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***Non Union Employee  
Information  
Guide***



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## *Disclaimer*



These materials are intended to provide general information to City of Rapid City employees that are not covered by a union contract. All employees who are not members of a collective bargaining unit are at will employees. The City reserves the right to discipline employees at any time and for any reason. The policies and information described, either written or spoken, are not conditions of employment, and the language is not intended to, nor does it, create a contract between the City and the employee.

The City reserves the right to change or eliminate any of the information in this information guide at its sole discretion with or without notice. Also, some of the statements in this manual are general in nature and should not be read as including all the details on the subject discussed.

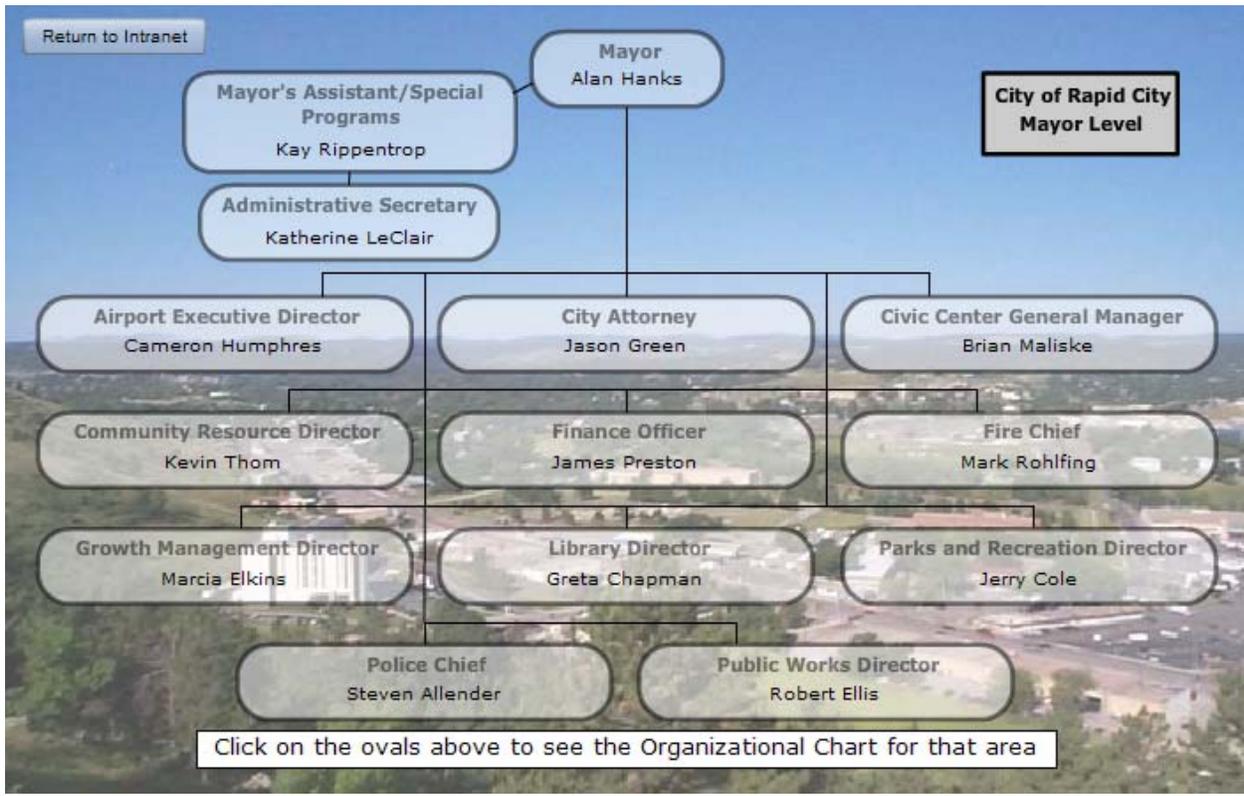
Any policies previously distributed in the Non-Union Policy Manual by the City are revoked and rescinded, and the provisions are null and void.

The information included in this guide is not an exhaustive list of all employee obligations. In addition to the Information Guide, employees must also abide by federal and state laws, regulations, and rules as well as other Citywide orders, policies, guidelines, directives, and instructions.

If you have questions about these policies or this disclaimer, please contact Human Resources.

This document is updated regularly by City Human Resources. To review a current copy of this Information Guide, please contact Human Resources or access it on the City's Intranet website.

# City of Rapid City Organizational Chart



## ***City Offices***



### ***OFFICES OF ELECTED OFFICIALS Rapid City Mayor & City Council***

MAYOR  
Alan Hanks (2009)

**Ward 1**

Patti Martinson (2008)

Ron Weifenbach(2009)

**Ward 2**

Sam Kooiker (2008)

Deb Hadcock (2009)

**Ward 3**

Karen Gundersen Olson (2008)

Bill Okrepkie (2009)

**Ward 4**

Lloyd LaCroix (2008)

Ron Kroeger (2009)

**Ward 5**

Malcom Chapman (2008)

Aaron Costello (2009)

The City of Rapid City is an aldermanic form of government. The Common Council consists of the Mayor and 10 alderpersons elected for two year terms from 5 wards, 2 per ward. The Mayor has decision-making authority over City Departments. (See chart on page 5).

“We envision Rapid City to be a vibrant place for all citizens to grow, prosper and provide a high quality of life” - adopted by the City Council on Oct 18, 2007.

## ***City Departments and Functions***



Airport: Under the direction of the Airport Board and Mayor provides services to support the mission of safe, efficient, environmentally sensitive, and economically self-sustaining air transportation facilities responsive to the community needs.

Attorney’s Office: As the City’s legal counsel, this office represents the City by issuing official legal opinions, and performs services as required by ordinance or directed by the Mayor or Council.

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Civic Center: Under the direction of the Civic Center Board and Mayor offers venues for events and gatherings

Community Resources: Administers programs for community enhancement, code enforcement, community development as well as the human resources functions including recruitment, job analysis, payroll, and employee benefits. This department also manages information technology by maintaining computer, network, and GIS systems to support City operations.

Finance Office: Provides counsel on the overall fiscal policy; completes and presents the annual budget plan; and manages the central accounting system.

Fire and Emergency Services: Provides education, prevention and emergency response services to the Rapid City community to minimize loss of life, pain and suffering, property loss, and environmental damage from fire, natural or man-made disasters, and medical emergencies.

Growth Management: Provides assistance to the general public regarding land use, services related to air quality via education, air pollution prevention, abatement and control, and services that assist in the overall development of transportation planning.

Rapid City Public Library: Under the direction of the Library Board and Mayor provides access to materials and services to help residents of all ages obtain information to meet personal, professional and educational needs.

Parks and Recreation: Provides recreational programs including golf, aquatics, and ice arena for the community and maintains indoor as well as outdoor recreational facilities including parks and the cemetery.

Police: Provides protection for the community from crime and acts of terrorism by professionally trained personnel through community policing, crime investigation and prosecution.

Public Works: Provides services for the engineering, design, construction and maintenance of all public infrastructure including transit, energy, roads, sewer and water pipelines, solid waste collection and disposal, traffic signals, street repairs and snow removal.

## ***Definitions Section***



**Active employment** – receiving compensation from the City, not including worker’s compensation.

**Complete month** – for annual leave purposes, a full calendar month.

**Continuous benefited employment** – the continuous and uninterrupted period for which an employee receives benefits from the City.

**Continuous operation** – Seven days per week operation.

**Days** – unless specifically noted as “working days”, the term “days” shall mean “calendar days”.

**Department** – shall consist of all work units assigned to that Department and represented by a Department Director.

**Department Director** – those that are appointed by the Mayor and confirmed by City Council who have supervisory authority over an entire City department; including but not limited to, City Attorney, Community Resources, Finance, Fire, Growth Management, Parks & Recreation, Police, and Public Works, and those that are hired by a board which is appointed by the Mayor, which include Airport, Civic Center and Library

**Part A Sick Leave** – Individual employee’s sick leave bank of hours.

**Part B Sick Leave** – Same as Short Term Disability Plan

**Prorated benefited employee** –

An employee who receives benefits and works less than an average of 40 hours per week as follows:

1. For employees whose FTE (full time equivalent) is other than a full FTE, all accruals will be prorated accordingly and will apply throughout the policy.
2. An employee will work the hours in accordance with their FTE, i.e. an employee who is a .5 FTE works a maximum of 4 hrs per day.
3. Annual leave time will be taken and recorded on timesheet in accordance with the employee’s FTE, i.e. .75 FTE is 6 hrs .5 FTE is 4 hrs.
4. Holiday/personal holiday will be prorated based on an 8-hour day.

## ***Definitions Section continued***

**Regular Benefited Employee** – an employee in continuous benefited employment with the City working a fulltime regular schedule.

**Seasonal employee** – any individual or individuals whose employment is fixed at the time of employment not to exceed six (6) months, but can work an unlimited amount of hours during that time period.

**Short Term Disability** – Same as Part B sick leave plan

**Supplemental employment** – performing employment for pay from an employer other than the City.

**Temporary employee** – An individual whose employment does not exceed 1,040 hours of work in a payroll calendar year.

**Work Unit** – the City operation to which an employee is assigned (for example, Parks, Streets, Public Works, Water, et al that are covered by this policy).

## ***Equal Employment Opportunity***



The City is an equal opportunity employer. Equal employment opportunities will be provided to all employees in all conditions of employment. Discrimination on the basis of race, color, creed, religion, gender, ancestry, national origin, age (40 years of age or older), disability, or veteran status is prohibited. If an employee believes they have been denied equal opportunity or discriminated against, the employee should immediately notify their supervisor and Human Resources.

## ***Types of Positions***



This information guide is intended to provide information about the various procedures applicable to all non-union employees, including benefited and temporary/seasonal employees. All non-union positions with the City of Rapid City are classified as at-will and may be terminated for any reason at any time. At will or employment at will refers to a non-contractual employment relationship between the employer and the employee, where either party can terminate the relationship without notice, at any time, and for any reason not prohibited by law.

Jobs are described as one of the following types of positions:

1. Full-time or pro-rated benefited position. As defined by the Fair Labor Standard Act (FLSA), benefited positions are considered as either exempt (salaried) or non-exempt (hourly) positions and are compensated accordingly. Exempt positions are not subject to the provisions of the FLSA with respect to minimum wage and overtime. Exempt position classifications include most executives, administrators and professionals. Non-exempt positions are subject to the provisions of the FLSA with respect to minimum wage and overtime.
2. For the purposes of accruing and using benefits employees shall be eligible after 90 calendar days from their latest date of hire.
3. Temporary or seasonal non-benefited position. Positions that are temporary work less than 1040 hours in a year. Seasonal positions work less than six months in a year or are considered seasonal in nature. These types of positions do not receive benefits; hence some of the following sections are not relevant.

## Types of Leave



### Annual Leave

1. Accrual. All non-union full-time regular employees shall accrue annual leave as shown below. Part-time benefited employees shall accrue annual leave on a prorated basis on the number of hours budgeted for the position. Fire Department Captains who oversee operations accrue vacation at a rate proportionate to a 56 hour per week employee.

Length of Employment	Biweekly pay period (hours accrued)	Monthly pay period (hours accrued)
Date of hire to completion of 4 years continuous employment	3.08	6.67
After completion of 4 years to completion of 13 years continuous employment	4.62	10.00
After completion of 13 years of continuous employment	6.15	13.33

2. Additional Accrual for Exempt Employees. In addition to the accrual established by #1 above, non-union full-time regular employees who are exempt from overtime pay may accrue an additional 3.33 hours per month or 1.54 hours per biweekly pay period, provided:
  - a. they are consistently required to work at least six hours per month beyond the normal 173.33 hours per month; and,
  - b. the additional accrual will not provide more than a total of 160 hours annual leave accrual per year; and,
  - c. the department director authorizes such additional accrual on a Payroll Change Notice.
  
3. Use of Sick Leave as Annual Leave. Any employee who has accumulated 960 hours or more of Part A sick Leave and Part B sick leave as of any January 1 will have the option to use up to 40 hours of sick leave for annual leave purposes during that calendar year, granted as "other annual leave" and subject to all other rules and provisions concerning annual leave. These hours will be charged to Part A sick leave on the timesheet and marked as "other annual leave". This provision shall apply only for those years through the 13th year of service. This provision shall not apply to those exempt employees affected under Annual Leave #2.

## ***Types of Leave continued***

4. Administrative Leave. Department Directors and Division Managers, or their equivalent by another title, may authorize occasional time off to attend to personal affairs when they are consistently required to perform additional work beyond normal scheduled hours of operation. The Department Director may authorize absence of up to three days per calendar year and longer absences may be authorized with approval of the Mayor.
  
5. Use of Annual Leave. Except as otherwise noted, annual leave will be granted as requested by the employee, consistent with the operational requirements of the work unit. When such operational requirements limit the number of employees who may be absent at any one time the immediate supervisor or Department Director will decide preference in scheduling absences. Those department directors responsible for continuous operations (i.e., those work areas that must be staffed on an ongoing 24-hour basis) may defer annual leave as appropriate or require advance scheduling of annual leave to provide for adequate staffing levels and the orderly operation of their departments, provided that, in so doing, employees shall not be required to forfeit accrued annual leave under the maximum carryover provisions as contained in #6 below.
  
6. Maximum Carry Over of Annual Leave. Non-union full-time regular employees may carry over to the following year the previous year's accrual of annual leave plus 40 hours. Accumulations in excess of this amount shall be forfeited on January 1. An exception may be granted by the Department Director and Mayor to allow additional amounts of carry over when operational requirements precluded the usage of the excess accumulation of annual leave. When a carry over of annual leave is authorized, the excess accumulation of annual leave must be used by April 30<sup>th</sup> of the carry over year or be forfeited.
  
7. Payment for Annual Leave.
  - a. Employees shall not be allowed to waive annual leave and receive double pay by working during annual leave.
  
  - b. In the event an employee leaves City employment for any reason, the employee shall be paid for all accrued and unused annual leave.

## ***Holidays***

## Non Union Employee Information Guide

1. The following are recognized and observed as holidays by the City of Rapid City:

The first day of January, commonly known as New Year's Day;  
The Friday immediately preceding Easter, commonly known as Good Friday;  
The last Monday in May, commonly known as Memorial Day;  
The fourth day of July, commonly known as Independence Day;  
The first Monday in September, commonly known as Labor Day;  
The 11th day of November, commonly known as Veteran's Day;  
The fourth Thursday in November, commonly known as Thanksgiving Day;  
The Friday immediately following Thanksgiving Day;  
The 25th day of December, commonly known as Christmas Day; and,  
Any other day declared by the City to be a holiday.

Each employee shall be granted one personal holiday per calendar year, except Public Library employees who shall be granted a total of three personal holidays per calendar year, as the Library conducts business on some designated City holidays. The Library Board designates Library holidays. To be eligible for a personal holiday, the employee must complete 90 calendar days of employment prior to October 15. Personal holidays will normally be granted when requested by the employee and will be selected the same as annual leave. The personal holiday does not need to be used prior to annual leave. The personal holiday can not be carried over to the next calendar year.

2. Whenever any of the recognized holidays fall on Sunday, the Monday following the holiday shall be observed as the holiday, except for personnel engaged in continuous operations, who shall observe the actual day listed above.
3. Whenever any of the recognized holidays fall on Saturday, the Friday immediately preceding the holiday shall be considered as a holiday, except for personnel engaged in continuous operations, who shall observe the actual day listed above.
4. Employees eligible under this Policy will receive eight hours of pay at their regular rate of pay for each recognized holiday on which no work is performed.
5. Battalion Chiefs and Fire Captains in charge of operations will observe holidays utilizing the "Kelly Days" system.
6. Employees in non-exempt positions working holidays shall be paid at the premium rate of one-and-one-half times the regular rate of pay for all hours worked, and, in addition, will be paid their holiday pay (8 hours of pay at the regular straight-time rate.)
7. Any holiday which falls during the employee's regular scheduled work week shall count towards the computation of overtime in the work week.

## ***Sick Leave***

## Non Union Employee Information Guide

1. All regular full-time employees will be allowed sick leave with regular pay. Fire Captains in charge of Operations shall be allowed and accrue sick leave at the rate of a 56 hours per week employee.
2. After 90 calendar days of employment, each regular employee will be credited with 30 hours of sick leave and will accumulate 10 hours of sick leave per month thereafter until the first January 1<sup>st</sup> following the completion of 90 calendar days of employment. Of the initial 30 hours of sick leave, 15 hours shall be available for use under the general provisions of the sick leave policy and 15 hours shall be pooled for use in the Short Term Disability Plan. Thereafter, each 10 hours of sick leave per month shall be divided equally, with five hours available for use under the general provisions of the sick leave policy and five hours pooled for use in the Short Term Disability Plan.
3. At the beginning of each calendar year thereafter, each regular employee will be credited with 112 hours sick leave. This amount shall be divided equally, with 56 hours available for use under the general provisions of the sick leave policy and 56 hours pooled for use in the Short Term Disability Plan.
4. In the event of sickness, employees must notify their supervisor as far in advance of commencement of the shift as possible that they will not be reporting to work. Maternity leave will be treated in the same manner as an illness. An employee may be required to submit a physician's statement or other satisfactory evidence:
  - a. to support the absence or suffer loss of sick leave pay for time absent; or
  - b. the employee shall thereupon be present for examination to a physician approved by the City, and such examination shall be without charge to the employee.

The employee will be further required to provide the City, upon request, a written authorization to release medical information in regard to that illness or condition. Failure to submit to examination or to sign the release shall be an automatic forfeiture of benefit and may result in discipline up to and including termination. Prior to returning to work from any sickness or injury, a supervisor may require release from the treating physician.

5. The rate of pay for each day of Part A sick leave shall be at the employee's regular rate of pay.
6. Sick leave pay will be granted to supplement pay received under worker's compensation. If an employee qualifies for worker's compensation pay from the City, the City will allow sick leave up to the maximum number of days sick leave accrued to the employee. Sick leave pay will be at the employee's straight time base rate, 40 hours per week, less the amount received by the employee per week from worker's compensation.

***Sick Leave continued***

## Non Union Employee Information Guide

7. An employee, who as the result of a work-related injury incurred as an employee of the City of Rapid City becomes eligible for temporary disability benefits under South Dakota worker's compensation, and whose Part A sick leave balance would be reduced to less than 40 hours, shall retain this 40 hours or less in the Part A sick leave account for Part A sick leave use, and shall receive supplementary pay for worker compensation temporary disability from the Short Term Disability (Part B). Worker's compensation reimbursements are first applied to Part B sick leave until fully reimbursed, and then to Part A sick leave.

An employee incurring a work-related injury and who seeks medical treatment the same day shall not be charged a loss of pay for any approved absence on the day of such injury. Any absence after the first day shall be charged in accordance with existing provisions in effect.

8. All sick leave allowance to which an employee may be entitled shall terminate on the effective date of termination of employment.
9. An employee may use available sick leave in the following situations:
  - a. Personal illness or injury;
  - b. Illness of a parent, spouse, child, or stepchild. Use of sick leave for this purpose is limited to an aggregate or total of five (5) work days per calendar year per employee. The employee's supervisor or department director may require a doctor's statement specifying the nature of the illness which will be the employee's responsibility to provide. If the child or stepchild is medically (not economically) required to be attended to outside the Rapid City area, the 5-day per calendar year limitation above shall not apply;
  - c. Death in the employee's or a spouse's immediate family. Use of sick leave for this purpose is limited to three days. The immediate family is defined as parent, grandparent, grandchild, spouse, spouse's parents or grandparents, spouse of an adult child, step-parent, child, stepchild, brother, or sister of the employee or spouse;
  - d. Services as a pallbearer are limited to 12 hours per calendar year.
  - e. Up to five days sick leave shall be granted upon request for paternity leave while the employee's spouse is in the hospital; however, not more than three full days shall be granted unless there are medical complications with the spouse or child. All sick leave under this section shall be taken prior to the eighth calendar day following the birth of the child.
10. The payment of sick leave benefits terminates on the effective date of long-term disability, as determined by the South Dakota Retirement System.

## ***Employee Severance Plan***

Any employee appointed by the Mayor, and with the advice and consent of the City Council, and who is terminated from employment or not reappointed for other than just cause as determined by the City Council, shall be paid an amount equal to the entitlement of sick leave of the affected employee under the provisions of the City of Rapid City Short-Term Disability Plan. Determination of the entitlement shall be by years of service as defined under the Short-Term Disability Plan. Nothing in this Section shall be construed to limit the authority of the Mayor to terminate the employment of appointed positions. According to City ordinance, the following are appointed positions: City Attorney, Assistant City Attorney I, II and III, Community Resource Director, City Finance Officer, Assistant Finance Officer, Growth Management Director, Public Works Director, Fire Chief, Police Chief and Parks and Recreation Director.

### ***Short Term Disability Plan***

1. An employee who becomes eligible for benefits under the City's Short Term Disability Plan (Part B) and whose Part A sick leave balance shall be reduced to 40 hours or less as the result of such disability, shall retain this 40 hours or less of the remaining balance in the Part A sick leave account and shall receive sick leave under the Short Term Disability Plan (Part B). An employee must be off work for 3 consecutive work days prior to receiving the Short Term Disability Benefit and that time will be charged to Part A sick leave, Annual Leave or Leave Without Pay. Part-time benefited employees' balances in Part A sick leave shall be prorated according to the budgeted hours for their particular job classification. To qualify for such payment, the employee must be under the care of a physician who must provide written evidence of the disability. Payments under the short-term disability plan for a single disability shall be limited as follows:

#### **At 100% salary continuation --**

Years of Service	Maximum Hours Paid	
	40 hr/wk	56 hr/wk
90 days - 3 years	80	120
3 years - 4 years	240	360
5 years - 6 years	440	660
7 years - 8 years	640	960
9 years -10 years	840	1,260
More than 10 years	1,040	1,560

### ***Short Term Disability Plan continued***

## Non Union Employee Information Guide

### At 60% salary continuation --

Years of Service	Maximum Hours Paid	
	40 hr/wk	56 hr/wk
90 days - 3 years	160	240
3 years - 4 years	800	1,200
5 years - 6 years	600	900
7 years - 8 years	400	600
9 years -10 years	200	300
More than 10 years	0	0

2. When a health care provider certifies that the employee is permanently disabled to the extent that the employee is unable to perform the essential functions of the job, with or without reasonable accommodations, the disabled employee may petition the South Dakota Retirement System (SDRS) for disability benefits. This program is administered by SDRS and governed by their rules so please contact them directly. No payment of sick leave or short-term disability benefits will be made in such instances unless the appropriate petition has been submitted to the SDRS within 10 days of receipt of the doctor's certification of permanent disability.
3. An employee on authorized absence for more than 10 days due to illness, or for any period due to injury, shall return to duty only after examination and release for work by the employee's treating physician. The City may, at its own expense, require an examination by a physician of its choice. In case of a dispute between the employee and the City regarding any condition of disability, a review of the case will be conducted in the following manner:
  - a. The City may request that a copy of the findings of the medical physician chosen by the employee be furnished to a medical physician chosen by the City for verification. If the findings are verified by the City medical physician, no further review shall be conducted;
  - b. In the event the findings of the medical physician employed by the employee do not agree with the findings of the medical physician employed by the City, the City will at the written request of the employee ask that the two medical physicians agree upon and appoint a third qualified and impartial medical physician for the purpose of making a physical examination of the employee;
  - c. Such three physicians, one representing the City, one representing the employee, and one impartial physician approved by the employee's physician and the City's physician, shall constitute a board of three, a majority vote of which shall decide the issue;
  - d. The expense of the employment of the third medical physician shall be borne one-half by the employee and one-half by the City.

### ***Family Medical Leave***

## Non Union Employee Information Guide

1. Introduction: The Family and Medical Leave Act of 1993 (FMLA) guarantees the right of eligible employees to take up to a total of 12 weeks of leave per year, either in one continuous absence or on an intermittent basis, for one or more qualifying reasons. The FMLA does not provide any paid leave. The following are reasons under which employees may qualify for FMLA:
  - a. upon the birth of the employee's child;
  - b. upon the placement of a child with the employee for adoption or foster care;
  - c. when the employee is needed to care for a child, spouse, or parent who has a serious health condition; or,
  - d. when the employee is unable to perform the functions of their position because of a serious health condition.
2. Use of Paid Leave: employees will be required to use available sick leave and/or annual leave during an FMLA absence in accordance with the current city policy (city council resolution approved 03/19/07).
3. Definitions:
  - a. Child. An adopted child, a foster child, stepchild, ward or person who is under age 18, or over age 18 but incapable of self-care because of a mental or physical disability, and of whom the employee has custody.
  - b. 12-month period. The calendar year.
  - c. Serious health condition. An illness, injury, impairment, or physical or mental condition that involves in-patient care in a hospital, hospice, or residential medical facility, or continuing treatment by a doctor.
  - d. Health care provider. A doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the State of South Dakota, or any person determined by the U.S. Secretary of Labor to be capable of providing health care services.
4. Eligible Employees: To be eligible for absence under the FMLA, the employee must have been continuously employed by the City for a 12-month period immediately preceding the request for absence, and during that 12-month period have worked at least 1,250 hours.

***Family Medical Leave continued***

## Non Union Employee Information Guide

5. Notice: An employee is required to provide the employer with 30 days notice of absence when such absence can be reasonably foreseen. When circumstances prevent the employee from giving 30 days notice, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the operations of the work unit.
  
6. Certification: When required by the department director or designated representative, requests for leave due to a serious medical condition of the employee or qualified member of the employee's family shall be verified by the certification of a physician. The certification shall contain the following:
  - a. the date when the serious health condition began;
  - b. the probable duration of the condition;
  - c. the appropriate medical facts within the knowledge of the health care provider regarding the condition;
  - d. if the leave is due to the employee's serious health condition, the certificate must include a statement that the employee is unable to perform the functions of their position;
  - e. if planned medical treatment is the reason for the leave and the employee wants intermittent leave or leave on a reduced time schedule, the date when the treatment begins and the estimated duration of the treatment; or,
  - f. if the leave request is necessitated by a serious medical condition of the employee or the employee's child, spouse, or parent, the certificate shall state that there is a medical necessity for the leave and include an estimate of how long the leave will be needed.
  
7. Second Opinions: A second opinion may be required at City expense from a health care provider designated by the City. If the second opinion conflicts with the first opinion, the City may request a third opinion at the City's expense. The City and the employee must jointly agree on the health care provider to render the third opinion, which shall be final and binding.

***Family Medical Leave continued***

## Non Union Employee Information Guide

8. Effect on Pay and Benefits: During the term of unpaid family or medical leave, no pay or other benefits shall accrue, with the exception of any group health insurance benefits that were in effect at the time of the commencement of such leave or new group health insurance benefits which are provided by the employer during the FMLA leave. Group health insurance shall be continued in force for the duration of FMLA leave and the City shall continue to pay that portion of the benefits normally paid by the City. The employee shall be responsible for payment of any premiums normally paid through payroll deductions. Such payments must be made by mail or in person to reach the Finance Department no later than the last working day of the month prior to the next following month of insurance coverage.
9. Failure to Return to Work: If the employee fails to return to active City employment upon the expiration of the maximum 12 weeks of leave provided under this section (to include any paid annual leave or sick leave that may have been taken in conjunction with the absence) the employee shall be responsible for repayment of any City-paid premiums during the unpaid portion of the absence, unless the failure to return is based upon the continuance, recurrence, or onset of a serious health condition or other circumstances beyond the employee's control. In such instances, the employee must provide in a timely manner a certification by a health care provider attesting to the employee's inability to return to active employment.
10. Effect on Reemployment and Other Rights: Upon expiration of a duly authorized absence under this section, the employee shall be reinstated to the same position held at the time such leave commenced or to a position equivalent to or higher in pay, benefits, and other terms and conditions of employment. No employee shall be interfered with, discriminated against, disciplined, or otherwise restrained from exercising an employee's rights under the FMLA.
11. Spouses Jointly Employed By the City: If a husband and wife entitled to leave under this section are both employed by the City, the total number of work weeks of leave to which they are jointly entitled is limited to 12 work weeks during any 12-month period if such leave is taken under this Section 2a and b, upon the birth or adoption of a child; or, if absence is required to care for an ill parent per Section 2 c above.
12. Intermittent or Reduced Sick leave: Leave under this section 1a and 1b shall not be taken on an intermittent or reduced leave schedule unless the employee and the department director agree otherwise. Leave under section 1c or 1d may be taken intermittently or on a reduced leave schedule when medically necessary.
13. Expiration of Entitlement: Entitlement to leave under this section for birth or adoption expires at the end of the 12 month period beginning on the date of birth or adoption (placement).

## ***Inclement Weather Policy***

## Non Union Employee Information Guide

A storm day will be chargeable to the Short Term Disability (Part B sick leave) benefit under the following terms and conditions:

1. Part B sick leave will only be allowed if the Mayor or authorized designee designates a day as a "storm day" and notifies employees either not to report to work or notifies employees to discontinue work because of storm conditions. A storm day is considered a full day regardless of the time it is declared.
2. Part B sick leave will not be granted those employees who are required to report to work by their Department Directors or their designees, either by notification or by standard operating procedure; however, if weather conditions make it impossible for such employees to report, or if transportation is not made available under such conditions, Part B sick leave will be allowed such employees.
3. No more than two days during any calendar year will be designated as storm days wherein Part B sick leave may be used by the above mentioned employees; therefore, if employees are notified not to report to work or notified to discontinue work because of storm weather conditions on more than two separate days in any calendar year, no Part B sick leave shall be allowed.
4. Storm days, when applicable, are charged to Part B sick leave. If Part B sick leave is not available due to maximum use of storm days in the calendar year, then the employee may use annual leave, personal holiday or leave without pay.
5. Any sick leave allowed under these conditions will be counted towards overtime.
6. This provision does not prohibit the use of annual leave for a storm day.
7. If an employee is on annual or sick leave when a storm day occurs, the storm day does not apply and the leave will be charged to the originally scheduled leave.

### ***Funeral Leave***

Funeral leave of three non-accumulating days with pay per calendar year are granted to each eligible employee and may be used in cases of death of spouse, child, stepchild, parents, spouse's parents, grandparents, and employee's brother or sister. For the above family members, the employee may also receive benefits under Sick Leave #9.c.

### ***Jury Leave***

1. Any employee who is called to jury duty will be paid in full by the City. Any payment from the Court shall be endorsed by the City Finance Department and the employee will be reimbursed for mileage. Employees involved in private litigation may use annual leave, personal holiday or leave without pay.

### ***Jury Leave continued***

## Non Union Employee Information Guide

2. If the jury duty pay includes both worked and no-worked days, the employee shall reimburse the City the jury duty pay received for workdays only. If the employee is not selected for jury duty, the employee must report back to the work place with reasonable travel time allowed.
3. Employees who are absent from work due to jury duty will not be dismissed or suspended from employment and shall retain and be entitled to the same job status and pay as they had prior to performing jury duty. Persons who are to be absent due to jury duty must notify their supervisor or manager in advance. If no prior notification is given, the employee may be subject to disciplinary procedures for failing to provide notification.
4. An employee called for jury duty must return to work for each day or portion of the day the employee is scheduled to work and not required to be in court in connection with jury duty. The employee shall not receive pay unless necessarily absent on jury duty.

### ***Court Appearance Leave***

If, as a direct result of employment by the City, an employee is required to report to a court hearing, deposition, or other legal proceeding, the City will release the employee from work, if necessary, for such appearance. Pay for such appearance shall be according to the following:

1. If time is lost from the employee's regular work assignment, payment for all time lost will be made at the employee's regular rate of pay;
2. The payment provided shall be reduced by the amount of witness fees received, if any;
3. The payment shall be made only if the employee presents the verification of the time spent in such attendance and the amount of witness fees received, if any and, further, only if the employee notifies the immediate supervisor upon release from such appearance of the employee's availability for work;
4. If the appearance is required because the employee exceeded the scope of position duties, or performed unauthorized or illegal acts, no payment will be made.

### ***Military Leave and Annual Duty***

## Non Union Employee Information Guide

1. Subject to and consistent with SDCL 3-6-19 and Uniformed Services Employment and Reemployment Rights Act (USERRA) , any employee, other than a temporary or seasonal employee, who reports or performs duty in any branch of the Armed Forces of the United States, shall be entitled to reinstatement with the City, provided:
  - a. The employee makes written application for reinstatement to the position held prior to or within 90 days of release from the service, or within 90 days after hospitalization continuing after such release for not more than one year; and,
  - b. The position with the City still exists; and,
  - c. The employee is capable of performing the potential essential taskd of the position; and,
  - d. Separation from the Armed Forces was other than dishonorable.
2. The employee shall not be entitled to pay during such leave.
3. An employee, other than a temporary employee, who is a duly qualified member of a reserve component of the Armed Forces, or a member of an organized military unit required to receive military training with the Armed Forces, shall be entitled to a leave of absence not to exceed 15 days in any one calendar year. An employee shall be returned to City service, provided they are still able to perform the duties of the position, without loss of status, pay, and seniority, provided:
  - a. The employee has given 10 days' notice prior to the time of departure;
  - b. The employee has satisfactorily performed the requirements of the prescribed training; and,
  - c. The employee returns to his/her City position immediately upon being relieved from military service and not later than the expiration of the time herein limited for such leave, unless prevented from returning by physical or mental disability, other cause not due to their own fault, or is required by proper authority to continue in military service beyond the time herein limited for such military leave.
4. If the military pay allowances for the 15-day period are less than the employee's regular straight-time rate of pay for 40 hours per week, payment of the difference shall be paid by the City if the employee provides a certified true copy of the wage compensation received while on military leave.

## *Leaves of Absence*

1. A regular benefited employee requesting a leave of absence for legitimate personal reasons, which shall include leaves for educational purposes, shall make written application to the immediate supervisor as far in advance of the need as is known by the employee. A leave of absence may be granted upon application by the employee and approval by the immediate supervisor, Department Director, and the Mayor, or designee, for a period not to exceed 180 days. The employee shall state in the request for leave reasons for requesting the leave, duration of the leave, and the specific dates and scheduled shifts the employee will begin the leave and return to work. Any employee who is unable to work because of personal illness or disability, and who has exhausted all sick leave available including Family Medical Leave (FML), may be granted a leave of absence, without pay, for the duration of such illness or disability, up to a period of six months.
2. Such leaves of absence may be extended for a reasonable period, with the consent of the Department Director and Mayor.
3. An approved copy of such leave of absence, and any extensions thereof, shall be furnished to the employee before such leave shall become effective.
4. If an employee accepts employment elsewhere during this leave of absence, he/she may be considered to have terminated the leave and to have voluntarily quit. However, at the sole discretion of the Department Director and/or Mayor, temporary employment during a leave of absence for legitimate personal reasons may be authorized.
5. Failure to return from a leave of absence upon its expiration date shall be considered as a resignation and a voluntary quit.
6. Reinstatement of employees who return from unpaid leaves shall be based upon their seniority and their ability to perform the work and availability of the work of the type that they were performing.
7. No employee benefits will be provided during leaves of absence without pay except where required by law.
8. Short periods of unpaid absences not extending into a second or subsequent payroll period may be approved by the Department Director or a designated representative and are not subject to provisions of this Section. Annual leave must be exhausted prior to taking leave without pay.

## ***Compensation***



## ***Compensation Guidelines***

The following guidelines are provided to Division Managers and Department Directors for placing non-union employees “on-step” within grade as a new hire or for placement into new position. These guidelines establish a maximum percentage for placement. The minimum step within any grade shall be no lower than Step A. Department Directors may request an exception to these guidelines by providing a written justification to the Finance Officer and Mayor. New employees may be hired and placed on steps A through D. The Mayor’s approval is required to begin a new employee at a step higher than Step A and through D. New employees may be hired and placed on steps E through R with Council approval.

1. Transfer or Promotion; If an employee is promoted or transfers, the employee will be placed on the wage scale at a step within the appropriate grade that provides the closest to a five percent (5%) increase in pay.
2. Same Grade/Lateral Transfer; The employee does not increase a grade and stays at the same step.
3. Temporary Assignment (out of class); If an employee is temporary assigned out of class duties in a position in a higher grade, the employee will be placed on the wage scale at a step within the appropriate grade that provides the closest to a 5% increase in pay. At conclusion the employee will return to the original pay grade and step inclusive of any salary increases that occurred during the temporary assignment.
4. Overtime; All work performed in excess of forty (40) hours in one week by hourly employees.

## ***Hours of Work***

Work schedules and hours of work are set by your supervisor. Employees are expected to adhere to hours and schedules set by the supervisor. Breaks are allowed as operational needs permit. Breaks are not guaranteed and employees must remain available and accessible during breaks to provide for the needs of the department.

## ***Paydays***

The City of Rapid City employees are paid on a biweekly basis, every other Friday, or monthly on the last working day of the month. If you have questions, contact Human Resources to confirm the pay schedule.

## ***Compensation Guidelines continued***

### ***Direct Deposit***

Employees are encouraged to participate in direct deposit. This program is available to enable pay to be credited in any financial institution designated. Contact Human Resources for enrollment.

## ***Health, Life, and Flexible Benefits***



### ***Eligibility***

Employee is eligible for City provided health insurance coverage after the first 30 calendar days of employment. For additional information pertaining to the City health and dental insurance plans please review the handbook for each plan.

### ***Health Insurance***

1. The City provides a self funded Group Health Insurance Plan administered by a third party administrator. Each benefited employee is an eligible employee, and is required to be a member of the plan unless the employee signs a disclaimer certificate provided by the City. Coverage for dependents of any employee is elective.
2. The City provides one hundred percent (100%) of the premium of the Group Health Insurance Plan for each full-time benefited participating employee. The cost of health insurance premiums for part-time benefited employees and their eligible family members shall be prorated based on their budgeted percentage of full-time equivalent hours. Each employee shall have the duty and responsibility to report to Human Resources any change(s) in dependency status that will affect the contribution charged to the City.
3. For those employees having their latest date of hire on or before December 31, 1981, the City will pay the full cost of dependent coverage. For those employees having their latest date of hire on or after January 1, 1982, the City will pay for 50% of the cost of premiums for dependent coverage.

### ***Dental Insurance***

1. The City provides dental insurance through a self-insured group plan administered by a third party administrator. All premiums (100%) are paid by

the employee through payroll deduction. All benefited employees are covered by the plan, subject to the following options:

- a. All non-union employees will normally have individual coverage; however, employees who provide certification of dental insurance coverage from another carrier may waive coverage under the City's plan.
- b. Non-union personnel may opt for additional coverage for dependents, at additional premium.

## ***Life Insurance Benefits***

A Group Life Insurance Plan is provided for all non-union employees. The City will pay 50% of the cost of the contribution for single or family coverage for each participating employee. Additional Life insurance coverage is optional and available to employees and their families. The plans are available by payroll deduction. Contact Human Resources for agent information.

## ***Flexible Benefits Plan***

This plan provides employees with an opportunity to reduce taxable income. This is known as Section 125, or the "Cafeteria/Flexible Benefits Plan", and is optional and available to employees. It is a way to pay for an individual's eligible expenses, such as group insurance premiums, uninsured medical and dental expenses, and child/dependent care, with pre-tax dollars. For additional information, contact Human Resources.

## ***Retirement Benefits***



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### ***Retirement***

The City participates in the South Dakota Retirement System (SDRS) and, to be fully vested in the system, an employee must have three years of credited service with SDRS. For additional information regarding retirement benefits, contact the South Dakota Retirement System.

### ***Retirement Benefits continued***

### ***Special Death, Disability or Retirement Benefit***

## Non Union Employee Information Guide

Any employee retiring pursuant to the qualifications of the South Dakota Retirement System or who dies while in the employment of the City shall be entitled to a special benefit as hereinafter provided. The maximum benefit shall equal 50 percent of all accumulated hours of sick leave in excess of 960 hours, provided that the maximum benefit payable shall not exceed 25 percent of the employee's last twelve months' earnings from the City. Payable upon retirement or disability, it shall be paid solely to the same beneficiaries as provided for by the employee under the indicated designation for the Retirement System.

The rate of pay shall be the rate applicable at the time of retirement, death or disability. The 25% above shall be increased as follows:

Age at Death, Retirement or Disability	Maximum Percentage Last 12 months earnings
To/Including 51	25%
52	26%
53	29%
54	32%
55	35%
56	38%
57	42%
58	45%
59	48%
60 +	50%

### ***Retirement Insurance Benefits Plan***

1. An employee who is a member of the South Dakota Retirement System (SDRS) and who is also a member of the group healthcare plan may, at the time of retirement, retain individual coverage in that plan at no cost until attainment of age 65 or eligibility for Medicare/Medicaid, provided the following criteria is met at the time of retirement:
  - a. Retiree was continuously employed by the City for a minimum of 20 years; and,
  - b. Retiree is eligible for full benefits without reduction as determined by the SDRS, or otherwise qualifies for disability benefits as determined by the SDRS.

### ***Retirement Insurance Benefits Plan continued***

2. An employee who is a member of the South Dakota Retirement System and who also is a member of the group insurance plan for the City of Rapid City and who

does not meet the provisions of #1 above may, at the time of retirement, remain as a member of the group health insurance plan provided the employee pays all cost of the premiums. Any such payments shall be made at the time specified by the City Finance Officer, and it shall be the retiree's responsibility to make the payments on or before the date specified. Failure to make such payments when due may cause the insurance to lapse and the City shall not be responsible for collection.

- a. Eligibility for retention of group insurance shall be contingent on the employee meeting the requirements of retirement as set forth under the provisions of the South Dakota Retirement System, and such requirements shall be those pertaining to the class of employee under which the eligibility is earned.
- b. The employee must have been employed by the City of Rapid City immediately preceding the retirement date.
- c. Any employee at normal retirement age, as defined in the South Dakota Retirement System, who is eligible to retire but chooses not to select an annuity, shall be eligible for group health insurance coverage under the provisions of this Section as if they remained in the system. This Section shall allow an employee to also secure from the City's insurance carrier, if offered by the insurance carrier, a Medicare supplemental policy at the sole cost of the employee.
- d. It shall be the retiree's or dependent's responsibility to pay the dependent's premium. Eligible dependents of a retiree, if covered by the health insurance at the time of retirement, shall have the right to continue the health insurance. Such payments shall be made on or before the date specified by the City Finance Officer. Failure to make such payments when due may cause the insurance to lapse and the City shall not be responsible for collection.
- e. Upon the death of an active employee or retired member who satisfies the eligibility requirements of this Section and who is participating in the group health insurance plan at the time of death, the eligible dependents may retain dependent coverage as if the employee or retiree's insurance had not terminated, provided that affected dependents pay all premium costs of the plan. Dependent eligibility will exist under this provision under the same conditions as if the employee or retired member were still alive, in accordance with the provisions of the master plan and only if all provisions of this Section are complied with.

### ***Retirement Insurance Benefits Plan continued***

2. Health Insurance Premium Policy for Medically Disabled: When an employee becomes ineligible for the City's payment of health insurance premiums because they are receiving no direct compensation from the City for that premium

period, the City shall continue to pay the premium at the rate of one month of premium for each full year of credited service, to a maximum of 12 months of premium payments. The payment commences on the month immediately following the loss of eligibility for payment and ceases the month following the benefit expiration or the month following termination for any reason, whichever is earlier. The credited service year for the purpose of this policy is calculated from the same date, the anniversary date, as used for calculation of annual leave benefits. Paid leave of any kind shall not be used in any way other than a consecutive-day progression to satisfy the direct compensation requirement. Payment of the premium by the City shall be on the same basis as would be paid if the employee had not become ineligible.

### ***Retirement Special Pay Plan***

The City of Rapid City participates in the Retirement Special Pay Plan currently administered by South Dakota Retirement System, which provides a tax advantage and a Social Security advantage when an employee terminates employment. The administration and participation in the Pay Plan is in accordance with South Dakota Codified Law. A special lump-sum payment will be deducted from the employee's final paycheck and submitted to the Special Pay Plan Administrator.

### ***Supplemental Retirement Plan (Deferred Compensation/Section 457)***

The City of Rapid City offers additional opportunities for employees to save for retirement. Employees may make tax deferred contributions by payroll deduction to Supplemental Retirement Plans, also known as Deferred Compensation or Section 457 Plans. Certain Internal Revenue Service guidelines apply. The City participates in two plans 1. South Dakota Retirement System (SDRS) Supplemental Retirement and 2. International City/County Management Association (ICMA). Contact Human Resources with any questions.

## ***Employee Health and Wellness Programs***



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City employees have several opportunities to become more actively aware of their

personal health and health-related issues. Since health care claims directly affect the cost of health care premiums, employees can play an active role in affecting health care costs.

### ***Employee Wellness Incentive***

An Employee Wellness Incentive is established to provide recognition to those employees who continue to maintain low-risk health habits and thereby contribute to ultimately lower costs and improved safety and welfare through fewer health insurance and worker compensation claims and increased levels of productivity. Fire and Police Department employees who must maintain physical standards to perform the duties for employment are not eligible for this benefit.

1. Employees are eligible for the incentive if they are covered under this policy, are a participant of the City of Rapid City Healthcare Benefit Plan, and have served at least 12 consecutive months as a benefited employee as of the date of application for the incentive.
2. Eligible employees may submit an application for Wellness Incentive no more than once annually directly to Human Resources, and must contain supporting documentation as indicated in the application.
3. Upon verification and approval, the employee meeting all criteria shall be awarded a payment of \$100, such payment funded from the Healthcare Benefit Plan claim fund.
4. Participation in this program is voluntary. The application and supporting documentation will be confidential and maintained separate from the employee's records. Such files will not be used as a basis for future promotion, reassignment, transfer, utilization, or other career decisions.

### ***Health Screenings***

Health screenings are offered on an annual basis and are applicable to the employee health insurance wellness benefit. Qualified healthcare professionals conduct the screenings.

### ***Reduced Recreation Rates***

Employees are encouraged to utilize the numerous recreational facilities to improve and maintain a healthy lifestyle. Employees and their immediate family members who participate in the City's health insurance plan are eligible for reduced recreation rates. For specific information, contact the Human Resources Office.

## ***Employee Assistance Program***

An Employee Assistance Program is provided at no cost to employees and their families. It provides confidential, professional service to help resolve problems that affect personal life and job performance. These may include family problems, marital conflict, alcoholism, financial problems, stress, legal concerns, emotional illness, chemical dependency, domestic violence, eating disorders, grief and other issues. The first visit has been prepaid by the City. Other services may be paid in part or in full by employee health insurance.

## ***Cancer/ICU Health Insurance***

This program offers optional coverage to employees and their families for providing supplemental benefits in the event of hospitalization for cancer treatment, or the treatment of a number of other “dread diseases”, and confinement in an intensive care or coronary intensive care unit.

## ***Employee Educational Loan Program***



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To recognize that continuing education benefits both the employee and the City, and to facilitate such education with minimal hardship to the employee, a loan program is available.

1. The expenses must be directly related to an educational program to qualify the employee for an Associate, Baccalaureate, or Postgraduate program in an accredited educational institution or such other college credit that is transferable to one of the South Dakota state-supported colleges; or, job-related vocational/technical training.
2. The employee must provide to Human Resources proof of enrollment in good standing and expenses to equal, or exceed the amount of loan requested and it shall be Human Resources responsibility to verify that the criteria of this program has been met before approving such requests.

## ***Employee Educational Loan Program continued***

3. The maximum amount of outstanding loan balance, exclusive of interest, shall be \$3,000.
4. A 1% simple interest shall be assessed to the outstanding balance; and,

5. A payroll deduction shall be established which will enable repayment of the outstanding balance, with interest, within one year of the date of the loan. If employment is terminated during the term of the loan, the balance owed shall be collected from the employee's final pay to the maximum extent possible and any remainder shall be due and repayable to the City in full.
6. These provisions shall not apply to other educational assistance programs that may be established from time to time under separate grants or other funding.

## ***Employee Personnel Files***



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A personnel file shall be maintained by Human Resources for every employee. It is the employee's responsibility to update any change in a home address or telephone number. Additionally, it is the responsibility of each employee to provide current information regarding family status as any change may relate to benefit changes and compensation provided by the City of Rapid City. Employment status, performance evaluations, and other employment data is provided by the employee's department or division. A signed waiver is required from the employee for release of any employment related information regarding an employee to any party other than the employee.

## ***Training***



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In-service training shall be provided to aid employees to gain efficiency in their work. Employees shall not be permitted to decline mandatory training. Employee training specific to the employee's department or division shall be coordinated or conducted by the employee's supervisor.

If travel is necessary for City required training, and the time is outside of the scheduled work day, the hourly employee is paid for travel time.

## ***Travel and Relocation***



All subsistence expenses for authorized travel outside of Rapid City, as well as approved relocation expenses for new employees, shall be governed by City travel regulations.

## ***Performance Planning and Review***



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Each Department conducts performance evaluations for its employees. Performance evaluations are conducted annually at a minimum, or on an as need basis as determined by the Division or Department. The overall objective of the system is to provide an avenue of two-way communication by which employees and their supervisors can discuss mutual expectations, review performance, and plan future goals. For additional information, see your supervisor, Division Manager, Department Director or Human Resources.

## ***Secondary Employment***



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Employees shall refrain from engaging in secondary employment that creates a conflict of interest or that creates the appearance of a conflict of interest. Employees who intend to take additional employment shall notify their immediate supervisor.

## ***Safety Equipment***



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Employees are required to use necessary safety equipment. The City may provide personal safety equipment, such as safety boot and safety glasses.

See specific department policies for additional details.

## ***Grievance Procedure***



## Non Union Employee Information Guide

There is hereby established by the City of Rapid City as required by SDCL § 3-18-15.1 a grievance procedure for non-union employees. All employees covered by a collective bargaining agreement are covered by the grievance procedure contained therein. Notwithstanding the establishment of this grievance procedure, all non-union employees are employees-at-will and may be terminated at anytime with or without cause. This grievance procedure provides a mechanism for non-union employees to discuss grievances, but does not grant any substantive rights.

Grievance means a complaint by an employee or group of employees concerning the interpretation, application or alleged misinterpretation or misapplication of the regulations, ordinances, policies or rules of the City of Rapid City, which complaint has not been resolved satisfactorily in an informal manner between the employee and the immediate supervisor. Prior to filing a formal grievance an employee must attempt to rectify the situation with the immediate supervisor, unless that attempt would be futile. No person shall be discriminated against because of the filing of or involvement in a grievance.

Failure by an employee to comply with any time limitation contained in this procedure shall constitute a withdrawal of the grievance. If the City fails to respond within the time limitation set out in this procedure, then the employee shall have the right to move to the next step in the grievance procedure.

Within fourteen (14) days after an employee has knowledge of or should have knowledge an occurrence giving rise to a grievance, the employee shall submit to the Department Director or designee a written grievance, which shall be known as Step I. The Department Director or designee shall meet with the employee within seven (7) days of the receipt of the grievance. The Department Director shall submit a written answer within seven (7) days following the meeting.

If the employee disagrees with the decision of the Department Director, the employee may file not later than fourteen (14) days after receipt of the Department Director's decision a written grievance with the Mayor, which shall be known as Step II. Within fourteen (14) days of the receipt of the grievance, the Mayor or designee will meet with the employee to discuss the grievance. Within fourteen (14) days of this meeting, the Mayor will submit a written decision to the employee.

If the employee disagrees with the Mayor's decision, the employee may, not later than thirty (30) days after receipt of the decision, initiate an appeal to the Department of Labor, whose decision shall be binding on the employee and the City in accordance with provisions of SDCL 3-18-15.2, subject to either party's right of appeal pursuant to SDCL 1-26.