## CITY OF ST. MARY

## PERSONNEL POLICY

The purpose of this Personnel Policy is to establish definite guidelines for the City and its employees for equitable personnel administration and the City Clerk whose responsibility will be to establish adequate personnel records which will be sufficient to properly administer all matters contained in the policy.

The Board of Alderman will be responsible for strict adherence to the contents established in the policy.

Upon adoption of this Personnel Policy by the Board of Aldermen, the City Clerk will interview each employee at that time, and all employees hired in the future, for the purpose of explaining the contents of the Personnel Policy. Each employee will be required to sign a form which will state that the interview was conducted and that the employee understands the conditions of employment established in the Personnel Policy. Each employee will be furnished a copy of the policy at the time of the interview.

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## Bill No. <u>661</u>

Ordinance No. 661

AN ORDINANCE OF THE CITY OF ST. MARY, STE. GENEVIEVE COUNTY, MISSOURI, PROVIDING FOR THE ADOPTION OF A PERSONNEL POLICY FOR THE EMPLOYEES OF THE CITY OF ST. MARY.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ST. MARY, STE. GENEVIEVE COUNTY, MISSOURI, AS FOLLOWS:

SECTION 1. The City of St. Mary, Missouri Personnel Code should be as follows:

## <u>ARTICLE ONE.</u> <u>Terms of Employment</u>

## <u>1-1</u> Equal Employment Opportunity

The City will not discriminate against any employee or applicant for employment because of race, color, religion, sex, national origin, physical handicap or age.

The City will take affirmative action to insure that applicants for employment and employees are treated without regard to their race, color, religion, sex, national origin, physical handicap or age. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitor recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The City will post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Government setting forth the provisions of the non-discrimination clause. The City will state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, national origin, physical handicap or age.

It is a policy of the City to extend equal opportunities to all age, sex, or national origin. Employment and promotion opportunities are offered to all applicants and employees solely on the basis of individual merit and qualifications. THE CITY IS EXPRESSLY OPPOSED TO HARASSMENT DUE TO RACE, RELIGION, COLOR, AGE, SEX, OR NATIONAL ORIGIN IN THE WORKPLACE.

In furtherance of this policy, any employee who believes that he or she has been harassed should immediately report IN WRITING the times, dates, and nature of the alleged harassment to THE MAYOR. YOU WILL NOT BE PENALIZED FOR MAKING THIS REPORT AS LONG AS YOU DO NOT CAUSE UNNECESSARY DISRUPTION OF THE COMPANY'S OPERATIONS UNTIL A FULL HEARING CAN BE HAD ON YOUR ALLEGATIONS BY THE BOARD OF ALDERMEN.

Please also understand that, unless you have a separate written contract with the city, you are an employee at will. This means that the city can lay you off, retire you or terminate you

without cause, as long as the reason does not violate an anti-discrimination law.

# 1-2 Continuation of Employment

Continued employment is subject to job performance and the needs of the city; therefore, your employment may be terminated at any time.

### <u>1-3</u> Pay

## (1) Salary Determination

The city is continually investigating and comparing the salaries and wages paid to its employees with the goal of offering favorable pay levels.

## (2) Salary Changes

(a) Cost of Living: The city recognizes the effect that changing economic conditions can have on the "real" wages of its employees. In periods of significant inflation, it has made cost-of-living adjustments to the base pay of employees when it is economically feasible.

(b) Promotions: Salary adjustments (and bonus awards) are made solely on the basis of demonstrated increased efficiency in the performance of an employee's job or by the assumption of more responsibility on the part of the employee. The final decision on a promotion or salary increase is made by the city aldermen.

Generally, merit reviews are made annually, although in some cases they may be made semi-annually.

# 1-4 Hours of Work and Time Away From Your Job

The City owes much of its success to being able to provide excellent service to its citizens. This service is based on the demands of the citizens, not the convenience of the City. This means that employees are expected to observe the specific hours outlined by their supervisor. Employees are also expected to work such overtime as may be required to render the type of service on which our citizens depend and rely. Hourly employees must notify their supervisor of a need to work overtime and will be compensated at a rate of one and one-half times their normal rate of pay.

Overtime pay shall only be paid for all time worked over 40 hours in any one given week.

## 1-5 Probationary Period

Probationary period is the first year of employment. City Board and Mayor may terminate the probationary period at the end of six months. Disciplinary action of Probationary employees is not appealable to the Mayor and Board of Aldermen.

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# 1-6 Vacation Leave For City Engloyees

After one full year of employment, an employees is entitled to one work week's vacation time. After two full years of employment, and after each subsequent full year of employment through five years, an employee is entitled to two work week's vacation time.

After an employee has worked five full years, and after each subsequent full year of employment through twelve full years, an employee is entitled to three work weeks' vacation time.

Employees must take all vacations each year. No vacation time will be carried from one year to the next. Vacation not taken will be forfeited and dropped from the record.

If a regular city holiday shall occur during the period of an employee's vacation, he shall be allowed an additional day off.

At any time, any employee can request information from the City Clerk regarding accrued vacation benefits.

Accurate records reflecting each employee's accrued vacation benefits and vacation benefits used are essential. In order to fulfill the requirements of the City vacation policy, the following procedure is to be followed:

The vacation request must be approved by the City Board.

The employee should make every effort to take vacation time before leaving employment of the City.

Vacation shall not be granted to provisional, temporary, seasonal, hourly or daily employees except that a temporary employee who subsequently receives, without a break in service, a permanent appointment to this position, shall have his vacation allowance computed from the date of temporary appointment to the position with the approval of the <u>Board</u>

A terminated employee shall be entitled to a cash payment in lieu of vacation time accrued, at the date of the employee's termination except that an employee terminated during or at the end of one years employment shall not be paid for any vacation. When termination is by voluntary resignation of the employee, he shall provide the city at least two weeks written notice or compensation for unused vacation will be denied.

If a holiday falls within a person's vacation period, either the work day preceding or the work day following the vacation will be taken by the employee as a vacation day with pay.

## <u>1-7</u> <u>Holidays</u>

All employees of the city shall receive their regular compensation for the following legal holidays or parts thereof:

New Years Day, Washington's Birthday, Memorial Day, July 4, Labor Day, Veteran's Day, Thanksgiving, Christmas. When any such holidays fall upon Sunday, the Monday next following shall be considered the holiday; and when any of such holidays fall upon Saturday, the Friday preceding same shall be considered the holiday. All National, State, County and City election days, during which the public offices of the city are closed, shall not be considered as holidays. <u>The Public offices may be closed by proclamation of the Mayor or the Board of Aldermen</u>.

Each employee of the Department of Police shall receive and be granted one day's salary per holiday for which he is entitled after date of employment. Compensation to be paid on the first pay period in December of each calendar year. A terminated employee shall be entitled to a cash payment for accrued holidays.

### <u>1-8</u> Forfeiture of Holiday Pay

Any employee shall forfeit his right to payment for any holiday if he has an unexcused absence on the last regular work day preceding such holiday or on the next regular work day following such holiday.

### <u>1-9</u> <u>Sick Leave</u>

Sick leave is considered a privilege to be used only in case of need. It shall be used for illness, off-the-job injury, disability or guarantine due to a contagious disease.

Employees will have five (5) sick days per year which cannot be carried over from year to year. Any employee who is never absent without leave will receive pay equivalent to two and one-half (2 1/2) days, payable the pay period before Christmas.

An employee who has exhausted accrued sick leave benefits, has the option of using accrued vacation benefits when out sick or being put on a non-pay status for those days out sick for which there are no accrued sick benefits available. An employee who leaves the employment of the city <u>forfeits</u> all accumulated sick leave.

Sick leave shall not be granted for personal or business reasons, for routinely scheduled medical, dental or optical appointments, or for armed services medical examinations, except in case of draft.

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## <u>1-10</u> Funeral Leave

Three days funeral leave will be granted in the event of death of a member of the employees immediate family defined as: Father, Mother, Husband, Wife, Son, Daughter, Brother, Sister, Grandparents or Step-children. In-laws of the same degree, one day only.

A copy of the death notice and a certificate, furnished by the funeral director that the employee attended the funeral, shall be furnished to the Personnel Director.

## <u>1-11</u> <u>Maternity Leave</u>

Maternity leave is to be used when an employee is unable to perform the duties of her position due to her pregnancy or recovery.

Upon approval of the Department Head, the employee will be granted a leave with pay by use of the employee's accumulated sick leave and vacation leave. If additional time is required, the employee may request a leave without pay.

Within thirty (30) days after the employee knows that she is pregnant, she shall forward to her Department Head, a memorandum stating the name of her physician and the anticipated day of delivery.

Six (6) weeks after termination of pregnancy, the employee will return to work, unless additional leave is granted by the Board of Aldermen or otherwise be terminated.

## <u>1-12</u> <u>Absence Without Leave</u>

An absence of an employee from duty, including any absence for a single day or part of a day, that is not authorized by specific grant of leave of absence under the provisions of these rules shall be deemed to be absent without leave. Any such absences shall be without pay.

## <u>1-13</u> Jury Duty

Employees absent for jury duty will be paid the difference from their regular salary for five (5) days. Employees will be paid their regular salary for court attendance required by subpoena for city business, except police officers required to attend municipal court in the line of duty.

### <u>1-14</u> Benefits

A. <u>Unemployment Compensation</u>: The Missouri Statutes state that the City is subject to the Missouri Employment Security Law.

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B. <u>Health Insurance</u>: The city pays up to \$125.00 per month toward the premium for

Medical/Hospitalization for permanent full-time employees. Additional employees may be added at the discretion of the Board.

#### 1-15 Return of City Property

An employee leaving the city service, whether through resignation, layoff or dismissal, is responsible for returning any city property which he may have in his possession. Upon termination, such property must be returned to the Head of the Department from which the employee is terminating before receiving his final check.

Any expenses incurred by the City due to lost or damaged property or failure to return city property shall be deducted from the employee's final check.

#### 1-16 Anniversary Dates

The date of an employee's original first day of work shall constitute the anniversary date for every employee of Ste. Genevieve County.

#### 1-17 <u>Telephone</u> Use

Telephones are to be used in the conduct of City business. Long distance calls shall not be made at City expense except in the conduct of City business. All long distance calls shall be carefully logged by each Department and be subject to review by the Board.

# ARTICLE TWO. Employer and Employee Relationship and Requirements

#### 2-1 The Employee Can Expect Of The Employer

That the Opportunity for Promotion will be extended to all employees before a new employee is hired for any position. No new employee will be hired for any position within the City without first considering the qualifications of any employee interested in the vacancy and from whom the position does indeed represent a change in position and classification.

That Promotion, Transfers, Demotions and other decisions affecting employees will in no case be made on the basis of race, color, religion, sex, national origin or age.

The employee can expect to review personnel records with the City during normal working hours. No personnel record can be removed from the personnel files.

#### The Employer Shall Expect Each Employee 2-2

To respect and protect the rights, properties and interests of the City. To respect and protect the rights and properties of all fellow employees. To initiate suggestions or recommendations through proper channels for improvement in

any area of the working environment of city activities.

To accept and fulfill the responsibilities and obligations of the job as planned and assigned by each employee's immediate supervisor.

To give adequate notice whenever possible of anticipated employee initiated termination of employment.

## 2-3 Appointment and Removal

All employees shall be appointed and removed by the Mayor and the Board of Aldermen as provided by law.

## <u>2-4</u> <u>Discipline Policy</u>

It shall be the duty of all city employees to comply with and to assist in carrying into effect the provisions of the city's personnel rules and regulations. No permanent employee shall be disciplined except for violation of established rules and regulations, and such discipline shall be in accordance with procedures established by the personnel rules and regulations.

- A. <u>Employee's and City Responsibilities</u>:
- (a) It is the duty of every employee to attempt to correct any faults in his performance when called to his attention and to make every effort to avoid conflict with the City's rules and regulations.
- (b) It is the duty of the City Board to discuss improper or inadequate performance with the employee in order to correct the deficiencies and to avoid the need to exercise disciplinary action. Discipline shall be, whenever possible, of an increasingly progressive nature, the step of progression being (a) warning, (b) demotion, (c) suspension, and (d) removal.
- B. <u>Ground for Action</u>: The following are declared to be grounds for demotion, suspension, or removal of any permanent employee:
- (a) Conviction of a felony or other crime involving moral turpitude.
- (b) Acts of incompetency.
- (c) Absence without leave.
- (d) Acts of insubordination.
- (e) Intentional failure or refusal to carry out instructions.
- (f) Misappropriation, destruction, theft, or conversion of City property.
- (g) Refusal or neglect to pay just debts. Maintenance of effort to pay debts must be shown to clear employee of neglect charges.
- (h) Employee subsequently becomes physically or mentally unfit for the performance of his duties.
- (i) Acts of misconduct while on duty.

- (j) Willful disregard of orders.
- (k) Habitual tardiness and/or absenteeism.
- (1) Falsification of any information required by the City.
- (m) Failure to properly report accidents or personal injuries.
- (n) Neglect or carelessness resulting in damage to City property or equipment.
- (o) Repeated convictions during employment on misdemeanor and/or traffic charges.
- (p) Introduction, possession, or use on City Property or in City equipment of intoxicating liquors or drugs, or proceeding to or from work under the influence of liquor or drugs.

Section C. <u>Employee Notice</u> A written notice shall be given to each employee stating the reasons for the disciplinary action and the date it is to take effect. The notice is to be given to the employee at time such action is taken and in any event not later than three working days from from date of action. A copy of notice signed by the employee in the employee's file shall serve as prima facie evidence of delivery.

Section D. <u>Probationary Employee</u> Any probationary employee may be suspended, reduced in pay or class, or removed at any time by the Board. Probationary, temporary, seasonal or part-time employees shall not have the right of appeal from such action.

Section E. <u>Permanent Employees</u>: All permanent employees may be suspended for a period of not to exceed thirty working days, reduced in pay or class, or removed for just and reasonable cause by the Board. Permanent employees shall be dismissed only after having been given written notice.

Section F. <u>Evidence</u>: Normally, the deterioration of an employee's conduct is a progressive problem and every effort should be made to reverse this trend as soon as it is apparent. Based on this philosophy, sufficient evidence should be available in the employee's personnel file to justify the action taken.

Section G. <u>Right of Appeal</u>: All permanent employees are granted the right of appeal. Within ten (10) days after effective date of disciplinary action, the employees may file a written appeal to the Mayor and Board of Aldermen.

Section H. <u>Scheduling of Appeal</u>: No later than ten (10) working days after receipt of the written appeal, the Mayor and Board of Aldermen shall fix a time and place for convening of a hearing.

Section I. <u>Right to Representation</u>: The appellant shall have the right to appear and be heard in person or by counsel.

Section J. <u>Appellant Fails to Appear</u> Appellant's failure to attend or notify the Mayor and Board of Aldermen of his inability to attend, will constitute just cause for dismissal of the appeal.

# 2-5 Physical Examinations Required

All employees are required to have a standard pre-employment physical examination, back x-ray and chest x-ray prior to employment with the City. The costs of physical examination are to be paid by the City Clerk, after approval of the Board of Aldermen. The City medical doctor will be Ste. Genevieve Medical Group. The employee is to return the sealed medical report to the Department Head for review before the employee will be hired. Any employee injured on the job is required to seek medical attention immediately.

All employees are required to notify the City Clerk of any injuries which are job related. Such notification is required to take place as soon as possible after the injury has incurred.

# ARTICLE THREE. GRIEVANCE POLICY

<u>3-1</u> <u>Purpose</u>: The most effective accomplishment of the work of the City requires prompt consideration and equitable adjustments of the employee grievances. It is the desire of the City to adjust the causes of grievances informally, and both supervisors and employees are expected to make every effort to resolve problems as they arise.

<u>3-2</u> <u>Policy</u>: An employee may present his grievance in writing to the Mayor and Board of Aldermen. The Mayor and Board of Aldermen shall conduct an informal hearing on the grievance at the next scheduled meeting. At such hearing, only the mayor and Board members shall be allowed to question witnesses and debate the issues. At the end of such hearing, the Board of Aldermen shall issue a decision regarding the grievance, with the Mayor casting the deciding vote in the event of a draw. The decision of the Board of Aldermen shall be the final disposition of the grievance.

<u>3-3</u> <u>Time Limit</u>: The grievance procedure must be initiated within ten (10) working days of the date of the complained event.

<u>3-4</u> <u>Protection</u>. No employee shall be disciplined or discriminated against in any way because of his proper use of the grievance procedure.

# ARTICLE FOUR. ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)

# 4-1 Recommendations for the Workplace for St. Mary

The responsibility of protecting health, employment and privacy rights of the employees of the City and related City workplace employees is a fundamental consideration of the St. Mary Aldermen.

Existing state personnel laws, rules, and policies regarding employment; working conditions; dismissal; sick leave; termination of employment and related matters shall apply to individuals diagnosed as having AIDS on the same basis as for persons having other diseases or

conditions which may incapacitate them. This general policy is in keeping with the "<u>Missouri</u> <u>State Guidelines for Acquired Immune Deficiency Syndrome (AIDS)</u>" policy statement developed by the State Agency AIDS Task Force in May of 1986. Reference is made to RSMo Section 36.180.3 1986 and RSMo 36.380 and RSMo Section 104.515.3.

# 4-2 HIV Infection/Definition

AIDS stands for Acquired Iramune Deficiency Syndrome, a disorder for which there is no known cure. It is caused by the virus known as HIV (human immunodeficiency virus) -- a virus that attacks the body's immune system leaving it susceptible to a variety of diseases. (Ref. "Facts About AIDS in Missouri -- State Agency AIDS Task Force", May, 1986).

## <u>4-3</u> <u>Mass or Routine Screening</u>

Missouri's State Agency (AIDS) guidelines do not recommend mass or routine screening. The City will not, at this time (September, 1988) recommend mass screening of city employees who are <u>already</u> at work in the workplace.

# 4-4 Staff Member Shall Advise of Health Problems/Recognition of the Welfare of Others

Each staff member in the employ of the City <u>shall feel a responsibility to voluntarily</u> <u>advise</u> of any health condition that may present a threat to others with whom he/she may come into contact or may be of such a nature as to be incapacitating.

Even though AIDS is not passed along by casual contact, if a county employee's health is such that it interferes significantly with his or her work and his or her ability to perform adequately, the employee may be required to present a statement from a physician certifying that it is acceptable for the employee to continue his/her position.

## <u>4-5</u> <u>Right to Privacy</u>

An employee's right to privacy shall be respected, including the maintaining of <u>confidential records</u>. Only those persons having a "need to know" shall monitor the employee's health condition.

AIDS-based employment discrimination is barred by state anti-discrimination laws in a number of states including Missouri (Law and Medicine, The Initial Impact of AIDS on Public Health Law in the United States -- 1986, Journal of the American Medical Association, 1/1/87, Vol 257, No. 3).

## <u>4-6</u> <u>Transfers</u>

Based on the advice of a licensed physician, the Board of Aldermen retains the right to transfer an employee from one work setting to another where there is compelling evidence that



exposure to others must be minimized. For example, those who work for the City who engage, as a part of their job description, in life-saving or emergency treatment may need to be transferred, should AIDS be diagnosed, to some other work within the City. Employees in the Police Department, for example, should exercise special caution and resuscitation apparatus (bags, mouth pieces or ventilation devices) should be utilized whenever mouth-to-mouth emergency resuscitation is indicated.

# 4-7 AIDS As A Chronic Contagious Disease -- The Welfare of All Employees

The Board of Alderman recognizes the need to protect the rights of <u>all</u> employees of the City. The City Board, however, recognizes that it must assume responsibility for protecting the happiness and welfare of as many employees as possible, within the keeping of state and federal law. The City will examine each case of AIDS infection on a case by case basis and so evaluate (as is true in the case of <u>any</u> communicable disease) the degree to which a diagnosed disease may interfere with an employee's ability to perform his or her job. The City Board may elect, if it wishes, to assemble a select group of legal, medical, and other specialists with which to <u>advise and confer</u> on employment practices related to a case of diagnosed AIDS within a City workplace.

# 4-8 This Policy Subject to Modification

Knowledge about AIDS is constantly changing. It is appropriate and recommended that a public employer, like St. Mary, have a written policy <u>before</u> a case of AIDS is diagnosed or becomes known as a concern within the workplace. The City has elected to do this. It should be noted, however, that this policy is subject to change, modification, and interpretation based on information collected in the future that has personnel, legal, or medical implications.

Ref: "<u>AIDS as a Handicap</u>", <u>The U.S. Law Week</u>, Vol 55, No. 34, March 3, 1987. "<u>Wing DL. AIDS: The Legal Debate</u>", Personnel Journal, August, 1986.

# ARTICLE FIVE. SUBSTANCE ABUSE POLICY

5-1 <u>Purpose</u>. Employees are the City of St. Mary's most valuable resource and, therefore, their health and safety is a serious concern. The City of St. Mary will not tolerate substance abuse or use which imperils the health and well-being of it's employees or threatens its service to the public.

The use of illegal drugs and abuse of controlled substances, on or off duty, is inconsistent with law abiding behavior expected of all citizens. Employees who use illegal drugs or abuse controlled substances or alcohol, on or off duty, tend to be less productive, less reliable and prone to greater absenteeism resulting in the potential for increased cost, delay and risk in providing services. Ultimately, they threaten the City's ability to serve the public.

Furthermore, employees have the right to work in a drug and alcohol free environment and to work with persons free from the effects of drug and alcohol abuse. Employees who abuse drugs or alcohol are a danger to themselves, other employees and the public. In addition, substance abuse could inflict a terrible toll on the City's productive resources and the health and well-being of City of St. Mary workers and their families.

The City of St. Mary is therefore committed to maintaining a safe and healthy workforce free from the influence of substance abuse. In addition, the City of St. Mary will vigorously comply with the requirements of the Federal Drug-Free Workplace Act of 1988 and implement rules promulgated by the United States Office of Management and Budget.

### <u>5-2</u> <u>Policy</u>

It shall be the policy of the City of St. Mary to maintain a workforce free of substance abuse.

- A. Reporting to work or performing work for the city while impaired by or under the influence of illegal drugs or alcohol is prohibited.
- B. The illegal use, possession, dispensation, distribution, manufacture or sale of a controlled substance by an employee at the worksite, during work hours, or while the employee is on duty, official business or standby duty is prohibited.
- C. Violation of such prohibitions by an employee is considered conduct detrimental to city service and will result in discipline in accordance with the Personnel Policy Manual or other regulations.
- D. Employees are required by federal law to notify the Department Head and Human Resource Director within five (5) days of any criminal drug statute conviction where such conviction was due to an occurrence at the worksite, during work hours, or while on duty, official business or standby duty.
  - (1) An employee who is convicted of violating any criminal drug statute in such workplace situations as stated above will be subject to discipline in accordance with the Personnel Policy Manual or other regulations.
  - (2) A conviction means a finding of guilt (including a plea of nolo contendere), or the imposition of a sentence by a judge or jury, in any federal or state court.

E. Agencies that receive federal grants or contracts must, in turn, report any such criminal drug statute convictions as stated above of their employees, engaged in the performance of a federal grant or contract, to federal agencies from which grants or contracts are received within ten (10) days after receiving notice from the employee or otherwise receives actual notice of such conviction.

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F. Employees will be given a copy of the Substance Abuse Policy. Employees will be informed that they must abide by the terms of the policy as a condition of employment and of the consequences of any violation of such policy. The Substance Abuse Policy Affirmation Form is optional for current employees to read and sign. The Substance Abuse Policy Affirmation Form may be used as a means to notify current employees and provide them with a copy of the policy.

Notification of this policy is required as part of new employee orientation. The Substance Abuse Policy Affirmation Form is required for all new employees appointed on or after the effective date of this policy.

### 5-3 Assistance Program

An Employee Assistance Program will be available to city employees and their families for substance abuse education, counseling or rehabilitation. The City of St. Mary encourages voluntary treatment for substance abuse. Use of the Employee Assistance Program is governed by the Personnel Policy Manual and other regulations.

## 5-4 Awareness Program

The City of City of St. Mary will strive to educate employees about the dangers of substance abuse.

The City of St. Mary will establish a Substance Awareness Program to assist employees to understand and avoid the perils of drug and alcohol abuse. The City will use the program in an ongoing education effort to prevent and eliminate substance abuse that may affect the city workforce.

The Substance Abuse Awareness Program will contain provisions to inform employees about the: (1) dangers of alcohol and drug abuse; (2) City of St. Mary Substance Abuse Policy; (3) availability of treatment and counseling for employees who voluntarily seek such assistance; and (4) sanctions the city will impose for violations of its Substance Abuse Policy.

## 5-5 Applicability

This Substance Abuse Policy applies to all city departments. The term employees, as used in this Substance Abuse Policy, means all classified and unclassified city employees. This policy shall not be construed to prohibit or limit a drug screening program for safety-sensitive positions authorized by federal law and related administrative regulations and policies.

SECTION 2. This Personnel Policy is effective on the date of passage of this Ordinance.

<u>SECTION 3</u>. Any ordinance or parts of ordinances in conflict with this Ordinance are hereby repealed and for naught held.

SECTION 4. This Ordinance shall take effect and be in full force and effect from an after its passage and approval by the Board of Aldermen and approved by the Mayor.

PASSED and APPROVED this the 12th day of January, 1998.

Carlos ( MAYOR CARLTON WYATT

ATTEST:

Lo ann É Douze CITY CLERK JOANN E. DONZE

| ALDERMAN          |   | AYE | NAY | ABSTAIN | ABSENT |
|-------------------|---|-----|-----|---------|--------|
| Robert Bequette   |   | X   |     |         | ADSENT |
| Roger Odem        |   | x   |     |         |        |
| Douglas Roderique |   | v   |     |         |        |
| Robert Schultz    | н | Λ   |     |         |        |
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I, JoAnn E. Donze, Clerk of the City of St. Mary, Missouri do hereby certify that the foregoing ordinance was duly passed and adopted at a regular meeting on January 12, 1998.

Lo ann E. Douze CITY CLERK JOANN E. DONZE