

ARTICLE VI. COMPENSATION AND BENEFITS

A. The Pay Plan

The Pay Plan is designed as a fair and equitable method for the payment of employees in the City.

1. Preparation of Plan: A compensation plan, directly related to the Classification Plan, shall be developed and administered by the Personnel Director with the approval of the City Manager. Each position of a class shall be assigned to a compensation range.

The compensation ranges shall include minimum and maximum rates for all positions included in the Classification Plan.

2. Adoption of Plan: The compensation plan as approved by the City Manager and adopted by the Council shall constitute the Pay Plan for the City.

3. Amendment of Plan: The Pay Plan may be amended in the same manner as prescribed for the preparation and adoption of the plan.

B. Administration of Pay Plan

1. Appointment Rate: Except as provided herein, the minimum rate of pay for a class shall be paid upon appointment to the class.

a. The Personnel Director shall monitor the Pay Plan to assure that the entry level for each classification is set to insure that the City maintains competitive recruitment practices.

b. Approval for appointment rates above the minimum rate must first be obtained from the Personnel Director and the City Manager.

2. Performance Increases: Performance increases are based on good work performance and are not automatic. Performance increases within an established range shall be made only upon recommendation of the department director and the Personnel Director with approval by the City Manager.

3. Pay Rate Adjustments: Actions affecting the pay status of an employee shall be considered pay rate adjustments for the purposes of the pay plan.

a. Transfer - When an employee is transferred the compensation rate of the employee will remain unchanged. A transfer shall require the approval of both department directors.

Employees will be required to serve a ninety (90) day probationary period. The merit

review date will not change for an employee who has transferred.

b. Promotion - When an employee is promoted from a position in one compensation range to a position having a higher compensation range, the compensation rate of the promoted employee shall be increased to the greater of the entry rate of the new pay range or a minimum of seven percent (7%), but not in excess of the maximum of the new pay range.

c. Demotion

(1) Involuntary: See Article VII, Section H.3 (f).

(2) Voluntary: An employee may take a voluntary demotion to a position of lower compensation range, if qualified. The employee shall be paid at a rate which is within the approved range for the lower position. The rate of pay shall be recommended by the department director, and approved by the Personnel Director and City Manager, after taking in consideration the circumstances surrounding the reason for the demotion. An employee who has not completed the probationary period prior to demotion will be required to serve a new probationary period.

d. Change in Classification - If a position audit results in a change in classification, the incumbent's compensation shall not change. In no event shall the employee receive less than the entry level of the pay grade of the new class.

A change in classification shall not impact an employee's merit review date.

e. Out-Of-Position Pay - An employee who is assigned to work in a position in a class with a higher salary range for a period exceeding five (5) working days shall be compensated for all hours served in the higher class at a rate of five percent (5%) above his/her current base pay or the entry rate of the pay range of the classification being filled, whichever is greater.

f. Acting Position Pay - An employee who fills a vacant position in a class with a higher compensation range will be entitled to receive the greater of a minimum of a five percent (5%) increase or the entry rate of the pay range of the classification being filled.

4. Pay Differentials: Personnel permanently assigned a late shift or performing certain duties, shall be entitled to pay differentials when approved by the City Manager, as follows:

a. Full time employees who are permanently assigned to a shift beginning between the hours of 3:00 p.m. and 5:00 a.m. shall be entitled to a five percent (5%) pay differential.

b. During periods of strike, flood, civil disorder, or other emergency, not to exceed three consecutive month's duration, the City Manager may approve, within current appropriations, a pay differential to personnel subjected to exceptional pressures, requirements, responsibilities and a demand for performance of significantly increased duties over and above those normally associated with the employee's position.

5. Longevity Pay:

a. On and after July 1, 1995, for all non-represented employees and for bargaining unit members with work agreements that refer to this alternative longevity system the following provision for longevity pay will apply. On the employee's anniversary date, longevity pay will be determined by adding a longevity factor of five tenths of one percent (0.5%) of the employee's base pay to base pay. This calculation will occur for each year of service that an employee completes to a maximum of thirty (30) years of service. Any amount in excess of the employee's classification pay range, as a result of the above calculation, will be compensated as a bonus in addition to base compensation.

When a bonus exists the bonus will be added to base pay prior to the multiplication by the longevity factor. This will occur until the employee's base pay plus bonus pay is less than the maximum for the employee's classification pay range. For purposes of this calculation base pay will be the employee's earnings in accordance with the classification schedule, plus longevity compensation.

b. For bargaining unit members with work agreements in effect as of January 1, 1995, that have not been revised to provide for an alternative longevity system, that refer to a longevity pay system in the City Personnel Policies & Procedures the following provision for longevity pay will apply: Unless otherwise provided by the City Pay Plan, each regular full time or part time employee shall receive a pay additive to annual compensation to be known as longevity. Each employee shall be compensated for longevity pay beginning with the first payroll following the employee's anniversary date in accordance and at a rate set forth in the schedule in Appendix A to these Personnel Policies and Procedures.

6. Overtime Pay:

a. Unless otherwise provided by separate work agreement, all non-exempt employees working in excess of forty (40) hours per week shall be compensated at the rate of one and one-half (1½) times their regular hourly rate of pay. For purposes of this subsection, when calculating total hours per week worked, holidays, and vacation are included. Sick leave and personal business are not included when calculating hours worked.

b. Notwithstanding paragraph a, above, Fire Department personnel assigned to suppression, not otherwise classified as exempt, who have worked at least 212 hours

in the 28 consecutive day work period shall be entitled to overtime.

c. Overtime must be authorized by the department director.

d. Exempt and non-exempt status shall be identified in the class specification.

e. Compensation in excess of salary may be granted to exempt employees under emergency conditions which directly involve the health, safety and/or welfare of employees or citizens. Such pay must have prior approval of the City Manager.

7. Compensatory Time: Based on the decision of the department director non-exempt employees accumulate compensatory time in-lieu of overtime compensation in accordance with the Fair Labor Standards Act.

Compensatory time is limited to general employees being allowed to accumulate, at the time and one-half rate, up to 240 hours, or 160 hours at the straight time rate.

Public safety employees will be allowed to accumulate, at the time and one-half rate, up to 480 hours, or 320 hours at the straight time rate.

8. Standby, On-Call, and Call-Out Pay:

a. Stand-By is off-duty hours when the employee is required to respond if called to report to work and is subject to disciplinary action for failure to respond. Employees, both exempt (except department directors and division managers) and non-exempt, will be compensated for time spent on stand-by. Stand-by compensation will be two (2) hours at the employees overtime rate for each twenty-four (24) hours of availability. Response time requirements will be determined by the employee's department director.

On-Call is off-duty hours when the employee may be called back to work, and not required to respond. The employee is not subject to disciplinary action if unable to respond. Employees, both exempt and non-exempt, will not be compensated for time spent on-call.

c. Call-Out is as when an employee is actually called and reports back to work, whether on stand-by or not. In the event the employee is called out, non-exempt employees shall be compensated at their overtime rate of pay for a minimum of two hours. Employees on stand-by when called-out will not receive compensation for being called-out until the hours worked on the call-out exceed the number of hours compensated for stand-by. Compensation shall start at the time the employee is contacted and asked to report to work and end at the point that the employee is released from duty. The maximum allowable time for compensated travel from the contact location to the reporting site is thirty (30) minutes.

9. Court Time: A non-exempt employee who is required to appear in court on behalf of the City on his/her time off shall receive one and one-half (1½) times his/her hourly

rate for a minimum of two (2) hours or for the period the employee is actually required by the court, whichever is longer.

C. Employee Benefits

1. Payroll Deductions: All deductions from the City payroll must be approved by the City Manager. Individual deductions shall be made from an employee's paycheck only upon written authorization by the employee and shall continue until the employee submits a written request that such deductions cease. Such authorization notices shall be submitted to the Finance Director.

2. Employee Life Insurance:

a. Eligibility - Upon completion of the first day of continuous service with the City, all regular full-time and regular part-time City employees shall be enrolled in the City's group life insurance program. Employees retiring under LAGERS are eligible to continue group life insurance for a reduced policy amount, but must pay the monthly premiums.

b. Benefits - The amount of insurance for covered employees shall be no less than one times the annual base earnings of the employee. In the event of total disability of an employee, the City shall pay the life insurance premium and continue such coverage as long as the disability is in effect to allow for continuation of coverage under the provisions of such policy.

3. Health Insurance:

a. General - The City offers a choice of health insurance plans for regular full-time employees on a cost sharing basis. Payment for health insurance shall be authorized through payroll deductions.

b. Coverage and Cost - The cost share shall be determined by the class of coverage selected. Those persons receiving a payment through LAGERS or the City's Direct Pay Plan may participate in the City's group health plan and pay premiums that are based on the same cost of service factors used to determine premiums for regular City employees.

c. Disability - Employees applying for disability income may remain on the City's group health plan until the eligibility for these programs is determined.

4. Retirement:

a. LAGERS - The City participates in the Local Government Employee's Retirement System (LAGERS). LAGERS is a retirement program provided by Missouri Statutes (Section 70.600 et seq. RSMo.) and controlled by the Missouri General Assembly. It is administered by a board consisting of members elected

from participating political sub divisions and the employee members. Each year, during the month of September, employees elect a LAGERS representative to attend the annual state meeting and represent them. The City Clerk conducts this election. All City employees included in the City LAGERS plan shall be eligible to vote, sign nomination forms and be nominated as a delegate. Notice of the election shall be posted in all Departments at least two weeks prior to the deadline for nominations. The notice shall include the time and place of the election, when nominating forms will be made available, the hours nomination forms will be received and the time the tabulation of votes will be conducted. To be placed on the ballot, an employee must be nominated on a form provided by the City Clerk signed by at least ten persons qualified to vote in the election. Nominees shall be placed on the ballot in the order that nomination forms with the required signatures are received at the office of the City Clerk. The election shall be by secret ballot. The City Clerk shall see that all voters are qualified and that they are checked off on a list of qualified voters when their ballot is cast. Each voter must cast the ballot in person during the specified hours. There will be no absentee voting. The election shall be held at the office of the City Clerk during regular working hours of that office on three consecutive working days. Employees shall be allowed to ballot during their regular working hours. Votes shall be tabulated by the City Clerk staff as soon after the close of the third election day as practicable. Ballots with more than one name marked shall be disqualified.

Each nominee or a representative may be present and observe the tabulation of votes. The City Clerk shall certify the employee receiving the most votes as the employee LAGERS delegate. See Section 70.605 RSMo. for duties of the employee delegate at the annual meeting.

b. Retiree Health Insurance – The City offers retirement health insurance, through the health insurance program offered to regular fulltime employees, to retirees who are eligible to receive retirement or disability benefits through LAGERS and who otherwise meet the requirements of this section. This will include the early and disability retirement provisions offered by LAGERS. Coverage will include the retiree and dependents, subject to the provisions of the health insurance program. The surviving spouse of a retiree is eligible to continue participation in the retirement health insurance program for themselves and dependent children if receiving a benefit through LAGERS as the surviving spouse of a retiree.

For employees hired before January 1, 2009 who within six (6) months of their last day of work start receiving a benefit through LAGERS, and have five (5) consecutive years of service with the City, the premium paid will be the same percent as regular fulltime employees determined on a monthly basis. These retirees may delay or suspend receiving the retiree health insurance, and may enroll during any open enrollment period or as the result of a COBRA qualifying event following the date they qualify for this insurance.

For employees hired on or after January 1, 2009 who within six (6) months of their last day of work start receiving a benefit through LAGERS, and have twenty (20) years of service with the City, the premium paid will be the same percent as regular fulltime employees determined on a monthly basis. These retirees may delay or suspend receiving the retiree health insurance, and may enroll during any open enrollment period or as the result of a COBRA qualifying event following the date they qualify for this insurance.

For employees hired on or after January 1, 2009 who start receiving a duty related disability benefit through LAGERS, and have fifteen (15) years of service with the City and obtain a physicians statement that indicates but for the duty related disability the employee would have expected to be able to work an additional five (5) years for the City, the premium paid will be the same percent as regular fulltime employees determined on a monthly basis. These retirees may delay or suspend receiving the retiree health insurance, and may enroll during any open enrollment period or as the result of a COBRA qualifying event following the date they qualify for this insurance.

Employees terminating, who are vested in LAGERS and defer receiving a benefit through LAGERS, are not eligible to participate in the retiree health insurance program when they start receiving a LAGERS benefit.

c. Life Insurance – Retired employees receiving a pension benefit through LAGERS are eligible to participate in a group life insurance policy through the City. The premium for the policy will be the responsibility of the retired employee.

d. Social Security – The employees of the City are covered by Old Age Survivors Disability Insurance (OASDI, Social Security, and FICA).

5. Education Benefits: The City encourages its employees to further their knowledge and skills through education and self improvement courses. To assist in the efforts of its employees the City will provide a reimbursement benefit when the Council has appropriated funds for this purpose. The following guidelines must be met in order to receive the reimbursement benefit:

- a. The reimbursement benefit is available to any regular full time employee;
- b. Applications provided by the Personnel Department are to be submitted prior to enrollment;
- c. Course work must be of a practical nature that can assist an employee in furthering career related goals;
- d. The reimbursement benefit is 50% of all required costs for the course work, excluding books and supplies;

e. The City, based upon budgetary considerations, may place a ceiling or upper limit on the amount of benefit. For higher education courses the reimbursement benefit will be limited to six credit hours per quarter or semester;

f. The employee will be responsible for supporting the benefit claim with standard course descriptions and a copy of the final grade report, if issued. Course work must be successfully completed and where appropriate with a grade "C" or better;

g. An employee may attend school during normal work hours with the approval of the department director and City Manager.

6. Mileage and Travel Allowances: Mileage and travel expenses are appropriated by department and are reimbursed to employees on City business. The City Council sets a mileage allowance. Any employee who is concerned with these allowances should have written approval from his/her department director before incurring such expenses. Necessary mileage and expense forms are available from the Finance Department.

7. Long-Term Disability Insurance: The City offers long-term disability insurance for regular full-time employees.

8. Deferred Compensation: The City offers deferred compensation to regular full-time employees.

9. Flexible Benefit Plan: The City offers a flexible benefit program to regular full-time employees.

10. Employee Assistance

a. Policy Statement: The City maintains a firm commitment to provide quality services to its residents and a safe and healthy work environment for its employees. The City recognizes that personal problems experienced by an employee may affect the employee's ability to perform his or her work for the City and may have an adverse impact on the work place, thus impairing the City's ability to provide quality services to its citizens and to maintain a safe work environment.

The City is willing to assist employees in the resolution of personal problems, particularly in cases when the employee seeks assistance before his or her work performance is seriously affected. To this effect, the City encourages employees to seek help through the City's Employee Assistance Program (EAP).

b. Voluntary Request for Assistance: Any full-time employee suffering any personal problem, whether or not work-related, may contact the City's EAP provider for initial assessment or may seek professional assistance on his or her own. The Personnel Department must inform any employee seeking assistance as to the availability of the EAP plan and as to how City employment benefits may

be used in any treatment plan selected by the employee. All voluntary requests for assistance or information will be kept in the strictest confidence, and the EAP provider will not release the names of such employees to the City, nor discuss treatment issues with the City, without the permission of the employee. The fact that an employee has voluntarily sought assistance will not be given adverse consideration in any employment decisions regarding that employee.

c. Use of Leave Time: Employees who are receiving treatment through the EAP, or on referral from the EAP, are entitled to use all forms of accumulated leave time available to them, including sick leave, vacation time, and compensatory time. Use of leave time must be scheduled with the employee's department, which shall not unreasonably refuse to schedule such leave. Normally, leave of absence without pay is not available for EAP purposes; however, if an employee exhausts all available leave time prior to receiving clearance to return to work, the employee may request a leave of absence without pay, pursuant to Article V, §J of the Personnel Policies and Procedures Manual. Said leave of absence without pay is not a right but discretionary with the City.

d. Rehabilitation the Responsibility of the Employee: It is the responsibility of each employee to seek assistance before personal problems lead to deterioration in their work performance or disciplinary action. Once disciplinary action has been instituted against an employee, subsequent use of the EAP does not exempt the employee from expected job performance standards or appropriate disciplinary action.

e. Confidentiality of EAP Records: All records of an employee's use of the EAP program are confidential and no record of that referral, other than in statistical form, will be provided to or kept by the City. The City will not be provided with information regarding any problem of the employee identified by the EAP or regarding the nature of the treatment recommended for the employee. Nothing contained herein shall prohibit the employee from consenting to the release of his/her records by the EAP provider."

D. Special Circumstances Leave

Regular full-time employees who have completed one year of consecutive service with the City, who become temporarily disabled due to causes other than work-related duties, may apply for special circumstances leave under the following conditions, subject to the eligibility criteria established.

1. Eligibility. The program is available to full-time employees who meet the following criteria:

a. Applicants must have worked for the City for twelve (12) consecutive months prior to the onset of the illness or injury.

b. Applicants must obtain and submit a physician's certificate stating the employee is unable to perform the material and substantial duties of that employee's own occupation or such other duties as are assigned by the City.

c. The physician's certificate shall state the illness or injury is anticipated to last longer than thirty (30) days, but less than six (6) months.

d. The employee must not be eligible for Worker's Compensation from the City or any other employer. The employee must not be eligible for any other government sponsored disability program for the period for which special circumstances leave is sought from the City.

e. The employee must not be receiving or be eligible to receive disability compensation benefits from any City provided short term or Long-Term Disability (LTD) carrier, or other City provided insurance programs.

2. Program Limitations. Prior to receiving any benefit, the following criteria must be met:

a. Employee must have exhausted all accumulated sick leave, personal business leave, vacation leave, and compensatory time at the time special circumstances leave begins.

b. While receiving special circumstance leave, an employee will not accrue sick, personal business, or vacation leave.

c. At least thirty (30) calendar days must have elapsed since the employee's last day worked. (After employee is determined to be qualified, Special Circumstances Leave shall be paid from the first unpaid day of missed work on or after the date of the onset of the qualifying illness or injury).

d. No employee may receive more than 26 weeks special circumstances leave within a 24-month period, measured forward from the first date special circumstances leave is used.

e. The amount of compensation paid to the employee during the period of leave shall be one hundred percent (100%) of employee's normal base gross wages.

f. No Special Circumstances Leave shall be granted an employee during any of the following periods:

(1) Any period in which the employee is no longer under the regular and continuing care of a Physician providing appropriate treatment by means of examination and testing in accordance with the employee's condition, unless employee has reached maximum point of recovery and is unable to perform the material and substantial duties of the employee's own occupation or other duties as assigned by the City.

(2) Any period employee does not submit to any medical examination reasonably

requested by the City.

(3) Any period in which the employee's illness or injury is due to substance abuse or mental illness (mental, nervous, psychological, emotional diseases, or behavioral disorders of any type), unless employee is under the continuing care of a psychiatrist or psychologist or other appropriate licensed medical professional.

(4) For any period of absence due to intentionally self-inflicted injuries, except as permitted under paragraph f(3) above; a war, declared or undeclared, or any act of war; the employee's active participation in a riot, rebellion or insurrection; or the employee's committing or attempting to commit an assault, felony, serious misdemeanor, or other illegal act.

(5) Any period employee engages in any occupation or employment for wage or profit other than with the City.

g. Special Circumstances Leave shall cease on the earliest of the following:

(1) the date the City determines employee is able to perform the material and substantial duties of that employee's own occupation, or other duties as assigned by the City, even if employee chooses not to work.

(2) the date the employee dies;

(3) the date the 26 weeks allowed within 24 months has been reached;

(4) the date employee does not provide medical verification that the employee continues to be eligible for leave as employee requested;

(5) the date employee engages in any occupation or employment for wage or profit other than with the City; or

3. New Injury, Illness or Recurrence after Return to Work. If employee returns to work full time and has a recurrence of the need for special circumstances leave:

a. If the new illness or injury is related to or due to the same cause(s) as the prior leave, the City will treat the new leave request as part of the prior leave if the employee has returned to work full-time for 14 consecutive calendar days or less, and the employee will not have to complete another 30-day waiting period. (Section 2.c above.)

b. If the new illness or injury is unrelated to the prior leave, the City will treat the new leave request as part of the prior request only if the employee has not returned to work full-time, and the employee will not have to complete another 30-day waiting period (Section 2.c above).

c. The new request for leave, as outlined in 3.a or 3.b, will be subject to the same terms and conditions as the employee's prior request.

d. If employee does not satisfy Item 3.a or 3.b above, the new request for leave will be treated as a separate request and the employee will have to complete another 30-day waiting period (Section 2.c above).

4. Agreement to Reimburse. If the cause of the need is the result of a third party's

negligence the employee shall assign the right to subrogation to the City.

5. City's Right to Review. Upon the application of any employee for special circumstances leave, the employee shall execute appropriate release forms permitting the City access to medical records related to the request for leave. The City may require the employee to see a physician of the City's choice, at the City's cost, prior to approving any request for leave. The decision to approve or disapprove any request for special circumstances leave shall reside with a three person committee consisting of the Finance Director, Human Resources Director, and the City Counselor. All decisions of that group shall be final, subject only to further appeal to the City Manager.