands);
- c. Sexually explicit, graphic, abusive, degrading, intimidating, or offensive language, conversations or jokes;
- d. Physical contact or touching of a sexual nature, including physical or sexual assault;
- e. Display, circulation, or communication of any sexually suggestive, explicit, graphic, or offensive objects, pictures, or materials of any kind;
- f. "Sexist" comments or behavior (defined as conduct which demeans other individuals because of their sex, even if it is not vulgar, lewd, or sexually provocative).

Other Forms of Harassment - Harassment and discrimination based on race, color, gender, religion, age, disability, sexual orientation, ancestry, family status, genetic information, or national origin are also prohibited. Under this policy, harassment is any conduct that denigrates or shows hostility or aversion toward an individual based on any protected characteristic of that person or of his/her relatives, friends, or associates, and that:

- a. Has the purpose or effect of creating an intimidating, hostile or offensive work environment;
- b. Has the purpose or effect of unreasonably interfering with an individual's work performance;
- c. Otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or shows hostility or aversion toward any individual or group.

Special note about religion – It is not a violation of this policy for employees to discuss religion, or to read or view religious materials, at work during non-working time. However, employees who do so should be sensitive to and respectful of the different beliefs (or lack of belief) of others. Religious practices which interfere with job performance, excessive “preaching” that is unwelcome to others, or adverse treatment of others because of their beliefs, different beliefs, or lack of belief, may be considered harassment within the meaning of this policy.

Section 3 – Hostile Work Environment Policy

The City prohibits the creation of a hostile work environment. A hostile work environment is created through harassment so pervasive in nature as to interfere with the ability of a normal person to effectively perform the functions of their position. Any city employee engaging in this type of behavior is subject to disciplinary action up to and including dismissal from employment.

Section 4 – Discrimination Policy

No city employee or applicant shall be subjected to discriminatory practices in violation of the City's Equal Employment Opportunity Policy. Discrimination against any person in recruitment, examination, appointment, training, promotion, retention, transfer, reassignment, discipline, or any other aspect of personnel administration, because of race, color, gender, religion, age, disability, sexual orientation, ancestry, family status, national origin, genetic information, or any other non-merit factors, is prohibited. An exception will be made in cases where gender or physical requirements constitute a bona fide occupational qualification necessary for proper and efficient job performance. Any city employee engaging in a prohibited

discriminatory practice is subject to disciplinary action up to and including dismissal from employment.

Section 5 – Respectful Workplace

The City of Dodge City strives to maintain a workplace which fosters the core values of honesty, integrity and respect and promotes harmonious, productive working relationships. The City believes in going beyond what is required by law and expects city employees to treat each other in a manner in which they would like to be treated and to give each other the respect that is due to every individual whether it is a fellow employee, member of management, customer, vendor, or visitor to city premises. Therefore, the City of Dodge City prohibits any behavior which is discourteous or demeaning to other employees. Disrespectful behavior may include, but is not limited to, the following:

- Jokes which demean another individual or group of individuals;
- Name calling or nicknames which may be offensive;
- Taking credit for another individual's work or ideas;
- Refusing to communicate or speak with another individual;
- Engaging in behaviors which are barriers to communication, such as those regarding voice intonations, expression, response or lack of response;
- Offensive verbal, visual, or physical contact;
- Repeated negative comments about others, either orally or in writing;
- Threatening another individual;
- Invading another's privacy;
- Knowingly blaming another individual for a mistake they did not make;
- Purposely invading another's personal space;
- Creating or spreading malicious or defamatory rumors about another individual;
- Any type of "bullying" behavior.

The City of Dodge City expects all employees will act responsibly to establish a pleasant and friendly work environment. However, if an employee feels he/she has been subjected to any form of disrespectful behavior, the employee should report the conduct to his/her immediate supervisor, his/her Department Head, or the Human Resource Office within three (3) administrative working days of the offense. Employees are not required to approach the person who was disrespectful to them and may bypass any offending member of management. All employees should notify a member of management regarding any disrespectful behavior they witness or are told another person received.

The City of Dodge City reserves the right to determine whether any type of behavior is disrespectful and injurious to the morale of the organization and to take appropriate disciplinary action against the employee engaging in the behavior, up to and including dismissal from employment.

Section 6 – Employee Responsibilities

Every employee of the City is responsible for assisting with the prevention of harassment and discrimination through the following:

- a. Refraining from participation in, or encouragement of, actions which could be perceived as prohibited conduct;
- b. Reporting acts of prohibited conduct, whether toward a city employee or citizen to a supervisor;
- c. Encouraging any employee, who confides he/she is the subject of prohibited conduct, to report the incident(s) to a supervisor;
- d. Failure to take action to stop a known act of prohibited conduct shall be grounds for disciplinary action.

Section 7 – Supervisor Responsibilities

Each supervisor shall be responsible for the prevention of prohibited conduct, including but not limited to, the following:

- a. Consistently monitoring the work environment for indications of prohibited conduct and immediately stopping any acts that may be considered prohibited by taking appropriate steps to intervene, whether or not the employee(s) involved is under his/her supervision;
- b. Counseling all employees regarding types of prohibited conduct and City procedures for reporting and resolving complaints of prohibited conduct;
- c. Assisting any City employee, when approached by the employee with a complaint of prohibited conduct, by documenting and filing a complaint with the Department Head;
- d. Ensuring all subordinates and new hires have access to a physical or electronic copy of the City Policy Manual including the Chapter covering Harassment, Discrimination, and Hostile Work Environment;
- e. Discussing the policy with employees and ensuring they are aware they are entitled to work in an environment free of prohibited conduct;
- f. Taking immediate action to limit the contact at work between two employees following a complaint of prohibited conduct and pending investigation of the same;
- g. Informing all employees of the complaint process, including the employees' right to bypass an offending staff member and report the prohibited conduct directly to the Department Head or the Human Resource Office;
- h. Immediately reporting any complaints, observations or concerns of prohibited conduct;
- i. When receiving a complaint of prohibited conduct, supervisors shall instruct the employee initiating the complaint that anything he/she says will be reported to the

City's Human Resource Office. Supervisors will report complaints of prohibited conduct even if the reporting employee requests them not to;

- j. Maintain appropriate confidentiality regarding any complaints of prohibited conduct.

Failure to implement any of the foregoing actions shall be grounds for discipline against the supervisor.

Section 8 – Complaint Procedure

Should any employee feel they have been the subject of prohibited conduct, or have witnessed or have knowledge of any prohibited conduct; the employee shall proceed as follows:

- a. Report the incident to the employee's supervisor immediately;
- b. If the employee's immediate supervisor is the source of the prohibited conduct, the employee shall report the problem to the supervisor's superior or the Department Head. Employees may also report the problem directly to the Human Resource Office if they feel uncomfortable reporting it within their Department;
- c. The supervisor or Human Resource Office shall promptly notify the Department Head of the complaint.

In some cases, an employee may be able to stop the prohibited behavior by advising the offending person they find the behavior inappropriate and requesting the offender cease the behavior. Employees may attempt this in lieu of reporting a complaint if they feel it may be effective; however, no employee is obligated to confront an offending person.

Section 9 – Investigation Procedure

The Human Resources Department shall be responsible for the investigation of any complaints of prohibited conduct. All complaints shall be completely and fully investigated. Allegations of prohibited conduct concerning a Department Head or Human Resource Office shall be referred to the City Manager's Office. In cases in which the Department Head is the subject of an allegation, the City Manager shall serve the same function as the Department Head as outlined in this section, below. In cases in which an employee or employees within the Human Resources Department is the subject of an allegation, the City Manager responsible for coordinating a neutral and impartial investigation of the allegation and may refer the matter to a neutral third-party.

The Human Resources department shall maintain confidentiality throughout the investigative process to the extent consistent with adequate investigation and appropriate corrective action. The Human Resources department shall coordinate with the relevant department head to conduct investigations into misconduct as follows:

- a. The Human Resources officer shall provide notice to the employee making the complaint that an investigation will take place, and upon its conclusion, the employee will receive notice of disposition.
- b. The Human Resources officer and department head will determine whether the employee making the complaint and the employee against whom the complaint has been made should be separated during the pendency of the investigation to best protect personal safety.
- c. The Human Resources officer and department head shall provide notice to the employee against whom an allegation has been made that an investigation into his or her conduct has commenced in accordance with Chapter 8, Section 10 Investigation Procedures.
- d. The Human Resources officer and department head may conduct relevant investigative interviews, review footage, or otherwise investigate the allegation as appropriate.
- e. If after a reasonable investigation the claims are deemed unsubstantiated, the human resources officer will inform the complainant of this finding and provide the complainant with an opportunity to offer additional information or otherwise contest this finding. If the finding is contested, the City Manager shall determine whether to re-open the investigation, or whether it shall remain closed. If a complainant fails to contest a finding an allegation is unsubstantiated within 5 business days of receiving notice of the finding, the complainant has waived its right to contest the finding.
- f. If after a reasonable investigation the claims are deemed substantiated, Human Resources and the Department Head shall follow disciplinary procedures including disciplinary conferencing and notifying the employee of his right to appeal findings to the City Manager in accordance with Chapter 8, Section 15 Procedures for Issuing Discipline. Misconduct constituting harassment or discrimination will be dealt with appropriately. Responsive action may include, but is not limited to: discipline, up to and including termination, verbal counseling, training, and reassignment. Human Resources shall provide notice to the complainant that their claims have been substantiated and appropriate disciplinary action will be taken or that the claim has been unsubstantiated and why it has been determined to be unsubstantiated.
- g. The Department Head or Human Resources shall notify the appropriate law enforcement agency immediately of any evidence of criminal activity such as battery, criminal threat, or sexual assault which has occurred in relation to a complaint.

False or malicious complaints of harassment or discrimination, as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of disciplinary action.

Documentation regarding the nature of complaint, results of investigation and resolution of the complaint shall be maintained in the Human Resource Office.

Section 10 – Retaliation

Retaliation against any employee for filing a prohibited conduct complaint, or assisting, testifying, or participating in the investigation of such complaint is strictly prohibited and will not be tolerated. Disciplinary action, up to and including separation will be taken against any employee committing retaliation.

CHAPTER 21 - COMMISSION RELATIONS AND POLITICAL ACTIVITIES

The purpose of this policy is to prevent and avoid the appearance of impropriety on the part of any City employee. City employees are neither appointed to nor retained in the City's service on the basis of their political affiliations. Employees are expected to exercise their rights as citizens. It is the duty and right of every employee to join political organizations and vote on political issues. Employees are permitted to join political organizations, civic associations, or civic betterment groups. Employees are **not** permitted to:

- a. Depict themselves as representing the City of Dodge City in an effort to solicit support or circulate petitions concerning public issues;
- b. Be a candidate for, and/or hold the office of City Commissioner for the City of Dodge City;
- c. Publicly make individual and/or personal endorsements of a candidate for the office of City Commissioner;
- d. Solicit or handle political contributions for the election of a candidate for the office of City Commissioner;
- e. Engage in political activity which interferes with job attendance or performance, or use City facilities, equipment, or uniforms in political activities;
- f. Wear political badges or buttons on their person while on-duty, or display political signs on City property;
- g. Be members of Councils or Boards which are advisory in regard to policy or administrative to the City of Dodge City, except as authorized by the City Manager;
- h. Require or advise their employees to make political contributions for any election;
- i. Use political influence in connection with their employment status;
- j. Distribute campaign materials while on-duty or at the work site;
- k. Allow family member to utilize documents created by the City of Dodge City employees for a political purpose, unless the document has been received through a Kansas Open Records Request.

In addition, City employees should pay particular attention to their relationship to members of the City Commission. The City Manager is the only employee who is directly responsible to the Commission and the only city employee with authorized direct access to the

Commission members. Under no circumstances shall an employee contact the City Commission or City Commissioners on job related problems or grievances without the explicit approval of the City Manager. Violation of this rule may result in dismissal from employment.

Employees may, as citizens of Dodge City, approach members of the City Commission on citizen issues (e.g. improvements, zoning, etc.) not related to their employment.

CHAPTER 22 – SAFE WORK ENVIRONMENT

This chapter is in place to provide guidelines for fostering and encouraging a safe work environment, and for reducing the potential for violence in and around the workplace. It also serves to outline the procedures to be followed when a threatening or violent incident occurs in the workplace.

Section 1 – General

The City of Dodge City is committed to providing, in so far as reasonable within available resources, a safe environment for working and conducting business.

All employees are responsible for helping to promote a safe working environment, maintaining a violence free workplace, and refraining from acts of violence. To that end, each employee is required to govern themselves accordingly. In addition, any employee experiencing an act or threat of violence, whether from another employee or from an individual outside the organization, is asked to report such act or threat to their immediate supervisor or another manager. The City intends to use legal, managerial, administrative and disciplinary procedures to secure the workplace from violence and to reasonably protect its employees and members of the public. Any violent act(s) committed by an employee will be subject to disciplinary action, up to and/or including termination, as well as criminal prosecution as appropriate.

Law enforcement officers or other City employees authorized to carry weapons within the scope of their employment, are the only City employees authorized to use deadly force while acting for and on behalf of the City of Dodge City. Under no circumstances will the use of deadly force by any other City employee be considered as a function of said employee's job with the City.

Section 2 – Definitions

- A. Dangerous Weapons: A dangerous weapon is any instrument capable of producing bodily harm, in a manner under circumstances and at a time and place, that manifests an intent to harm or intimidate another person or that warrants alarm for the safety of another person. These may include items which obviously may cause harm, such as, but not limited to, firearms, knives (other than pocket) and explosives. They may also include items which are not obvious to cause harm but could, depending on the way the item is manipulated, such as throwing a chair, chemicals, stapler, drinking glass, etc.
- B. Workplace violence as referred to in this Policy includes, but is not limited to, an act or behavior that:
 - 1. Is physically assaultive;

2. Consists of a communicated or reasonably perceived threat to harm or endanger another individual or destroy property;
3. Would be interpreted by a reasonable person as carrying potential for physical harm to the individual or a reasonable person would perceive as menacing; or,
4. Involves carrying (other than what is authorized in Section 3) or displaying weapons, destroying property or throwing objects in a manner reasonably perceived to be threatening.

Section 3 – Possession and/or Use of Dangerous Weapons by Employees

A. In the interest of maintaining a workplace that is safe and free of violence, the possession or use of a dangerous weapon is prohibited on City property, in City vehicles, or in any personal vehicle which is used for City business, except as provided in Subsection B:

B. Exceptions to Dangerous Weapons Prohibition:

1. Employees of the City of Dodge City may carry knives and/or concealed handguns on their person as authorized by K.S.A.2015 Supp. 75-7C10, amended by HB 2502 , noting that the carrying of a concealed handgun may not be within some employees' course and scope of employment. The following shall apply to any City employee choosing to carry a concealed handgun while on the job in an employed position with the City of Dodge City:
 - (a) Any injury while working that is caused by the employee choosing to carry a concealed handgun will not be considered for workers compensation;
 - (b) Any liability associated with the employee's decision to conceal carry will not be defended by the City and will be of a personal nature since the carrying of a concealed handgun may not be part of some employee's duties.
 - (c) Employees are prohibited from leaving a handgun in plain view or unattended.
 - (d) Employees should abide by all laws related to conceal carry, such as not entering any building, private or public, prohibiting conceal carry.
 - (e) Employees are prohibited from storing firearms in a city-owned vehicle, with the exception of law enforcement employees.
 - (f) The election by an employee to conceal carry should not interfere with the employee's ability to perform any duties and should not obstruct any required safety equipment.
2. Employees of the City of Dodge City may possess a firearm on City property if:
 - a) They are engaged in military or law enforcement activities;
 - b) They are required to carry a handgun or other weapon in the course of their work duties for the City of Dodge City; or

- c) They adhere to City policies and procedures regarding concealed handguns, license requirements and posted building prohibitions.

Section 4 – Procedure

- A. If a workplace violence act or altercation occurs and constitutes an emergency, a witness should:
 - 1. Contact 911;
 - 2. Inform an immediate supervisor and the appropriate Department Head;
 - 3. Request parties to separate without becoming physically involved.
- B. In instances that do not constitute an emergency, contact the immediate supervisor who will in turn inform the appropriate Department Head, then the Human Resources Office, who will in turn inform the City Manager or his/her designee. A supervisor should notify his/her Department Head as soon as possible. The immediate supervisor or Department Head is responsible for documenting the incident or threat. Documentation should be in written form and include: 1) summary of incident or threat; 2) the names of the persons involved; 3) date, time, location of threat or incident; 4) names of witnesses; 5) who was informed; 6) summary of action taken, if any.
- C. The Department Head, or in his/her absence the supervisor, will contact the Human Resource Office as soon as possible who, together with appropriate law enforcement authority, will take responsibility for coordinating any further response to the incident, including assessment and investigation.

Section 5 – Training

The Human Resource Office, in conjunction with the Director of Administration, shall be responsible for implementing this Policy, disseminating it to employees (supervisory and non-supervisory). The Director of Administration will be responsible for conducting/arranging training with respect to City employees' roles and responsibilities.

CHAPTER 23- SUBSTANCE ABUSE

Section 1 – General Policy – Drug/Alcohol Free Workplace

The City of Dodge City recognizes alcohol and drug abuse as a potential source of health, safety, productivity, and security problems. The City expects all employees to assist in maintaining a work environment free from the effects of alcohol, drugs, or other substances which impair the judgment or functioning of employees. Compliance with this substance abuse policy is made a condition of employment.

A. No City employee is to be under the influence of, using, possessing, concealing, transporting, promoting or selling illegal drugs, controlled substances or unauthorized alcoholic beverages on the job, while performing City business, or while operating City vehicles or equipment. As applies to enforcement of City policies and procedures, the City reserves the right to establish what will constitute a definition of under the influence on a case-by-case basis. Any consumption or ingestion of intoxicants while off duty, to the extent that evidence of consumption or ingestion is apparent when reporting for duty, or to the extent that an employee's job performance is impaired will be considered as being under the influence.

No employee shall operate any city vehicle or equipment or perform any critical safety function under the impairment of alcohol. A test result of 0.02 or greater blood alcohol concentration (BAC) will be considered as positive for impairment.

If an employee has consumed any alcohol within four hours of reporting for duty, they can assume their blood alcohol concentration may be in excess of 0.02. The time required for alcohol to clear a person's body is dependent upon the person and the amount consumed and may be in excess of four hours. It is an employee's responsibility to report for duty ready and able to work.

If an employee is requested to report for work at a previously unscheduled time, he/she must advise their supervisor if they may have a blood alcohol concentration exceeding 0.02. No supervisor shall request an employee to operate a vehicle or equipment or perform any critical safety function if they may have alcohol in their system.

B. All employees are required to report to their jobs in appropriate mental and physical condition and ready to work. If an employee may be impaired as a result of taking medication according to a doctor's prescription or an over-the-counter medication, they will discuss the situation with their supervisor before commencing work.

C. Any employee who is convicted of any violation of any criminal drug statute (including misdemeanors for a violation occurring on City property or during working time) shall notify the Human Resource Office within five (5) working days of the date of conviction.

A conviction includes any finding of guilty (including one agreed to by the employee for diversion) or plea of no contest and/or any imposition of a fine, jail sentence or other penalty.

D. Any violation of this substance abuse policy shall result in disciplinary action, up to and including dismissal from city service.

E. Employees who have an alcohol and/or drug problem are strongly encouraged to use the Employee Assistance Program. (refer to Chapter 14 of this manual). However, use of this or any other program does not preclude the City from taking disciplinary action involving the employee. The City of Dodge City retains full and final discretion as to whether, when, and under what conditions an employee may be re-employed if terminated for issues relating to substance abuse.

Employees of the City of Dodge City shall be subject to substance abuse testing as set forth in Chapter 24 of this manual.

CHAPTER 24 - DRUG AND ALCOHOL TESTING

Section 1 – Purpose

The City of Dodge City is committed to maintaining the highest standards for employee safety and health. The use of controlled substances and the misuse of alcohol are contrary to these high standards and the City's Core Values. The purpose of this policy is to reduce accidents, promote employee health; and maintain productivity. The presence of controlled substances in the body as well as the use or possession of controlled substances and/or alcoholic beverages while on city property, in any city vehicle, or while on duty, including breaks or lunch, paid or unpaid, on any shift, is strictly prohibited. Failure to comply with this policy may lead to disciplinary action up to and including separation from employment.

Section 2 – FTA and FMCSA Employees Policies

Those employees who perform “safety-sensitive” functions as determined by the FTA (49 CFR Part 655.3) are subject to additional testing requirements, policies and procedures and should reference Addendum 2 of the City's Drug & Alcohol Policy for those testing requirements.

A list of safety-sensitive functions may be found in the FTA policy -Addendum 2 – Section I.B.2.

Those employees who drive commercial motor vehicles as determined by the DOT /FMCSA (49 CFR, Part 40) are subject to additional testing requirements, policies and procedures and should reference Addendum 3 of the City's Drug and Alcohol Policy for those testing requirements.

A list of employee/supervisory positions subject to DOT/FMCSA policy is listed in Addendum 3, Appendix C

All testing information, conditions, etc. should be found in the applicable addendums for both FTA and DOT/FMCSA drivers, supervisors and designated employee representatives.

Section 3 – Testing Conditions for Non-FTA or Non-FMCSA Employees

Employees may be tested for the presence of alcohol and/or controlled substances. The following conditions establish who may be tested and under what circumstances the drug and alcohol testing may occur.

All applicants for employment in a Full time or Regular Part-time position with City of Dodge City will undergo urine drug testing immediately following the offer of employment. All current temporary employees who are requesting transfer to a position covered in this policy are also subject to testing.

Pre-Employment: An individual offered employment in a full-time or regular part-time position shall be required to take and pass a drug screening test as a condition of employment. Any applicant, who receives a confirmed positive result or the equivalent, shall have the offer of employment withdrawn and shall be subject to disqualification from application for City employment for a period of two (2) years from the date the test results were received by the City. The applicant must then show proof of completion of a City approved drug and alcohol treatment program before being considered for hire.

Reasonable Suspicion: An employee may be required to submit to a drug/alcohol screening test by the Human Resource Office, or its designee, based on reasonable suspicion of drug/alcohol use by the employee as reported by a supervisor. All supervisory employees are required to notify the Human Resource Office or City Management staff when reasonable suspicion exists and shall complete a reasonable suspicion form as provided by the Human Resources Office.

Reasonable suspicion involves a judgment made regarding the employee's behavior, appearance, speech or body odor, or evidence found or reported and may be based on, among other circumstances, any of the following:

1. Direct observation of certain contemporaneous, articulable behaviors exhibited by the employee which may impair the employee's ability to perform his/her job or pose a threat to the safety or health of others;
2. Observation of drug /alcohol use by the employee while on-the-job;
3. Documented deterioration in the employee's job performance which is likely to be attributable to drug/alcohol use by the employee;
4. An on-the-job incident or occurrence where it may be alleged that the incident or occurrence was in whole or in part the result of the employee's actions or inactions **and/or** the employee exhibited behavior indicating illegal drug or alcohol use.

The City has the right to request an employee submit to a drug/alcohol screening test under the circumstances of reasonable suspicion as a condition of employment. Refusal may be grounds for termination. Any employee requested to provide a drug/alcohol screening test under the auspices of reasonable suspicion will be transported to the collection site and will be paid for the time spent in obtaining the specimen. Under no circumstance will the employee be permitted to operate any City vehicle or equipment. An alcohol test should be administered within two (2) hours of the time in which the determination of reasonable suspicion was made. If for any reason it is not possible to administer the alcohol test within that time frame, the reasons for not being able to procure the test will be documented in writing. If it is not possible to procure an alcohol test within eight (8) hours, attempts to have the employee tested shall cease. The employee will be removed from the workplace and may not return to work until twenty-four (24) hours have passed or a blood alcohol concentration test is conducted with a result of less than 0.02 BAC. A

drug test will be procured as soon as possible and not more than thirty-two (32) hours following the determination of reasonable suspicion. The employee will be placed on paid suspension until the results of the drug test are received by the City.

Random Testing: The City of Dodge City reserves the right to implement a random testing procedure for non-FTA positions and non-DOT/FMCSA positions should the need arise.

Return to Duty and Follow-Up: Any employee who refuses to take or who fails a drug/alcohol test is subject to disciplinary action, up to and including termination. If the employee is allowed to maintain employment with the City of Dodge City, he/she may not return to duty until he/she passes a drug/alcohol test administered under this policy. And the City's Designated Physician, have determined the employee may return to duty. Any such employee will be subject to a minimum of six (6) unannounced drug/alcohol tests within the next year and a program of unannounced drug/alcohol tests for up to five (5) years after returning to duty. The unannounced tests will be scheduled by the Human Resources Office.

Post-Accident: Post-accident testing for remaining employees will be conducted in the event of any accident resulting in the loss of human life or in which a citizen or employee suffers injuries. In such cases, the City will require testing of every employee who was operating any vehicle or equipment involved. The City may also require testing of any other employee whose performance or actions may be alleged to have contributed to said accident.

Post-accident drug/alcohol tests and reasonable suspicion forms must be performed/completed as soon as possible. Drug tests must be performed as soon as possible but no later than thirty-two (32) hours following the accident. Alcohol tests must be performed as soon as possible, within two (2) hours following the accident. If an alcohol test cannot be obtained within two (2) hours, the reason for the delay will be documented in writing. Attempts to obtain a test will continue until eight (8) hours following the accident, at which time attempts will cease and the reasons a test could not be obtained will be documented in writing.

The Supervisor of employees involved in any accident situation that does not result in a loss of life or injury will immediately complete a reasonable suspicion form for each employee involved in the incident/accident.

Any employee involved in an accident shall remain readily available for drug and alcohol testing and shall not consume any alcohol until released by a supervisor. Failure to remain available for testing and/or consumption of alcohol will be considered a refusal of the test. If an employee has been incapacitated and is unable to consent to drug/alcohol testing, the medical facility where the employee is being treated is to be advised to collect and retain samples for testing. When the employee has recovered sufficiently to give informed consent, the samples can be sent in for testing or destroyed if testing is refused.

Failure to inform a supervisor of a non-injury accident immediately, so that a reasonable suspicion form can be completed, is cause for disciplinary action.

Section 4 – Testing Procedures

Substances Tested For: The City of Dodge City will test for the presence of alcohol, marijuana, cocaine, opiates, phencyclidine, amphetamines, or any other substances deemed necessary. A blood alcohol concentration level of 0.02 or greater shall be considered a positive test for the presence of alcohol. A positive test indicating the presence of controlled substances will be presumptively considered a failed test. No employee should report for duty or remain on duty if they have a blood alcohol concentration of 0.02 or greater.

If an employee has consumed any alcohol within four (4) hours of reporting for duty, they shall assume their blood alcohol concentration is in excess of 0.02. The time required for alcohol to clear a person's body is dependent upon the person and the amount consumed and may be excess of four (4) hours. It is the employee's responsibility to report for duty ready and able to work. If an employee is requested to report for work at a previously unscheduled time, he/she must advise their supervisor if they have consumed alcohol. No supervisor shall request an employee to operate a vehicle or equipment or perform any critical safety function if they have alcohol in their system. Any employee has a blood alcohol concentration of 0.02 or above is considered impaired and shall not report to work in any position.

Refusal to Submit to Testing: Refusal to submit to a drug/alcohol test will be considered a failure of the test and will result in disciplinary action, up to and including termination. Behavior which constitutes a refusal to test includes:

1. Refusing to provide a specimen. This includes failing to supply a sufficient volume of urine or sufficient deep lung air when tested by evidential breath testing device unless there is a documented medical explanation.
2. Tampering with, adulterating, or substituting a specimen.
3. Failing to appear for testing at the specified time when instructed to do so.
4. Leaving the scene of an accident without just cause prior to submitting to a test or being released by a supervisor.
5. Leaving the collection facility prior to test completion.
6. Failing to permit an observed or monitored collection when required.
7. Failing to take a second test when required.
8. Failing to cooperate with any part of the testing process.
9. Once test is underway, failing to remain at site and provide a specimen.
10. Failing to undergo a medical examination when required.

Medical Review Officer (MRO): The City's designated physician is the City's designated MRO for all employees outside of the FTA and FMCSA designations. All drug test results, whether positive or negative, will be reviewed by the MRO or his designee. In the event of a positive result, the MRO will contact the person whose specimen was tested to determine if any medications or other reasons could have resulted in a positive result. The MRO, based on his or her review of the information, will make the final determination of confirmed positive or negative. It is only after the MRO review that the Human Resource Office will be notified of the results of the test.

Testing Procedures: All drug tests for non-FTA and FMCSA positions will be performed using the same procedures and standards as utilized for pre-employment drug screens.

Alcohol testing will be conducted by the Dodge City Police Department utilizing an evidential breath testing device operated by a certified operator.

Consequences of Failing or Refusing a Test: Compliance with the City's Drug and Alcohol policy is a condition of employment. Refusal to take a test or failure of a test will result in disciplinary action up to and including termination.

An employee may, at the City's discretion, be given an opportunity to retain City employment provided they first do the following:

1. Undergo an evaluation by a Substance Abuse Professional (SAP);
 - a. Approved SAP organizations are New Chance and Compass in Dodge City. The Employee may utilize alternative SAP organizations with prior written approval by the Human Resources Office. The Human Resources Office may not accept completion - certificates or letters from an SAP organization which has not received prior written approval.
2. Complete the recommendations of a City approved SAP on the appropriate evaluation/rehabilitation program; and
3. Pass a return to duty drug/alcohol test.

The employee will be relieved of his/her duties while fulfilling these requirements. The employee may utilize paid leave during this time if he/she has such leave available. Otherwise, the employee will be placed on unpaid leave.

If an employee refuses to report for assessment, evaluation, and/or referral for treatment with a SAP, he/she will be terminated.

If an employee, after assessment, is referred for rehabilitation and the employee refuses to enter or successfully complete such a rehabilitation assessment program, he/she will be terminated.

All cost associated with the evaluation and rehabilitation program are the responsibility of the employee. Employees should consult their insurance policy for extent of nervous, mental and substance abuse coverage.

Any on duty use or possession of drugs/alcohol on City time or on City premises which has occurred will result in termination of employment.

A second positive drug/alcohol test or the equivalent will result in immediate termination of employment.

A refusal to provide any subsequent test or cooperate completely with requests for subsequent tests will result in immediate termination.

The City's decision as to whether the employee will be given the opportunity to maintain employment will be based on, but not limited to, the following factors:

1. If the employee was involved in an accident or incident caused in any part by the use of drugs/alcohol and if any injury or property damage occurred;
2. History of disciplinary or job performance problems;
3. Employee's continuing ability to perform the duties of their position;
4. If any use or possession of drugs/alcohol occurred on duty or on City time or City premises;
5. If loss of public trust or confidence has occurred regarding the employee's ability to perform his/her duties.

Addendum #1

City of Dodge City **EMPLOYEE SAFETY HANDBOOK**

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Section 1 – General Statement

The City of Dodge City shall make reasonable efforts to promote standards of safety and good health among employees and in the departments and has developed an Employee Safety Handbook. Employees are expected to abide by the guidelines of the Employee Safety Handbook. Failure to do so may result in disciplinary action up to and including dismissal.

The goal of the City of Dodge City is to experience zero accidents in departmental operations. This cannot be achieved without the enthusiastic and dedicated cooperation of all employees. Each employee is expected to:

- Read and comply with prescribed job procedures, instructions of supervisors, and the City of Dodge City Employee Safety Handbook.
- Conscientiously seek to identify situations affecting safety and to make suggestions for improvement.
- Know emergency procedures for respective work situations.
- Report all accidents and injuries immediately.

Effective management and sound leadership will prevent accidents. The safety of employees, the public, and City services are most important.

- Safety is to take precedence over expediency or short cuts.
- All employees must take all possible actions to reduce the occurrence of accidents.
- All employees are to show good faith in complying with all safety guidelines and regulations.

The City of Dodge City is committed to providing the safest and healthiest possible working conditions for all of our employees. To accomplish this, all City employees will strive for a safe work place by complying with the safety regulations as outlined in this safety handbook.

Safety guidelines alone cannot prevent accidents. This manual is not intended to address every work situation employees may face in the performance of their assigned duties. Instead, this manual is to provide guidance in defining responsibilities and actions directed toward the prevention of all accidents within City departments. In the case of Police and Fire personnel, these guidelines do not address their special job conditions.

REMEMBER: ACCIDENT PREVENTION IS A PART OF EVERY EMPLOYEE’S JOB.

Section 2 – Safety Statement

You are a valuable asset to your department and your community and we do not want you injured in an on-the-job accident. The City wants to provide you with a place of employment that is

relatively free of recognized hazards that could cause accidents and injuries and expects you to perform your job in the safest manner possible.

The City of Dodge City Employee Safety Handbook contains safety guidelines and regulations developed to help in the reduction of accidents. While many guidelines are detailed, others dealing with your specific job responsibilities will be given to you by your supervisor or at department safety meetings. These guidelines have been designed to assist you in avoiding accidents and injuries. Recommendations for improvement of this handbook are solicited. If you have a suggestion to reduce accidents and make your place of employment safer, pass it along to your supervisor or to the City of Dodge City Safety Committee.

Section 3 – If There Is An Accident

- a. Summon medical assistance if appropriate for anyone involved in the accident.
- b. Notify the appropriate law enforcement agency immediately.
- c. Insist that all parties and property concerned remain at the scene of the accident until law enforcement officers arrive.
- d. Perform first aid and CPR in an emergency, and then only until properly trained medical help arrives.
- e. Immediately report the accident, no matter how minor, to your supervisor and/or department head.
- f. The supervisor or first available person shall arrange for emergency transportation, if required (EMS), and if necessary shall accompany the injured employee.
- g. Discuss the accident with no one except the investigating law enforcement officers and city officials.
- h. The supervisor shall ensure that the official accident report forms are completed accurately and routed to the Safety Director and in the case of employee injury to the Human Resource Office.

Section 4 – Introduction

The City of Dodge City Employee Safety Handbook is designed to give you a broad look at the safest methods of performing your job.

To be safe is to be secure from the threat of danger, harm, or loss. Ninety-eight percent of all accidents are the result of unsafe conditions and unsafe acts or practices. Many accidents are caused by use of unsafe equipment, use of equipment or tools in an unsafe manner, or failure to follow safe work methods.

Careful inspection and monitoring of equipment is necessary if employees are to reduce hazards that contribute to accidents and injuries. Study and know this handbook and remember that no hazard is too small for the attention of someone who can have it corrected before anyone is hurt.

Correct and/or report to your supervisor all unsafe conditions and unsafe practices you observe. If a reported condition is not corrected, notify the Safety Director. All injuries and accidents must be reported immediately.

If you have an accident prevention suggestion to make the workplace safer for yourself and others, pass it to your supervisor. Additional accident prevention information will be issued from time to time by your supervisor and the Safety Director.

While this handbook contains general safety rules, it is not intended to be all inclusive. It has been developed and written to assist you in preventing accidents and to assist each department in the development of safety guidelines.

Violation of a safety guideline or practice could result in severe disciplinary action and/or painful consequences. Compliance with the safety guidelines contained in this handbook is a condition of employment. Each department may develop safety guidelines and policies that may exceed these general safety guidelines.

Questions and requests for additional information relative to the contents of this handbook should be directed to the Safety Director.

Regardless of what section of this handbook any rule or regulation may appear, each and every rule or regulation shall apply to any work condition, work area, or office in which a potential hazard may exist.

YOU ARE RESPONSIBLE FOR SAFETY!

Section 5 – Safety Responsibility

A. SAFETY DIRECTOR’S RESPONSIBILITIES:

The Safety Director is responsible for the development, organization, coordination, and implementation of safety programs and safety education. His or her responsibilities also include: 1) work-site inspections; 2) hazard reduction and/or elimination; and 3) accident/injury investigation, reporting, and management. Other assignments and responsibilities related to disaster response and risk management complete the role of the Safety Director.

The Safety Director will advise the City Manager, department heads, supervisors and employees of unsafe conditions, problems related to accident prevention, and will make recommendations for loss control. Having a Safety Director does not fulfill the obligations of administrators or supervisors to provide safe work environments, necessary equipment, and training and inspections in the interest of accident prevention.

B. DEPARTMENT HEAD’S RESPONSIBILITIES:

Each department head is responsible for ensuring the fulfillment of departmental goals and objectives as well as preserving the health and welfare of each employee in the

department. In the safety policy, the highest priority has been placed on employee safety which becomes the responsibility of the department head. It is normal practice for supervisors to delegate authority to execute policy in their department. The protection of employees in performance of their assignments cannot be transferred.

Management is responsible for providing a place of employment that is reasonably free from recognized hazards that could result in injury or accidents. Each department shall assume responsibility for an effective employee safety program. To be effective, this program shall incorporate the following:

1. Leadership and direction.
2. Initiation and evaluation of safety program (with assistance from the Office of the Safety Director).
3. Cooperation with the Safety Director on all programs.
4. Notification and enforcement of safety guidelines.
5. Periodic inspections.
6. Assurances that prompt preventive and corrective action is taken on unsafe conditions/practices.
7. Assurance that all accidents are investigated and reported.
8. Review of reports of accidents and recommendations of corrective actions.
9. Adherence to all provisions of the City of Dodge City Employee Safety Handbook adopted by the City of Dodge City Safety Committee.

C. SUPERVISOR'S RESPONSIBILITIES:

1. Promote safety awareness and encourage proper safety by example.
2. Train all employees in the safe way to do their jobs and point out where hazards exist. Analyze work in advance to determine the safest procedure and physical protection necessary to perform each operation. Document such training through use of form provided by the Safety Director with final placement in the employee's personnel file.
3. Make sure that the necessary safety equipment and protective devices for each job are provided and properly used. Prohibit use of equipment if its condition poses a hazard to any employee.
4. Conduct safety inspections of all work areas and operations in order to improve housekeeping, eliminate unsafe conditions, and encourage safe work methods.
5. Take corrective action whenever unsafe conditions and unsafe practices are observed.
6. Investigate and report all accidents as required.
7. Check work change practices and newly purchased equipment to ensure that safety requirements are met.
8. Instruct employees regarding disciplinary policy for violations of safety guidelines contained in this handbook as part of the employee department's safety program.

D. EMPLOYEE'S RESPONSIBILITIES:

1. Follow instruction of supervisors and comply with provisions of this handbook and of the department's safety program.

2. Report unsafe conditions to supervisor.
3. Keep work areas clean and orderly at all times.
4. Use all safety equipment for your job – WITHOUT FAIL.
5. Operate only equipment you have been authorized and instructed to safely use.
6. Learn to lift and handle material properly, using your legs and not your back, grasping each load firmly, and keeping your back as straight as possible while lifting.
7. Use the correct tool or piece of equipment to accomplish a job assignment – DO NOT SUBSTITUTE.
8. Ask for help when lifting heavy or large items.
9. Know the locations of firefighting equipment.
10. Report all accidents immediately to your supervisor. If injured, seek medical treatment.
11. REMEMBER – all horseplay is strictly prohibited.

E. SEASONAL AND PART-TIME EMPLOYEE'S SAFETY AND DRIVING REQUIREMENTS.

All of the procedures and policies set forth in this handbook apply to all employees of the City regardless of the number of hours worked. However, in order to facilitate a smooth orientation and procedural checklist, the following special considerations for seasonal and part-time employees should be noted:

1. No part-time employee shall operate a city-owned vehicle without authorization from the department head and/or supervisor.
2. Part-time employees hired to do heavy physical labor may receive a pre-employment physical, including spinal X-rays. The Human Resource Office, in consultation with department heads, will determine which positions will require such physical examinations.
3. All part-time employees filling laborer positions are required to wear the appropriate safety equipment as defined by this Safety Handbook and department safety policy. The obligation for ensuring compliance rests in the department in which the employee is working.
4. In addition to other orientation matters, part-time employees will receive instruction in the following areas:
 - a. What to do if injured or ill on the job.
 - b. Clothing requirements (including shoes).
 - c. Availability of safety and protective equipment.
 - d. Unauthorized operation of municipal vehicles or other equipment.
 - e. Availability of training or instruction of unfamiliar equipment or jobs.
 - f. How to report an unsafe condition or incident involving injury to a citizen or damage to private property.
 - g. Riding in vehicles – 'do's and don'ts' of riding in city vehicles of all types.

Section 6 – Drug/Alcohol Free Workplace

(Chapter 20 of the Personnel Policy Manual)

The City of Dodge City recognizes alcohol and drug abuse as a potential source of health, safety, productivity and security problems. The City expects all employees to assist in maintaining a work environment free from the effects of alcohol, drugs, or other substances which impair the judgment or functioning of employees. Compliance with this substance abuse policy is made a condition of employment. It is every employee's responsibility to be familiar with any referenced chapter from the Personnel Policy Manual, and should consider those referenced chapters as a part of the employee safety handbook.

Section 7 – Safety, Worker's Compensation & Related Programs

(Chapter 19, of the Personnel Policy Manual).

In the event of an injury please refer to Chapter 19 of the Personnel Policies Manual for review of processes, procedures and requirements for reporting, treating and follow-up with an on the job injury.

It is every employee's responsibility to be familiar with any referenced chapter from the Personnel Policy Manual, and should consider those referenced chapters as a part of the employee safety handbook.

Section 8 - Safety Committee's Review Of Accidents

A good safety committee is a critical component of any effort to reduce accidents and the associated costs. The City has developed general safety standards, job procedures and work site standards. Because accidents do happen and we need to set standards on how all accidents are investigated and policies enforced, the Safety Committee has been authorized by the City Manager to review all accidents, both injury and property accidents, which will include exposure incidents (blood or hazardous waste).

In the event an accident occurs, the supervisor along with the employee, shall complete an accident form in detail, including all aspects associated with the accident, and submit it to the supervisor who will then sign and submit the form to the Safety Director within 24 hours of the accident. This documentation will be routed by the Safety Director to the Safety Committee for their review. After the Safety Committee has reviewed the accident/property damage, the Committee will determine whether the accident was avoidable, unavoidable or undetermined. The Safety Director will review the findings with the Department Heads and/or supervisors. The Department Head and/or supervisor will then document any action and return to the Safety Director for the file.

All accidents shall be reviewed by the Safety Committee as determined by the Human Resource Office, Safety Director, and Department Head.

Section 9 – Working In Cold Weather

Wind chill factors were developed by the military to determine the effects of combining wind and temperature as they affect exposed skin surfaces. Wind chill effect does not cause liquids to freeze when the air temperature is above the freezing point. However, when the air temperature is below freezing, wind effect will speed up the freezing process. Your supervisor will determine if non-vital services should continue to be performed during periods of extremely cold weather. Appropriate clothing should be worn when working in cold weather. In most instances, cold weather outer wear is issued to employees with the expectation that the clothing will be worn when necessary.

Section 10 – Specific Safety Practices

I. GENERAL GUIDELINES FOR CITY EMPLOYEES. You shall:

1. Be familiar with and observe the safe methods of doing your job.
2. Maintain good housekeeping (clean and orderly work areas and equipment). It is fundamental to accident and fire prevention.
3. Not drink, buy, or keep intoxicating liquor or alcoholic beverages of any kind; nor shall you use, buy, or keep any illegal drugs while at work or on City property. If you take prescription medication for chronic diseases, i.e., diabetes, etc., you shall notify your supervisor of that information.
4. Not engage in horseplay.
5. Not operate equipment you are unfamiliar with or have not been assigned to, except under direct supervision.
6. Not smoke in areas where there is danger to equipment, material, building, or employees. (Smoking is permitted in designated areas only).
7. Know the location of firefighting equipment and know how to use it.
8. Know the location of first aid kits which are provided in certain work areas for your protection. You may use them only until adequate medical attention can be obtained.
9. Report all accidents, hazardous conditions, hazardous actions, and/or practices to your supervisor.
10. Report all allergies to insect stings or bites to your supervisor so precautionary measures may be initiated.
11. Not keep or bring any firearm onto or through any City property, unless you are a commissioned law enforcement officer.
12. All employees shall wear approved safety vests when working in the right-of-way.

II. GUIDELINES FOR PERSONAL PROTECTIVE EQUIPMENT

A. EYE PROTECTION

1. You shall wear suitable safety glasses, goggles, or face shields when the work may result in hazardous exposure to your eyes.
2. Some work examples where proper eye protection must be worn includes exposure to:
 - a. Relatively large flying particles (chipping, grinding, demolition, etc.) or dust and small flying particles (woodworking, grinding, using power tools, etc.)
 - b. Splashing liquid (bubbling, transfer of chemicals, etc.)
 - c. Injurious gases, fumes, and mists (spraying, use chemicals, etc.)
 - d. Injurious radiant energy (welding, furnace tending, etc.)

The above includes using air pneumatic or electric driven power tools such as grinders, drills, jack hammers, saws, and compressed air condition; and shall replace it or cause it to be replaced when it becomes warped, scratched, or pitted. (The City shall provide safety goggles to those employees working in areas requiring eye protection.)

B. BODY PROTECTION

1. Hard hats shall be worn by City personnel in the following situations:
 - a. You shall wear hard hats approved by the Safety Director and supervisors.
 - b. All construction sites where hard hat signs are posted.
 - c. All water, sewer, street, sanitation and construction operations where there is potential of head injury.
 - d. Underground levels where personnel are working above other workers.
 - e. Any site where other potential of head injury exists.
 - f. All forestry operations.
 - g. Park department operations similar to that of #b, c or d above.
 - h. Working near high-voltage electrical hazards.
 - i. All supervisors and department heads involved in any of the activities listed above shall also wear hard hats. Department heads and supervisors shall set a good example and follow safety policies as outlined in this Safety Handbook.
2. Supervisors shall ensure that onlookers at work sites stay a prescribed safe distance away or wear protective equipment (goggles, gloves, hard hats, etc.). You shall:
 - a. Wear shoes or boots suitable to the type of work to be done or suitable for the work area conditions at all times. High heel shoes or sandals shall not be worn in work areas where their use is hazardous to the wearer.
 - b. Not wear loose clothing while working around or near moving machinery or equipment.
 - c. Avoid wearing clothing soiled by oil or chemicals to prevent skin irritations.

- d. Wear gloves and long sleeves when handling cement and concrete to keep it off your skin. After handling cement, you shall wash thoroughly to prevent rashes and cement poisoning.
- e. Protect your hands with gloves when using hot asphalt or oil for surfacing.
- f. Wear sturdy shoes and heavy trousers with close fitting cuffs to protect against splashes when using hot asphalt or oil for surfacing.

C. FALL PROTECTION

- 1. When working on a walkway/working surface with an unprotected edge six (6) feet from ground level, or the next working surface, fall protection in the form of railing, safety net or personal fall arresting system will be provided.
- 2. Body harnesses should fit snugly and comfortably. The wearer should allow no more slack in the line than is necessary to safely perform the job. Body belts are not to be used.
- 3. All safety harnesses should be regularly inspected for excessive wear or damage that could cause them to fail. Worn or damaged harnesses will be destroyed. Anytime a fall of six feet or more occurs, the safety harness and lanyard will be replaced.
- 4. Safety harnesses will be stored in a protected, dry location between uses.

D. LOCKOUT/TAGOUT

- 1. Basic Rules

All equipment shall be locked out or tagged out to protect against accidental or inadvertent operation when such operation could cause injury to personnel. Do not attempt to operate any switch, valve, or other energy isolating device where it is locked or tagged out.

This procedure establishes the minimum requirements for the TAGOUT of energy isolating devices. It will be used to ensure that the machine or equipment is isolated from all potentially hazardous energy, and tagged out before employees perform any servicing or maintenance activities where the unexpected energization, start-up or release of stored energy could cause injury. (Ex: electrocution, amputation, death.)

- a. All affected employees will be trained in the Lockout/Tagout procedures and its safety significance:
- b. Prior to their work on affected equipment, machinery, and/or systems;
- c. Whenever there is a change in employee job assignments;
- d. Whenever a new hazard is introduced due to a change in machines, equipment or process;
- e. Whenever there is a change in the energy control procedures; or

- f. Whenever an inspection by the employer reveals inadequacies in the company procedures or in the employee's knowledge.

2. Preparation for Tagout

Make a survey to locate and identify all isolating devices to be certain which switch(s), valve(s), or other energy isolating devices apply to the equipment to be tagged out. More than one energy source (electrical, mechanical, or others) may be involved.

3. Sequence of Tagout System Procedure

- a. Notify all affected employees that a Tagout system is going to be utilized and the reason, therefore, the authorized employee will know the type and magnitude of energy that the machine or equipment utilizes and will understand the hazards.
- b. If the machine or equipment is operating, shut it down by normal stopping procedures. (press stop button, open toggle switch, etc.)
- c. Operate the switch, valve, or other energy isolating device(s) so that the equipment is isolated from its energy source(s). Stored energy, such as that in springs, elevated machine members, rotating flywheels, hydraulic systems, and air, gas, steam, or water pressure, etc., must be dissipated restrained by methods such as repositioning, blocking, bleeding down, etc.
- d. Tagout the energy isolating devices with assigned individual tag(s) methods selected; i.e., locks, tags, additional safety measures, etc.
- e. After ensuring that no personnel are exposed, and as a check on having disconnected the energy sources, operate the push button or other normal operating controls to make certain the equipment will not operate. CAUTION: Return operating control(s) to "neutral" or "off" position after test.
- f. The equipment is now locked out or tagged out.

3. Restoring Machines or Equipment to Normal Production Operations

- a. After the servicing and/or maintenance is complete and equipment is ready for normal production operations, check the area around the machines or equipment to ensure that no one is exposed.
- b. After all tools have been removed from the machine or equipment, guards have been reinstalled and employees are in the clear, remove all lockout or tagout devices. Operate the energy isolating devices to restore energy to the machine or equipment.

4. Restoring Machines or Equipment to Normal Production Operations

- a. After the servicing and/or maintenance is complete and equipment is ready for normal production operations, check the area around the machines or equipment to ensure that no one is exposed.
- b. After all tools have been removed from the machine or equipment, guards have been reinstalled and employees are in the clear, remove all lockout or tagout devices. Operate the energy isolating devices to restore energy to the machine or equipment.

III. GUIDELINES FOR LADDERS AND SCAFFOLDS. You shall:

1. Use only portable straight and extension ladders of the approved industrial grade type.
2. Set up ladders so the distance from the base of the support to the foot of the ladder shall be such that the ladder is at a safe and comfortable climbing angle. (As a rule of thumb, this distance is usually recommended as being $\frac{1}{4}$ the length of the ladder.)
3. Set portable straight ladders used for access to a roof so that they extend above the roof edge at least three feet.
4. Not work higher than the third rung from the top of a straight ladder nor the second step from the top of a step ladder.
5. Always face the ladder and grip side rails or rungs securely when climbing or descending.
6. Do not use metal ladders near electrical wires or equipment.
7. Examine ladders for broken rungs, steps or rails. You shall not use any ladder with broken rungs, steps or rails. You shall have defects repaired immediately or you shall tag and discard the ladder according to your supervisor's instructions after reporting the defect to the supervisor. A supervisor shall obtain a safe ladder for use.
8. Do not place a ladder in front of a closed door unless the door is locked or someone is guarding it.
9. Set straight ladders on a firm, dry base at the proper angle and where necessary, lash it securely at the top and block it at the bottom.
10. Provide warning signs and barricades below any ladder. Under no circumstances should foot traffic be allowed under ladders.
11. Use ladders when climbing; you shall not use boxes, chairs, or other substitutes. You shall beware of setting up ladders within the arc of swinging doors, or near blind corners. If necessary, you shall block doors, provide warning signs or post a guard.
12. Not try to overreach when on a ladder. You shall relocate the ladder as necessary.
13. Make sure that scaffolds are solidly braced and tied off. You shall not construct makeshift scaffolds.

14. Build and use scaffolds as prescribed in accepted construction safety regulations or adopted state standards, whichever provides for the highest degree of safety. State standards parallel those of the Occupational Safety and Health Administration (OSHA).

IV. GUIDELINES FOR EXCAVATIONS; You shall:

1. Have the sides of trenches and other excavations supported by adequate sheeting, shoring, or bracing whenever the depth of the excavation exceeds four (4) feet.
2. Not store, move, or place within two (2) feet of any open trench or excavation any materials, soil, debris or equipment.
3. Not work in any excavation in the immediate area where power digging equipment, such as a back hoe, is in operation.
4. Not drop or toss materials or tools into the excavation near where people are working; such material, etc., shall be carried down or passed to the workers below.
5. Not get out of an excavation without first looking to make sure there is no danger of being struck by moving traffic.
6. Wear a hard hat if you work in trenches or excavations.
7. Ladders, ramps or other safe means of access and egress shall be used to enter and exit excavations.
8. Follow any new guidelines learned through updated training.

V. GUIDELINES FOR BARRICADES. You shall:

1. Ensure that the work area is adequately protected with signs, barricades, cones, or warning lights when excavations are made or manhole covers removed.
2. Ensure that all barricades and warning signs are posted in accordance with the Kansas Department of Transportation Standard Specifications for State Road and Bridge Construction, (MUTCD) most recent edition.

VI. GUIDELINES FOR SHOP MACHINES – GENERAL. You shall:

1. Be thoroughly familiar with the safe operation of any machinery (i.e., grinder, saws, etc.) used.
2. Have all safety guards in place before operating machinery.
3. Keep the floor around machines clean and keep items on the floor organized to prevent slipping hazards.
4. Not leave machines running while unattended.
5. Not wear loose clothing around moving machinery or equipment.
6. Not place the tool work rest more than 1/8 inch from the wheel surface.
7. Wear an approved type respirator while spray painting.
8. Keep hoists out of the immediate work area when not in use.
9. Access to fire extinguishers, exits, and electrical switches and panels shall be kept free of all stored materials, equipment, etc.
10. Keep floors and workbenches free of debris, oils and oily rags.
11. Stop and lockout all machinery before making repairs.
12. Report any defective equipment to the supervisor. Use only approved grounded safety extension cords.

13. Store and transport all compressed gas cylinders in an upright position, lashed or chained in place.

VII. GUIDELINES FOR POWER MOWERS. You shall:

Read operating instructions carefully. You shall know the controls so you can stop motor or disengage clutch quickly in an emergency.

1. Know the capacity and limitations of the equipment.
2. Plan each job thoroughly, anticipate hazards, and plan emergency action.
3. Wear safety goggles and ear protection when necessary.
4. Stand clear when starting mower engine. You shall have firm footing and keep hands and feet clear.
5. Disengage clutch before starting engine.
6. Shut off power, wait for machine to stop, and lock out starting switch (disconnect electrical plug or spark plug wire) before making adjustments or clearing jammed objects.
7. Not operate mowing machines without guards. You shall replace guards immediately after removing to adjust, clean, or grease unit and keep guards adjusted and in good working condition.
8. Not leave operating equipment unattended.
9. Not over speed engine. You shall operate an engine at the slowest speed needed for effective operation.
10. Inspect equipment periodically for loose connections, broken or badly worn parts, and make sure cutting knives or blades are tight, sharp, and in good condition. (GOOD MAINTENANCE IS ESSENTIAL).
11. Not refuel a running or hot engine. You shall: a) fuel outdoors; b) use only safety cans to carry or store gasoline; c) store fuel in a safe place and avoid spillage; d) not smoke when refueling.
12. Keep children and pets away from mechanized equipment.
13. When operating power mowers:
 - a. Mow only when there is sufficient daylight.
 - b. Inspect the lawn ahead of mower and remove stones, branches, etc.
 - c. Wear safety shoes or high top shoes.
 - d. Keep in step with machine for perfect control.
 - e. Do not lift a running mower.
 - f. Shut off power when going from one level to another.
 - g. Be sure of your footing, balance, and control of the unit on slopes.
 - h. Do not pull a mower toward you.
 - i. Use extreme caution to avoid overturning on steep slopes and when making turns you shall not permit others to ride with you on riding units and right-of-way mowers.
 - j. Watch out for low hanging branches and wires and avoid them.
14. When engaged in right-of-way mowing:
 - a. Wear hard hats and high visibility vests.
 - b. Utilize emergency flashers on tractor or mower.

VIII. GUIDELINES FOR WELDING OPERATIONS. You shall:

1. Wear clothing (preferably woolen) which will protect all the body from the rays of the arc and from metal sparks.
2. Wear shoes that extend above the ankle or wear spats and wear trousers that extend below the tops of your shoes. You shall not wear trousers that have cuffs or are frayed.
3. Have your hood in place before you strike an arc and at all times while welding. You shall wear hardened filter lens goggles under the hood.
4. Ensure that welder's helpers are protected in the same manner as the welder when in the immediate work area.
5. Ensure that shields are in place to protect other employees from the rays of the arc. Supervisors shall warn other employees and keep them away.
6. Ensure that an appropriate fire extinguisher is near the welding operation at all times.
7. Not drop rod stubs on the floor in a container; rather, they shall be deposited in a suitable container. (They may cause a slipping hazard).
8. Store and transport all compressed gas cylinders in a vertical upright position, lashed or chained so they cannot topple over.
9. Keep caps on all cylinders when not in use. You shall keep all compressed gas cylinders shut off at the cylinder valve and not at the regulator. (A regulator is not a shut off valve).
10. Plainly mark empty cylinders EMPTY OR MT and close the valves. You shall return the cylinders to pickup point as soon as practical.
11. Wear suitable eye and face protection if welding or cutting is required, Use shields to protect passerby whenever necessary. Protect or move flammable materials and be sure a fire-watch person with extinguisher is at hand before starting work in hazardous areas.
12. Wear leather welder's work gloves, apron, and sleeves in all welding operations.
13. Wear welder's gloves when handling hot material that has been welded by electric arc or cut with an oxygen acetylene or electric cutting process.

IX. GUIDELINES FOR HAND TOOLS. You shall:

1. Use hand tools only for the purpose for which they are designed. They will be inspected regularly.
2. Not use tools with burrs, cracks, mushroomed heads, broken, loose, or splintered handles. You shall turn them in for repair or replacement.
3. Return tools to tool boxes and not leave tools lying around (they may be tripped over).
4. Not leave tools on overhead work areas (they may fall and strike someone below).
5. Not carry an edged or pointed tool in pockets or belts unless the point or edge is protected.
6. Not use wrenches as hammers. You shall not use wrenches on moving objects or machinery.
7. Keep screwdrivers in good condition to avoid slipping. You shall not use a screwdriver as a punch, pry or a chisel.
8. Use shovels, mauls, pitchforks, etc. that have strong, smooth handles. You shall not leave them lying around (they may be tripped over).

9. Not leave long handled tools leaning up against a wall, either lay them down out of the way or store them in racks.
10. Keep axes sharp.
11. Be sure the ax handle is firmly seated in the eye.
12. Keep a firm grip on the handle; do not let the ax fly from your hands.
13. Carry the ax at your side and not carry an ax over your shoulder.
14. Keep the edge of single blade ax down.
15. If possible, protect blade with a sheath.
16. Carry tools in a tool box; avoid scattering them around the floor.

X. GUIDELINES FOR PORTABLE POWER TOOLS. You shall:

1. Not use portable electric equipment unless you know it is in good condition. You shall always report defects or minor shocks on any piece of equipment. (Questionable items shall be inspected and tested by qualified maintenance personnel).
2. Use only portable power tools which have been provided with a suitable grounding device; that being either a connection from the frame of the tool to a spring clip for attachment to a ground or a three-wire cord and polarized plug. (When spring clip is used, the ground is to be attached before the tool is plugged in). You shall check grounding of receptacles to determine effectiveness. (Double insulated portable power tools are acceptable alternates. There are instances where this type would be more appropriate, more convenient, and perhaps safer than the grounded-type tool).
3. Wear rubber boots and gloves or stand on a good insulating mat or platform in wet locations. You shall use only low voltage equipment in such locations whenever possible.
4. Not use or try to repair unfamiliar power equipment.
5. Protect electric cords from damage by oil and not leave cords in aisles (they may be run over by trucks or other equipment or cause a tripping hazard).
6. Carry tools in a tool box and not leave tools lying around.
7. Shut off any sparking motors or overheating equipment and report the condition at once.
8. Guard electric cords against damage from heat, oil, or sharp objects and inspect cords for damage before use.

XI. GUIDELINES FOR MATERIALS HANDLING AND STORAGE. You shall:

1. Lift heavy objects by keeping your back as straight as possible, bending the knees, and lifting with the leg muscles. (THE MOTION SHOULD BE SMOOTH AND STEADY).
2. Not attempt to lift objects which you believe are too heavy for safe handling. You shall get help or divide the load.
3. Carry long material, such as pipe or a ladder, so that the front end is high enough to clear obstructions. Watch out for overhead wires and obstructions.
4. Use portable cranes, hand trucks, skids, hoists, or forklifts to move heavy objects.
5. Wear work gloves when handling heavy or rough objects. You shall wear foot protection where there may be a hazard to the feet.

6. Push rather than pull whenever possible when moving materials on hand trucks or dollies.
7. Not stand under loads which are suspended by ropes, chains, or cables.
8. The following shall apply when power equipment is being used to raise or lower materials: one person in clear view of the operator shall give standard hand signals and the operator shall accept these signals only. A wire rope shall be used with material which may sway.
9. Keep materials clear of aisles.
10. Pile securely, using cross tier or pyramid method and dunnage when it is needed.
11. Not use damaged containers in a pile, repack before stacking.
12. Keep all loose nails, boards, etc. off floors (they may present a tripping hazard). You shall keep floors, and especially aisles, clear at all times.
13. Bend over or remove all protruding nails, etc., as soon as possible.
14. Stack materials in a neat and orderly manner. You shall clearly mark aisles in the storage area with paint lines where possible.
15. Not allow rubbish or flammable materials to accumulate.
16. Provide adequate lighting for all work areas.
17. Keep your hands as dry as possible and keep clothing buttoned when handling powdered chemicals which can cause skin, nose and throat irritation upon contact or inhalation. You shall not wipe your face with your hands. You shall not dump the material in a manner that raises a cloud of dust. You shall wash thoroughly immediately after contact.
18. Follow the manufacturer's directions closely and wear the personal protective equipment recommended or provided when using weed or insecticide sprays or other chemicals.
19. Wear safety goggles and rubber gloves when handling chemicals.
20. Have two persons present when handling acid or other hazardous chemicals.
21. Wash chemical splashes immediately with water and obtain medical care as soon as possible. See Section 3 - IF THERE IS AN ACCIDENT.
22. Refer to Section XIX regarding the use, storage and disposal of chemicals and empty chemical containers.

XII. GUIDELINES FOR FORKLIFTS. You shall:

1. Not operate forklifts unless you are trained and authorized to do so.
2. Look in the direction of travel and be observant of all things in the area during operation.
3. Neutralize the controls, shut off the power, set the brakes and place forks in the 'down' position when leaving a forklift unattended.
4. Not refuel with the motor running.
5. Operate in a well-ventilated area.
6. Not ride on a forklift unless you are the operator.
7. Not pull your arms or legs between the uprights of the mast or outside the running lines of the truck when you are operating a forklift.
8. Drive fork lifts downgrade with the load following, and upgrade with the load ahead.

9. Not operate any forklift if it is not equipped with overhead guards whenever you are exposed to the possibility of the load falling (the guards shall be installed in conformance with accepted standards).
10. Observe posted warning signs; use caution when entering an unfamiliar area.
11. Wear a hard hat and a seat belt at all times when operating a forklift.

XIII. GUIDELINES FOR CITY MOTOR VEHICLE OPERATION.

A city owned vehicle is to be used for official city business only. Personal use of city vehicles is prohibited. You shall:

1. Adhere to the guidelines set forth in the fleet management policy if you have job requirements which necessitate operation of city-owned vehicles/equipment.
2. Not permit any person not employed by the City to operate city-owned vehicles/equipment nor allow underage drivers.
3. Have a valid Kansas driver's license, operator, or commercial license as required for the city vehicle/equipment operated. (A new employee licensed in another state shall obtain a Kansas driver's license within ninety (90) days of the date of employment with the city).
4. Obey all Kansas traffic laws and regulations.
5. Concentrate on driving.
6. Never press for the right of way. You shall always yield to avoid an accident and drive defensively.
7. Always limit vehicle speed so that there is clear space and time for an emergency stop. (Remember that at high speed, drivers have less time to think and act in an emergency and a far greater distance is required to stop).
8. Slow down in dense traffic or populated areas.
9. Adjust speed for adverse visibility and weather.
10. Slow down at intersections or curves. Use appropriate signals well in advance of any actions.
11. Be alert for mistakes or unexpected actions of others. Drive more slowly and keep alert for pedestrian and cross traffic.
12. Plan ahead, signal early, and slow down gradually to give drivers following a chance to react and therefore prevent accidents. You shall not back up unless necessary. You shall always check the rear and sides of your vehicle by walking around it and observing if there is proper clearance to back safely and use a spotter, if available, whenever you are driving a truck.
13. Avoid 'tailgating' and use safe following distance.
14. Use extra caution and slow the vehicle when approaching children at play or passing through school zones.
15. Keep alert at railroad crossings. Make sure you have clear view of the tracks and do not stop on the railroad tracks.
16. Avoid looking into the headlights of oncoming vehicles and use low beams, when appropriate, when driving at night.
17. Drive at speeds which permit stopping within visibility range of your headlights.
18. Use low beams to reduce the reflected glare caused by fog, rain or wet pavement.
19. Park your city vehicle off the traveled way where it will not interfere with the normal flow of traffic and will not obstruct the view of other drivers.

20. When parking, put transmission in lowest gear or in park, set parking brake firmly, turn the front wheels toward the curb or chock at least one rear wheel, if parked on a hill, and remove the ignition key.
21. Shut off the engine when parking or leaving the vehicle and lock the doors.
22. Not operate any city vehicle unless all persons inside use safety belts.
23. Make a daily check of the following equipment. Report defective items to supervisor immediately:
 - a. Directional signals
 - b. Lights and warning reflectors
 - c. Safety belts
 - d. Tires, including spare
 - e. Windshield wipers
 - f. Windshield
 - g. Heater and defroster
 - h. Horn
 - i. Fire extinguisher
 - j. Rear view mirrors
 - k. Safety equipment, flares, flags, chock blocks, chains, if provided
 - l. Brakes and related equipment
 - m. First aid kit
 - n. Steering mechanism
 - o. Muffler and exhaust system
 - p. Serviceable mud flaps
24. Always consider proper loading and proper load distribution as factors in safe driving.
25. Store articles, tools, equipment, etc., in cars or truck cabs in such manner as not to interfere with vision or in any way interfere with the proper operation of the vehicle. Secure or tie down any equipment or materials being transported in the bed of trucks. Cover with a tarp all loose materials (such as sand, gravel, or asphalt) as determined by supervisor. Remove all trash and ensure the cab is clean.
26. Not store anything on the rear window ledge of any vehicle.
27. Watch footing to avoid slipping or falling when boarding or alighting from vehicles. Not board or alight when the vehicle is moving.
28. Hitch trailers, tool boxes, and trailer mounted machinery to a towing truck with safety chains, in addition to the hitch fastening.
29. Not allow any person to ride in or on trailer mounted equipment while it is being towed.
30. Tow any trailer mounted equipment at a speed reasonable under the conditions and with due regard for the safety of all.
31. Use slow moving signs on tractors and other slow moving vehicles and equipment.
32. Not operate a vehicle or a piece of equipment that is defective.
33. Report all vehicle accidents as required by law.
34. Notify your supervisor immediately if involved in an accident. Report as required by safety & loss prevention policy. Report any citation received by you to your

supervisor immediately and your supervisor shall report that fact to the Human Resource Department.

35. In case of an accident, whether involved or not, you shall not attempt anything beyond making the injured comfortable and providing emergency first aid and you shall send or call someone for medical help.
36. Obtain necessary information and facts about the accident, including names of witnesses, if any.
37. Not take drugs, or strong medications before driving (if prescribed by physician are necessary, notify the supervisor). (Remember that drugs, illness, or extreme fatigue may affect your ability to judge distances, speed, and driving conditions and slows your reaction time).
38. Not wear headset type radios, cassette players, CDs, radio earphones, etc. while operating any city vehicle. Additional information regarding this subject is contained in Section 10, XX, of this handbook.
39. Not hang any item from the rear view mirror of any city vehicle, other than parking permits.
40. Wear ear protection if you are a heavy equipment operator and when there is noise hazard to the ear.
41. Use emergency/hazard warning lights when city vehicles are operating (or parking) under conditions that might interfere with other vehicle traffic.
42. Not operate, nor instruct other employees to operate, an unsafe vehicle or equipment.
43. Using a cell phone or other communication device, while operating a vehicle or equipment, creates an unsafe distraction for the driver/operator and/or others and is strictly prohibited, except that employees may operate city issued radios and hands free cellular devices. Employees are specifically prohibited from texting or making use of electronic mail functions while a vehicle is in motion. This prohibition includes the time waiting for a traffic signal to change. (If necessary, pull over when it is safe to use cell phone).

XIV. GUIDELINES FOR HEAVY EQUIPMENT. You shall:

1. Not attempt to operate any power equipment, such as cranes, sweepers, rollers, graders, or bulldozers without proper instruction and authorization. Not operate heavy equipment unless backup alarms are provided and are in operating condition.
2. Keep clear of power equipment, especially when you are at the rear where operator cannot see you. You shall not get caught in a position where you can be struck without warning and not work under a suspended load under any circumstances.
3. Not overload trucks so that materials can fall off into streets. Make sure loads are properly secured, covered, and do not project out where they can strike other vehicles or persons.
4. Not operate a truck unless it is equipped with serviceable mud flaps.
5. Not ride on trucks or other equipment unless they are designated for this purpose and you are specifically authorized to do so by your supervisor.

6. Use barricades and warning signals to protect your work area.
7. Keep a close watch on approaching traffic and give clear signals to stop (arm and flag horizontal) or to proceed (motion without flag) if assigned duty as flag person. Keep clear of traffic lane. Wear a fluorescent safety vest and a hard hat when you are a flag person.
8. Set out warning signs to slow down traffic when painting crosswalk markings on pavement (a flag person is desirable on heavily traveled roads).

XV. GUIDELINES FOR VEHICLE MAINTENANCE GARAGES/REPAIR SHOPS. You shall:

1. Keep floors in all shops free of grease and oil spots, drop lights, air hoses, and parts to prevent injury from slipping or stumbling and prevent fires.
2. Not keep gasoline for cleaning hands or parts. Label all containers.
3. Prevent skin irritations by washing your hands with soap and water or hand solvents and not with gasoline.
4. Use a safety solvent provided for cleaning parts. Not use carbon tetrachloride, gasoline, or other hazardous materials for this purpose.
5. Dispose of or store oily rags and other debris in covered metal containers.
6. Assure access to all fire extinguisher stations and electrical control panels at all times.
7. Not smoke except in designated areas.
8. Stop all vehicles at the doors before entering or leaving shop area.
9. Not depend on hydraulic jacks or hoists only, block the vehicle up.
10. Use metal vehicle stands when working under a raised vehicle to prevent it from falling on you.
11. Properly ground all electric tools, grinders, sanders, etc. Wear safety glasses when operating this equipment. Use only grounded safety extension cords.
12. Use substantial wooden blocking when working in or under heavy equipment.
13. Use a bar, not your hands, to guide a cable during installation.
14. Be sure all guards have been replaced before operating any equipment which has been repaired or adjusted.
15. Keep repair shops adequately ventilated to protect against exposure to hazardous concentrations of carbon monoxide gas. Move any equipment with engine running to the outside, or attach a hose to the exhaust leading to the outside.
16. Always work with adequate illumination at work benches, lubrication pits, and other areas.
17. Wear personal protective equipment such as goggles, aprons, safety shoes, welders' masks, etc., where necessary.
18. Be certain that adequate fire protection equipment is available and there are no obstructions which will prevent quick access to it.
19. Not attempt to lift heavy parts by yourself. Ask someone to help you or use a hoist, jack, or other lifting device.
20. Not overload hand operated or electric hoists. Always check capacity before using.
21. Turn your face away from a tire when inflating it. Not hold the tire between your legs. Use a safety cage when inflating tires equipped with lock rings.
22. Drain air compressors of condensation weekly, or as required.

23. Rack and chain to carts, or chain to walls, all compressed gas cylinders. Post signs to prevent them from being accidentally knocked over.
24. Not smoke while fueling any equipment, and not allow anyone to smoke in the area.
25. Carry or store small quantities of gasoline or other flammable solvents only in a safety can.
26. Use safety blocks to secure a dump truck body in raised position when it is necessary to work under the body of a dump truck.
27. Report all defective equipment to your supervisor immediately.

XVI. GUIDELINES FOR FIRE PREVENTION AND EXTINGUISHERS. You shall:

1. Store flammable liquids in accordance with accepted guidelines for each liquid.
2. Have adequate emergency firefighting equipment in appropriate locations, have it adequately marked, and make sure extinguishers are serviced annually.
3. Ensure that any extinguisher that has been used is immediately serviced.
4. Not block fire extinguishers by storage or equipment.
5. Know the location of the fire extinguishers and how to use them, where the hoses are, and how to sound the alarm. Use:
 - a. Class A – on ordinary combustibles such as wood, cloth, paper and rubbish.
 - b. Class B – on flammable liquid fires
 - c. Class C – on electrical fires
 - d. Class D – combustible metals
6. In case of fire, you shall:
 - a. Not panic or get excited.
 - b. Turn in the alarm at once.
 - c. Remember your part in organized fire drills and do your job well.
 - d. At all times know the exact location of the nearest exit and an alternative exit.
 - e. Walk – don't run – toward the nearest exit. (Above all, don't crowd or push others).
 - f. Not use elevators.
 - g. Stay in line and wait your turn if a line forms at the exit you are headed for.
 - h. In an emergency, forget your tools and personal belongings. (Your life and the lives of others are more important).
 - i. See that your cigarette or cigar butt is completely extinguished if you are smoking in a designated area.
7. Not smoke except in designated areas.
8. Always use ash containers and never toss matches or butts in trash containers.
9. Beware when flammable liquids are used - not cause any open flames, smoking, or electrical spark.
10. Keep your work area clean - not give fire a place to start.
11. Keep fire doors, extinguishers, sprinklers, and exits clear for instant use at all times.
12. Know the procedures for reporting fires, fire escape, and fire extinguishing and be ready for emergencies.

XVII. GUIDELINES FOR OFFICES AND PUBLIC BUILDINGS. You shall:

1. Keep your work area neat and orderly.

2. Not leave desk, cabinet, and file doors open while unattended. Only open one file drawer at a time to prevent cabinet from toppling over.
3. Report all defective equipment such as chairs, worn electrical cords, or inoperative machines.
4. Report any unsafe conditions such as loose floor tiles, stair treads, railings, icy conditions, electrical shorts in machines, improper lighting, etc. to your supervisor.
5. Not leave chairs, wastebaskets, cords, etc. in aisles or where they will create a tripping hazard.
6. Mount all office fans seven ft. high or they shall be guarded with a ½" wire mesh.
7. Not run in hallways or up and down stairs.
8. Use handrails when ascending or descending stairs.
9. Not throw or leave paper clips, matches, rubber bands, etc., on floors, landings, or stairs.
10. Be watchful for other persons when opening or closing doors.
11. Use only ladders or self-locking step stools of an approved design for access to high shelves or files. Not climb on chairs, boxes, or file cabinets.

XVIII. GUIDELINES FOR CUSTODIAL STAFF. You shall:

1. Remember that you are concerned with your own safety and the safety of the public using the building.
2. Not leave mops, brushes, or pails in halls, doorways, or on stairs where someone can trip over them.
3. Clean floors when traffic is light and wet only a small area and then dry mop. Rope off slippery areas. Do one side of a hallway at a time so a dry area is always clear for traffic.
4. Wear gloves to protect your hands when moving furniture or other sharp materials.
5. Keep your hands out of the mixture or wear rubber gloves when mixing or using strong cleaners. Always read warning/caution labels before using or mixing cleaners. Comply with Section XIX of this handbook.
6. Make sure extension cords on sweepers, scrubbers, or polishers, are in good condition and have defects repaired by an electrician.
7. Not let extension cord or vacuum cleaner hose create a tripping hazard in any hallway and keep them near the wall.
8. Empty a wastebasket by turning it upside down. (Broken glass or other sharp materials can cut your hands if you reach into the basket).
9. Pick up broken glass with a brush and pan and not with your bare hands.
10. Not try to carry too many cleaning tools up and down stairs. Keep one hand free for the handrail or use elevator.

XIX. GUIDELINES FOR CHEMICALS. You shall:

1. Store and dispose of excess chemicals and empty containers in accordance with manufacturer's label instructions and Federal and/or State law.
2. Obtain a safety data sheet from the manufacturer and label the chemical before use if the manufacturer fails to provide sufficient label instructions.

3. Ask your supervisor for instructions if you cannot determine the applicable law regarding any handling of any chemical.
4. Not use chemical containers to store materials of any nature other than the original contents.

XX. GUIDELINES FOR RADIOS, RADIO HEADSETS, EARPHONES, ETC. You shall:

1. Not use radio headsets and/or earphones unless authorized for use only in those jobs in which their use is required in order to perform the duties assigned.
2. Not wear headset type radios, cassette players, CDs, radio earphones, etc. while operating any city vehicle or heavy equipment.
3. Not use personal radios, or other sound producing devices, in areas other than vehicles and heavy equipment, except with the specific permission of each immediate supervisor as directed/authorized by their departments. However, this permissive use must ensure that the loudness at which the device is played will not prevent any employee from hearing signals or warnings of danger or from performing their work for the city.

XXI. GUIDELINES FOR HEARING PROTECTION. You shall:

1. Wear ear protection devices under all work conditions that have been determined by the departments and/or the city to exceed the permissible noise levels. (When required, ear protection devices shall be provided by the departments).

XXII. GUIDELINES FOR COMPRESSED GAS CYLINDERS. Note: Compressed gas cylinders are ‘sleeping giants’. If not properly handled and cared for, a cylinder can explode or become an uncontrollable jet-like rocket, destroying everything in its path. You shall:

1. Not store compressed gas cylinders in direct sunlight or in any hot place.
2. Keep compressed gas cylinders in racks or stands or set in an upright position and properly lashed or chained to prevent their being knocked over.
3. Not drop compressed gas cylinders or treat them roughly.
4. Properly ventilate areas in which compressed gases are used. (The type and degree of ventilation depends upon the type of gases being used).
5. Not use or handle compressed gas cylinders until you have been trained in the use and handling of compressed gas cylinders by your supervisor.

XXIII. GUIDELINES FOR VIDEO DISPLAY TERMINALS (VDT’S).

Backache, neck and shoulder discomfort, wrist injury, and eye strain are among the most frequently heard complaints associated with video display terminal use.

Much office work involves not only prolonged sitting, but sitting while using the hands, arms, legs, or eyes to perform tasks that are essentially stationary; thus, using muscles without flexing them or allowing the muscles to relax completely. Therefore a condition known as ‘static loading’ is created.

In this condition, because the muscles are contracted but not rhythmically relaxed, circulation is reduced and waste products like lactic acid are not carried away from the muscle tissue. Too many waste products and too little nourishment combine to produce muscle soreness. Although this can be quite painful, it does not cause true injury to the tissue. Regular exercise helps the blood wash away the waste products and nourishes the muscles.

The major design flaw of the office is the chair and work station. Chairs are bought all too often for their size or coloring, not for the adjustability and support. To help reduce muscle fatigue, back ache, and to improve posture several ergonomic engineers suggest the following guidelines on chairs be followed:

1. The chair must provide height adjustability.
2. The edge of the seat must not press on the underside of the leg.
3. Backrests should provide lumbar support and height adjustability is also desirable.
4. The chair should allow freedom of motion to permit the user to change position easily and frequently without losing good support.
5. The base of the chair should provide stability and protection against tipping over. Chairs with the five star designs have proven to be safer.
6. Armrests are options; however, if armrests are on the chair, they should not interfere with the ability to move the chair under the work stations.

Workstations themselves should be designed to help reduce the risk of stress and strain on the muscles. There is, however, no agreement about what is appropriate. Recommended heights for keyboards and monitors vary greatly, adjustable heights are therefore necessary for many of the workstation components.

Some desired workstation items would be:

- a. Height, tilt and swivel, and fore and aft adjustments for the monitor.
- b. Sufficient flat area for document preparation.
- c. A separate adjustable keyboard platform. Adjustments that should be required are height, and tilt for front-back settings.

Addendum #2 – Anti-Drug and Alcohol Misuse Prevention Policy

Please use this as a guideline and refer to the most updated document on the employee intranet or in the Human Resources Office for final resolution of questions or concerns.

City of Dodge City (TG3044) Dodge City

(FTA / DOT)

Revised Policy Date: January 1, 2018

Original Policy Date: October 2007

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APPENDIX

- A. INFORMATION CONCERNING THE EFFECTS OF ALCOHOL
- B. DER AND SERVICE AGENTS
- C. JOB CLASSIFICATION
- D. EMPLOYEE AFFIRMATION OF DRUG & ALCOHOL TESTING POLICY
- E. DILUTE NEGATIVE DRUG TEST RESULTS

I. GENERAL

A. Purpose

1. City of Dodge City (TG3044) has a long-standing commitment to maintaining the highest standards for employee safety and health. The use of controlled substances and the misuse of alcohol are contrary to these high standards. The purpose of this policy is to bring City of Dodge City (TG3044) into compliance with all DOT regulations that require affirmative actions to eliminate the impact of the use of controlled substances and misuse of alcohol in the workplace. The purpose of this anti-drug and alcohol misuse prevention policy is to reduce accidents that result from the use of controlled substances and misuse of alcohol, thereby reducing fatalities, injuries, and property damage.
2. This policy does not create any contractual rights in favor of employees to whom the Policy is applicable. Nor does this Policy in any way alter the at-will nature of employment or imply that discharge will occur only "for cause".
3. Title 49 Code of Federal Regulations (CFR) Part 655.3 requires any recipient of Federal financial assistance under Sections 5307, 5309, or 5311 of the Federal Transit Act, as amended and any contractor to comply with these regulations and submit to drug and alcohol testing administered in accordance with part 655. Recipients of these funds and their contractors must test their employees for prohibited drugs and misuse of alcohol under the following work-related conditions:

DRUG TESTING

- a. Pre-employment
- b. Random
- c. Post-accident
- d. Reasonable cause
- e. Return-to-duty
- f. Follow-up

ALCOHOL TESTING

- a. Random
- b. Post-accident
- c. Reasonable cause
- d. Return-to-duty
- e. Follow-up

4. Those areas of the policy printed in bold and underlined text reflect City of Dodge City (TG3044) independent authority to require additional provisions with regard to the drug and alcohol testing procedures.
5. The presence of controlled substances in the body as well as the use or possession of controlled substances and/or alcoholic beverages while on City of Dodge City (TG3044) property or in any City of Dodge City (TG3044) vehicle, or on duty, including breaks or lunch, paid or unpaid, on any shift, is strictly prohibited.
6. Drug and Alcohol Program Manager: Appendix B contains the name, address, and telephone number of the responsible individual(s). The DA-PM shall be responsible for providing oversight and evaluation on the policy; providing guidance and counseling; reviewing of all discipline applied under this policy for consistency and conformance to human resources

policies and procedures; scheduling drug and alcohol tests for random, return-to duty and follow-up testing; maintaining a locked file system with limited access to all test results; and promotion of the employee assistance program (EAP). City of Dodge City (TG3044) shall ensure that all covered employees are aware of the provisions and coverage of City of Dodge City (TG3044) anti-drug and alcohol misuse policy.

7. Designated Employer Representative: Appendix B contains the name, address, and telephone number of the Designated Employer Representative (DER). The DER is authorized by City of Dodge City (TG3044) to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer consistent with the requirements of 49 CFR Part 40.

B. Applicability

1. This policy applies to any employee of City of Dodge City (TG3044) who perform safety-sensitive functions.
2. The FTA has determined that "safety-sensitive" functions are performed by those who (49 CFR Part 655.4):
 - a. Operate revenue service vehicles including when not in revenue service.
 - b. Operate non-revenue service vehicles that require drivers to hold a CDL.
 - c. Dispatch or control revenue service vehicles.
 - d. Performing maintenance function including repairing, overhauling, and rebuilding revenue service vehicles or equipment used in revenue service;
 - e. Provide security and carry a firearm.
 - f. These categories include supervisors who perform these functions. Supervisors of employees in these categories who do not themselves perform these functions, are excluded.
 - g. Volunteers required to hold a commercial driver's license to operate the vehicle; or perform a safety-sensitive function for any entity subject to this part.
 - h. Contractor employees that stand in the shoes of Transit System employees.
 - i. A list of safety-sensitive positions that perform one of the above-mentioned duties is found in Appendix C.

C. Testing Procedures

It is a condition of employment that all safety-sensitive employees submit to drug and alcohol testing. All testing conducted under this policy will follow the procedures as set forth in 49 CFR Part 40. The procedures have been developed to protect the employee and the integrity of the testing process, to safeguard the validity of the test results, and to ensure that the test results are attributed to the correct employee.

D. Definitions

Words and phrases used in this policy are as defined and found in 49 CFR Part 40.3 and 655.4.

II. PROHIBITIONS

City of Dodge City (TG3044) shall test each covered employee who performs a safety-sensitive function for evidence of the following substances: Alcohol, Marijuana, Cocaine, Opioids, Phencyclidine and Amphetamines.

A. Alcohol

1. No employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
2. No employee shall use alcohol 4 hours prior, on call, or while performing a safety-sensitive function. This includes beverages containing alcohol or substances containing alcohol including any medication, mouthwash, food, candy, or any other substance that would cause alcohol to be present in the body.
3. No employee required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until a post-accident alcohol test has been administered, whichever occurs first.

B. Controlled Substances

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance.

1. ILLEGAL DRUGS: The use of any illegal drug or any substance (identified in Schedules I through V of the Controlled Substance Act) is prohibited at all times unless a legal prescription has been written for the substance. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.
2. LEGAL DRUGS: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a supervisor. In addition, the employee must obtain a written release from the attending physician releasing the person to perform their job duties any time they obtain a performance-altering prescription.
3. 3. PRESCRIPTION DRUGS: A legally prescribed drug means that the employee has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing safety-sensitive functions is prohibited.

C. Refusal to Submit to a Required Alcohol or Controlled Substances Test

No employee shall refuse to submit to an alcohol or controlled substance test required by 49 CFR Part 40 and 655.

1. As an employee, you have refused to take a drug test if you:

- a. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer.
- b. Fail to remain at the testing site until the testing process is complete.
- c. Fail to provide a urine specimen for any drug test required by this part or DOT agency regulations.
- d. In the case of a directly observed or monitored collection in a drug test, fail to permit the observation or monitoring of the provision of a specimen.
- e. Fail to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.
- f. Fail or decline to take an additional drug test the employer or collector has directed you to take.
- g. Failing to undergo a medical examination when required.
- h. Failing to cooperate with any part of the testing process.
- i. For an observed collection, fail to follow the observer's instructions to raise and lower clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have a type of prosthetic or other device that could be used to interfere with the collection process.
- j. Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
- k. Admit to the collector or MRO that you adulterated or substituted the specimen.
- l. As an employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.
- m. Fail to provide an adequate amount of saliva or breath for any alcohol test required by this part or DOT agency regulations.
- n. Fail to provide a sufficient breath specimen, and the physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.
- o. Failing to sign Step 2 of the alcohol test form.

2. For Pre-employment Tests the Following are NOT Refusals (Once the donor has received the specimen collection cup from the collector the test has commenced.)

- a. Failure to appear for the test.
- b. Failure to remain at the site prior to the commencement of the test
- c. Failure to provide a specimen before the test commences.

III. TESTS REQUIRED (DOT PANEL)

A. Pre-employment or Transfer Testing

The following conditions establish who may be screened and under what circumstances the drug and alcohol screening may occur. All testing will comply with 49 CFR Part 40 and Part 655.

All applicants for employment in a safety-sensitive position with City of Dodge City (TG3044) will undergo urine drug testing immediately following the offer of employment. All current employees who are requesting transfer to a position covered in this policy are also subject to this policy. This policy covers applicants for, or requests for transfer to, full-time or part-time employment and applicants for regular or temporary employment.

Testing involves the following situations:

1. Prior to the first time an employee or applicant performs any safety-sensitive functions, the employee will undergo pre-employment testing. If the employee has a verified negative result, no further immediate action is necessary. (§655.41(a)(1))
2. When a covered employee or applicant has previously failed or refused a pre-employment drug test, the employee must provide proof to the Director of City of Dodge City (TG3044) of having completed a referral, evaluation, and treatment plan as described in section 655.62 of subpart G. (§655.41(a)(2))
3. Prior to transferring an employee from a Non safety-sensitive function to a safety-sensitive function, the employee must undergo a pre-employment drug test and have a verified negative result. (§655.41(b))
4. If a pre-employment drug test is canceled, the employee or applicant is required to schedule another preemployment drug test and have a verified negative result. (§655.41(c))
5. When a covered employee or applicant has not performed a safety-sensitive function for 90 consecutive calendar days, and the employee has not been in the random selection pool during that time, the employee is subject to a pre-employment test which produces verified negative results. (§655.41 (d))

B. Post-accident Testing

1. Post-accident testing is required for prohibited drugs and alcohol in the case of certain transit accidents:
 - a. Fatal Accident: Whenever there is a loss of human life, each surviving safety-sensitive employee operating the transit vehicle at the time of the accident must be tested. City of Dodge City (TG3044) will also determine using the best information available at the time of the decision whether to test any other safety-sensitive employees (e.g., maintenance personnel) where performance could have contributed to the accident.

- b. Non-fatal Accident: Whenever an individual suffers bodily injury and immediately receives medical treatment away from the scene of the accident; or any vehicle incurs disabling damage as a result of the occurrence and any vehicle is transported away from the scene by a tow truck or other vehicle, City of Dodge City (TG3044) shall test each safety-sensitive employee operating the transit vehicle at the time of the accident, unless their behavior can be completely discounted as a contributing factor to the accident. City of Dodge City (TG3044) shall test any other safety-sensitive employee, whose performance could have contributed to the accident, using the best information available at the time of the accident.
- c. Post-accident drug and alcohol tests must be performed as soon as possible: Drug tests must be performed as soon as possible but within 32 hours following the accident. Alcohol tests must be performed as soon as possible, within 2 hours following the accident. If the alcohol test is not administered within 2 hours following the accident, City of Dodge City (TG3044) must still attempt to administer the test, and must also prepare and maintain on file, a record stating the reason(s) the test was not promptly administered. If the alcohol test is still not administered within 8 hours following the accident, City of Dodge City (TG3044) shall cease attempts to administer the test, and must also prepare and maintain on file, a record stating the reason the test was not completed.
- d. The requirement to test for drugs and alcohol following an accident should in no way delay necessary medical attention for injured people or prohibit a safety-sensitive employee from leaving the scene of an accident to obtain assistance in responding to the accident or to obtain necessary emergency medical care. However, the safety-sensitive employee must remain readily available, which means the transit agency knows the location of the safety-sensitive employee. If he or she leaves the scene of the accident prior to submission to such test, and fails to remain readily available for testing, the employee may be deemed by the employer to have refused to submit to testing.

C. Random Testing

Random testing of safety-sensitive employees will be conducted in a manner consistent with the requirements of 49 CFR Part 655 (Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations) and 49 CFR Part 40 (Procedures for Transportation Workplace Drug and Alcohol Testing Programs).

The City of Dodge City (TG3044) participates in a statewide rural transit consortium; therefore, all employees performing safety-sensitive functions are placed in a statewide pool and will have an equal chance of being selected for testing and will remain in the pool, even after being tested. There is no discretion on the part of management in the selection and notification of the individuals who are to be tested.

Random testing will meet the following criteria:

1. The random alcohol testing will be conducted using the current applicable rates required by KDOT which meets or exceeds FTA requirements. Safety-sensitive positions in the testing pool are tested on a random basis annually under the drug and alcohol testing requirement for alcohol.
2. The random drug testing will be conducted using the current applicable rates required by KDOT which meets or exceeds FTA requirements. Safety-sensitive positions in the testing pool are tested on a random basis annually under the drug and alcohol testing requirement for drugs.
3. Random selection is made through a scientifically valid computerized random number generator program matched with employees' social security number. This program is provided by a contracted, third party administrator for the drug program. (§655.45(e))
4. The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year. Testing must be unannounced, unpredictable and will be conducted at all times of the day when safety-sensitive functions are performed. (§655.45(g))
5. A covered employee will only be randomly tested for alcohol just prior to, during or just after performing a safety sensitive function. (§655.45(i)) The City of Dodge City (TG3044) will ensure that the employee stops performing the safety-sensitive function and proceeds to the testing site immediately. (§655.45(h))
6. Random tests for drugs can be conducted at any time during an employee's shift. Testing can occur during the beginning, middle or end of an employee's shift. (§655.45(i))

D. Reasonable Suspicion Testing

1. A safety-sensitive employee is required to submit to a drug and/or alcohol test when the employer has reasonable suspicion that the employee has used a prohibited drug or has misused alcohol as defined in the regulations.
2. A trained supervisor's determination that reasonable suspicion exists will be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee.
3. Under this policy drug testing can occur anytime the employee is on duty. Alcohol testing will only occur during, just preceding, or just after the employee has performed a safety-sensitive function.
 - a. An employer shall conduct a drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and [or engaged in alcohol misuse.
 - b. An employer's determination that reasonable suspicion exists shall be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee. A supervisor (s), or other company official (s) who is trained in detecting the signs and symptoms of drug use and alcohol misuse must make the required observations.

- c. Alcohol testing is authorized under this section only if the observations required by paragraph (b) of this section are made during, just preceding, or just after the period of the workday that the covered employee is required to be in compliance with this part. An employer may direct a covered employee to undergo reasonable suspicion testing for alcohol only while the employee is performing safety sensitive functions; just before the employee is to performing safety-sensitive functions; or just after the employee has ceased performing such functions.
- d. If an alcohol test required by this section is not administered within two hours following the determination under paragraph (b) of this section, the employer shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If an alcohol test required by this section is not administered within eight hours following the determination under paragraph (b) of this section, the employer shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test.

Details of the reasonable suspicion testing process can be found in 49 CFR Part 40, subpart

E. Return-to-duty Testing

- a. As the employer, if you decide that you want to permit the employee to return to the performance of safety sensitive functions, you must ensure that the employee takes a return-to-duty test. This test cannot occur until after the SAP has determined that the employee has successfully complied with prescribed education and/or treatment. The employee must have a negative drug test result and/or an alcohol test with an alcohol concentration of less than 0.02 before resuming performance of safety-sensitive duties.
- b. As an employer, you must not return an employee to safety-sensitive duties until the employee meets the conditions of paragraph (a) of this section. However, you are not required to return an employee to safety sensitive duties because the employee has met those conditions. That is a personnel decision that you have the discretion to make, subject to collective bargaining agreements or other legal requirements.
- c. As an employer, you must ensure that any return-to-duty drug test collection is conducted as an observed collection.

F. Follow-up Testing

- a. As the employer, you must carry out the SAP's follow-up requirements. You may not allow the employee to continue to perform safety-sensitive functions unless follow-up testing is conducted as directed by the SAP.

- b. You should schedule follow-up tests on dates of your own choosing, but you must ensure that the tests are unannounced with no discernible pattern as to their timing, and that the employee is given no advance notice.
- c. You cannot substitute any other tests (e.g., those carried out under the random testing program) conducted on the employee for this follow-up testing requirement.
- d. You cannot count a follow-up test that has been cancelled as a complete test. A cancelled follow-up test must be recollected.
- e. As an employer, you must ensure that any follow-up drug test collection is conducted as an observed collection.

IV. HANDLING OF TEST RESULTS, CONFIDENTIALITY

A. Access to Records

- 1. Except as required by law or expressly authorized by release by an employee, City of Dodge City (TG3044) will not release information that is contained in records required to be maintained under 49 CFR Part 40 and 655.
- 2. An employee is entitled, upon written request, to obtain copies of any records pertaining to the use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substances tests.
- 3. An employee's testing records will be made available to a subsequent employer upon receipt of a written request from the employee.
- 4. City of Dodge City (TG3044) may disclose information required to be maintained pertaining to a driver to the decision maker in a lawsuit, grievance, or administrative proceeding initiated by or on behalf of the individual, and arising from a positive DOT drug or alcohol test or a refusal to test (including, but not limited to, adulterated or substituted test result), (including, but not limited to, a worker's compensation, unemployment compensation, or other proceeding relating to a benefit sought by the employee).

V. CONSEQUENCES OF FAILING OR REFUSING A DRUG TEST

- A. General. Compliance with this drug testing policy is a condition of employment. Refusal to take a required drug test or failure of a drug test shall result in removal from performing covered functions. Additional disciplinary action up to and including termination may result.
- B. Refusal and Prohibited Conduct Prohibitions

1. City of Dodge City (TG3044) shall not permit any employee, who fails a drug test as verified by the Medical Review Officer (MRO), as described in Part 655, to perform covered functions or continue to perform covered functions.
 2. A covered employee who refuses to submit to a random, post-accident, reasonable suspicion or follow-up drug test shall result in the covered employee not being allowed to perform or to continue to perform any covered functions.
- C. Required Referrals and Evaluation. An employee will be given an opportunity to retain his or her employment, provided they first do the following:
1. Have been evaluated by a Substance Abuse Professional (SAP)
 2. Have completed the recommendations of a qualified SAP on the appropriate evaluation/rehabilitation program.
 3. Pass a return-to-duty drug test.

If an employee refuses to report for assessment, evaluation, and/or referral for treatment with a substance abuse professional, he/she will be terminated.

If an employee, after assessment, is referred for rehabilitation and the employee refuses to enter or successfully complete such a rehabilitation assessment program, he/she will be terminated.

All costs associated with the evaluation and rehabilitation program are the responsibility of the employee. Employees should consult their insurance policy for extent of nervous, mental and substance abuse coverage.

On duty use or possession of drugs on company time or on company premises will result in termination from City of Dodge City (TG3044).

A second positive drug test or the equivalent will result in immediate termination of employment.

A covered employee who engages in prohibited conduct shall be advised of available resources to evaluate and resolve problems associated with substance abuse misuse.

D. Retesting of Drug Positive Samples

1. General. An applicant/employee may verbally request a retest of a positive sample by contacting the MRO by phone, within 72 hours of notification of the positive test result from the MRO.
2. Retest Provisions. The retest will be conducted at a different SAMHSA certified laboratory. The test will be conducted on the split sample that was provided by the applicant/employee at the same time as the original sample. As the employer, you must not condition your compliance with these requirements on the employee's direct payment to the MRO or laboratory or the employee's agreement to reimburse you for the cost of testing. The method of collection, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40.

3. Detection Levels. Because some analytes deteriorate or are lost during freezing and/or storage, quantitation for a retest is not subject to a specific cutoff requirement but must provide data sufficient to confirm the presence of the drug or metabolite.

VI. CONSEQUENCES OF FAILING OR REFUSING AN ALCOHOL TEST

- A. General. Compliance with this alcohol testing policy is a condition of employment. Refusal to take a required alcohol test or failure of an alcohol test shall result in removal from performing covered safety-sensitive functions. **Additional disciplinary action up to and including termination may result.**
- B. Refusal and Prohibited Conduct.
 1. A covered employee who has engaged in prohibited conduct as described in Part 655 shall not be permitted to perform covered functions or continue to perform covered functions.
 2. A covered employee who refuses to submit to a random, post-accident, reasonable suspicion or follow-up alcohol test shall result in the covered employee not being allowed to perform or to continue to perform any covered functions.
- C. Alcohol Concentration. A covered employee shall be prohibited from reporting for duty or remaining on duty requiring the performance of covered functions while having an alcohol concentration of 0.04 or greater.
 1. On-Duty Use: A covered employee shall be prohibited from using alcohol while performing covered functions.
 2. Pre-Duty Use: No employee shall use alcohol 4 hours prior, on call, or while performing a safety-sensitive function. This includes beverages containing alcohol or substances containing alcohol including any medication, mouthwash, food, candy, or any other substance that would cause alcohol to be present in the body.
- D. Required Referrals and Evaluation. An employee will be given an opportunity to retain his or her employment, provided they first do the following:
 1. Have been evaluated by a Substance Abuse Professional (SAP),
 2. Have completed the company approved evaluation/rehabilitation program successfully,
 3. Pass a return-to-duty alcohol test.

If an employee refuses to report for assessment, evaluation, and/or referral for treatment with a substance abuse professional, he/she will be terminated.

If an employee, after assessment, is referred for rehabilitation and the employee refuses to enter or successfully complete such a rehabilitation assessment program, he/she will be terminated.

All costs associated with the evaluation and rehabilitation program are the responsibility of the employee.

In all cases of an employee having an alcohol concentration of 0.04 or greater, and who has tested a second time at an alcohol concentration of 0.04 or greater, will be terminated.

An employee who refuses to provide an adequate breath for alcohol testing without a valid medical explanation after he/she has received notice of the requirement to be tested in accordance with the requirements of the DAPM, or who engages in conduct that clearly obstructs the testing procedure, will be terminated from City of Dodge City (TG3044).

On duty use or possession of alcohol on company time or on company premises will result in termination from City of Dodge City (TG3044).

A covered employee who engages in prohibited conduct shall be advised of available resources to evaluate and resolve problems associated with alcohol misuse.

E. Retesting of Covered Employees for Alcohol

1. A covered employee tested and found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall not be permitted to perform or continue to perform covered functions until:

- a. The employee's alcohol concentration measures less than 0.02 in another alcohol test administered in compliance with this policy; or
- b. The start of the employee's next regularly scheduled duty period, but not less than 8 hours following administration of the alcohol test.

F. Results of a second confirmed alcohol test (in the following twelve month period) indicating an alcohol concentration of 0.02 or greater, but less than 0.04: When a safety-sensitive employee has an alcohol test conducted and the alcohol concentration is 0.02 or greater, but less than 0.04, on a second confirmed test, the employee will be removed from performing covered functions and shall be referred to a substance abuse professional, and must follow all the recommendations of the assessment. Any subsequent test at 0.02 or greater will result in termination from City of Dodge City (TG3044). When a non safety-sensitive employee has an alcohol test conducted and the alcohol concentration is 0.02 or greater, but less than 0.04 after having had a prior alcohol concentration 0.04 or greater, then that employee will be removed from performing covered functions and referred to an EAP counselor and any subsequent alcohol concentration 0.02 or greater will result in immediate termination.

G. Results of a second confirmed alcohol test (in the following twelve-month period) indicating an alcohol concentration 0.02 or greater, but less than 0.04 after a prior alcohol test which had produced an alcohol concentration of 0.04 or greater: When an safety-sensitive employee has an alcohol test conducted and the alcohol concentration is 0.02 or greater, but less than 0.04 after having had a prior alcohol concentration 0.04 or greater, then that employee will be removed from performing covered functions and referred to the substance abuse professional and any subsequent alcohol concentration 0.02 or greater will result in immediate termination. When a non safety-sensitive employee has an alcohol test conducted and the alcohol concentration is 0.02 or greater, but less than 0.04 after having had a prior alcohol concentration 0.04 or greater, then that employee will be removed from performing

covered functions and referred to an EAP counselor and any subsequent alcohol concentration 0.02 or greater will result in immediate termination.

Anti-Drug and Alcohol Misuse Prevention Policy Policy Approval

We have reviewed and concur with the contents of the City of Dodge City (TG3044) Anti-Drug and Alcohol Misuse Prevention Policy. Our signatures indicate approval of the policy and its contents.

2/26/18

City of Dodge City (TG3044) Governing Board

Date

City of Dodge City (TG3044) Governing Board

Date

City of Dodge City (TG3044) Governing Board

Date

APPENDIX A

ALCOHOL SUPPLEMENT

A. Why you should get involved:

1. Although City of Dodge City (TG3044) has no history of substance abuse problems, we recognize that alcoholism and alcohol misuse are problems throughout America.
2. There are three good reasons why you should be concerned if any of your co-workers are using drugs or alcohol on the job.
 - a. Your health and safety may be at risk.
 - b. Alcohol misuse costs you money.
 - c. Alcohol creates a negative work environment.
3. According to the National Institute on Alcohol Abuse and Alcoholism, drug and alcohol use on the job costs society an estimated \$102 billion a year. Since most of this cost is passed on to you in the form of higher health insurance rates or in consumer prices, drug and alcohol use on the job costs you and your fellow workers a significant amount of money.
4. Absenteeism among problem drinkers or alcoholics is 3.9 to 8.3 times greater than normal. If your fellow workers don't come to work, you may have to do their jobs in addition to your own.
5. Workers who misuse alcohol don't function at their full potential. Not only is absenteeism a problem, when they are at work these employees may have reduced capabilities and productivity. Since our product is the safe transportation of people, alcohol misuse is an especially serious issue.
6. No matter what your position is in the organization, there is something you can do to ensure that drug and alcohol use on the job never becomes a problem at the company. Acceptance of any misuse puts you, this company, and the public at risk.

B. Effects of alcohol misuse on an individual's health, work, and personal life:

1. Alcohol is a central nervous system depressant. Taken in large quantities, it causes not only the euphoria associated with being drunk, but also adversely affects your judgment, ability to think, and your motor functions. Drink enough alcohol fast enough and it can kill you.
2. Long term overuse of alcohol can cause liver damage, heart problems, sexual dysfunction, and other serious medical problems.
3. In some cases, alcohol use can lead to physical and psychological dependence on alcohol. Alcoholism is a serious chronic disease. Left untreated it will inevitably get worse.

4. Workers who use alcohol (and other drugs) affect everyone. Studies show that compared to alcohol- and drug-free workers, substance abusers are far less productive, miss more workdays, are more likely to injure themselves or someone else, and file more workers compensation claims.
 5. The measurable dollar costs of workplace substance abuse from absenteeism, overtime pay, tardiness, sick leave, insurance claims, and workers' compensation can be substantial. However, the hidden costs resulting from diverted supervisory and managerial time, friction among workers, damage to equipment, and damage to company's public image means that workplace substance abuse can further cut profits and competitiveness.
 6. Alcohol can also destroy relationships, lead to serious problems with the law (e.g., drunk driving), and even cause harm to the people you love.
 7. If drinking affects your work life, it could lead to job loss and all the financial problems that would follow.
- C. Signs and symptoms of alcohol misuse - Any one or more of the following signs may indicate a drinking problem:
- Family or social problems caused by drinking
 - Job or financial difficulties related to drinking
 - Loss of a consistent ability to control drinking
 - "Blackouts" or the inability to remember what happened while drinking
 - Distressing physical and/or psychological reactions if you try to stop drinking
 - A need to drink increasing amounts of alcohol to get the desired effect
 - Marked changes in behavior or personality when drinking
 - Getting drunk frequently
 - Injuring yourself - or someone else while intoxicated
 - Breaking the law while intoxicated
 - Starting the day with a drink
- D. Available methods of evaluating and resolving problems associated with the misuse of alcohol.
1. Outpatient programs exist in a variety of settings:
 - a. Community mental health centers
 - b. Full service agencies
 - c. Private physicians' and therapists' offices
 - d. Occupational settings
 - e. Specialized alcoholism treatment facilities
 2. Inpatient services, designed for those with more serious alcohol problems, can be found in hospitals, residential care facilities, community halfway houses, and some alcoholism clinics.
 3. Your local telephone directory will list helpful referral organizations such as•

- a. Local council on alcoholism
 - b. Alcoholics Anonymous
 - c. Community alcoholism or mental health clinic
 - d. Social services or human resources department
 - e. County medical society
4. The SAP will perform an initial evaluation, recommend any additional treatment if necessary, and will refer employees needing assistance for treatment covered under our health insurance program.

City of Dodge City (TG3044)
806 2nd Ave
Dodge City, KS 67801

APPENDIX B

City of Dodge City (TG3044)
DRUG AND ALCOHOL TESTING PROGRAM
PERSONNEL AND SERVICES

1. DESIGNATED EMPLOYER REPRESENTATION (DER)/DRUG AND ALCOHOL PROGRAM MANAGER

1. Primary Contact

Brandon Roy
City of Dodge City (TG3044)
806 2nd Ave
Dodge City, KS 67801
(620) 225-8100

Secondary Contact

Paola Aguinaga
806 2nd Ave
Dodge City, KS 67801 (620)
225-8100

2. LOCAL COLLECTION SITE

Mobile Collection Specialist
Connie Rodriguez
620-937-0887

In most instances the ComplianceOne mobile collector can do your collections on site. However, a local collection site has been set up for use when the on-site collector is unavailable.

3. MEDICAL REVIEW OFFICER (MRO)

Nationwide Medical Review 7160
Graham Road
Indianapolis, 46250
Local: 1-317-547-8620
Toll Free: 1-888-265-6362

4. CERTIFIED LABORATORY

Clinical Reference Laboratory
11711 W. 83rd Terrace

Lenexa, KS 66150
Toll-Free: 1-800-716-0006

5. EMPLOYEE ASSISTANCE PROGRAM (EAP)
REFERRAL FOR SUBSTANCE ABUSE PROFESSIONAL (SAP)

Employee Assistance Program
Local 785-575-9343
Toll Free 1-800-999-1196

City of Dodge City (TG3044)
806 2nd Ave
Dodge City, KS 67801

APPENDIX C

EMPLOYEE/SUPERVISORY POSITIONS SUBJECT TO DRUG AND ALCOHOL TESTING (JOB CLASSIFICATIONS/TITLES)

SAFETY -SENSITIVE FUNCTIONS

A safety-sensitive function, as defined by FTA 49 CFR Part 655, is any specified duty performed by City of Dodge City (TG3044) employees related to the safe operation of mass transit service.

These duties include the following activities:

1. Operating a revenue service vehicle, including when not in revenue service;
2. Operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver's License (CDL);
3. Controlling dispatch or movement of a revenue service vehicle;
4. Maintaining (including repairs, overhaul, and rebuilding) a revenue service vehicle or equipment used in revenue service;
5. Carrying a firearm for security purposes.

The following specific job titles identify those employees who perform safety-sensitive job functions at City of Dodge City (TG3044):

- a. Brandon Roy HR Officer
- b. Paola Aguinaga HR Officer

Addendum #3 – Drug and Alcohol Testing Policy

Please use this as a guideline and refer to the most updated document on the employee intranet or in the Human Resources Office for final resolution of questions or concerns.

CITY OF DODGE CITY DODGE CITY, KANSAS

FINAL

**DRUG AND ALCOHOL TESTING POLICY
(FMCSA/DOT)**

Policy Date: January 2024

Revised Date: February 2019

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I. GENERAL

A. Purpose

1. The Department of Transportation (DOT), Federal Motor Carriers Safety Administration (FMCSA) requires City of Dodge City to establish a drug and alcohol testing program designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles. Further, the purpose of this policy is to bring City of Dodge City into compliance with all regulations, which require affirmative actions to eliminate the impact of the use of controlled substances and misuse of alcohol in the workplace.
2. This policy does not create any contractual rights in favor of employees to whom the Policy, is applicable. Nor does this Policy in any way alter the at-will nature of employment or imply that discharge will occur only "for cause".
3. Those areas of the policy printed in bold and underlined text reflect City of Dodge City. independent authority to require additional provisions with regard to the drug and alcohol testing procedures.
4. The presence of controlled substances in the body as well as the use or possession of controlled substances and/or alcoholic beverages while on City of Dodge City property, or in any City of Dodge City vehicle, or on duty, including breaks or lunch* paid or unpaid, on any shift, is strictly prohibited.
5. Designated Employer Representative: **(Appendix B)** contains the name, address, and telephone number of the Designated Employer Representative (DER). The DER is authorized by City of Dodge City to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer consistent with the requirements of 49 CFR, Part 40.

B. Applicability

This policy applies to any employee of City of Dodge City who holds a Commercial Driver's License (CDL) and uses that license to operate a commercial motor vehicle. 49 CFR Part 382.107 defines these vehicles as a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

1. Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
2. Has a gross vehicle weight rating of 26,001 or more pounds; or
3. Is designed to transport 16 or more passengers, including the driver; or
4. Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act (49 U.S.C. 5103(b)) and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR Part 172, Subpart F)

C. Testing Procedures

It is a condition of employment that all employees who hold a Commercial Driver's License (CDL) and uses that license to operate a commercial motor vehicle submit to drug and alcohol testing. All testing conducted under this policy will follow procedures as set forth in 49 CFR Part 40. The Procedures have been developed to protect the employee and the integrity of the testing process, to safeguard the validity of the test results, and to ensure that the test results are attributed to the correct employee.

D. Definitions

Words and phrases used in this policy are as defined and found in 49 CFR Parts 40.3 and 382.107.

II. PROHIBITIONS

A. Alcohol

1. No driver shall report for duty or remain on duty requiring the performance of safety sensitive functions while having an alcohol concentration of 0.02 or greater.
2. No driver shall use alcohol while performing a safety-sensitive function. This includes beverages containing alcohol or substances containing alcohol including any medication, mouthwash, food, candy, or any other substance that would cause alcohol to be present in the body.
3. No driver shall perform safety-sensitive functions within four hours after using alcohol.
4. No driver required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until a post-accident alcohol test has been administered, whichever occurs first.

B. Controlled Substances

1. The Department of Transportation currently tests for: Marijuana, Cocaine, Amphetamines (Amphetamine, Methamphetamine, MDMA, MDA), Opioids (Codeine, Morphine, Heroin, Hydrocodone, Hydromorphone, Oxycodone, Oxymorphone) and Phencyclidine.
2. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance.
 - a. **ILLEGAL DRUGS:** The use of any illegal drug or any substance identified in Schedules I through V of the Controlled Substance Act is prohibited at all times unless a legal prescription has been written for the substance. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.
 - b. **MEDICAL MARIJUANA OR RECREATIONAL USE IS PROHIBITED UNDER THIS POLICY.** The federal Government and the Department of Transportation do not recognize Medical Marijuana prescriptions or Recreational Use. Federal Law always supersedes State law(s). The Company shall follow all Federal Government regulations and guidelines regarding Medical Marijuana or Recreational Use and will not allow its employees, individuals, drivers, operators and/or contractors to be employed or perform work at any of the Company's locations, terminals or operations while on Medical Marijuana or Recreational Use.
 - c. **LEGAL DRUGS:** The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a supervisor. In addition, the employee must obtain a written release from a licensed medical practitioner releasing the person to perform their job duties any time they obtain a performance-altering prescription.
 - d. **PRESCRIPTION DRUGS:** A legally prescribed drug means that the employee has a prescription or other written approval from a physician for the use of a drug in the course of medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing safety-sensitive functions is prohibited.
 - e. **CBD OIL:** The claimed use of CBD oil shall not be considered a medical excuse for a positive marijuana test.

C. Refusal to submit to a required alcohol or controlled substances test

No driver shall refuse to submit to an alcohol or controlled substance test required by 49CFR, Parts 40 and 382.

As an employee, you have refused to take a drug test if you:

1. Fail to appear for any test (except pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer
2. Fail to remain at the testing site until the testing process is complete
3. Fail to provide a urine specimen for any drug test required by this part or DOT agency regulations
4. In the case of a directly observed or monitored collection in a drug test, fail to permit the observation or monitoring of the provision of a specimen
5. Fail to provide a sufficient amount of urine when directed and it has been determined through a required medical evaluation, that there was no adequate medical explanation for the failure
6. Fail or decline to take an additional drug test the employer or collector has directed you to take
7. Failing to undergo a medical examination when required
8. Failing to cooperate with any part of the testing process
9. For an observed collection, fail to follow the observer's instructions to raise and lower clothing above the waist, lower clothing and underpants, and turn around to permit the observer to determine if you have a type of prosthetic or other device that could be used to interfere with the collection process
10. Possess or wear a prosthetic or other device that could be used to interfere with the collection process
11. Admit to the collector or MRO that you adulterated or substituted the specimen
12. Fail to provide an adequate amount of saliva or breath for any alcohol test required by this part or DOT agency regulations
13. Fail to provide a sufficient breath specimen, and the physician has determined through a required medical evaluation, that there was no adequate medical explanation for the failure
14. Failing to sign Step 2 of the alcohol testing form
15. The employee refuses to wash his or her hands — after being directed to do so

For Pre-employment Tests, the Following Are NOT Refusals

1. Failure to appear for the test
2. Failure to remain at the site prior to the commencement of the test
3. Failure to provide a specimen before the test commences

III. TESTS REQUIRED (DOT PANEL)

A. Pre-employment or Transfer testing

1. Any applicant offered a safety sensitive position or an employee transferring to a safety sensitive position must first take a pre-employment drug test. This applicant or employee must receive a verified negative test result before performing any safety sensitive function. Details of preemployment testing and exemptions can be found in 49 CFR Part 382.301.
2. City of Dodge City must request alcohol and controlled substances information from previous employers in accordance with the requirements of 49 CFR Parts 40 382.413 and 391.23 (e).
3. Applicants offered a safety sensitive position and employees transferring to a safety sensitive position must sign release of information forms allowing City of Dodge City to receive alcohol and controlled substances information from previous employers.

B. Post-accident testing

1. As soon as practicable following an accident the driver of a commercial motor vehicle, operating on a public road in commerce, must be tested for alcohol and controlled substances under certain conditions.

- a. Alcohol testing must be conducted if a driver receives a citation for a moving violation within 8 hours of the accident.
 - b. Drug testing must be conducted if a driver receives a citation for a moving violation within 32 hours of the accident.
2. The driver who is subject to post-accident testing shall remain readily available for such testing (meaning that the employer knows the location of the driver). If employee leaves the scene of the accident prior to submission to such test, employee may be deemed by the employer to have refused to submit to testing. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of the accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

The following chart defines when an accident has occurred and when testing must take place.

<u>Type of accident involved</u>	<u>Citation issued to the CMV driver</u>	<u>Tests required</u>
Human fatality	YES	YES
	NO	YES
Bodily injury with immediate	YES	YES
<u>medical treatment away from the scene</u>	NO	NO
Disabling damage to any motor	YES	YES
vehicle requiring tow away	NO	NO

Details of post-accident testing and exemptions can be found in 49 CFR Part 382.303.

Random testing

All drivers that perform safety sensitive functions are subject to random drug and alcohol testing.

- I. Random testing will be unannounced and unpredictable; spread reasonably throughout the calendar year. Testing will be conducted at all times of the day when safety sensitive functions are performed.
2. Employees are required to proceed immediately to the collection site once notified of testing.
3. Drug tests will be conducted anytime a safety sensitive employee is on duty. Alcohol tests will only be conducted on an employee immediately before performing, while performing, or just after performing a safety sensitive function.
4. The list of employees selected will be retained by the DER in a secure location.

Details of the random testing process can be found in 49 CFR Part 382.305.

C. Reasonable suspicion testing

All drivers that perform safety sensitive functions are subject to reasonable suspicion alcohol and/or drug testing. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances that are consistent with the short-term effects of substance abuse or alcohol misuse. A trained supervisor must make the determination to test based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. Examples of reasonable suspicion include, but are not limited to, the following:

1. Physical signs and symptoms consistent with prohibited substance use or alcohol misuse
2. Evidence of the manufacture, distribution, dispensing, possession, or use of controlled substances, drugs, alcohol, or other prohibited substance
3. Occurrence of a serious or potentially serious accident that may have been caused by prohibited substance abuse or alcohol misuse

Details of the reasonable suspicion testing process can be found in 49 CFR Part 382.307.

D. Return-to-duty testing

Details of the return-to-duty testing process can be found in 49 CFR Part 40, Subpart O.

E. Follow-up testing

Details of the follow-up testing process can be found in 49 CFR Part 40, Subpart O.

IV. HANDLING OF TEST RESULTS, CONFIDENTIALITY

A. Access to records

1. Except as required by law or expressly authorized by release by an employee, City of Dodge City will not release driver information that is contained in records required to be maintained under 49 CFR Parts 40 and 382.
2. A driver is entitled, upon written request, to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substances tests.
3. A driver's testing records will be made available to a subsequent employer upon receipt of a written request from the driver.
4. City of Dodge City may disclose information required to be maintained pertaining to a driver to the decision maker in a lawsuit, grievance, or administrative proceeding initiated by or on behalf of the individual, and arising from a positive DOT drug or alcohol test or a refusal to test (including, but not limited to, adulterated or substituted test result), (including, but not limited to, a worker's compensation, unemployment compensation, or other proceeding relating to a benefit sought by the driver).

V. CONSEQUENCES FOR DRIVERS ENGAGING IN PROHIBITED CONDUCT

A. Use of drivers who fail or refuse a drug test

1. General. Compliance with this drug testing policy is a condition of employment. Refusal to take a required drug test or failure of a drug test shall result in removal from performing safety sensitive functions. Additional disciplinary action up to and including termination may result.
2. Prohibitions On Use. City of Dodge City will remove from performing a safety sensitive function any employee who:
 - a. Fails a drug test as verified by the Medical Review Officer (MRO), or
 - b. Refuses to take a drug test required by this policy. (See Section II.C.)
3. Required Referrals and Evaluation. Any applicant or employee who fails or refuses a drug test will be referred to a Substance Abuse Professional (SAP) for evaluation and treatment.
4. An employee may be given an opportunity to retain his or her employment, provided they first do the following:
 - a. Have been evaluated by a SAP, and
 - b. Have completed the recommended evaluation/rehabilitation program successfully, and
 - c. Receive a verified negative test result on a return-to-duty test

B. Retesting of Drug Positive Samples

1. General. An applicant/employee may request a retest of a positive sample, within 72 hours of notification of the positive test result from the MRO. The request may be verbal or in writing to the MRO.
 2. Retest Provisions. The retest will be conducted at a different SAMHSA certified laboratory. The test will be conducted on the split sample that was provided by the applicant/employee at the same time as the original sample. All costs for such testing are to be reimbursed to City of Dodge City by the applicant/employee unless the result of the split sample test invalidates the result of the original test. The method of collection, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40.
 3. Detection Levels. Because some analytes deteriorate or are lost during freezing and/or storage, quantitation for a retest is not subject to a specific cutoff requirement but must provide data sufficient to confirm the presence of the drug or metabolite.
- C. Use of drivers who fail or refuse an alcohol test
1. General. Compliance with this alcohol testing policy is a condition of employment. Refusal to take a required alcohol test or failure of an alcohol test will result in removal from performing safety sensitive functions. Additional disciplinary action up to and including termination may result.
 2. Refusal and Prohibited Conduct. City of Dodge City will remove from performing a safety sensitive function any employee who:
 - a. Has a confirmed alcohol test result of 0.02 or higher but less than 0.04. This driver must be removed from duty for a minimum of 24 hours. This is not a positive test requiring a SAP referral
 - b. Fails an alcohol test with a confirmed result of 0.04 or higher, or
 - c. Refuses to take an alcohol test required by this policy (See Section II.C.)
 3. Required Referrals and Evaluation. Any employee who fails or refuses an alcohol test will be referred to a Substance Abuse Professional (SAP) for evaluation and treatment.
 4. An employee may be given an opportunity to retain his or her employment: provided they first do the following:
 - a. Have been evaluated by a SAP, and
 - b. Have completed the recommended evaluation/rehabilitation program successfully, and
 - c. Receive a verified negative test result on a return-to-duty test
- D. All costs associated with the evaluation and rehabilitation program are the responsibility of the employee.
- E. Employees should consult their health insurance policy for extent of nervous, mental and substance abuse coverage.
- F. A second positive test whether drug or alcohol or the equivalent will result in immediate termination of employment.
- G. Additional Requirements
- City of Dodge City may impose such additional disciplinary actions as they deem appropriate. This may include removal from performing covered functions: suspension (with or without pay), and even termination.

APPENDIX A

ALCOHOL AND CONTROLLED SUBSTANCES USE SUPPLEMENT

. Why you should get involved:

1. Although City of Dodge City has no history of substance abuse problems, we recognize that substance abuse, alcoholism and alcohol misuse are problems throughout America.
2. There are three good reasons why you should be concerned if any of your co-workers are using drugs or alcohol on the job.
 - a. Your health and safety may be at risk.
 - b. Substance abuse and alcohol misuse costs you money.
 - c. Substance abuse and alcohol misuse creates a negative work environment.
3. According to the National Institute on Alcohol Abuse and Alcoholism, drug and alcohol use on the job costs society an estimated \$102 billion a year. Since most of this cost is passed on to you in the form of higher health insurance rates or in consumer prices, drug and alcohol use on the job costs you and your fellow workers a significant amount of money.
4. Absenteeism among problem drinkers or alcoholics is 3.9 to 8.3 times greater than normal. If your fellow workers don't come to work, you may have to do their jobs in addition to your own.
5. Workers who use drugs and/or misuse alcohol don't function at their full potential. Not only is absenteeism a problem, when they are at work these employees may have reduced capabilities and productivity.
6. No matter what your position is in the organization, there is something you can do to ensure that drug and alcohol use on the job never becomes a problem at the company. Acceptance of any misuse puts you, this company, and the public at risk.
7. Workers who use alcohol and other drugs affect everyone. Studies show that compared to alcohol and drug-free workers, substance abusers are far less productive, miss more workdays, are more likely to injure themselves or someone else, and file more workers' compensation claims.
8. The measurable dollar costs of workplace substance abuse from absenteeism, overtime pay, tardiness, sick leave, insurance claims, and workers' compensation can be substantial. However, the hidden costs resulting from diverted supervisory and managerial time, friction among workers, damage to equipment, and damage to the company's public image means that workplace substance abuse can further cut profits and competitiveness.
9. Alcohol can also destroy relationships, lead to serious problems with the law (e.g., drunk driving), and even cause harm to the people you love.
10. If taking drugs and drinking affects your work life, it could lead to job loss and all the financial problems that would follow.

B Effects on an individual's health, work, and personal life:

Alcohol

1. Alcohol is a central nervous system depressant. Taken in large quantities, it causes not only the euphoria associated with being drunk, but also adversely affects your judgment, ability to think, and your motor functions. Drink enough alcohol fast enough and it can kill you.
2. Long term overuse of alcohol can cause liver damage, heart problems, sexual dysfunction, and other serious medical problems.
3. In some cases, alcohol use can lead to physical and psychological dependence on alcohol. Alcoholism is a serious chronic disease. Left untreated it will inevitably get worse.

Marijuana

1. Marijuana is a central nervous system depressant. It causes a feeling of euphoria, increased sense of well-being, lack of motivation, lowered inhibitions, talkativeness, dry mouth and throat, increased appetite, impaired coordination, concentration and memory, and increased heart rate.
2. Long term use may result in deteriorating work performance, "burn out" involving muddled thinking, acute frustration, depression, and isolation, impaired sexual development and fertility, including production of abnormal sperm and menstrual irregularities, damage to the lungs and pulmonary system, hallucinations and paranoia, increased risk to safety and health as a result of impaired judgment and motor abilities.
3. Prolonged use of marijuana often results in psychological dependence for the user. Moreover, marijuana is considered a "gateway" drug. Casual users of marijuana often become chronic users, or become abusers of "harder" drugs.

Cocaine

1. Cocaine is a central nervous system stimulant. It causes brief but intense feelings of euphoria and competence, increases pulse, blood pressure, body temperature, and respiratory rate. It dilates the pupils of the eyes, causes extreme excitability and anxiety, and produces sleeplessness and chronic fatigue.
2. Long-term use results in bleeding and other damage to nasal passages, paranoid psychosis, hallucinations, and other mental abnormalities. Use causes impaired driving ability and death caused by heart or respiratory failure.
3. Cocaine users often become psychologically and physically dependent on the drug after relatively short periods of use. In many cases, crack cocaine use leads to virtual immediate addiction.

Amphetamines/Methamphetamines

1. Amphetamine is a central nervous system stimulant. It causes feelings of alertness and euphoria, increases heart rate and blood pressure. It dilates the pupils of the eyes, decreases appetite, enables the user to go without sleep for relatively long periods of time, and causes distorted thinking.
2. Use causes dizziness, headaches, blurred vision, sweating, loss of coordination, tremors, convulsions, physical collapse, anorexia and malnutrition resulting from decreased appetite. It causes sudden blood pressure increases from injections resulting in fever, stroke, or heart failure, nervousness, irritability, drastic mood swings, hallucinations, paranoia, physical collapse, and brain deterioration; overdose or continued heavy use can be fatal.

3. Amphetamines are addictive both physically and psychologically. Following the use of amphetamines, many users experience a "crash" which is often counteracted by taking more of the drug, creating an increasingly difficult pattern to break.

Opioids

1. Opioids are central nervous system depressants. The physical effects of opiates depend on the opioid used, the dose, and how the drug is taken. Effects may include: short lived state of euphoria, followed by drowsiness, slowed heart rate, breathing, and brain activity, depressed appetite, thirst, reflexes, and sexual desire, and increased tolerance for pain.
2. The most common dangers associated with opioid misuse are: AIDS, blood poisoning, and hepatitis as the result of drug injection and use of un-sterilized or "shared" needles, death resulting from the injection of impure heroin, death resulting from an unexpectedly high purity of the drug, convulsions, coma, or death from overdose.
3. Opioids, particularly heroin, have an unusually high potential for abuse and addiction. Heroin addiction often leads to malnutrition, infection and unattended injuries and diseases. Addicts tend to continue using the drug despite damaging physical and psychological consequences.

Phencyclidine (PCP)

1. PCP is a central nervous system stimulant. The physical effects of PCP include: altered states of consciousness, disorientation, confusion, and memory loss; highly unpredictable, and sometimes bizarre or even violent behavior; extreme agitation; impaired driving ability and increased tolerance to pain.
2. The most common dangers of PCP use are mental changes resembling schizophrenia, severe depression, and loss of learning abilities and violent and other "intoxicated": behaviors resulting in bodily harm or death.
3. Physical dependence on PCP has been documented and may be accompanied by memory loss, violence, weight loss, and paranoia. Symptoms of withdrawal include headaches, intense cravings for the drug, increased need for sleep, and "flashbacks" for a period of years.

- c. Signs and symptoms of alcohol misuse - Any one or more of the following signs may indicate a drinking problem:

- Family or social problems caused by drinking • Job or financial difficulties related to drinking
- Loss of a consistent ability to control drinking
- "Blackouts" or the inability to remember what happened while drinking
- Distressing physical and/or psychological reactions if you try to stop drinking
- A need to drink increasing amounts of alcohol to get the desired effect
- Marked changes in behavior or personality when drinking
- Getting drunk frequently
- Injuring yourself - or someone else while intoxicated
- Breaking the law while intoxicated
- Starting the day with a drink

- D. Signs and symptoms of substance abuse - Any one or more of the following signs may indicate an abuse problem:

- Poor physical coordination/slow reactions and slurred speech
- The odor of marijuana smoke in the area

- Hand tremors or unsteady walking
- Dilated or constricted pupils
- Disorientation/unusual restlessness
- Combative behavior, loud arguing or fighting
- The presence of drug paraphernalia and/or observing the employee ingest, inject, smoke, or inhale (snort) a prohibited substance
- Work performance problems, including a deterioration in quality and/or quantity of work
- Problems with attendance such as tardiness and increasing absenteeism
- Increased accidents and injuries
- Poor judgment and difficulty in concentration
- Personality changes, including aggressiveness, mood changes, fearful or paranoid behavior
- Negligence in personal hygiene or pale or sickly complexion
- Social withdrawal, including isolation, overreaction to criticism, and lack of eye contact
- Emotional changes such as noticeable signs of anxiety or depression, paranoia, or excessive laughing

E. Available methods of evaluating and resolving problems associated with the misuse of drugs or alcohol:

1. Outpatient programs exist in a variety of settings:

- a. Community mental health centers
- b. Full service agencies
- c. Private physicians' and therapists' offices
- d. Occupational settings
- e. Specialized alcoholism treatment facilities

2. Inpatient services, designed for those with more serious problems, can be found in hospitals, residential care facilities, community halfway houses, and some alcoholism clinics.

F. Where to find help for you or a co-worker:

- Employee Assistance Program (Your employee assistance program (EAP) provider) 1-800-999-1196
- Al-Anon / Al-Ateen
- 1-800-356-9996
- Narcotics Anonymous
- 1-818-773-9999

City of Dodge City
PO Box 880
Dodge City, Kansas 67801

APPENDIX B

City of Dodge City
DRUG AND ALCOHOL TESTING PROGRAM
PERSONNEL AND SERVICES

1. DESIGNATED EMPLOYER REPRESENTATION (DER)

Primary Contact

Brandon Roy
PO Box 880
Dodge City, Kansas 67801
(620) 471-4617

Secondary Contact

Paola Aguinaga
PO Box 880
Dodge City, Kansas 67801
(620) 471-4832

2. LOCAL COLLECTION SITE

Xpress Wellness
1531 W Wyatt Earp Blvd
Dodge City, KS 67801
(620) 682-8304

In most instances the ComplianceOne mobile collector can do your collections on site. However, a local collection site has been set up for use when the on-site collector is unavailable.

3. MEDICAL REVIEW OFFICER (MRO)

Industrial Medical Testing
118 8th Avenue W, Suite 328
Palmetto, FL 34221
Local: 941-753-9199
Toll Free: 1-888-808-4MRO (4676)

4. CERTIFIED LABORATORY

Clinical Reference Laboratory
8433 Quivira

Lenexa, KS 66215
Toll-Free: 1-800-445-6917

5. EMPLOYEE ASSISTANCE PROGRAM (EAP)
REFERRAL FOR SUBSTANCE ABUSE PROFESSIONAL (SAP)

Employee Assistance / SAP Referral
Local 1-785-575-9343
Toll-Free: 1-800-999-1196

City of Dodge City
PO Box 880
Dodge City, Kansas 67801

APPENDIX C

EMPLOYEE/SUPERVISORY POSITIONS SUBJECT TO DRUG AND ALCOHOL TESTING (JOB CLASSIFICATIONS/TITLES)

Please list your employee position descriptions that require a Commercial Driver's License (CDL)
subject to alcohol and drug testing.

- A. Parks Maintenance Workers
- B. Public Works Utility Workers
- C. Sanitation Drivers
- D. Mechanics
- E. Trolley Drivers

PLEASE COMPLETE THIS FORM AND MAINTAIN THIS WITH
YOUR DRUG AND ALCOHOL POLICY