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Revised:	
Legal References:	

INTRODUCTION AND DISCLAIMER

The purpose of the Employee Policy Handbook is to inform employees of the City's general personnel policies and regulations and to ensure uniform application throughout City departments. The handbook is not all-inclusive, but addresses the topics most likely to be encountered in the City's day-to-day operations.

The policies and regulations in this handbook are not intended to supersede City ordinances or other applicable laws; and in case of any conflict between these policies and such ordinances or laws, the latter shall prevail.

THE POLICIES IN THIS HANDBOOK ARE NOT INTENDED AND SHALL NOT BE CONSTRUED TO CONSTITUTE AN EXPRESS OR IMPLIED CONTRACT OF EMPLOYMENT. The City reserves the right to change or rescind these policies and regulations with or without notice, and to determine the application of these policies to specific circumstances. The City further reserves the right to alter or eliminate any benefits provided to its employees. Any alteration, elimination or revision may be made applicable to current as well as future employees.

The employee policy handbook will be maintained on the City's Inside web page. Departments shall provide employees without computers, access to a department computer upon request in order to access the handbook. All employees shall read the electronic policies and regulations regularly, check for changes or revisions, and abide by their content. Employees who have questions about the policies and regulations contained in the employee policy handbook including any changes or revisions, shall contact their supervisor or Human Resources for explanation and clarification. Being aware of and understanding the City's policies and regulations contained in the employee handbook is the employee's responsibility.

Certain provisions of this handbook state that disciplinary action may result from specified conduct. The inclusion of these provisions does not, and is not intended to limit, in any way, the imposition of disciplinary action for other types of conduct or for other reasons.

The provisions of this handbook apply to all City employees except as otherwise specified within the handbook or by ordinance or state or federal statute, rule or regulation. Bargaining unit employees shall abide by the terms of their collective labor agreement.

Individual departments may implement their own rules and procedures addressing the department's unique business. All department rules and procedures shall comply with all city, state, and federal laws and shall not conflict or differentiate with any policy, regulation or provision of the Employee Policy Handbook. In cases where it is determined that a conflict exists, the Employee Policy Handbook shall prevail. EXCEPTION: Due to legal and/or safety concerns related to law enforcement and fire protection services, it may be necessary for the Boise Police and Fire Departments to implement rules and procedures that vary from

the Employee Policy Handbook. In such cases, the variance will be clearly identified and, in the event of conflict, the department policy and procedure will prevail. The Boise Police and Fire Departments will work with Human Resources to resolve policy conflicts.

Any matter not specifically covered by the handbook or departmental rules and procedures shall be administered by the Mayor or the Mayor's designee in a manner not inconsistent with the handbook.

WAIVER OF RULES: The Mayor or designee, reserves the right to waive any regulation in specific instances when, in his or her opinion, such waivers are legal, warranted and justified in the interests of a more effective and responsive system of personnel administration.

Document Type:	Policy
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Revised:	02-14-12
Legal References:	Reso # 21605

POLICY AND REGULATION DEVELOPMENT

It is the intent of the Council to develop policies and put them in writing so that they may serve as guidelines for its own operations and for the successful and efficient functioning of Boise City.

The Council considers policy development one of its chief responsibilities. Proposals regarding policies may originate with a member of the Council, the Mayor, an employee, consultant, civic group, or any community member. A careful and orderly process shall be used in examining such proposals prior to City Council action. The Council may take action after hearing the recommendations of the Mayor and the viewpoints of persons and groups that the policy affects.

The Council delegates to the Mayor or designee the function of formulating administrative rules designed to carry out the Council's policies. These administrative rules are known as regulations. The Mayor or designee shall provide the Council a timely electronic copy of each regulation. The Council reserves the right to veto regulations should they, in the Council's judgment, be inconsistent with the policies adopted.

Document Type:	Regulation
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Effective:	07-13-09
Revised:	
Legal References:	

POLICY AND REGULATION APPROVAL PROCESS

I. INTRODUCTION

The City of Boise has created a Master Operations Manual (MOM) containing all of the policies and procedures that address the day-to-day business and/or operations of the City. The information contained in MOM includes policies and regulations that have a citywide impact. This regulation sets forth the approval process for all policies and regulations created within the City.

II. ESTABLISHING POLICIES AND REGULATIONS

Citywide "policies" require City Council approval. The administrative rules designed to carry out the Council's policies are known as "regulations" and require Mayor's office approval. Individual departments create rules and procedures addressing issues that are unique to their business operation. Such rules require approval by the department's director. Per the Introduction and Disclaimer Policy 1.01, individual departments are not authorized to develop rules or practices that deviate from citywide policies and regulations unless otherwise noted within a citywide policy or regulation approved through the process outlined in this regulation. All policies and regulations with a citywide impact are to be included in the Master Operations Manual (MOM).

III. UNIFORM STYLE AND FORMAT

Human Resources will have custodial responsibility for the Master Operations Manual (MOM). Human Resources will work with departments to ensure that policies and regulations adhere to the following rules for style, format, and numbering:

A. All submitted rules shall be provided to Human Resources electronically in an editable form.
B. The content of all submitted rules shall be numbered, styled and formatted in accordance with this regulation.
C. All citywide policies and regulations shall be assigned a number in accordance with the numbering used in MOM.
D. All City policies and regulations shall be formatted as follows:

Margins:
Top = 1, Bottom = 1, Left = 1, Right = 1, Gutter = 0, Gutter Position = Left
Font: Verdana
Font Size: 10

Policies shall be "justified." Regulations shall be "aligned left".

All rules shall contain the following header:

Document Type:
Number:
Effective:
Revised:
Legal References:

NAME OF POLICY OR REGULATION

All major sections of a regulation will include the outline scheme provided below.

The first required section of each rule, the "I" section, shall be entitled "INTRODUCTION." This section shall include the general purpose of the rule and to whom the rule applies.

The second section of each rule will be "II"; the third section "III" etc.
The individual Roman numeral sections will be broken down in outline form using capital letter alphabet, followed by numbers, followed by small case alphabet. For example, II. A. 1. a.

Rules may reference forms, charts or similar descriptive text associated with the rule. These will be known as the exhibits and contain the same header referenced above with the document type being "Exhibit".

IV. SUBMISSION OF RULES FOR REVIEW

Human Resources will serve as a clearinghouse for all rules with a city wide impact. If a new citywide rule or a revision to a current citywide rule is proposed, prior to approval the proposal shall be sent to Human Resources for review. Human Resources shall review all proposals and evaluate them to determine the following:

A. The proper format is used
B. The proposal is in the best interest of the City as a whole
C. Proposal does not deviate or conflict with other rules
D. What other policies/regulations may be affected
E. What level of review is necessary

Once the above criteria are met, Human Resources will notify the department to proceed with the appropriate approval process for the rule. Once the rule is approved by the proper authority, the department shall submit the rule to Human Resources for inclusion in the Master Operations Manual (MOM).

V. REVISIONS TO EXISTING RULES

Other than "policies" that require City Council approval, minor revisions to citywide rules may be made by Human Resources with notice to the Mayor's office. Examples of "minor revisions" include but are not limited to grammar, formatting, existing rule clarifications, title or word changes, rule title or numbering, exhibit creation and/or changes, and/or revisions required as a result of changes in city, state, or federal

laws. Revisions to citywide rules that fall outside these criteria require approval from the Mayor's office unless otherwise required by City policy.

VI. IMPLEMENTATION AND NOTIFICATION

Once a new or revised rule is approved, the rule will be included in the Master Operations Manual (MOM) and will be published on the City's intranet. The effective date of the new or revised rule will be identified at the top of the rule. It will be each rule-owner's responsibility to ensure notification of new or revised rules to the affected parties. For example, notification of any additions or revisions to the Employee Policy Handbook shall be the responsibility of Human Resources or designee; notification of any purchasing rule changes would be the responsibility of the Department of Finance and Administration.

The term "rule(s)" used throughout this regulation includes, but is not limited to, all policies, regulations, procedures, and directives.

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Effective:	05-01-06
Revised:	
Legal References:	I.C. § 67-5901
	20 U.S.C. § 1703
	29 U.S.C. § 794
	38 U.S.C. § 4211
	42 U.S.C. § 2000
	42 U.S.C. § 12101

EQUAL EMPLOYMENT OPPORTUNITY

The City of Boise is committed to providing equal employment opportunity for all persons without regard to race, color, religion, gender, age, national origin, sexual orientation, gender identity, disability, veteran status, or any other applicable legally protected status.

Equal opportunity extends to all aspects of the employment relationship, including hiring, transfers, promotions, training, discipline, working conditions, compensation, benefits, and other terms and conditions of employment.

Additionally, the City is committed to providing an employment environment that is free from discrimination and harassment. All individuals associated with the City are expected to conduct themselves at all times so as to provide a working atmosphere free from discrimination and harassment.

Employees who believe they have been subjected to discrimination or harassment related to their race, color, religion, gender, age, national origin, sexual orientation, gender identity, disability, veteran status, or any other applicable legally protected status should report the behavior in accordance with the equal employment opportunity regulations.

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	09-01-16
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	20 U.S.C. § 1703
	29 U.S.C. § 794
	38 U.S.C. § 4211
	42 U.S.C. § 2000
	42 U.S.C. § 12101
	BMC Title 6 Chapter 2

EQUAL EMPLOYMENT OPPORTUNITY (EEO)

I. INTRODUCTION

The City of Boise complies with all federal, state and local equal employment opportunity laws. In all hiring and employment practices, the City makes every effort to ensure that it does not discriminate. This regulation addresses the City's commitment to providing equal opportunity employment for all employees.

This regulation applies to all City employees.

II. NON-DISCRIMINATION PLEDGE

The City of Boise is committed to providing equal employment opportunity for all employees regardless of race, color, religion, sex, age, national origin, citizenship status, disability, genetic information, veteran status, sexual orientation, or gender identity/expression. These are collectively referred to as "protected class" throughout this regulation. Equal opportunity extends to all aspects of the employment relationship, including hiring, promotions, training, working conditions, compensation, and benefits.

III. PROHIBITED CONDUCT

The City strives to keep its workplace free from harassment and discrimination. Employees are prohibited from discriminating against or harassing co-workers, applicants, vendors, or customers whether or not the conduct or incidents occur on City premises and whether or not the conduct or incidents occur during working hours. Employees found to be involved in harassment or discriminatory activities are subject to disciplinary action, up to and including termination.

The following are examples, not a definitive list, of prohibited conduct:

1. Slurs, jokes or derogatory remarks related to a protected class
2. Telling stories containing sexual, lewd, or derogatory jokes related to a protected class etc.
3. Sending or forwarding sexually suggestive or derogatory communications letters or other materials based on a protected class
4. Unwelcome touching or contact

5. Sharing or displaying offensive pictures, drawings etc.
6. Any other verbal or physical conduct that has the purpose or effect of creating an intimidating, or offensive work environment.
7. Basing personnel actions and practices on stereotypical characterizations of an employee's protected status.
8. Basing wages, salaries, benefits, and other terms and conditions of employment on the employee's protected status, rather than on job content, market factors, and other objective factors.
9. Intimidation and implied or overt threats of physical violence motivated by the employee's protected status.
10. Physical acts of aggression or assault upon another, or damage to another's property that is motivated by the employee's protected status.
11. Demeaning jokes, taunting, slurs, and derogatory nicknames, innuendoes, or derogatory remarks relating to the employee's protected status.

Any oral, written, graphic, or physical conduct relating to an employee's protected class that has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile or offensive employment environment is strictly prohibited.

Acts of harassment/discrimination may be evident from the explicit statements of those involved or may be inferred from the surrounding circumstances.

IV. OBLIGATION TO REPORT AND COOPERATE

Employees shall immediately notify their supervisor or Human Resources regarding any known or alleged violations relating or similar to the types of harassment/discrimination prohibitions described in this regulation. As a condition of employment all employees, supervisors, and managers shall fully cooperate with investigations. This includes, but is not limited to:

A. Answering all questions completely and truthfully

B. Not withholding information or evidence

C. Not covering up or disposing of evidence

In addition to being obligated to fully cooperate with investigations, employees are prohibited from interfering with investigations in any way. This includes, but is not limited to, contacting (directly or through others) potential witnesses to seek information, influence their statements, or solicit support, and failing to fully disclose all information known about the incident or event. Interference also includes involving, or attempting to involve or influence, individuals who did not participate or witness the incident or are not otherwise involved in the investigation.

V. COMPLAINT PROCESS

When a harassment/discrimination complaint based on a protected class is received, the complainant will be asked to place their concerns in writing on the City's EEO Complaint Form (see Exhibit 1.03e). The supervisor or designee shall arrange for an investigation with the assistance of Human Resources.

In the case where the complainant's supervisor is the cause of the complaint, the complainant may file a complaint with Human Resources who will arrange for the investigation with the appropriate supervisor or department.

Upon completion of the investigation the complainant and the respondent will receive written notification of the investigation conclusion and finding. The notification shall not reveal what corrective action, if any, was administered to the other party.

The procedures available under this regulation do not preempt or supersede any legal procedures or remedies otherwise available to a victim of discrimination or harassment under state or federal law. Should a complaint be received by a department directly from a compliance agency, the complaint shall be forwarded to the Human Resources Department immediately.

A substantiated charge of harassment or discrimination against an employee of the City shall subject that employee to disciplinary action, up to and including termination.

VI. APPEAL PROCESS

If either the complainant or respondent disagrees with the investigation finding, either party may within five (5) work days of receiving the written notice of the investigation's conclusion and finding, file a formal appeal with Human Resources using the Equal Employment Opportunity Appeal Form (see Exhibit 1.03f).

Human Resources will review the information and provide a written response within ten (10) work days of receiving the completed Appeal Form. If the Human Resources Department issued the decision on the initial complaint, the appeal will be forwarded to the City Attorney's Office for determination. The final decision will be issued within ten (10) work days of receiving the appeal. The response from Human Resources, or if applicable, the City Attorney's Office, constitutes the final decision.

If either the complainant or the respondent is disciplined in accordance with the City's Corrective Action Policy and Regulation, the employee's appeal rights are outlined in the Corrective Action Regulation. In that situation, the employee is precluded from following the appeal rights outlined in this regulation.

Because this regulation includes its own appeal process, the City's Problem Solving Policy and Regulation does not apply to a complaint filed in accordance with the City's Equal Employment Opportunity Policy and Regulation, and related subject matter.

For the purpose of this regulation a "work day" shall mean any Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m., excluding City recognized holidays. For purposes of this regulation, the term "supervisor" also includes the supervisor's designee.

VII. CONFIDENTIALITY

All inquiries, complaints, and investigations are treated confidentially to the extent possible. Information is revealed on a need-to-know basis. However, the identities and statements of all the parties involved in an investigation may be revealed as a result of the investigatory or appeal process.

Employees who are interviewed as a part of an investigation are expected to keep the nature of the investigation confidential. This includes not sharing unauthorized information with others about the investigation or their interview.

VIII. ANTI-RETALIATION

The City of Boise strictly prohibits any form of retaliation against a person who has reported a concern in good faith, or has provided information in an investigation, hearing or other form of administrative review. Retaliation includes, but is not limited to, adverse employment actions, direct or indirect threats, teasing, taunting, negative or derogatory comments about or to the person, silent treatment, refusal to work with or avoiding the person. Retaliation also includes informing others about the complaint, portraying the claimant and/or witnesses in a negative light, or soliciting support for one side verses the other. All incidents of retaliation shall be reported to Human Resources immediately.

All employees, including supervisors and managers, who engage in retaliation or discriminating/harassing conduct are subject to disciplinary action, including possible termination of employment.

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Revised:	
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	20 U.S.C. § 1703
	29 U.S.C. § 794
	38 U.S.C. § 4211
	42 U.S.C. § 2000
	42 U.S.C. § 12101

SEXUAL [GENDER] HARASSMENT

I. INTRODUCTION

The City of Boise prohibits and does not tolerate sexual [gender] harassment. This includes harassment based on a person's gender or sexual orientation. Sexual harassment violates an individual's fundamental rights and personal dignity. The City considers sexual harassment in all its forms to be a serious offense.

This regulation applies to all City employees and volunteers.

II. SEXUAL HARASSMENT

Sexual harassment is unwanted sexual attention of a persistent or offensive nature made by a person who knows, or reasonably should know, that such attention is unwanted. Sexual harassment includes sexually oriented conduct that is sufficiently pervasive or severe to unreasonably interfere with an employee's job performance or create an intimidating, hostile, or offensive working environment. While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

A. promising, directly or indirectly, an employee a reward, if the employee complies with a sexually oriented request;
B. threatening, directly or indirectly, to retaliate against an employee, if the employee refuses to comply with a sexually oriented request;
C. denying, directly or indirectly, an employee an employment-related opportunity, if the employee refuses to comply with a sexually oriented request;
D. engaging in sexually suggestive physical contact or touching another employee in a way that is unwelcome;
E. displaying, storing, or transmitting pornographic or sexually oriented materials;
F. engaging in indecent exposure;
G. making sexual suggestive gestures to an employee
H. making sexual or romantic advances toward an employee and persisting despite the employee's rejection of the advances.

Sexual harassment can be physical and/or psychological in nature. An aggregation of a series of incidents can constitute sexual harassment even if one of the incidents considered on its own would not be harassing.

Employees are prohibited from harassing other employees, customers, and vendors whether or not the incidents of harassment occur on City premises and whether or not the incidents occur during working hours.

Sexual harassment can involve males or females being harassed by members of either sex. Although sexual harassment may involve a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority also can be held accountable for engaging in prohibited harassment. In a few cases, third parties, such as customers or suppliers, may be involved in or recipients of sexual harassment.

III. STOPPING SEXUAL HARASSMENT

Employees often can stop or prevent sexual harassment by immediately and directly expressing their disapproval to the individual about the sexually oriented attention or conduct.

In many cases, a supervisor's warning to an alleged harasser, combined with appropriate follow-up supervision and monitoring of the employee's behavior is sufficient to prevent or stop sexual harassment.

IV. EMPLOYEE AND SUPERVISOR RESPONSIBILITIES

If an employee believes he or she has been subject to sexual harassment or any unwanted sexual attention, he or she shall immediately report the issue to his or her supervisor, manager, or Human Resources and follow the complaint process outlined in the City's Equal Employment Opportunity Regulation.

All employees are required to immediately notify their supervisor and/or Human Resources regarding any known or alleged incidents of sexual harassment or inappropriate sexual conduct.

Supervisors shall deal expeditiously and fairly with allegations of sexual harassment within their departments whether or not there has been a written or formal complaint. Supervisors shall:

1. act promptly to investigate, in coordination with Human Resources, any claim of sexual harassment or inappropriate sexually oriented conduct;
2. ensure that any claim of harassment or inappropriate sexually oriented conduct is reported to Human Resources; and
3. take corrective action to prevent prohibited conduct from reoccurring.

Supervisors who knowingly allow or tolerate sexual harassment are in violation of this regulation and subject to discipline, up to and including dismissal.

Document Type:	Regulation
Number:	1.03c
Effective:	08-11-14
Revised:	
Legal Reference:	BMC Title 6, Chapter 2

GENDER IDENTITY/EXPRESSION ACCOMMODATIONS

I. INTRODUCTION

The City of Boise prohibits acts of workplace discrimination based on a person's gender identity/expression. The purpose of this regulation is to educate employees about gender identity and to set forth the expectations when an employee is transitioning.

II. GENDER IDENTITY AND TRANSGENDER DEFINED

Gender identity refers to a person's deeply felt psychological identification as male or female, which may or may not correspond to the person's designated sex at birth. For the purpose of this regulation, the term transgender refers to individuals who express their gender differently from what others expect – either in terms of expressing a gender that does not match the sex they were designated at birth, or physically changing their sex. The process of a transgender individual publicly changing his or her gender presentation in society is known as "transitioning." Individuals who are transitioning, usually change their name, clothing and appearance and may make anatomical changes.

III. EMPLOYEE RESPONSIBILITIES

The City of Boise believes transgender employees should be able to express their gender identity without fear of employment consequences providing all professional expectations are maintained. Prior to beginning the transitioning process, transitioning employees are expected to provide written notification to Human Resources regarding their intent to transition along with supporting documentation from their health care provider. Documentation should confirm that the employee will be transitioning and include a timetable for the transition process.

Transitioning employees should understand that their supervisor and co-workers may not comprehend their needs so they may have to educate them with the assistance from Human Resources. They should also understand and respect that some co-workers may prefer not to discuss the transition.

IV. DEPARTMENT RESPONSIBILITIES

If a supervisor is informed of an employee's intent or desire to transition or if an employee is currently in the transition process, supervisors are expected to be sensitive and open-minded and discuss the transitioning employee's needs and concerns related to the work place**.** The supervisor, department management, and Human Resources will provide assistance to the employee and the employee's work

group to provide a smooth and positive adjustment to the employee's gender identity change. This can be done by developing communication regarding the transition process, maintaining a discrimination free workplace, and providing training or consultation as necessary.

V. DRESS AND NAME CHANGE

During the early stages of transition few, if any, accommodations are typically needed. However, as the transition progresses, an employee may choose to adopt the dress and identity of the new gender role. Transitioning employees are required to comply with the same standards of dress and appearance that apply to other employees.

The employee might also choose to adopt a new name that conforms to the target gender. Identification documents, such as the employee's City badge, will be allowed to conform to the employee's new name and changing gender upon receipt of official documentation that the employee is undergoing transition. However, because most personnel and payroll documents are determined by an employee's name on record with the Social Security Administration (SSA) those records will not be changed until the employee's name is legally changed with the SSA.

VI. RESTROOM, LOCKER ROOM USE

The City of Boise recognizes that restroom, locker room, and shower access for transitioning or transitioned employees is a sensitive issue. However, the City of Boise believes that transitioning or transitioned employees should have the same level of access to these facilities as non-transgendered individuals.

During transition, the transitioning employee as well other employees may use a single-occupant restroom [male and female], when available. When only multiple-occupant male-only or female-only restroom and locker room facilities are available, the transitioning or transitioned employee should use the facility appropriate for the current gender presentation. When possible, privacy stalls with locks will be installed in these facilities to protect the desired privacy of all employees.

Ultimately the appropriate facility to be used by a transitioning employee will depend, in part, on the work location and available facilities, and will be assessed for each individual. The City will make the final determination after having considered all available information.

VII. COMPLAINT PROCESS

An employee who believes he or she has been discriminated against or harassed because of his or her gender identity is asked to follow the complaint process outlined in the City's Equal Employment Opportunity Regulation 1.03a.

Document Type:	Regulation
Number:	1.03d
Effective:	05-01-06
Revised:	09-05-08
	08-03-10
	08-11-14
Legal References:	29 U.S.C. § 791,
	42 U.S.C. § 12101

ADA ACCOMMODATIONS AND FITNESS FOR WORK EXAMINATIONS

I. INTRODUCTION

In all hiring and employment practices, the City strictly prohibits discrimination against qualified individuals with disabilities. The City follows this regulation and applicable laws when making reasonable accommodations for qualified individuals with a disability and when conducting fitness for work evaluations.

This regulation applies to all employees.

II. DEFINITIONS

Individuals may have a “disability” and may be protected under ADA if they:

A. Have a physical or mental impairment that substantially limits one or more of their major life activities;
B. Have a record of such impairment; or
C. Are regarded as having such an impairment

“A qualified person with a disability” means an individual with a disability who, with or without a reasonable accommodation, can perform the essential functions of the position that the individual holds or has applied for.

“Reasonable accommodations” are modifications to an applicants' or employees' work environment that allow them to perform the essential functions of the job they seek or hold, unless the accommodations create undue hardship for the City.

III. INTERACTIVE PROCESS

Once an applicant or employee divulges he or she has a disability, or the City has a reasonable belief that the employee has a medical condition that is affecting his or her ability to perform the essential functions of his or her job, the supervisor shall contact Human Resources to initiate an interactive process with the employee. The purpose of the interactive process is to determine what, if any, job-related functional limitations the condition poses and what reasonable accommodations, if any, are available to assist the employee or applicant.

As a part of the interactive process it may be necessary for Human Resources to seek the assistance of the individual's health care provider. Department supervisors shall not communicate directly with an individual's health care provider.

IV. REASONABLE ACCOMMODATION

For every regular position in each department, the Department Director or designee in coordination with Human Resources shall identify and document the essential functions of each position. As previously stated a qualified person with a disability is a person with a disability who, with or without a reasonable accommodation, can perform the essential functions of the position that the individual holds or has applied for.

Reasonable accommodations can include, but are not limited to, altering equipment or facilities, or providing a temporary short term leave of absence. Examples of some of the factors to be considered in determining whether a proposed accommodation creates an undue hardship are: (1) the nature and cost of the accommodation; and (2) the overall financial resources of the City. Other factors also can have a bearing on whether an accommodation would create an undue hardship.

Please note, eliminating an essential job function is not considered a reasonable accommodation.

V. FITNESS FOR WORK EXAMINATIONS

In certain situations, the City may require current employees to undergo a medical examination or provide medical information when it is job-related and consistent with business necessity. The need for the examination or information may be triggered by evidence of problems related to job performance or safety, the examination or information may be necessary to determine whether individuals are fit for duty, or the examination or information may be necessary when an employee requests a reasonable accommodation. A failure to satisfactorily complete a required physical or psychological examination or provide medical information may be considered insubordination.

The City will pay the cost, not covered by health insurance, of fitness for work examinations required of employees. All examinations or requests for information shall be requested and approved by the Human Resource Department. All examination results are reported to the Human Resources Department and those employees with a need to know this information.

VI. CONFIDENTIALITY

All employees who are required to undergo an examination or provide medical information are requested to sign a form consenting to the release to the City of relevant medical information pertaining to the situation.

The City takes all necessary steps to safeguard the confidentiality of all medical information. Any and all records containing medical information about an applicant or current or former employee are maintained by the Human Resources Department separate and apart from the organization's general personnel files. Access to medical information in these separate files is granted by Human Resources only to

individuals with a valid or documented need to know. In such cases, the Human Resources Department grants access to only as much information as is needed to satisfy the individual's specific need for information from the medical information file.

Confidentiality is an essential principle involving this policy and regulation. Any employee improperly disclosing information to unauthorized personnel will be subject to disciplinary action up to and including termination.

VII. SAFETY ISSUES

All employees shall comply with safety rules at all times. Employees and job applicants shall not work in positions where, with or without a reasonable accommodation, they would create a direct threat to the safety or health of themselves or others. The determination that an individual poses a direct safety or health threat shall be confirmed by an opinion in writing from a physician or other appropriate professional. Department supervisors shall not communicate directly with an individual's health care provider. Departments shall work through Human Resources if they suspect an employee poses a direct threat.

VIII. COMPLAINT PROCESS

Any employee who believes that he or she has been discriminated against or harassed on the basis of a disability or any applicable law relating to accommodating a person with a disability is asked to follow the complaint process outlined in the City's Equal Employment Opportunity Regulation 1.03a. Any applicant who believes he or she has been discriminated against or harassed on the basis of a disability should contact the City's ADA/Section 504 Coordinator, who can be contacted at 384-3850 (Voice) or TTY (800) 377-3529.

Document Type:	Exhibit
Number:	1.03e
Effective:	07-13-09
Revised:	01-04-12
Legal Reference:	I.C. § 67-5901
	20 U.S.C. § 1703
	29 U.S.C. § 794
	38 U.S.C. § 4211
	42 U.S.C. § 2000
	42 U.S.C. § 12101

EQUAL EMPLOYMENT OPPORTUNITY

Complaint Form

Directions: To be completed by the complaining employee ("complainant").

Name of Complainant:_____

Name of Alleged Harasser(s):_____

Do you think you have been harassed and/or discriminated against based on your race, color, religion, gender, age, national origin, genetic information, sexual orientation, gender identity/expression, disability, or veteran status?

_____

Describe in detail any actions or events related to your complaint of harassment and/or discrimination. Include answers to the following questions: who was involved, who witnessed the event(s), where did the action take place, when did the action take place, what was said or done, by whom, and how and/or when has this happened before?

_____

_____

_____

_____

_____

_____

_____

_____

_____

How has this action or event affected you?

List any additional information that might be helpful in investigating this matter.

How would you like to have this complaint resolved?

Complainant's Signature: _____

Date Complaint Submitted: _____

Document Type:	Exhibit
Number:	1.03f
Effective:	07-13-09
Revised:	08-01-14
Legal Reference:	I.C. § 67-5901
	20 U.S.C. § 1703
	29 U.S.C. § 794
	38 U.S.C. § 4211
	42 U.S.C. § 2000
	42 U.S.C. § 12101

EQUAL EMPLOYMENT OPPORTUNITY

Appeal Form

Directions: If the complainant or respondent is dissatisfied with the resolution of the discrimination/harassment matter, the employee may within five (5) work days of receiving the resolution letter, file a formal appeal with Human Resources using this form. Please see the Equal Employment Regulation for a full description of the appeal process. The formal appeal shall include a copy of the original complaint and resolution. Attach additional sheets as necessary.

Employee Name _____ Position _____

Work Location _____ Employee Representative _____
(If applicable)

Immediate Supervisor _____

Date of original complaint _____ Date resolution received _____

Brief summary of original complaint and resolution _____

_____

_____

_____

Statement of why the employee disagrees with the resolution _____

_____

_____

_____

Explain how the alleged harassment and/or discrimination is or is not based on the employee's race, color, religion, gender, age, national origin, sexual orientation, gender identity, disability, or veteran status.

Remedy Sought_____

Employee Signature_____Date_____

Document Type:	Policy
Number:	1.04
Effective:	05-01-06
Revised:	08-27-20
Legal References:	B.M.C. 1-08

CODE OF ETHICS AND FIDUCIARY DUTY

The proper operation of a democratic government requires that public officials and employees be independent, impartial and responsible to the people; that government decisions and policy be made in the best interest of all; that public office not be used for personal benefit or gain; and that the public have confidence in the integrity of its government. To help ensure that these standards are met, the city of Boise created a Code of Ethics.

The city's Code of Ethics are rules of conduct for City officials, officers and employees. The Code of Ethics is codified at Title 1, Chapter 8 of Boise City Code. The city also adopted the Ethics Handbook, which is a tool for city officials, officers and employees to consult when they have questions, concerns or complaints related to ethics. Violations of the city's Code of Ethics are misdemeanors and can carry criminal penalties. Any violation of the Code of Ethics may lead to disciplinary action, up to and including termination.

Document Type: Regulation
Number: 1.04c
Effective: 06-10-13
Revised: 06-30-14
Legal Reference:

BUSINESS MEALS REGULATION

I. INTRODUCTION

The City will pay for reasonable and necessary meals serving a legitimate business purpose of the City. This regulation provides guidance for employees and addresses different business meal scenarios. Employees are expected to be fiscally prudent when expending City funds spent for this purpose.

For the purpose of this regulation all recipients of meals are treated as employees.

Meals an employee eats while out of town on City business are governed by the Travel policy and related regulation.

II. ALLOWED BUSINESS MEALS

A. Meals provided by the City for its convenience to its employees. These meals must:

1. Be provided at the convenience of the City, meaning during working hours where the employee(s) cannot obtain a meal otherwise.
2. Be on the City's business premises.

B. Trade or Professional Association Meetings: Meal expenses directly related to and necessary for attending business meetings or conventions of certain exempt organizations are allowed. These organizations include chambers of commerce, business leagues and trade or professional associations.

C. Meals reimbursed/provided by the City where the main purpose is to conduct business and there is a clear business reason for incurring the expense. Meals can also be reimbursed/provided by the City directly before or after a business discussion or meeting.

D. De Minimis Meals: Meals are allowed where they are provided to City employees for occasional parties or picnics for employees and their guests or for authorized department reward or recognition events. Meals can also be provided to employees on an occasional basis to allow for the extension of an employee's work day.

III. DISALLOWED

Alcohol is specifically disallowed for payment or reimbursement with City funds.

Meals shall not be purchased in lieu of normal compensation.

Except as allowed in section II A through D, meals with other City colleagues in local restaurants are generally not reimbursable. Local meals with colleagues should be

considered a personal expense unless the business being conducted is such that it cannot be done on the City's premise.

IV. DOCUMENTATION AND PAYMENT PROCESS

Payment can be made with a p-card, petty cash reimbursement, or through accounts payable. A completed *Business Expense Form* must be completed and a detailed receipt must be attached.

A. If payment is made through petty cash reimbursement or through accounts payable, the Business Expense Form and detailed receipt must be attached and submitted to Central Accounting with the payment request.

B. If payment is made by p-card, the Business Expense Form must be attached to the detailed p-card receipts and kept within the department in accordance with the Purchasing Card Uses and Parameters Regulation.

C. Payment requests must be submitted within 45 days to be eligible for reimbursement.

V. EXCEPTIONS

Meals or snacks provided to employees as part of a program for which the City is paid by the consumer are not considered business or group meals.

Federal Tax Source Citations:

IRS Regulation 119-1 Meals or lodging furnished for the convenience of the employer
IRS Regulation Section 1.132-6 Certain Fringe Benefits
IRS Regulation Section 1.274-2(d)(3) Disallowance of certain entertainment expenses

Document Type:	Policy
Number:	1.05
Effective:	05-01-06
Revised:	08-21-20
Legal References:	I.C. §§ 6-2101 6-2109

WHISTLE BLOWER PROTECTION

Employees are encouraged to report in good faith any waste of public funds, property or resources, any unsafe acts, or any violation of law, city policies or regulations. When possible, such reports should be at a time and in a manner that gives the city a reasonable opportunity to correct the waste or violation.

Employees may report such violations to a supervisor, manager, senior manager, department director, human resources, legal, the mayor office, city council, or the ethics commission. The report may be verbal or in writing and shall include enough specific information (e.g. names of the accused, dates, times, locations, names of witnesses, etc.) to allow for an effective investigation. The city strictly prohibits any adverse action or retaliation against an employee who makes a report in good faith. Reports will be investigated as expeditiously as possible.

Employees are expected to fully cooperate with investigations. This policy prohibits any adverse action against an employee for participating or giving information in an investigation, hearing, court proceeding, legislative or other inquiry, or other form of administrative review. Employees who engage in adverse actions or retaliation are subject to disciplinary action, up to and including termination of employment, and may be subject to civil fines pursuant to applicable law.

Employees are prohibited from making reports when the employee knew or reasonably should have known the report was malicious, false or frivolous.

Document Type:	Regulation
Number:	1.05a
Effective:	
Legal References:	41 U.S.C. §4712

WHISTLE BLOWER PROTECTION – FEDERAL CONTRACT, SUBCONTRACT OR GRANT PROTECTIONS

Any employees working on or under a federal contract, subcontract or grant may be afforded the protections set forth in 41 U.S.C. § 4712, Pilot Program for Enhancement of Contractor Protection from Reprisal for Disclosure of Certain Information. An employee may not be discharged, demoted or otherwise discriminated against as a reprisal for disclosing to those persons listed below information that the employee reasonable believes is evidence of gross mismanagement of a Federal contract or grant, a gross waste of Federal funds, an abuse of authority relating to a Federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule or regulation related to a Federal contract.

Employees may make such complaints to:

A. A Member of Congress or a representative of a committee of Congress;

B. An Inspector General;

C. The Government Accountability Office;

D. The Federal employee responsible for contract or grant oversight or management at the relevant agency;

E. An authorized official of the Department of Justice or other law enforcement agency;

F. A court or grand jury;

G. A management official or other employee of the contractor, subcontractor, or grantee who has the responsibility to investigate, discover, or address misconduct.

The person receiving the complaint may submit the complaint to the Inspector General of the executive agency involved for investigation and resolution.

Document Type: Policy
Number: 1.06
Effective: 11-09-10
Revised: 07-07-15
Legal References: BCC § 2-22

OFFICE OF POLICE OVERSIGHT

The Office of Police Oversight was established to investigate complaints of misconduct against Boise City police officers and police personnel. The Office of Police Oversight is independent from all other City departments and reports directly to the Mayor. In addition to investigating misconduct, the Office of Police Oversight seeks to ensure that police policies and practices reflect the needs of the community.

The Office of Police Oversight strives to be a high-functioning team of skilled investigators and police policy experts working collaboratively to make Boise the most livable city in the country by seeking the truth, advocating for accountability, and promoting public confidence through positive change to police practices.

The Office of Police Oversight is authorized and empowered by Title 2, Chapter 22 of the Boise City Code. The actions of the Director and all employees of the Office are governed by the policies of the City of Boise.

Title 1, Chapter 21 of the Boise City Code, establishes a Code of Ethics for all City employees, departments, boards and commissions. The Office of Police Oversight is fully bound by the relevant provisions of the City's Code of Ethics and adheres to the ethical code of the National Association for Civilian Oversight of Law Enforcement (NACOLE).

Document Type:	Regulation
Number:	1.06a
Effective:	11-09-10
Revised:	07-07-15
	12-15-21
Legal References:	BCC § 2-22

OFFICE OF POLICE ACCOUNTABILITY

I. INTRODUCTION

The City of Boise City Council established the Office of Police Accountability. Civilian Accountability of law enforcement is a critical facet of any effort to strengthen the relationship between police and the community and build public trust while promoting effective policing. Oversight agencies help increase the public's understanding of law enforcement policies, procedures, and operations. The City is committed to civilian police oversight that is proactive, empowered, independent, transparent, and community driven. The Office of Police Accountability investigates complaints against Boise Police Department police officers and police personnel, audits internal affairs investigations, and makes informed policy recommendations related to policing issues of significant public interest.

The Office of Police Accountability is authorized and empowered by Title 2, Chapter 10 of the Boise City Code. The actions of the Director and all employees of the Office of Police Accountability are governed by the policies of the City of Boise. The purpose of this regulation is to describe the processes related to the operations of the Office of Police Accountability.

II. DEFINITIONS

For this regulation, the following definitions apply:

A. "Appeal" shall be defined as an expression of disagreement with any finding or outcome arising from an investigation into a complaint, allegation, or inquiry filed previously with the Boise City Police Department.

B. "Business day" shall be defined as the days between and including Monday to Friday, excluding Saturday, Sunday, and any day declared an official holiday by the City of Boise.

C. "Case report" shall be defined as the report generated by the Office of Police Accountability upon review stating whether or not the Director finds that the investigation conducted was complete, thorough, objective, and fair.

D. "Commendation" shall be defined as the expression of praise, gratitude, or other similar sentiment concerning a specific act or series of actions by one or more police

officers and/or police employees.

E. "Complaint" shall be defined as an allegation that, if found to be true, would be a violation of federal, state, or local law, BPD Policy, or Boise City Policy.

F. "Confidential information" shall be defined as any and all information obtained by, provided to, and/or stored by the Office of Police Accountability, regardless of the form in which it is obtained and/or stored, that is protected or restricted from disclosure by virtue of Federal law, State statute, City code, City policy, or court order.

G. Critical incident" shall be defined to include the following events or incidents in which police officers or police employees are involved as a principal, victim, witness, or custodial employee:

1. Use of deadly force (excluding animals).
2. The use of deadly force where only minor bodily injuries occur.
3. Use of force or any other police or law enforcement action that results in the death of one or more persons or serious bodily injury requiring hospital admission.
4. Vehicle pursuits, roadblocks, or intercepts resulting in the death of one or more persons or serious bodily injury requiring hospital admission.
5. Vehicular collisions resulting in the death of one or more persons or serious bodily injury requiring hospital admission that occurred while a police officer or police employee was operating a city vehicle (either on-duty or off-duty) or a private vehicle while on-duty.

H. "Director's Investigation" shall mean an investigation retained by the Office of Police Accountability for a complete investigation.

I. "Disclosure" shall mean any communication or transmission of information, regardless of the form in which the communication or transmission takes place; forms of communication or transmission include, but are not limited to: oral, written, electronic, encoded, internet, email, text message, wireless, telephonic, recorded, audio recording, or video recording.

J. "Inquiry" shall be defined as an allegation not rising to the level of a complaint.

K. "Intake" shall be defined as a preliminary investigation to determine whether the allegation is a complaint or inquiry.

L. "May" indicates that the specified action is permitted, depending upon sound judgment.

M. "Mediated inquiry" shall be defined as an inquiry that the Director has designated as being appropriate for resolution by means of mediation.

N. "Police officer or police employee" shall be defined as Boise Police Department police officers (regardless of rank), employees (whether full-time or part-time), and volunteers.

O. "Shall" indicates that the specified action is mandatory or required.

P. "Will" indicates that the specified action is to be taken as conditions permit.

Q. "Written Notice" and "Notice in Writing" shall include, but not be limited to: paper, facsimile transmission, email, as well as any and all other forms of electronic-communication.

III. FILING COMPLAINTS, INQUIRIES, APPEALS, AND COMMENDATIONS

Any person may file a complaint, inquiry, or commendation with the Office of Police Accountability concerning the operations, actions, or omissions of the Boise Police Department and any Boise City police officer or police employee.

The Director may, on their initiative, open a complaint investigation, inquiry and/or commendation concerning the operations, actions, or omissions of the Boise Police Department and any Boise City police officer and police employee, provided the Director has knowledge of evidence sufficient to form a reasonable basis for the complaint, inquiry, or commendation.

Complaints previously filed with the Boise Police Department will not be accepted, except on appeal as specified below.

Only the person or persons who initially filed a complaint or allegation with the Boise City Police Department shall have the standing to file an appeal with the Office of the Police Accountability.

A. How to File

Complaints, appeals, inquiries, and commendations may be filed by any means, including, but not limited to the following: in person, in writing, by telephone, by facsimile, by email, or by other electronic means.

B. False Complaints

When the Director determines that the evidence available from the investigation of a complaint or appeal provides probable cause to believe that one or more persons knowingly provided false information concerning a charge or complaint to the Office of Police Accountability in violation of either Idaho Code § 18-5413 or Boise City Code § 6-01-13, the Director may request a review of the evidence by the Boise City Attorney.

C. Additional Allegations Not Made by the Complainant

When, in the course of an investigation, evidence of a serious violation of policy or procedure not previously included in the allegations listed in a complaint, inquiry, or appeal is discovered, the Director may, at his or her discretion, file a new complaint detailing the possible violation as an allegation, or refer the matter to the Boise Police Department for disposition.

D. Timeliness Requirements for Filing

Complaints and Inquiries filed more than 90 calendar days after the incident giving rise to the complaint or inquiry will not be accepted by the Office of Police

Accountability, except under one or more of the following conditions:

1. The complaint or inquiry contains an allegation that, if proven to be true, would be either a criminal act or a serious violation of policy;
2. The complainant provides evidence of involuntary incapacitation or other circumstances that would reasonably have prevented the filing of the complaint or inquiry during the 90 calendar days following the incident;
3. The Director is the complainant and his or her knowledge of the alleged violation is based on evidence discovered during the investigation of a different allegation. In such cases, the Director shall have ten (10) business days from the date of discovery of the alleged violation in which to file a complaint.

Upon receipt of a notice of final determination from Boise Police Department – Office of Internal Affairs, any person may, within ten business days of the date of the notice, file an appeal with Office of Police Accountability.

IV. COOPERATION AND TRUTHFULNESS REQUIRED OF CITY EMPLOYEES

A. Cooperation Required

Boise City Code § 2-22-07(A) requires all City employees "as a condition of their employment" to cooperate "fully and truthfully" with an Office of Police Accountability investigation. Before conducting any investigative interviews of City employees, the Director shall give the employee a Memorandum of Administrative Privileges that informs the employee of their obligation to wholly and truthfully answer all questions asked by the investigator as a condition of employment.

City employees compelled to answer questions by the Director related to their employment have the protections set forth in *Garrity v. New Jersey*, 385 U.S. 493 (1967). This protection provides that compelled statements related to an officer or employee's job and job duties have immunity in any subsequent criminal prosecution of the statement maker.

B. Failure to Cooperate and False Statements by Employees

If the Director determines that the preponderance of the evidence available from the investigation of a complaint, inquiry, or appeal proves that, in violation of Boise City Code § 2-22-07(A), a City employee has either knowingly provided false information to, or failed to cooperate fully with, the Office of Police Accountability, the Director will contact the Chief of Police or appropriate department director and request that the employee be notified of his or her obligation to comply with the provisions of Boise City Code § 2-22-07(A).

If, after being so notified by the Chief of Police or appropriate department director of the obligation to cooperate, a City employee refuses or fails to cooperate fully and truthfully with an investigation being conducted by the Office of Police Accountability, the Director will file with the Chief of Police or appropriate

department director a formal complaint of misconduct against that employee.

V. ACCESS TO CITY RECORDS

Boise City Code provides the Office of Police Accountability with, "full, unrestricted and complete access to any and all information, files, evidence or other material which the Director shall deem necessary in the performance of the duties specified and responsibilities set forth in this chapter." § 2-22-06(B). As a result, all City employees, volunteers, contractors, and those persons operating on behalf of the City shall fully and without delay comply with all such requests made by the Director or his or her designee.

VI. INVESTIGATION OF INQUIRIES AND COMPLAINTS

Following receipt of an allegation or concern, the Office of Police Accountability may conduct an intake to review readily available City records, along with information provided by the complainant, to classify the matter as a complaint or an inquiry properly, and to determine the most appropriate means to investigate or resolve the matter.

A. Inquires

If the Director determines that the allegation does not rise to the level of a complaint and therefore constitutes an inquiry, the Director has the discretion to resolve the matter.

At their discretion, the Director may choose to resolve an inquiry by means of mediation. Mediated inquiries will be resolved in a timely manner. Mediation shall require the voluntary participation of the person who filed the inquiry. At least one representative from the Boise Police Department shall participate in the mediation. The goals of mediation are improved communication, mutual understanding, reduction of conflict, and, if necessary and possible, a mutually satisfactory resolution of a dispute.

B. Complaints

If the Director determines that the allegation rises to the level of a complaint, the Director will forward the complaint to the Boise Police Department's Office of Internal Affairs for investigation. Once a finding is made by the Department, the finding will be immediately communicated to the Office of Police Accountability. The Office of Police Accountability will notify the complainant of the finding.

C. Appeals

A complainant may file an appeal of the Office of Internal Affairs' investigation regardless of whether the complainant initially filed the complaint with the Office of Internal Affairs or with the Office of Police Accountability. A complainant has ten (10) days from the date of the notice of the finding to file an appeal with the Office of Police Accountability. The complaint may request an appeal in person, in writing, by telephone, facsimile, email, or other electronic means. Upon receipt of an appeal, the Office of Police Accountability will conduct a review to determine whether the investigation conducted by the Office of Internal Affairs was complete, thorough,

objective, and fair. The Office of Police Accountability may, if necessary, conduct additional investigation.

D. Director's Investigation by the Office of Police Accountability

To ensure consistency, all complaints received by the Office of Police Accountability will be forwarded to the Office of Internal Affairs for investigation. However, the Director may, in their discretion, determine that the facts of a particular complaint warrant retention of the complaint by the Office of Police Accountability to conduct a Director's Investigation rather than forwarding the complaint to the Office of Internal Affairs. In these cases, the Director will provide notice to the Office of Internal Affairs as soon as practicable that the Office of Police Accountability is conducting a Director's Investigation.

E. EEOC or Title VI

Allegations of a violation of the City's Equal Employment Opportunity or Title VI policy and regulation will be forwarded to the Department of Human Resources for processing and resolution.

F. Alleged Criminal Acts by Police Officers and Police Employees

If in the course of any investigation, the Director determines that there is a reasonable basis to believe that a City employee may have committed a criminal act, whether or not the alleged criminal act was included as an allegation that triggered the investigation, the Director shall consult with assigned legal counsel and determine whether the matter should be referred to the appropriate prosecuting attorney for consideration of criminal charges or criminal investigation.

When the Director refers an investigation to a prosecuting attorney for consideration of criminal charges, the Director shall suspend the investigation until such time as the Office of Police Accountability is notified of a charging decision by the prosecuting attorney. During the time in which an investigation is suspended, police officers and police employees shall not be interviewed by the Office of Police Accountability in connection with that specific complaint investigation.

When the Director refers an investigation to a prosecuting attorney for consideration of criminal charges, any timeliness requirements specified for the investigation of complaints and appeals shall be tolled until such time as the Office of Police Accountability is notified of a charging decision by the prosecuting attorney.

G. Investigations

Reasonable efforts will be made to locate and interview persons thought to have information material to the investigation.

All investigative interviews shall be audio recorded, including intake interviews and those conducted over the telephone. Notice of the recording will be given at the beginning of each interview.

Reasonable efforts will be made to conduct interviews at a time and place convenient for the person being interviewed, provided that such accommodation does not interfere with the timeliness, confidentiality, or integrity of the investigation. Unless the

payment of overtime has been authorized by the appropriate department head, interviews of police officers and police employee will occur during the employee's regularly scheduled work hours.

H. Timeliness of Completion

Investigations will be completed in a timely manner. Specific timeliness targets shall be set by the Director in consultation with the Mayor. Actual performance relative to the specified timeliness targets shall be included in the Mayor's annual performance evaluation of the Director.

I. Representation During Investigative Interviews

Persons being interviewed, including but not limited to police officers and police employees, will be permitted to have a representative or attorney of their choice with them during any interview, provided that the representative or attorney does not interfere with or unreasonably delay the interview. Persons believed to have been involved in or a witness to the incident giving rise to the complaint or appeal may not act as a representative for another person involved in the incident during an investigative interview.

J. Standard of Proof for Complaints and Appeals

Findings of fact and policy conclusions shall be based on the preponderance of the evidence available through the investigation.

K. Required Notices for Complaints and Appeals

The following notices shall be given to any person who files a complaint or appeals with the Office of Police Accountability:

i. Notification (orally, by phone, electronically, or in writing) at the time of intake that knowingly providing false information to the Office of Police Accountability is a violation of law and may result in a misdemeanor criminal charge.
ii. Notification (orally, by phone, electronically, or in writing) of the acceptance of the complaint or appeal.
iii. Contact (orally, by phone, electronically, or in writing) by the assigned investigator at least every thirty (30) calendar days for as long as a complaint or appeal remains under investigation to inform the person of the status of the complaint or appeal.
iv. Notification in writing as to any finding or other outcome.

L. Closing of Complaints and Appeals

Complaints and appeals will be considered to be closed on the day that the Office of Police Accountability transmits the Case Report of that complaint or appeal to the Chief

of Police.

VII. INVESTIGATION OF CRITICAL INCIDENTS

A. Investigation

If a BPD officer or employee is involved in a critical incident as a principal, victim, witness, or custodial officer, BPD shall immediately notify the Office of Police Accountability. The Director may provide on-scene monitoring of critical incidents and may act as a real-time observer to any criminal, administrative, or civil investigation conducted by or on behalf of BPD (e.g., the Critical Incident Task Force). The Director shall be given full access to observe interviews or any other aspects of the investigation. If the Director believes additional investigation is necessary, the Director may conduct additional investigation or employ an outside investigator who will perform investigatory functions at the discretion of the Director.

The Office of Police Accountability will not interview or question any police officers or police employees known to have witnessed or been directly involved in the critical incident until the completion of any criminal investigation into the critical incident.

The Director may, in the interest of justice, suspend a critical incident investigation until the adjudication of any criminal prosecution arising from the critical incident. During the period of suspension, the timeliness requirements specified above for critical incident investigations will be tolled.

All critical incident investigative interviews shall be audio recorded, including those conducted over the telephone. Notice of such recording will be given at the beginning of each interview.

Reasonable efforts will be made to conduct interviews at a time and place convenient for the person being interviewed, provided that such accommodation does not interfere with the timeliness, confidentiality or integrity of the investigation. Unless otherwise authorized by the Chief of Police, interviews of police officers and police employees will take place during the employee's regularly scheduled work hours.

B. Timeliness of Completion

Critical incident investigations will be completed in a timely manner. Specific timeliness targets shall be set by the Director in consultation with the Mayor. Actual performance relative to the specified timeliness targets shall be included in the Mayor's annual performance evaluation of the Director.

C. Representation During Investigative Interviews

Persons being interviewed, including but not limited to police officers and police employees, may have a representative or attorney of their choice with them during any interview, provided that the representative or attorney does not interfere with or delay the interview. Persons believed to have been involved in or a witness to the incident giving rise to the critical incident may not act as a representative for another

person during an investigative interview.

D. Alleged Criminal Acts by Police Officers and Police Employees

If, in the course of investigating a critical incident, the Director discovers evidence not previously reported in a criminal investigation and, as a result, determines that there is a reasonable basis to believe that a City employee may have committed a criminal act, the Director shall consult with assigned legal counsel and determine whether or not the matter should be referred to the appropriate prosecuting attorney for consideration of criminal charges or criminal investigation.

When the Director refers a critical incident to a prosecuting attorney for consideration of criminal charges, the Director shall suspend the investigation of the critical incident until such time as the Office of Police Accountability is notified of a charging decision by the prosecuting attorney. During the time in which a critical incident investigation is suspended, police officers and police employees shall not be interviewed by the Office of Police Accountability.

When the Director refers a critical incident to a prosecuting attorney for consideration of criminal charges, any timeliness requirements specified for the investigation of critical incidents shall be tolled until the Office of Police Accountability is notified of a charging decision by the prosecuting attorney.

E. Required Notice

A written notice of investigation shall be sent by the Office of Police Accountability within five (5) business days from the date of the incident or the day on which the identity is known of the involved police officers or police employees, whichever is later. Based on what is known at that time, this notice will include enough information about the incident and the specific act(s) or omission(s) under review so that the police officers or police employees can adequately prepare for any subsequent interview or requests for information from the Office of Police Accountability.

Notice of scheduled interviews shall be provided (written or electronic) as far in advance of the interview as is reasonably possible. A final case report shall be sent to the Chief of Police.

VIII. COMMENDATIONS

Within five (5) business days of receiving a commendation, the Office of Police Accountability shall send a written summary of the commendation to those police officers and police employees identified by the person filing the commendation. A copy of the written summary of commendation shall be sent to the Chief of Police.

IX. AUDIT OF INTERNAL INVESTIGATIONS

The Office of Police Accountability shall regularly audit the internal investigations conducted by the Boise Police Department. The purpose of these audits will be to

determine if the internal investigations are complete, thorough, objective, and fair.

X. POLICY, PROCEDURE, AND TRAINING RECOMMENDATIONS

The Office of Police Accountability shall develop specific recommendations as to the policies, procedures, practices, and training of police officers and police employees. These recommendations may arise from the investigation of complaints, inquiries, appeals, or critical incidents by the Office of Police Accountability. The Director may also develop such recommendations at the request of the Mayor, City Council, or Chief of Police.

Only the Director has the authority, on behalf of the Office of Police Accountability, to make recommendations concerning police or law enforcement policy, procedure, or training.

The Office of Police Accountability will provide the Chief of Police with an advance copy of any policy, procedure, or training recommendation at least five (5) business days before any public release of such recommendations.

The Office of Police Accountability will give the Chief of Police the opportunity, during the five (5) business day review period, to provide a written response to any policy, procedure, or training recommendation for inclusion with the Director's public release of any such recommendation.

XI. CONFIDENTIAL INFORMATION

The Director and all members of the Office of Police Accountability staff (employees, contractors, and volunteers) shall obey all local, state, and federal laws regarding confidentiality, and shall make every reasonable effort to safeguard the privacy interests of others and the confidentiality of information provided to the Office of Police Accountability (BCC § 2-10-10 Confidentiality of Records and Information).

The Office of Police Accountability will only release confidential information, materials, and reports related to complaints, appeals, inquiries, and critical incidents to the following persons or under the following circumstances:

1. the Chief of Police,
2. the Mayor of Boise,
3. the Boise City Council sitting in executive session,
4. upon receipt of a valid order from a court with jurisdiction,
5. when there is a credible threat of imminent bodily harm to one or more persons, and it is reasonable to conclude that disclosure is the only reasonable way to prevent such harm from occurring, or
6. in cases of suspected or reported child abuse as required under Idaho State statute,
7. as otherwise required by law, or
8. with the express, written permission of the person who provided the confidential information.

Upon receipt of a subpoena ordering the Director or any person acting under the authority of the Director, to give testimony and/or to produce any record or other item in the custody of the Director, the Director will consult with assigned legal counsel.

Reasonable efforts will be made to protect the confidentiality of privileged or otherwise protected information while still complying with the requirements of the subpoena.

XII. RELEASE OF INFORMATION TO THE PUBLIC

Only the Director has the authority, on behalf of the Office of Police Accountability, to release information to the public concerning a specific complaint, appeal, inquiry, commendation, critical incident, audit of internal investigation, or recommendation.

A. Semi-annual Report of Operations

The Director shall file semi-annual reports of operations with the City Clerk for transmittal to the Mayor and City Council.

B. Summary Reports of Investigation

The Office of Police Accountability may release to the public a summary report for any complaint, appeal, audit, or critical incident investigated by the Office of Police Accountability. Summary reports will include a description of the incident under investigation, the allegations made or actions under review, the steps taken in the course of the investigation, the findings of fact resulting from the investigation, the conclusions of policy issued by the Director and an explanation of the rationale behind them, and any recommendations for change to policy, procedure or training made by the Director.

Summary reports of complaint, appeal, or critical incident investigations shall not include specific privileged or confidential information, nor shall such reports contain the names of any person, other than those of the Director and the employees of the Office of Police Accountability. Reasonable efforts will be made to exclude from public reports any information that would lead to the identification of individuals anonymously referred to in such reports by those without independent knowledge about the incident or the people involved. Prior release of names or other identifying information by third parties shall not foreclose or otherwise restrict the ability of the Office of Police Accountability to release to the public a summary report of a complaint, appeal, or critical incident.

C. Police Department Opportunity to Review a Public Report & Provide Written Response

For complaints and appeals in which no recommendations for change to policy, procedure, or training are made by the Director, the Office of Police Accountability shall provide the Chief of Police with a copy of a public summary report of a complaint or appeal investigation at least 48 hours before it is released to the public.

When recommendations for change to policy, procedure, or training are made by the Director, the Office of Police Accountability shall provide the Chief of Police with a copy of a public summary report of a complaint or appeal investigation at least five (5) business days before it is released to the public.

In the case of a critical incident investigation, regardless of whether or not recommendations for change to policy, procedure, or training are made by the Director, the Office of Police Accountability shall provide the Chief of Police with a copy

of a public summary report of a critical incident investigation at least five (5) business days before it is released to the public.

Along with its own public summary report of a complaint, appeal, or critical incident investigation, the Office of Police Accountability will publish any written response provided to it by the Chief of Police, provided that said written response is provided to the Office of Police Accountability in a timely manner.

D. Requests to Examine or Copy a Public Record

Public records requests filed with the Office of Police Accountability shall be processed promptly and in accordance with Boise City policy. Within the requirements and limits set by local, state, and federal laws, every effort will be made to comply as fully as possible with public records requests. Review by the City Attorney's Office of all such public records requests is required, except in the case of previously released public reports.

XIII. LEGAL SERVICES FOR THE OFFICE OF POLICE ACCOUNTABILITY

In order to maintain the independence of the Office of Police Accountability, an outside attorney has been retained to provide any required legal advice. However, the City Attorney's Office will retain review of any public records requests received by the Office of Police Accountability to ensure releases are consistent with City policy.

XIV. COMMUNITY OUTREACH

The Director shall develop and maintain a regular program of community outreach and communication for the purpose of listening to and communicating with the citizens of Boise City. In completing this task, the Director may use any media, forums, strategies, and venues he or she deems appropriate and efficient to inform members of the public and to encourage them to communicate with the Director.

of any such recommendation.

XII. CONFIDENTIAL INFORMATION

The Director and all members of the Office of Police Oversight staff (employees, contractors, and volunteers) shall obey all local, state, and federal laws regarding confidentiality, and shall make every reasonable effort to safeguard the privacy interests of others and the confidentiality of information provided to the Office of Police Oversight (BCC § 2-22-05 Confidentiality of Records and Information).

The Office of Police Oversight will only release confidential information, materials, and reports related to complaints, appeals, inquiries, and critical incidents to the following persons or under the following circumstances:

A. the Chief of Police,
B. the Mayor of Boise,
C. the Boise City Council sitting in executive session,
D. in the interest of justice to police officer or public prosecutor,
E. upon receipt of a valid order from a court with jurisdiction,
F. when there is a credible threat of imminent bodily harm to one or more persons and it is reasonable to conclude that disclosure is the only reasonable way to prevent such harm from occurring, or
G. in cases of suspected or reported child abuse as required under Idaho State statute,
H. as otherwise required by law, or
I. with the express, written permission of the person who provided the confidential information.

Upon receipt of a subpoena ordering the Director or any person acting under the authority of the Director, to give testimony and/or to produce any record or other item in the custody of the Director, the Director will consult with assigned legal counsel. Reasonable efforts will be made to protect the confidentiality of privileged or otherwise protected information while still complying with the requirements of the subpoena.

XIII. RELEASE OF INFORMATION TO THE PUBLIC

Only the Director has the authority, on behalf of the Office of Police Oversight, to release information to the public concerning a specific complaint, appeal, inquiry, commendation, critical incident, review of internal investigation, or recommendation.

A. Semi-annual Report of Operations

The Director shall file semi-annual reports of operations with the City Clerk for transmittal to the Mayor and City Council.

B. Summary Reports of Investigation

The Office of Police Oversight may release to the public a summary report for any complaint, appeal, or critical incident investigated by the Office of Police Oversight. Summary reports will include a description of the incident under investigation, the allegations made or actions under review, the steps taken in

the course of the investigation, the findings of fact resulting from the investigation, the conclusions of policy issued by the Director and an explanation of the rationale behind them, and any recommendations for change to policy, procedure or training made by the Director.

Summary reports of complaint, appeal, or critical incident investigations shall not include specific privileged or confidential information, nor shall such reports contain the names of any person, other than those of the Director and the employees of the Office of Police Oversight. Reasonable efforts will be made to exclude from public reports any information that would lead to the identification of individuals anonymously referred to in such reports by those without independent knowledge about the incident or the people involved. Prior release of names or other identifying information by third parties shall not foreclose or otherwise restrict the ability of the Office of Police Oversight to release to the public a summary report of a complaint, appeal, or critical incident.

C. Police Department Opportunity to Review a Public Report and Provide a Written Response

For complaints and appeals in which no recommendations for change to policy, procedure, or training are made by the Director, the Office of Police Oversight shall provide the Chief of Police with a copy of a public summary report of a complaint or appeal investigation at least 48 hours before it is released to the public.

When recommendations for change to policy, procedure, or training are made by the Director, the Office of Police Oversight shall provide the Chief of Police with a copy of a public summary report of a complaint or appeal investigation at least five business days before it is released to the public.

In the case of a critical incident investigation, regardless of whether or not recommendations for change to policy, procedure, or training are made by the Director, the Office of Police Oversight shall provide the Chief of Police with a copy of a public summary report of a critical incident investigation at least five business days before it is released to the public.

Along with its own public summary report of a complaint, appeal, or critical incident investigation, the Office of Police Oversight will publish any written response provided to it by the Chief of Police, provided that said written response is provided to the Office of Police Oversight in a timely manner.

D. Requests to Examine or Copy a Public Record

Public records requests filed with the Office of Police Oversight shall be processed promptly and in accordance with Boise City policy. Within the requirements and limits set by local, state, and federal laws, every effort will be made to comply as fully as possible with public records requests. Legal review of all such public records requests is required, except in the case of previously released public reports.

XIV. LEGAL SERVICES FOR THE OFFICE OF POLICE OVERSIGHT

A. Primary Legal Advisor

The Boise City Attorney's Office will provide the Director and any City employee acting under his or her authority with all required legal services, representation and advice necessary for the performance of his or her duties, except in the case of an actual, potential or perceived conflict of interest.

B. Conflict Legal Advisor

If the Director and the City Attorney concur that the City Attorney's Office has an actual, potential or perceived conflict of interest with respect to a specific matter, the City Attorney will refer that matter to an outside attorney under contract to provide legal services to the Office of Police Oversight.

If the Director and the City Attorney are not in agreement with regard to the presence of an actual, potential or perceived conflict of interest, they may consult the Mayor who will make a decision on whether to refer the matter to an outside attorney under contract to provide legal services to the Office of Police Oversight.

XV. COMMUNITY OUTREACH

The Director shall develop and maintain a regular program of community outreach and communication for the purpose of listening to and communicating with the citizens of Boise City.

In completing this task, the Director may use any media, forums, strategies, and venues he or she deems appropriate and efficient to inform members of the public and to encourage them to communicate with the Director.

Document Type:	Policy
Number:	1.07
Effective:	12-07-10
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ADVISORY COMMITTEES, TEAMS, & WORKGROUPS

The city of Boise has made a commitment to engaging in an ongoing process of identifying improvements in a team atmosphere. Advisory teams, committees, or workgroups may consist of department directors, managers and employees from throughout the organization who research alternatives to various operational business and employee needs. These teams develop solutions and propose changes to general operating procedures. The mayor or department director, or designee, may determine each team's composition and duration. Each teams' role is strictly advisory.

Document Type:	Regulation
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ADVISORY COMMITTEES, WORKGROUPS AND TEAMS

I. INTRODUCTION

The City of Boise has made a commitment to engaging in an ongoing process of identifying improvements in a team atmosphere. Teams, workgroups and committees may be used to research alternatives to common issues, develop solutions and codify general operating procedures. This regulation describes the teams the City currently uses to meet this goal.

II. WAGES AND BENEFITS TEAM

The Mayor has established the Wages and Benefits Team (WBT) for the purpose of having general employees collaborate in a process to identify and recommend solutions to employees' concerns regarding wage and benefit issues and to coordinate and implement Citywide Excellence Award and recognition programs.

III. INTERGOVERMENTAL BUSINESS TEAM

The Intergovernmental Business Team (IBT) serves as an advisory panel to the Executive Management Team (EM) for the purpose of recommending solutions to shared operational and business issues, and actively promoting the implementation of process improvements that impact the City's ability to efficiently and effectively deliver services.

Document Type:	Exhibit
Number:	1.07b
Effective:	11-30-10
Revised:	See Below
Legal References:	

WAGES AND BENEFITS TEAM HANDBOOK

Vision of the Wages and Benefits Team

Make collaborative decisions in the best interest of all stakeholders.

Purpose of the Wages and Benefits Team

Serve as an advisory panel for the purpose of having employees collaborate to recommend solutions regarding fair, equitable and productive compensation and benefits plans and to promote and implement Citywide employee recognition programs.

Mission of the Wages and Benefits Team

Provide a collaborative forum for addressing City-wide employee wage and benefit concerns and take an active role in promoting employee recognition programs

February 2006

Revised: 10/06; 10/07; 10/08; 10/09; 11/10; 12/11; 12/12

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INTRODUCTION

Wages and Benefits Team Scope and Purpose

The City of Boise is committed to having general employees collaborate for the purpose of identifying and recommending solutions to employees' concerns regarding wage and benefit issues, and to coordinate and implement Citywide Excellence Award and recognition programs. Consequently, the Mayor has established a Wages and Benefits Team (WBT). The WBT is designed to provide non-union employees a conduit for ideas, concerns, and suggestions regarding wages, benefits and recognition programs. The WBT uses an interest-based negotiations (IBN) approach to gather information, reach consensus, and convey recommendations to the Boise City Executive Management Team. Emphasis is placed on the importance of open communications between employees and management.

The Wages and Benefits Team will develop and codify general operating procedures, including procedures to address each responsibility. In the absence of codified procedures, the Mayor or designee will establish and implement operating procedures. The Team will be responsible for:

A. Presenting recommendations to the Executive Management Team with regard to:
    1. Employee compensation issues.
    2. Employee benefits.
    3. Personnel policies and/or policy changes related to wages and benefits when requested or deemed necessary.
B. Considering employee concerns regarding wage and benefit issues and creating recommended solutions to these issues.
C. Implementing employee recognition programs.
D. Conducting other activities as deemed necessary by the Executive Management Team, Mayor and Council.

Recommendations may be subject to review and input from other established City committees and departments. Specifically, the Wages and Benefits Team will forward all recommendations regarding health insurance to the Health Insurance Trustees.

The Wages and Benefits Team's role is advisory. The Executive Management Team, Mayor and Council are ultimately responsible for determining the final course of action on all recommendations from the Wages and Benefits Team.

History of the WBT

Initial WBT elections and representative selections were held in November and December, 2005. The first meeting of the WBT occurred on January 11, 2006 in the Foothills Conference Room, Boise City Hall in Boise, Idaho. Regular meetings of the WBT have been held since that day.

In 2009, by resolution R-278-09 the WBT joined forces with the Employee Advisory Committee (EAC) to coordinate and implement Citywide Excellence Awards and Recognition Programs in addition to addressing employee compensation and benefit issues.

The EAC was originally established at the direction of Department Directors and Mayor, and approved by City Council in 1986 as a constructive communications forum to assist in the development of ideas impacting benefits, and personnel programs and policies on behalf of the City's general employees.

Wages and Benefits Team Handbook

The Wages and Benefits Team Handbook is published to outline the composition and responsibilities of WBT members, the nature of using the interest based negotiation process and general operating procedures.

ACRONYMS:

Constituency Groups (COGS)
Employee Advisory Committee (EAC)
Executive Management Team (EMT)
Interest Based Negotiations (IBN)
Intergovernmental Business Team (IBT)
Wages and Benefits Team (WBT)

ARTICLE I. PARTICIPATION IN WBT PROCESS

A. WAGES AND BENEFITS TEAM

1. **Composition.** The WBT is comprised of 14 primary members from three (3) constituency groups (COGS):
    1) One non-union representative from each department,
    2) one Senior Manager, and
    3) one Police/Fire Command Staff member.

    The WBT also includes one facilitator, one Executive Management Team member, and several advisors who contribute to discussion but do not vote on issues.

    Representatives. Non-union representatives shall include one (1) general employee from each of the following departments and divisions: Aviation and Public Transportation, Arts and History, Finance and Administration, Fire, Human Resources, Information Technology, Legal, Library, Parks & Recreation, Planning & Development Services, Police, and Public Works.

    Alternates. Departments, Senior Managers, and Command Staff may elect an alternate representative to attend in the absence of the primary representative, to enhance department communication and to support the work of subcommittees.

    Facilitator. The facilitator shall be the Human Resource Director or his/her designee.

    Advisors. Advisors may include: a member of the Executive Management Team, Legal Advisors, Financial and Budget Advisors, Health Insurance Trustee Advisors, and Benefits and Compensation Advisors. Additional resource personnel may be invited to provide information as needed.

2. **Selection Process.** Each constituency group will select its respective representatives using the following criteria and process.

   a. **Desired Criteria for WBT Members**

   - **Attitudinal Qualities:** Each team member attempts to build mutual success; seeks solutions rather than blames; is interested in other points of view; listens well; is firm, but not rigid about his/her interest; seeks to respond non-defensively; continuously seeks deeper levels of understanding.
   - **IBN Commitment:** Each team member has knowledge of the IBN process and/or has a commitment to learn and engage in the process, and agrees to participate in IBN training.
   - **Interest Representation:** Each team member has a broad perspective of constituency interests, is not single-issue driven and thinks both short term and long term.
   - **Constituency Representation:** Team members represent varying levels of experience in the City, location of work site, type of work performed, expertise or specialty, and has credibility with their constituency.
   - **WBT Experience:** Team members represent varying levels of experience of being involved with wage and benefits issues.
   - **Attendance:** Team members commit to attend all Team and subcommittee meetings. A representative should not vote on an issue for which he/she was not present during discussion, without having made every effort to be informed of all sides of the issue. Members shall review all pertinent communications and ask relevant questions prior to the Team meeting.

   b. **Process for WBT Member Selection**

   (1) Each representative shall be selected by the members of their respective constituency group.
   (2) Representatives shall serve as members for two full cycles of the WBT Sessions, defined in Article II (F),
   (3) Membership will rotate according to the following schedule-

   TERM EXPIRING EVEN NUMBERED YEARS:
   General Employee Arts and History
   General Employee Human Resources
   General Employee Legal
   General Employee Library
   General Employee Planning & Development
   General Employee Police
   Senior Manager

   TERM EXPIRING ODD NUMBERED YEARS:
   General Employee Airport
   General Employee Finance and Administration
   General Employee Fire
   General Employee Information Technology
   General Employee Parks and Recreation

General Employee Public Works
Command Staff Police/Fire – Police and Fire will alternate this position (for example, one term for the Command Staff member will be filled by an employee from the Police Department and the next term will be filled from the Fire Department).

(4) Voting will take place during a two-week election period prior to the beginning of the fiscal year among the constituency group for whom members are being replaced.
(5) A representative or constituency group may request a replacement election outside the listed schedule for hardship or resignation of position.
(6) Members of the Mayor's Office and Council Offices are precluded from participating.

3. Roles and Responsibilities

WBT members' roles and responsibilities are to:

- Identify, understand, and represent the needs and interests relevant to salary and benefits of its constituency, to the best of their ability.
- Attend all trainings and meetings – the WBT should be considered a priority.
- Adhere to the operational and personal norms established by the WBT
- Seek input and communicate with constituency group throughout the process.
- Follow through with all assignments and tasks.
- Take responsibility for individual and WBT choices and decisions.
- Make personal commitment to mutual success in the relationships.
- Make a personal and collective commitment to engage in the interest-based negotiation process.
- Utilize all research and materials available, including any Employee Survey results and data provided by WBT advisors.
- Contribute to the research and work of subcommittees and attend additional meetings for success of issues and projects.
- Arrange for alternate representative to be present for meetings when unable to attend.
- Train and orient replacement, alternate, or new members as needed.

4. Attendance

Representatives are expected to attend all general Wages and Benefits Team meetings as well as all subcommittee meetings to which they are assigned.

- If unable to attend, members are obligated to make every effort to be informed of the issues and discussion, complete assignments, review the minutes and communiqués from any missed meetings, and ask any pertinent questions prior to the next Team meeting.
- Representatives shall vote in good faith or recuse themselves from voting if unable to make an informed decision on an issue or issues.
- Because of the time and commitment involved in being an active representative of the WBT, WBT members and their supervisors shall sign a participation form at the beginning of each WBT cycle. The form shall be placed in the WBT member's personnel file. The form shall state:

- o I am interested in volunteering as a member of the Wages and Benefits Team, and have received a vote of confidence from my peers to represent the department. I understand that there are monthly team meetings and periodic subcommittee meetings. Overtime pay and compensatory time will not be accrued for extra hours spent outside my normal work schedule as this is a voluntary commitment. I have cleared my participation with my supervisor.

WBT members must have the authority to make commitments and decisions on behalf of their constituency.

B. ALTERNATE REPRESENTATIVES

Constituent groups are strongly encouraged to choose alternate representatives to support the work of the Team. To achieve this end, alternates:

- Are chosen through the WBT selection process and accept the roles and responsibilities of the primary representative in his/her absence.
- Receive training and adhere to all WBT and IBN processes.
- Attend meetings and vote on issues when primary is unavailable.
- Work to remain informed on issues, and support and enhance constituent communication.
- Serve on subcommittees and make recommendations on behalf of their constituents regarding issues.

C. RESOURCE PERSONNEL

1. **Definition.** Resource personnel are those individuals who have knowledge, expertise, data and research that will assist the WBT in its deliberations. These individuals include:
   - Executive Management Team
   - Benefits and Compensation advisors
   - Legal Counsel
   - Finance and Budget advisors
   - Others as determined by the WBT

2. **Roles and Responsibilities.**
   Resource personnel may:
   - present information and data on issues and options being deliberated
   - present options for consideration on issues IF SO REQUESTED BY ANY MEMBER OF THE WBT
   - attend all meetings (if need be, attend only those meetings where they are required, as long as their absence is not disruptive to the process)
   - attend IBN training
   - sit at the WBT Table

   Resource personnel may NOT:
   - advocate for or against options
   - vote on either options or decisions of the WBT

D. OBSERVERS

WBT meetings are open to employees. Any member of a constituency group may attend the meetings on his/her own time.

Observers may not sit at the IBN table. They may not participate in the deliberations. If requested by a majority of the WBT, an observer may be offered an opportunity to speak on a limited basis.

ARTICLE II. WBT PROCESS

A. OPERATIONAL NORMS

At the first meeting of the WBT, operational norms were established and/or reaffirmed by consensus of the WBT. These norms apply throughout the process unless there is agreement to add, modify, or delete.

1. An agenda will be prepared and distributed before each meeting.
2. Facilitator shall be the Human Resources Director or designee.
3. WBT meetings are open to all employees.
4. WBT meetings will start and end on time.
5. WBT members will arrive on time and prepared.
6. Check-in and check-out for all members will be conducted at all meetings.
7. Chart paper will be used to record thoughts and decisions during meetings; these will be maintained until typewritten minutes are prepared and approved by WBT members.
8. Minutes will be recorded and distributed to WBT members.
9. The WBT will follow the **ACBD** rule: **A**lways **C**heck **B**efore **D**oing and **A**lways **C**onsult **B**efore **D**eciding.
10. All WBT agreements and assignments will be summarized at the end of each meeting.
11. Time will be allocated at the end of every session for communiqués and loop-outs.
12. Minutes will be approved at the beginning of each subsequent session.
13. The WBT may rotate the meeting locations around the City.
14. If the media requests information from the WBT, a spokesperson will be designated to speak on behalf of the group.

B. PERSONAL NORMS

Personal and meeting norms are statements of how participants will treat each other and behave in meetings as well as conveying information between meetings. At the first meeting of the WBT, personal and meeting norms were established and/or reaffirmed by consensus of the WBT. Norms apply throughout the process unless there is agreement to add, modify, or delete.

1. Engage in active listening.
2. Seek to understand before being understood.
3. Suspend assumptions.
4. Assume good intentions.
5. Speak openly, honestly and directly.
6. Avoid sidebars.

7. One person speaks at a time; WBT members do not interrupt.
8. Treat each other as colleagues.
9. Focus on interests, not people or positions.
10. Be creative.
11. Support decisions and agreements made by the WBT.
12. Agree on confidentiality when warranted.
13. Actively participate.
14. Stop talking first and last.
15. Evaluate ideas, not motives.
16. Options and ideas presented to WBT become the property of the entire WBT.
17. Seek solutions, not blame.
18. Use persuasion, not force or coercion.
19. Welcome feedback.
20. No idea is a bad idea.

C. MEETING SCHEDULE

Meetings will be scheduled during the work day. A meeting schedule will be established by the Facilitator or designee after consulting individual member schedules via email calendar.

D. MEETING ENVIRONMENT

In order to create a mind-set of a single team instead of a "we vs. them" mentality, the room will be set up in a horseshoe or U-shaped format. The facilitator will be in the opening. Team members will be interspersed, with a mixture of the three constituencies around the tables. Members are encouraged to sit next to someone new at every meeting.

E. SUBCOMMITTEES

The establishment and use of subcommittees during the process may be advantageous especially if the individuals on the Subcommittees are knowledgeable about the issue(s) being assigned and have a broad perspective of its constituency interests.

The WBT will determine the establishment and composition of subcommittees on an annual basis after issues are identified. When a Subcommittee is established, the purpose, charge, status, timelines, financial parameters, outcomes and duration of the subcommittee need to be clearly defined.

Subcommittees will be established annually to support regular, ongoing activities including but not limited to:

- Health insurance and fringe benefits
- Citywide excellence awards and recognition programs
- Personnel programs and policies
- Employee communication

Membership may vary based on the nature of the issue being addressed. For example, a Subcommittee may have a representative from all three COGS, or in some cases it may be advantageous for members of one constituency group to work further on an issue after receiving feedback from the WBT. Subcommittees

may require the assistance of Resource Personnel. Subcommittees may also be used to draft language once an option has been determined.

The Wages and Benefits Team also has representative employee members participating on the Ethics Commission and Health Insurance Trustee groups.

The Health Insurance Trustees are a group formed by the Employee Health Care Plan Trust Agreement responsible for receiving contributions to the Plan; holding, managing, investing and reinvesting property and income in accordance with the terms of the Trust; and making distributions from the Fund. While the Wages and Benefits Team makes recommendations on behalf of employees based on communications with and feedback from constituents, the Trustees are charged with making fiscally responsible decisions regarding the Health Insurance Trust account and the plan itself. The Trustees are comprised of financial managers from multiple city departments, and the Benefits and Compensation Manager.

To facilitate the coordination of efforts between the Wages and Benefits Team and the Health Insurance Trustees, the Wages and Benefits Team may request a Trustee member attend a WBT meeting where health insurance recommendations are being formed, and/or may attend a Trustee meeting where decisions are being made regarding changes to the employee health insurance plan(s).

F. YEAR-ROUND IBN AND PROBLEM SOLVING

1. WBT Session

An interest-based negotiations process is a year-round process beginning with the election and training of new members each September. WBT Sessions will coincide with the City's two year budget process. The off-year will coincide with the interim budget process to make recommendations only when they cannot be delayed until the following year's two year budget development. The intent of this schedule is to provide timely recommendations to the Executive Management Team to be included in the city wide budget recommendations. The focus and priority of the WBT Session is to reach agreement on compensation issues, which include salary, health benefits, retirement benefits, leave benefits, and other issues which will have direct impact on an employee's total compensation. Other issues brought forward by constituents regarding terms and conditions of employment will be addressed by forwarding them to the Executive Management Team as appropriate (see Article V).

2. Research and Feedback

Research and feedback is conducted on an ongoing basis throughout the year. The WBT may conduct informational meetings to seek additional feedback from constituents, or utilize survey tools to obtain information on how employees feel about wages and benefits, including soliciting feedback on WBT recommendations to the Executive Management Team. Research may also be assigned and conducted in preparation for future WBT Sessions.

3. Master Calendar

October 1- Fiscal year begins.

	Regular meetings of WBT commence: review survey responses, prioritize issues, establish subcommittees.
October -	Departments nominate Employee of the Year.
November-	Open enrollment for benefits begins.
	EMT quarterly update as needed.
	Service Awards are received and distributed.
December-	Employee of the Year awards.
January 1-	Benefit year begins.
	EMT quarterly update as needed.
Jan.-March-	EMT gives specific guidance re: WBT recommendations.
March-	EMT quarterly update as needed.
	Mayor's financial recommendations are formalized.
Mar.-Jun.-	WBT works with EMT and Health Trustees to balance Total Compensation recommendation to Executive Management Team within apportioned funding limits.
April/May-	
	EMT quarterly update as needed.
June-	Council budget hearings.
Aug./Sept.-	Employee survey, WBT elections.
September-	IBN training for members.

ARTICLE III. DECISION MAKING & CONSENSUS

There are 14 primary members of the WBT. Unless otherwise defined, decisions and agreements reached by the WBT will be by consensus. Quorum and consensus is defined and agreed to by members at the beginning of the WBT Session each year.

A. QUORUM

A quorum will be defined as 9 of14 representative departments or constituency groups. If there is not a quorum present, the WBT can continue to meet, but may not make decisions or vote on any issues.

B. CONSENSUS

The WBT will work toward pure consensus, defined as a decision in which all members of the WBT can agree on the result.

"Consensus is reached when each member can honestly say:

- I believe that you understand my point of view,
- I believe that I understand your point of view,
- Whether or not I prefer this decision, I support it because
    - It was reached openly and fairly and
    - It is the best solution for us at this time."

In the event that 100% consensus cannot be reached, sufficient consensus is defined as 80% of voting members, with thumbs up or sideways, as long as there is a quorum of representative departments or constituency groups present.

- **Guidelines For Reaching Consensus**

    1. Listen - pay attention to others.

2. Encourage participation.
3. Share information.
4. Don't agree too quickly - ask questions.
5. Don't bargain or trade support.
6. Treat differences as strengths - don't compete.
7. Create a solution that can be supported.
8. Avoid arguing blindly for your own view.
9. Seek a mutual gains solution.

C. VOTING

Voting by Thumbs

WBT members will be asked to show their degree of agreement or disagreement by using their thumbs.

Thumbs Up!
A thumb up means that a team member agrees and supports theoption/decision being addressed. The team member believes that his/her constituency will agree and support this option and/or the team member is willing to advocate it to his/her constituency.

Thumbs Sideways!
A thumb sideways means that a team member can live with this option/decision. It is not the team member's ideal option, but it is the best solution at this time. The team member believes that his/her constituency will support this option based on the circumstances and the team member is willing to advocate it to his/her constituency.

Thumbs Down!
A thumb down means that this option or decision is not acceptable and the team member cannot support it. The team member does not believe that his/her constituency will support this option and the team member is not willing to advocate support to his/her constituency.

When a team member has a thumb down, the team member is obligated to provide new ideas and options which would raise his/her thumb to at least a sideways position. If that is not possible, and the team member finds him/herself entrenched, rigid, and positional, he/she may need to exempt him/herself from this issue or determine that his/her constituency group is ready to implement its BATNA (Best Alternative To Negotiated Agreement). All team members have the responsibility to search for new and creative options. As long as there is a quorum, 12 of 15 members voting thumbs up or thumbs sideways is sufficient to move an issue forward. The WBT agrees to re-examine the rules of consensus and voting based on the needs of the team.

ARTICLE IV. ISSUE IDENTIFICATION

The mission of the WBT is to provide a collaborative forum for addressing City-wide wage and benefits concerns and take an active role in promoting employee recognition programs.

A. COMPENSATION ISSUES

Compensation is an issue of concern for all constituency groups. Compensation issues include salary, health benefits, retirement benefits, leave benefits, and other issues which will have a direct impact on an employee's total compensation. Compensation issues will be the primary focus for the WBT Session. Each constituency group may bring to the table issues related to compensation. These issues will be prioritized using a process determined by the facilitator and WBT members. This prioritization will direct the agendas for future meetings.

B. OTHER ISSUES

Each constituency group may provide a list of other issues which it thinks needs to be addressed. These issues will be identified and clarified through research and feedback (Article II, Section F). Where appropriate, issues not related to the focus of the WBT will be forwarded to the appropriate liaison group as defined in Article V.

ARTICLE V. COMMUNICATIONS

Effective and timely communications is critical in the WBT process. Lack of communication leads to mistrust, apprehension, and lowered morale. The WBT seeks to communicate ideas, recommendations and progress with various constituency and liaison groups as thoroughly as possible, so that issues can be understood and disseminated at all levels of the organization.

A. MINUTES

The WBT facilitator or designee will be responsible for ensuring accurate and timely WBT minutes are taken and distributed. Responsibilities for the WBT Minutes include:

- Attending all WBT sessions.
- Recording meeting minutes of the IBN session which include process, commitments, agreements, and assignments and distributing the minutes to WBT and identified resource personnel.
- Chart paper will be kept until the minutes are approved at a subsequent meeting.
- Writing a joint communiqué as requested by the WBT. The WBT will indicate the major points to be covered. Communiqués will be drafted and sent to all employees, the Mayor, and City Council.

B. CONSTITUENCY RESPONSIBILITIES

Each constituency group representative has the responsibility for keeping their constituency adequately and regularly informed, in addition to the joint communiqués.

Each constituency group representative will develop a system for communicating and looping out to his/her stakeholders. This system should define who, how, and when a loop out will occur. This will be shared with the WBT for feedback.

C. RECOMMENDATIONS

At an appropriate time following the session, the Facilitator will coordinate with the WBT members to present the WBT recommendations to the Executive Management Team. The approved recommendation will be communicated to all employees via WBT communiqué and other appropriate means.

ARTICLE VI. FACILITATION

WBT meetings sessions will be coordinated by a facilitator who is knowledgeable about the IBN process and skilled in facilitation.

The purpose of facilitation is to:

- Help team members work together.
- Build, sustain, or rebuild relationships.
- Accomplish a task together.
- Reach understanding and agreement together.
- Build the capacity of the team to solve problems.

Expected responsibilities of the facilitator:

- Maintain confidentiality of parties.
- Keep the team focused and on task.
- Ensure the interest-based negotiation process is being followed.
- Encourage active listening.
- Ensure active participation from all members.
- Identify assumptions.
- Identify similarities and differences.
- Intervene on ineffective behavior and deviation from the mutually agreed upon operational norms.
- Use appropriate tools and techniques to assist in reaching agreement.
- Be assertive and push members beyond their comfort level when necessary.
- Record on easel charts the deliberations of the team.

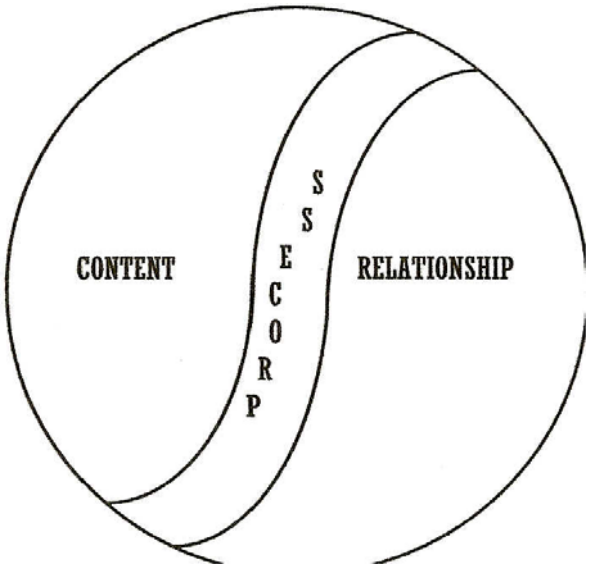
ARTICLE VII. INTEREST-BASED PROCESS

A. AN INTEREST-BASED STRATEGY -- WHAT IS IT?

An interest-based strategy for communication, negotiation and problem solving is a non-adversarial means of achieving decisions or even just being understood in a discussion or dialogue with others. It consists of a collection of principles and techniques familiar to most people. These principles include such concepts as focusing on issues not personalities, making decisions which are based on an objective reason rather than power or coercion, and accepting all interests or motives as givens, rather than evaluating those interests as right or wrong.

The interest-based process includes the recognition that human beings are just that and usually find themselves "in relationship" to others. Because of this, the human element in any situation must be taken into account and focused on as much as the substantive issues if one is to achieve a good and lasting solution rather than a "win" for one side.

Elements of Negotiations



- The process is an interest-based strategy.
- Both content and relationships are of high importance.
- Positive working and collaborative relationships are built and improved.

B. INTEREST-BASED TERMS AND DEFINITIONS

Issue: A subject of discussion, negotiation or problem solving. The *what* of the problem to be solved.

Story: The parties' involvement with the issue. What happened or did not happen and/or what individuals perceived happened or did not happen. How individuals see the issue and how they relate to others involved in the issue.

Interests: The motives of the parties in the negotiations. Their concerns, needs, hopes, or desires underlying the issue - *why* the issue is being raised (interests may be mutual or separate).

Options: The full spectrum of possibilities which may be explored in an effort to reach settlement. Potential - often partial - solutions to meet one or more interests. *How* the problem might be solved.

Position: An option to which one party is already committed. The only "right" answer.

Standards: Objective criteria to evaluate the viability of options. Agreed-upon qualities of an acceptable solution – how well an option solves the problem. Fair standards have a substantive orientation. There is no one "magic" criteria for any issue.

Evaluation: The comparison of possible options (solutions) to criteria and interests. "How well does this option meet mutual and separate interests, fit the criteria, and solve the problem." The evaluation exercise is accomplished without commitment.

Alternatives: Something one party can do without the agreement or involvement of the other party.

BATNA: Best Alternative To a Negotiated Agreement. One's preferred course of action if an agreement is not reached. Knowing what one will do or what will happen if an agreement is not reached.

Elephant: Unspoken issues that could be huge and sitting in the middle of the relationship. If these issues are not openly dealt with, they could hinder or stall any progress.

Loop Out: A process for sharing information and getting feedback from constituencies prior to a final decision being made. The process is usually jointly defined.

Straw Design: A package that represents a pattern of possible agreements. It is presented to constituencies for feedback, not approval or rejection. It is made of straw and not concrete; it **can** be changed.

Trustworthy: Traits of trustworthiness include being consistently honest, fair, and speaking in positive terms about others. Trustworthiness is demonstrated and not talked about. A good strategy is to be completely <u>trustworthy</u>, but not so wholly <u>trusting</u> to become blind to the circumstances.

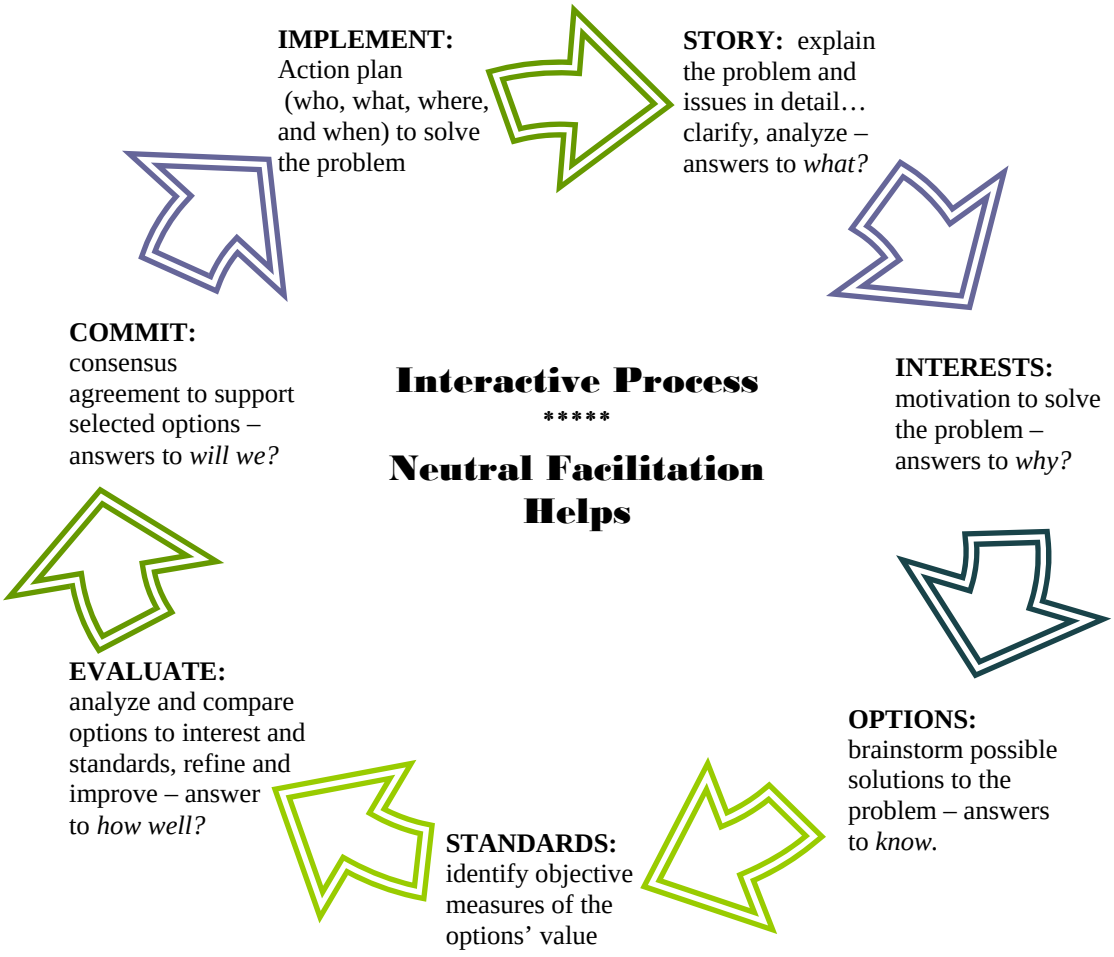
C. STEPS OF THE INTEREST-BASED APPROACH

1. Set up a positive tone and discuss the process.
2. Create a statement of issues to be resolved.

3. Understand the underlying interests of all the parties.
4. Develop a contingency plan – in other words, your best alternative (BATNA).
5. Jointly invent creative options
6. Evaluate possible solutions, reaching clear commitments and compliance-prone agreements.

D. COMPONENTS OF AN INTEREST-BASED PROCESS

- The process is used to resolve a problem or issue which affects the parties.
- While sequential, this approach is also dynamic. Elements previously considered may emerge later. Participants then return to a previous step and "start over."



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E. ATTITUDES AND BEHAVIORS IN AN INTEREST-BASED STRATEGY

An interest-based strategy relies on ten key *attitudes* and *behaviors.*

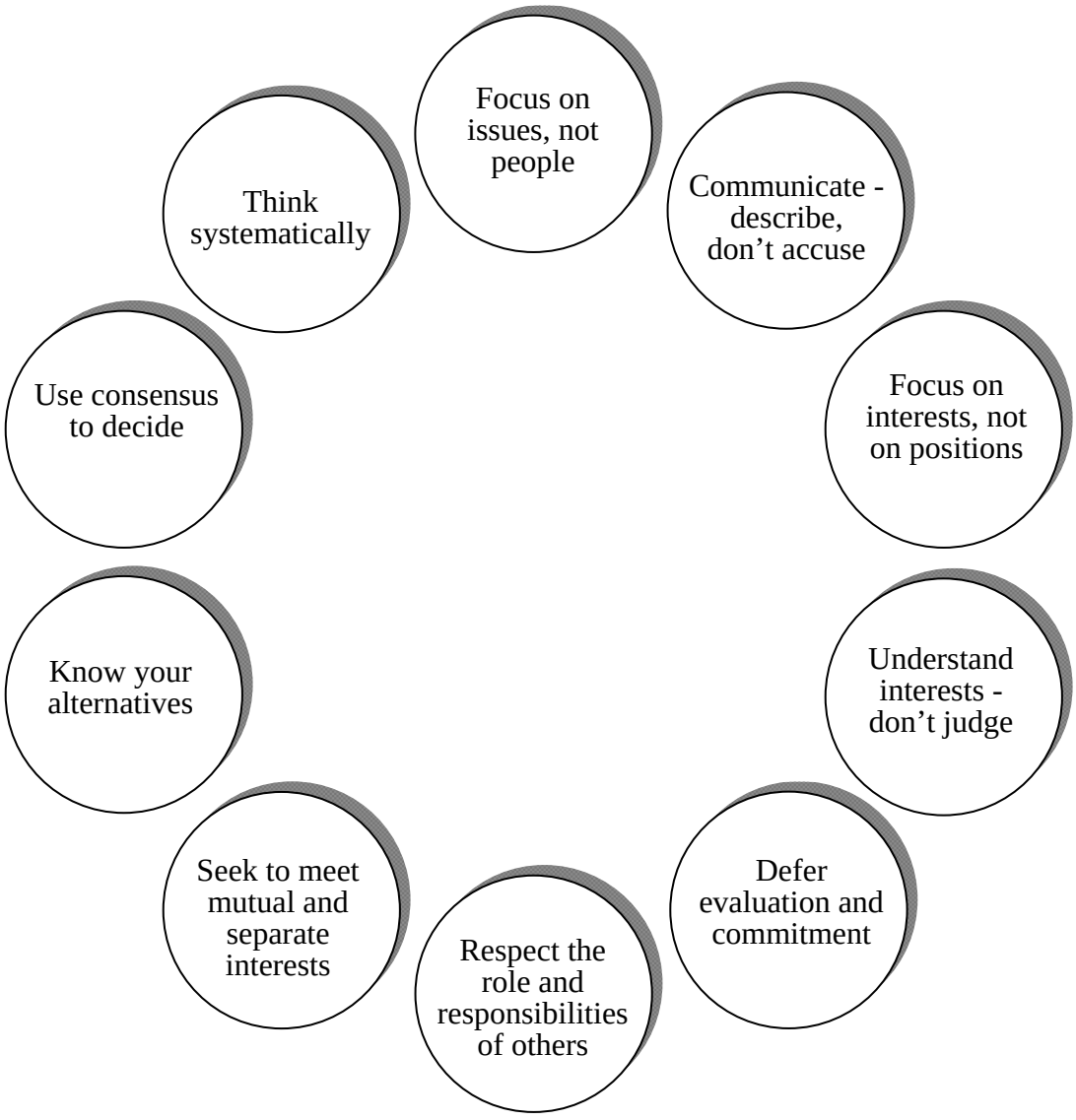

Diagram taken from material presented at Washington Elementary School District, Phoenix, Arizona.

F. PRINCIPLES OF AN EFFECTIVE RELATIONSHIP

Why build an effective, positive working relationship?

- to survive changes in key people.
- to survive difference over substance.
- to survive mistakes, problems, and surprises.

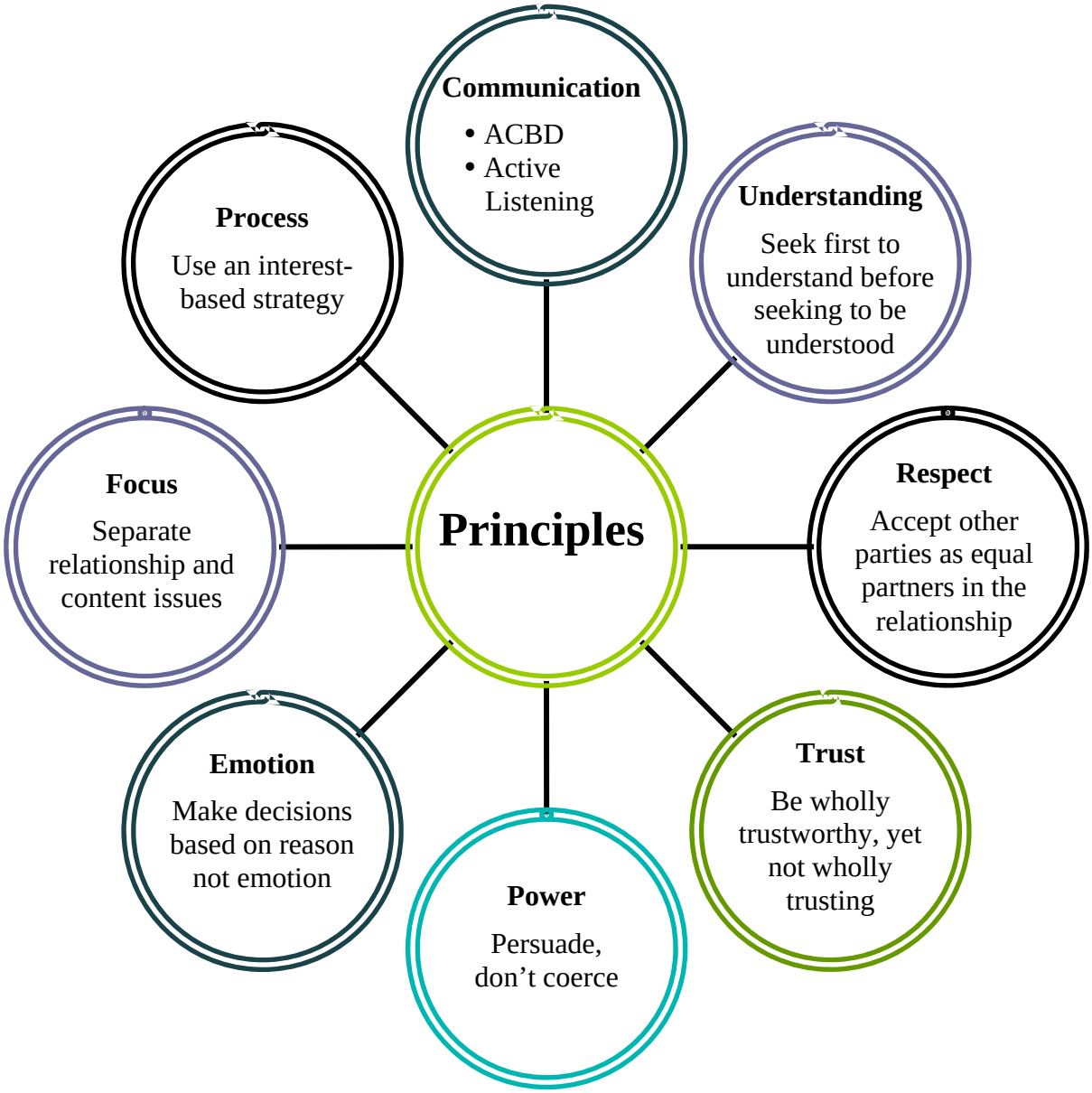

Diagram taken from material presented at Washington Elementary School District, Phoenix, Arizona.

G. PRINCIPLES OF AN EFFECTIVE RELATIONSHIP (Further Defined)

COMMUNICATION

Always assume there is a need to talk —ACBD, Always Check Before Doing and Always Consult Before Deciding: communication goes both ways:

- Listen actively and acknowledge what is being said (the most important part of communication).
- Avoid mixed messages — be explicit.
- Speak about yourself, not about them.
- Speak for a purpose – know what you want to communicate or find out.

UNDERSTANDING

Learn how the other parties see things; explore their thinking (we may not know how little we actually do know); start by asking what they care about. Know that an absence of interest in your issue does not mean an absence of interest in the relationship.

RESPECT

Deal with the other party seriously; even though there are differences, assume that they are legitimate and competent; give weight to and don't evaluate their interests; listen to what they say, (this does not imply agreeing with it); ask their opinion (this does not mean we are obliged to follow it).

TRUST

Be wholly trustworthy, but not wholly trusting; realize that others will have reasons to mistrust us; see ourselves as others see us; avoid incorrectly evaluating other's behavior; base trust on an analysis of risk, not on a moral judgment.

POWER

Negotiate side by side; attack problems, not people; stay open and delay commitment; avoid **either/or** choices; focus on what is fair; recognize what each party can do if we fail to agree; know that having a reason for a decision makes it legitimate while leverage, power or coercion does not.

EMOTION

Balance emotion with reason; be aware of other's emotions -- and of our own; acknowledge emotions without reacting emotionally; prepare for emotions before they arise.

FOCUS

Acknowledge and deal with the 'elephants' directly rather than using substantive items and concerns; identification of relationship issues does not

equal a judgment of them; speak the truth; go to work on the relationship issues separately from content issues.

PROCESS

Start with the problem and the interests of the parties rather than with solutions or positions; this helps the parties in the relationship develop a process or context within which to bring all these principles to life.

H. COMMUNICATION TO CONSTITUENCIES

Communication to constituencies is critical in the interest-based negotiations process. It must be regular and ongoing. Whenever possible it should be done jointly. This is sometimes called **looping out.** An IBN process promotes and encourages creativity and "out-of-the box" thinking to resolve issues. To avoid surprises and rejection of proposals, communications must be regular and ongoing. Looping out allows the WBT to improve and modify a decision before it is sent out for approval or rejection.

When communicating, the first step is to communicate the substance of the issue. The second step is to communicate it in a manner that cultivates the relationship with the other party, making it easier to resolve future conflicts. Positive communication also increases constituency buy-in.

The interest-based process allows all stakeholders to assist the WBT members during the process of making a decision. This is usually referred to as **testing a straw design**. It is called a straw design because it is not cast in concrete. It is made of straw and can easily be changed. If a straw design has been completed and agreed to by the team members, it should be presented to the constituencies. The COGS are not asked to approve or reject the proposal. They are asked for feedback regarding how this particular design meets or does not meet their interests. The feedback is then incorporated into a new proposal.

Looping Out Methods:

- **Joint Communiqués –**joint communiqués should be published and distributed to all employees, the Mayor and Council periodically, as determined by WBT. The content of these communiqués is established and approved in a team meeting environment and final publication is approved electronically by the Team and the Mayor's office prior to being released to employees. Communiqués are designed to keep all stakeholders informed of the status of issues being discussed by the WBT.
- **Constituency Newsletters and Flyers:** Each constituency group may have its own flyers and newsletters, including electronic e-mails and Intranet web sites.
- **Joint Loop Out Meetings:** When issues are sufficiently complex, urgent or controversial, the WBT or its subcommittees may schedule joint loop out meetings. These meetings are usually conducted at the work unit, division, or Department level, but a City-wide level meeting could also be conducted. Such meetings allow everyone to hear information at the same time and give immediate feedback.

- **Constituency Interactive Meetings:** Each of the COGS is encouraged to involve its members in interactive meetings on issues. These meetings provide an opportunity for the leaders and representatives of each group to discuss the issues in "private." These meetings allow stakeholders to identify their interests, prioritize issues, and discuss possible consequences of a decision before it is made.
- **Formal and Informal Structures:** Telephone or e-mail access is available to almost all City employees. Small focus group, informal small group, and one-on-one meetings also occur. Representatives need to ensure that the message is consistent with the intentions of an interest-based negotiations process.

Members are encouraged to share with each other the methods and systems of disseminating information regarding the WBT process that they find to have been successful or well received by constituents.

Several components of the Handbook were taken from material presented at Washington Elementary School District, Phoenix, Arizona.

Document Type:	Policy
Number:	2.01
Effective:	05-01-06
Revised:	
Legal References:	

HIRING

The City of Boise shall hire qualified individuals who are best suited to contribute to the overall strategic success of the City of Boise. All employees are expected to make positive contributions to the City through their work. The Mayor or designee will establish procedures for recruiting, hiring, and retaining the best possible staff.

Document Type:	Regulation
Number:	2.01a
Effective:	01-22-10
Revised:	01-03-22
Legal References:	

HIRING PROCESS

I. INTRODUCTION

The city of Boise makes every effort to ensure equal employment opportunity (EEO) for all individuals and abides by nondiscrimination provisions of applicable laws.

This regulation outlines the hiring process for regular city employment, and it applies to all city departments.

II. COVID-19 VACCINATION REQUIREMENT

To safeguard the health of our employees, their families, our community members and visitors, and to avoid interruptions in the delivery of city services, beginning January 3, 2022, all job postings will include a requirement that all new hires be fully vaccinated, as defined by the CDC, for COVID-19 as a condition of employment.

Disclaimer: As of January 3, 2022, COVID19 boosters are not part of this requirement; however, that is subject to change at any time with or without notice. Accordingly, the definition of fully vaccinated may change based on CDC guidance.

Applicants receiving a conditional offer of employment shall provide proof of being fully vaccinated for COVID-19 to the city's Human Resources Department within the specified timeframe. Proof may include any of the following:

- copy of the record of immunization from a health care provider or pharmacy
- copy of the COVID-19 Vaccination Record Card,
- copy of medical records documenting the vaccination
- copy of immunization records from a public health or state immunization information system, or
- copy of any other official documentation containing required data points (type of vaccine administered, date(s) of administration, and the name of the health care professional(s) or clinic site(s) administering the vaccine(s)).

Applicants who fail to provide proof of their vaccination status within the specified timeframe will have their conditional offer of employment rescinded.

"New hires" refers to all employee types, including but not limited to:

A. Rehires
B. Seasonal
C. Temporary – long and short-term
D. Regular – bargaining and non-bargaining

Current employees who promote or transfer into another position within the city are not considered to be a new hire for the purpose of this regulation.

Applicants who receive a conditional offer of employment and need an exemption shall complete and submit a Request for Accommodation form to Human Resources.

III. COMPETITVE PROCESS

The city's competitive hiring process is used to fill regular full and part-time positions, and long-term temporary positions estimated to last more than 90 days. Please refer to the following regulations if filling a position meeting the regulation description:

A. Promotions, Transfers, Temporary Reassignments, & Demotions
B. Temporary Employment
C. Rehiring a Former Employee

At the department's discretion, the competitive hiring process may be used to fill a short-term temporary position estimated to last 90 days or less.

The Mayor and City Council may select staff to serve in their respective offices by whatever employment process deemed reasonable providing it is consistent with Boise City Code and all applicable laws.

IV. PRE-POSTING REQUIREMENTS

Prior to filling a vacancy, the hiring supervisor shall:

A. Confirm budget, PCN, and FTE availability
B. Review job description for accuracy or if the position is new, begin process for creating a job description
C. Submit an online new hire requisition

V. POSTING A POSITION

Vacancies, except when otherwise noted in the city of Boise's regulations, shall, at the department's discretion, be open for internal applicants only or for internal and external applicants. Vacancies are posted electronically on the internal website, or on the internal and external website, whichever applies. All vacancies, whether posted internally or internally and externally, are posted a minimum of five (5) consecutive and complete workdays. 'Workdays' is defined as days that the City Hall offices are open to the public. Departments may choose to post a position for a longer period; however, all vacancies shall have a closing date not to exceed 30 calendar days from opening. If the department is unable to fill the position within the maximum 30-day timeframe, the opening may be extended in increments up to 30 days.

At a department's discretion, a vacancy in the same position in the same department occurring within 180 calendar days of the last day of the most recent posting is not required to be reposted providing there are sufficient qualified applications on file from the recent posting. To fill the position using applicants from a recent posting, the supervisor must review the applications on file and proceed through the remaining steps of the hiring process.

VI. ELECTRONIC APPLICATIONS

Absent approval from the Employee Services Manager or designee, the city only accepts electronic applications submitted through its automated recruitment system. Supervisors can review applications as they are received during the posted recruiting period and begin arranging and conducting interviews. While reviewing applications supervisors shall consider all applications objectively and identify candidates with Veteran's Preference. Incomplete applications may be rejected, or the supervisor may notify the applicant to complete all pertinent information.

Supervisors shall not proceed to the next step in the hiring process or recommend an applicant for hire before the posting closes and the review process is complete.

VII. INTERVIEWS

The interview process involves three steps: selecting applicants to interview; selecting a panel to conduct the interviews; and preparing interview questions.

A. Applicant Selection

After reviewing eligible applications, the supervisor decides which applicants to interview. The supervisor should select applicants

who appear on their application to be the best qualified based on job knowledge, job skills, and experience as related to the vacancy.

B. Panel

It is recommended, but not required, that a panel of two or more persons be used for the interview process and that the same panel be used for all interviews for the vacancy.

C. Interview Questions

The supervisor shall prepare interview questions for the interview. Questions not previously reviewed by Human Resources shall be submitted in advance for approval. Questions relevant to the position should be asked and the same questions used for each applicant. Follow-up questions may be necessary as the interview progresses.

Interviewers should write down specific facts learned about each applicants' qualifications during the interview and may document this information on either an Applicant Evaluation Form (see Exhibit) or on the actual interview question sheet. If supervisors choose to conduct follow up interview(s) the same process shall be used.

VIII. INTERVIEW CONSIDERATIONS TO BE AWARE OF

Special considerations may arise before or during the interview process. Some of those considerations include:

A. Applicants with Disabilities

The city provides reasonable accommodations for applicants with disabilities. Accommodations might include a sign language interpreter, written rather than oral responses, large print or Braille material, or an accessible interview location. Interviews should be held in an office or conference room that is private and easily accessible to applicants with disabilities.

B. Prohibited Questions

Human Resources pre-approves questions to be asked during interview sessions. Interviewers shall not ask questions about an applicant's age, birthplace, height, weight, marital status, child care arrangements, religion, sexual orientation, or financial status. Interviewers shall not ask questions about an applicant's health, medical conditions, job injuries, or workers' compensation claims.

C. Pre-Interview Tests

A department may choose to administer a job-related test prior to the interview process to assist in screening applicants. The same test must be administered to all applicants who continue in the selection process. The test must be relevant to the knowledge, skills, and abilities required for the position. Tests must be reviewed and approved in advance by Human Resources.

D. Post-Interview Tests

A department may choose to administer a job-related test to each applicant after the interview process. The same test must be given to all applicants who continue in the selection process. The test must be relevant to the knowledge, skills, and abilities required for the position. Tests must be reviewed and approved in advance by Human Resources.

E. Veteran's Preference

Idaho law requires that qualified applicants who are war and disabled veterans be given preferential treatment when being considered for initial employment. For more information, please refer to the city's Veteran's Preference Regulation.

IX. APPLICANT SELECTION

After interviewing the selected applicants, the interviewer or interview panel will decide which applicant is best qualified for the position. The selection shall be based on the applicant's job knowledge, job skills, experience, communication and interpersonal skills, accomplishments and achievements, pre- and post-interview test results, and assessment of other objective, non-discriminatory job-related factors.

If no interviewed applicant is satisfactory, the supervisor can go back to the applicant pool or re-post the vacancy.

X. REQUIRED REFERENCE CHECKS

The supervisor or designee is required to complete reference checks on a selected applicant before making a conditional offer of employment. Reference checks shall be conducted on:

A. All regular full or part-time positions; and
B. Any temporary position where the responsibilities of the position require working with minors or individuals with disabilities; and
C. An individual hired in accordance with the Rehiring Former Employees Regulation if the responsibilities of the position require working with minors or individuals with disabilities and references

were not conducted when the individual was previously employed by the city.

If the reference checks on the selected applicant prove to be unsatisfactory, the supervisor can check references on an alternate candidate, go back to the applicant pool, or re-post the position. Human Resources will assist in this situation.

The following is a description of reference check requirements for different types of applicants:

A. External Applicant

An external applicant is an individual who is not currently employed by the city. For an external applicant, the supervisor or designee shall contact the applicant's current employer and all previous employers over the last five years and check references using the city's Reference Check Form (see Exhibit). The applicant's supervisor, rather than co-workers or the personnel department, should be contacted when possible.

If the applicant was previously employed at the city, the supervisor shall review the applicant's previous personnel file and contact the applicant's former city supervisor as well as Human Resources to gain information regarding the former employee's performance and conduct. Supervisors do not need to recheck references from employers whose reference information already exists in the former employee's personnel file.

If the applicant has several prior jobs or has switched jobs on a frequent basis, the supervisor may consider checking references beyond the five-year period. If the applicant has never been employed, the supervisor shall contact two personal references as described later in this regulation.

Some employers will not provide a reference without first receiving a written release from the applicant. Please contact Human Resources to obtain a copy of the applicant's authorization for release of this information.

B. Internal Applicant

An internal applicant is an employee currently working for the city. When the internal applicant currently works in a different department, the supervisor shall conduct a reference check by contacting the internal applicant's current supervisor and complete the city's Reference Check Form (see Exhibit).

Document Type: Exhibit
Number: 2.01aa
Effective: 01-22-10
Revised:
Legal References:

City of Boise Applicant Evaluation Form

Part I: Applicant Information

After completing this form for all interviewed applicants, please include all completed forms with the status that is sent to Human Resources recommending an applicant for hire. You are encouraged to notify unsuccessful applicants. Human Resources has a standardized letter for your use.

Applicant's Name:_____

Position:_____

Department:_____

Date Applicant Was Interviewed:_____

Check one of the following:
_____ Applicant was offered and accepted the position.
_____ Applicant was offered, but declined the position.
_____ Applicant was not offered the position.
_____ Applicant withdrew from consideration.

Part II: Applicant Ratings

Please evaluate each interviewed applicant with respect to the requirements advertised for the job and included in the job description. Check “Unrated" if the factor is not relevant to the advertised job or insufficient information was obtained on which to base a rating. Please use the “Comments” area to explain and substantiate your ratings with specific information from the interview.

a. Job Knowledge:
_____ Exceeds Job Requirements
_____ Meets Job Requirements
_____ Fails to Meet Job Requirements
_____ Unrated

b. Job Skills
_____ Exceeds Job Requirements
_____ Meets Job Requirements
_____ Fails to Meet Job Requirements
_____ Unrated

Comments:
_____
_____
_____
_____
_____

City of Boise Applicant Evaluation Form

c. Experience:
_____ Exceeds Job Requirements
_____ Meets Job Requirements
_____ Fails to Meet Job Requirements
_____ Unrated

d. Communication/Interpersonal Skills:
_____ Exceeds Job Requirements
_____ Meets Job Requirements
_____ Fails to Meet Job Requirements
_____ Unrated

Comments:

_____

e. Strengths:
Identify personal strengths relevant to the individual's ability to perform the advertised position and note any prior accomplishments or achievements that might be relevant to the individual's ability to perform the advertised position:

_____

f. Weaknesses:
Identify personal weaknesses relevant to the individual's ability to perform the advertised position:

_____

Interviewer's Signature:_____

City of Boise Applicant Evaluation Form

Document Type: Exhibit
Number: 2.01aaa
Effective: 01-22-10
Revised:
Legal References:

REFERENCE CHECK WORKSHEET

GENERAL INFORMATION
Please see the City's Hiring Process Regulation for reference check instructions. Use additional sheets as needed.

Date: _____ Applicant Name: _____

Vacant Position Title: _____ Reference Checker: _____

Name of Individual Giving Reference: _____

If applicable, company name: _____

QUESTIONS FOR PROFESSIONAL REFERENCES

Please describe your relationship with the applicant and how long you have worked with them.

What position did the applicant hold with the organization?

What were the applicant's responsibilities?

What aspects of the job did the applicant perform well?

In which areas of the job was the applicant weak or could have benefited from additional training or experience?

On a scale of 1-5, one being poor and five being excellent, how did the applicant get along with:
peers____? subordinates____? supervisors____ ? customers____ ? clients____ ?

Would you hire this individual again?

Is there anything else you believe we need to know?

QUESTIONS FOR PERSONAL REFERENCES

Please describe your relationship with the applicant and how long you have known each other.

What are the applicant's strengths?

What are the applicant's weaknesses?

Do you find the applicant dependable?

Is there anything else you believe we need to know?

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Number:	2.01c
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Revised:	07-13-09
	05-12-14
	02-22-16
	08-27-20
Legal References:	

PROBATIONARY PERIOD

I. INTRODUCTION

Regular employees not in a position designated at-will serve a probationary period beginning their first day of regular employment. The typical probationary period lasts six months; however, firefighters serve a one-year probationary period and the probationary period for new Boise police officers ends either six months after the officer's completion of the field training program, or one year from date of hire, whichever is later.

This regulation applies to regular employees not in a position designated as "at-will."

II. SUCCESSFUL COMPLETION OF PROBATION

At the conclusion of a successful probationary period, the supervisor shall prepare a letter to the employee communicating the following:

A. Needs of the position currently being satisfied by the employee;
B. Needs of the position that would benefit from continued growth; and
C. Other position related expectations.

A copy of the letter shall be sent to human resources for inclusion in the employee's personnel file.

III. PAY INCREASE

At the conclusion of an employee's probationary period, a small pay increase may be permissible, but is **not** guaranteed. Considerations include the degree in which the employee is meeting the needs of the position, internal equity, and funding. Supervisors can refer to the city's compensation administration regulation for further information.

Prior to communicating an increase to the employee and/or submitting a personnel action form (PAF)to initiate the increase, supervisors shall confirm with human resources the increase will not compromise internal equity.

IV. PROBATION EXTENSION

Except for new firefighters and police officers, the duration of an employee's probationary period can be extended up to three months. If the probationary period is extended, the supervisor shall prepare a letter communicating the following:

A. Specific needs of the position currently being satisfied;
B. Specific needs of the position not being satisfied; and
C. Other position related expectations.

The supervisor shall then meet with the employee in person to inform them of the extension, discuss the content of the letter and answer any questions the employee may have. A personnel action form (PAF) documenting the probation extension shall be submitted to human resources along with a copy of the letter for inclusion in the employee's personnel file.

V. PROMOTIONS AND TRANSFERS DURING PROBATION

Employees serving in regular positions who promote or transfer into another regular position, other than a police officer, firefighter or an at-will position, are not required to serve a new probationary period.

The probationary period for employees who transfer into a regular position from a temporary or limited duration position, begins on their first day of employment in the regular position.

VI. TERMINATION

During the probationary period, employees serve at-will. This means the employment relationship may be terminated by either party at any time, with or without notice, cause or due process.

Terminations during or at the conclusion of an employee's probationary period shall be communicated to the employee in writing and a copy of the written notice sent to human resources along with a personnel action form (PAF). Supervisors are expected to send the termination letter to human resources for review prior to presenting it to the employee.

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	09-30-15
	11-01-16
	08-21-20
Legal References:	IC 50-206

AT-WILL EMPLOYMENT

I. INTRODUCTION

The employer/employee relationship for positions that are designated at-will can be terminated by either the employee or the city at any time, for any reason, with or without notice. There is no appeal right for employees in positions designated as at-will.

No representative or agent of the city of Boise, other than the mayor and city council, can authorize or sign an employment agreement making any binding offer of employment for a specific term.

In the sole discretion of the city, at-will employees may be eligible for placement into a different position in the city if permitted by the city's policies and regulations, or fire department general orders.

II. AT-WILL POSITIONS

The following positions are designated as at-will:

Department directors – Exempt employees classified as department director meet the following criteria:

A. Position is appointed by the mayor and confirmed by city council to direct and lead the activities of an established city department; and
B. Serve at-will to the mayor by and with the advice and consent of city council in accordance with city code.

The mayor may terminate the employment of a department director by and with the affirmative vote of one-half (1/2) plus one of the members of the full city council; provided that the council, by the unanimous vote of all its members, may upon their own initiative terminate a department director. The library department director serves at-will to the Library Board of Trustees.

Senior managers - Exempt employees classified as senior managers meet all the following criteria by definition:

A. Exercise overall management of a clearly delineated division which is documented on a department's official organization chart; **or** exercise independent authority over a singular critical function with citywide

impact; **or** serve in an appointed position provided for in Boise city code and/or Idaho State Statute; **and**
B. Report directly to the department director and is authorized to act on his or her behalf in a decision-making capacity; **and**
C. Direct actions and results of major processes and programs, maintain controlling budget authority and full supervisory responsibility for employees in the functional area; **and**
D. Status is designated as senior manager by documented job description, pay plan and Notice of Employee Action on file with Human Resources.

Senior managers serve at-will to the department director who, with approval of the mayor, may terminate the employment of a senior manager. The department director is prohibited from exercising the at-will option and terminating the employment of a senior manager for six months after the director's start date at the city as a director. If the director terminates the employment of a senior manager during the director's initial six months of employment, the director shall adhere to the due process procedures outlined in the city's Corrective Action regulation.

Fire department command staff - Exempt fire department employees classified as command staff meet the following criteria by definition:

A. Fire union employees who are promoted or hired into a position not covered by their respective collective labor agreement or who continue to meet the definition of firefighter under Idaho State Statute; or
B. command staff "status" is documented by job description and a personnel action form on file with Human Resources.

Command staff serve at-will to the department director who, with approval from the mayor, may terminate the employment of a command staff member. The department director is prohibited from exercising the at-will option and terminating the employment of a command staff member for six months after the director's start date as a department director. If the director terminates the employment of a command staff member during the director's initial six months of employment, the director shall adhere to the due process procedures outlined in the city's Corrective Action regulation.

Police department command staff –Exempt police department employees who meet the following definition are classified as command staff:

A. Meet the definition of police officer under Idaho State Statute; and
B. Are designated by the police department director to serve as commanders, documented by job description and personnel action form (PAF) on file with Human Resources.

Police lieutenants are command staff employees but are not at-will employees and may not be terminated or demoted unless the due process procedures outlined in the city's Corrective Action Regulation are adhered to by the department director or designee.

All other police department command staff employees are considered at-will. However, no at-will police department command staff employee may be terminated or demoted absent the conditions required to initiate the due process

procedures outlined in the city's Corrective Action Regulation during the first six months of the department director's employment as director, and the due process procedures outlined in the city's Corrective Action Regulation must be adhered to by the director. Absent the conditions required to initiate the due process procedures outlined in the city's Corrective Action regulation, after the initial six months of a police department director's employment as director, the police department director may, with the approval of the mayor, demote a command staff employee (other than police lieutenants) to an officer rank equivalent to the employee's time in service.

City treasurer - The city treasurer works at the direction of the director of the department of finance and administration and may be terminated by the mayor with the affirmative vote of one-half (1/2) plus one of the members of the full city council; provided that the council, by unanimous vote of all of its members, may upon their own initiative terminate the city treasurer.

Assistant city attorneys – All assistant city attorneys and deputy city attorneys serve at-will to the city attorney.

Office of police oversight staff - Investigators and temporary staff assigned to the office of police oversight serve at-will to the director of police Oversight.

Mayor's office staff - All positions assigned to the mayor's office, including clerical support, interim positions, or any other position, added and approved by the council through the budget process, serve at-will to the mayor.

City council administrative staff – Administrative staff of the council serve at-will to the council. The city council may terminate the employment of administrative staff assigned to the council with the affirmative vote of one-half (1/2) plus one of the members of the full city council.

III. SEPARATION AGREEMENT FOR DEPARTMENT DIRECTORS, SENIOR MANAGERS, FIRE AND POLICE COMMAND STAFF, & MAYOR'S OFFICE STAFF

When the city exercises the at-will option and severs the employment of a department director, senior manager, mayor's office staff member, fire command staff, or police command staff, except for police lieutenant, that individual, in the mayor's sole discretion, may be eligible to receive a severance package based on the following considerations:

A. The individual's employment was not terminated for documented misconduct or unsatisfactory performance;
B. The individual has currently worked for the city at least twelve (12) consecutive months; and
C. The individual agrees to and signs a separation agreement and full release of claims prepared by the city.

Upon signing the severance agreement and in accordance with the agreement's terms, individuals who qualify for a severance package shall receive one week of base pay for each complete year worked or twelve weeks of base pay, whichever is greater. A partial year worked is rounded up to a complete year if days of service equal or exceed half the total service days for that year. "Pay" is base salary only and does not include such things as shift differential, overtime or

bonuses. The city withholds the usual federal taxes and other applicable deductions from the severance payment. In the mayor's discretion, the offered terms of the severance package may be altered, reduced, or enhanced.

IV. OFFICE OF POLICE OVERSIGHT AND INTERNAL AUDIT OFFICES

The office of police oversight and the director of internal audit may only be removed from office for misconduct, inefficiency, incompetence, inability or failure to perform the duties of such office or negligence in the performance of such duties. In such cases that warrant removal from office, said removal shall be accomplished only by a resolution adopted in public hearing by either the majority of the full city council upon recommendation of the mayor or by a vote of no less than five (5) members of the full city council; nothing shall prevent the council from eliminating an independent office by the normal ordinance process which action shall not be considered a removal for cause but simply a change in policy by the city.

Staff auditors in the office of internal audit shall be hired by the director. An auditor may only be removed from office for misconduct, inefficiency, incompetence, inability or failure to perform the duties of such office or negligence in the performance of such duties as determined by the director. A decision by the director to remove an auditor may be appealed to city council within three (3) business days. A vote of no less than five (5) members of the full city council is required on appeal to remove an auditor.

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Legal References:	I.C. 50-206

INTERIM DEPARTMENT DIRECTORS

I. INTRODUCTION

The purpose of this regulation is to establish roles during a transition of leadership at the department director level. This regulation applies to all city departments; however, the library's department director and interim director serve at-will to the library board of trustees.

For purposes of this regulation, any reference to the "department" shall mean the department the interim department director is assigned to oversee.

II. INTERIM DIRECTOR SELECTION AND RESPONSIBILITIES

Interim department directors temporarily act on behalf of an appointed department director. Interim department directors are selected by the mayor, or designee, through whatever selection process the mayor or designee choses, provided it conforms to all applicable laws. Reasons for assigning an interim director include, but are not limited to, the department director position is vacant, the current department director is on an approved long-term leave of absence, a reorganization, or other business-related need.

Interim director responsibilities include, but are not limited to:

A. Provide guidance and support to department staff;
B. Oversee the Implementation of established department objectives;
C. Coordinate with other city departments, outside agencies, and the public;
D. Attend meetings relevant to the department director position;
E. Meet regularly with the department's managers to keep up to date on department business and to keep them informed of matters happening throughout the rest of the organization; and
F. Communicate regularly with the entire department to keep them informed of matters happening throughout the department and the city, including regular updates on the progress of filling the director position.
G. Taking corrective action in accordance with the applicable policies and regulations.

An interim department director is not authorized to do any of the following without consent of the mayor or the mayor's designee:

A. Modify the department's long-range or strategic plans;
B. Change department policy, processes or procedures;
C. Change terms and conditions of employment for any employee covered by a collective labor agreement; or

D. Modify the department's operational or capital improvement project (CIP) budgets.

III. INTERIM DIRECTOR PAY AND ASSIGNMENT DURATION

An interim director shall be compensated in accordance with the city's compensation administration regulation. An interim director shall not serve for a period exceeding nine (9) months unless such extension is approved by the mayor or the mayor's designee. Interim directors serve at the pleasure of the mayor and may be removed from the interim position at any time.

Document Type: Regulation
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Legal References:

EMERGENCY HIRE – 90 DAY

I. INTRODUCTION

This regulation sets forth the process departments are to follow when employing someone on a very short-term, temporary basis, not to exceed 90 consecutive days. It applies to the hiring of all emergency temporary workers unless otherwise outlined within a current collective labor agreement, civil service rule, or City policy or regulation.

The Mayor and City Council may select workers to serve in their respective offices by whatever employment process deemed reasonable by the Mayor and/or City Council and consistent with Boise City Code and applicable laws.

All temporary workers are at-will.

II. EMERGENCY HIRE DEFINED (90 Calendar Days or Less)

An emergency hire is someone brought in on short-notice, to fill a critical assignment for a period of time estimated to last 90 days or less. Emergency hire assignments may only be extended beyond 90 days with the Department Director's approval in conjunction with Human Resources.

III. HIRING AN EMERGENCY WORKER

To hire someone into an emergency assignment, the hiring supervisor is required to do the following:

1. Confirm money is available within the department's budget to fund the assignment.
2. Confirm with Human Resources the appropriate pay grade for the assignment.
3. Conduct reference checks as outlined in the City's Hiring Process Regulation. Note: This is only required if the responsibilities of the position require working with minors or individuals with disabilities.
4. Submit a resume, status sheet, and reference checks (if applicable) to Human Resources effectuating the emergency employment assignment, leaving the Start Date blank.
5. Contact Human Resources to schedule an appointment for the candidate to complete new hire paperwork, criminal background checks, and other applicable testing required as a condition of employment for the assignment. Human Resources will notify the hiring supervisor when the candidate is clear to work. Supervisors are prohibited from permitting the candidate to begin work until the supervisor has been notified by Human Resources that the candidate has successfully passed all the required background checks.

III. TRANSFERRING, PROMOTING OR REHIRING AN EMERGENCY WORKER

Because emergency hires do not go through a competitive hiring process as outlined in the City's Hiring Process Regulation, they are not eligible to be transferred or promoted into a regular position, nor can they be rehired again in an emergency hire capacity. However, the

transfer/promotion/rehire rule does not apply if a competitive hiring process was used when hiring the emergency worker.

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Legal References:	I.C. 59-13 Title 26, IRC §4980H

TEMPORARY EMPLOYMENT

I. INTRODUCTION

This regulation sets forth the parameters departments are to follow when recruiting and employing workers on a temporary basis. Temporary employment is seasonal, intermittent, or sporadic by nature. This regulation applies to the hiring of all temporary workers unless otherwise outlined within a current collective labor agreement, civil service rule, or City policy or regulation.

The Mayor and City Council may select workers to serve in their respective offices by whatever employment process deemed reasonable by the Mayor and/or City Council and consistent with Boise City Code and applicable laws.

All temporary workers are at-will.

II. TYPES OF TEMPORARY EMPLOYMENT

The City of Boise has three categories of temporary employment: 1) short-term, 2) 19-hour, and 3) long-term. Temporary employment assignments that are "short-term" are estimated to last up to four (4) months and are generally seasonal. Temporary employment assignments that are "19-hour" are ongoing and cannot exceed 19 hours per week. Temporary employment assignments that are "long-term" are in excess of 19 hours per week and estimated to last at least four (4) months, but cannot exceed nine (9) consecutive months.

III. HIRING A TEMPORARY WORKER

To hire a short-term, 19-hour, or long-term temporary worker, departments are required to follow one of the hiring processes outlined in the applicable City regulation as follows:

1. Hiring Process Regulation 2.01a; or
2. Promotion, Transfer, or Temporary Reassignment of a Current Employee 2.01h; or
3. Rehiring a Former Employee 2.01i

All temporary workers shall be hired through a competitive hiring process, making them eligible for promotion within their own department.

IV. SHORT-TERM TEMPORARY EMPLOYMENT (Up to 4 months)

A. Short-Term Temporary Employment Defined

Short-term temporary employment can be up to 40 hours per week and last up to four (4) consecutive months. It is generally seasonal in nature, such as lifeguards, swim instructors, and summer play camp leaders.

B. Service Limits for Short-Term Temporary Employment

Individuals who are hired for a short-term temporary assignment are permitted to work up to four (4) consecutive months. The four-month time period begins on the first day of employment. At the end of the four-month time period, the individual's short-term temporary employment must be terminated. The department is required to formalize the termination by submitting a status sheet to Human Resources effectuating the individual's termination.

A short-term temporary worker who has reached the four-month maximum is not eligible to work in another temporary assignment with the City of Boise for at least 90 consecutive days. If a short-term temporary worker stops work and terminates from the City completely for 90 consecutive days during their four-month eligibility period, they are eligible to begin a new four-month eligibility period following the 90-day break in service.

V. 19-HOUR TEMPORARY EMPLOYMENT (19 hours or less per week)

A. 19-Hour Temporary Employment Defined

A 19-hour temporary worker is one whose regular work schedule is 19 hours or less per week. A 19-hour temporary worker may continue to work on an on-going basis without a break in service. Note: Paid holiday hours [not actually worked] do not count toward the 19 hours.

B. Service Exception for 19-hour Temporary Employment

A 19-hour temporary worker may work in excess of 19 hours per week in ten (10) FLSA separate or consecutive workweeks per calendar year, i.e. January to December, and still maintain their 19-hour exception status.

If a department would like a 19-hour temporary worker to work in excess of 19 hours per week in eleven (11) or more FLSA separate or consecutive workweeks within a calendar year, the department must convert the temporary worker to a nine-month temporary worker. The effective date of the conversion shall be the first workday of the first FLSA workweek the worker exceeded 19 hours.

Upon conversion to a nine-month long-term temporary worker, the worker becomes eligible for PERSI, and contributions by both the

worker and the employer will now be required. In some circumstances PERSI may determine contributions are due retroactively for the 10 weeks worked in excess of 19 hours.

To formalize the conversion the department shall submit a status sheet to Human Resources ending the temporary worker's 19-hour assignment and beginning their nine-month assignment. Once the 19-hour temporary worker is converted to a nine-month temporary worker the department shall abide by the provisions of the long-term service limits in Section VI of this regulation and are prohibited from converting the nine-month temporary worker back to a 19-hour temporary worker until a 90-day break in service has occurred.

VI. LONG-TERM TEMPORARY EMPLOYMENT (Four-to-Nine Months)

A. Long-Term Temporary Employment Defined

Long-term temporary employment is defined as work in excess of 19 hours per week estimated to last at least four (4) consecutive months, but is not permitted to exceed nine (9) consecutive months.

B. Service Limits for Long-Term Temporary Employment

Individuals who are hired for a long-term temporary assignment, or who work a combination of temporary assignments within the City, are permitted to work a time period not to exceed nine (9) consecutive months. The nine-month time period begins with the first day an individual performs work in any temporary assignment with the City and counts forward nine consecutive months. Once the nine-month time period is expired, the individual's long-term temporary employment must be terminated. The department is required to formalize the termination by submitting a status sheet to Human Resources effectuating the individual's termination.

A temporary worker who has reached the nine-month maximum is not eligible to work in another temporary assignment with the City of Boise for at least 90 consecutive days. If a long-term temporary worker stops work and terminates from the City completely for 90 consecutive days during their nine-month eligibility period, they are eligible to begin a new nine-month eligibility period following the 90-day break in service.

VII. EXCEPTIONS TO LONG-TERM TEMPORARY EMPLOYMENT

There are two exceptions to long-term temporary employment: 1) PERSI Retiree, and 2) 8-month Seasonal Maintenance Worker (SMW) or 8-month Seasonal Agricultural Worker (SAW).

A. PERSI Retiree Exception

Because of Idaho retirement rules, the following restrictions apply to a long-term temporary worker who is currently receiving retirement benefits through Idaho's PERSI system:

1. A retiree may return to employment with a PERSI employer after they satisfy the 90-day break in service requirement. The 90-days begin from the date of PERSI retirement, not the actual date of separation. PERSI retirement begins the first of the month following the date of retirement with the City. This rule does not apply to retirees who have reached Service Retirement age (65 years).

2. A retiree working in excess of 19 hours per week can work up to five (5) consecutive months without jeopardizing their retirement benefits. Upon reaching five months, the retired temporary worker must sever employment for at least 30 days. After a minimum 30-day break the retiree is eligible to be rehired for an additional three (3) months, but in no event is the retiree permitted to work beyond nine (9) consecutive months, starting from the first workday of the original 5-month work assignment. At the end of 9 consecutive months, the retiree must be terminated for 90 consecutive days before they are eligible for rehire. The department shall formalize the separation(s) by submitting a status sheet to Human Resources.

3. A retiree working 19 hours or less per week may continue working on an on-going basis without a break in service.

B. 8-month Seasonal Maintenance/Agricultural Worker Exception

According to Idaho law, 8-month seasonal employment is temporary or casual work related to weather and has an exemption from paying into PERSI. There are two types of 8-month seasonal worker: 1) seasonal maintenance worker (SMW) and 2) seasonal agricultural worker (SAW). Both can work in excess of 19 hours per week, but are limited to eight (8) consecutive months of work. If the work assignment goes beyond 8 months, the PERSI exemption becomes void and the individual and the employer will be required to contribute to PERSI retroactively from the first workday of the 8-month employment assignment.

An 8-month seasonal maintenance/agricultural worker may start their eight-month work assignment at any time during the year.

VIII. PATIENT PROTECTION AND AFFORDABLE CARE ACT (PPACA)

Effective January 1, 2016 the City must comply with certain provisions of the federal Patient Protection and Affordable Care Act (PPACA). The employer mandate provision requires employers to offer health insurance to at least 95% their full-time workers. For the purposes of PPACA, *"full-time" is defined as, with respect to any month, an employee who is employed on average at least 30 hours of service per week.*

To comply with this requirement, the City will offer qualified health coverage to any employee who may be reasonably expected to work 30 or more hours per week on a regular basis at the time they are hired.

In the event where the City cannot reasonably determine an employee will regularly work 30 or more hours per week or where a temporary employee falls under an exception as a "Seasonal" or "Variable Hour" worker in accordance to the definition under PPACA the City will use a 12-month "look back" methodology to determine full-time status.

Seasonal is defined under PPACA as an employee in a position for which the customary annual employment is six months or less and that period should begin each calendar year in approximately the same part of the year. Variable Hour is defined under PPACA where, based on the facts and circumstances at the employee's start date, the City cannot determine whether the employee is reasonably expected to work an average of at least 30 hours per week.

Hours worked in any current year will be used to determine full-time status the following calendar year.

IX. PERSI CONTRIBUTIONS REQUIRED BY IDAHO LAW

Idaho law requires PERSI contributions by the worker and the employer for all workers, including temporary workers, who normally work in excess of 19 hours per week for longer than five (5) consecutive months. This includes 9-month long-term temporary workers, and 19-hour temporary workers who work in excess of 19 hours per week for more than ten (10) FLSA consecutive workweeks in a calendar year. As specified earlier in this regulation, PERSI Retirees and 8-month Seasonal Maintenance/Agricultural Workers are exempt from PERSI contributions as long as their work assignments remains within the parameters outlined within this regulation.

X. TRACKING OF TEMPORARY WORKER HOURS

Each department is responsible for accurately tracking the working hours of temporary workers in order to ensure compliance with this regulation. If/when a temporary worker reaches one of the thresholds outlined within this regulation, the supervisor is required to send a status sheet to Human Resources effectuating the end of service, and the temporary worker will not be eligible for reemployment in any department or capacity until the appropriate separation period has elapsed.

Any temporary worker who remains active in the system, but has not worked for nine consecutive months must be terminated by the department**.** The department is required to formalize the termination by submitting a status sheet to Human Resources effectuating the individual's termination.

XI. GRANT OR CONTRACT EXCEPTION

The City sporadically receives grant funds or enters into contracts that require the employment of temporary workers for a length of time that does not conform to this regulation. In those situations the grant or contract terms will be followed.

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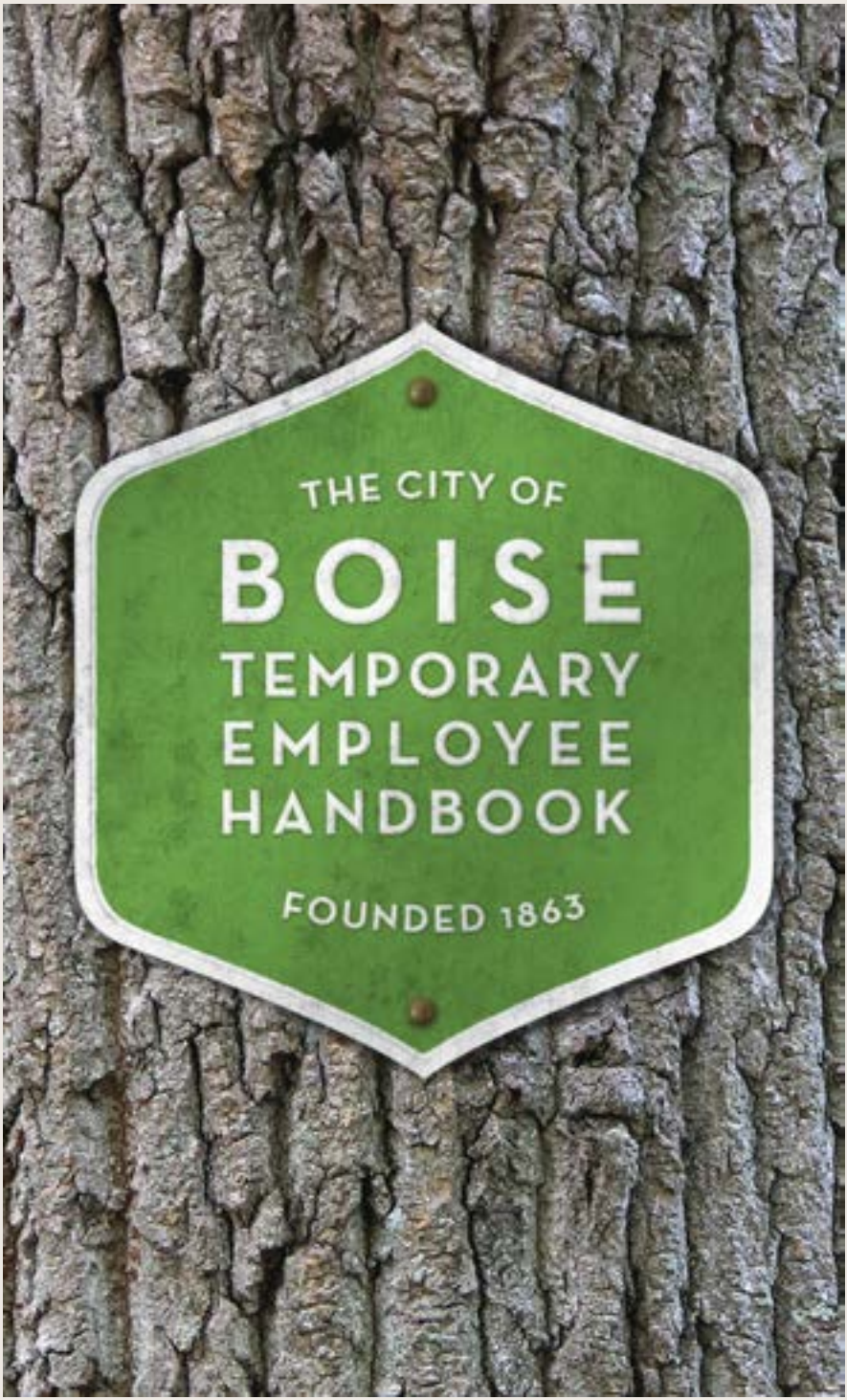
Number:	2.01gg
Effective:	3/11/2015
Revised:	

TEMPORARY EMPLOYMENT

CATEGORIES OF TEMPORARY EMPLOYMENT

EMERGENCY HIRE 2.01e	TYPE OF WORK:	SHORT-TERM	19-HOUR	LONG-TERM	PERSI Retiree	8-MO SEASONAL SMW & *SAW
Emergency	**TYPE OF EMPLOYMENT:**	**4-month Seasonal**	19-hour or less/week	9-month	Long-Term Exception Only	Long-Term Exception Only
Up to 90 days	**MAX LENGTH OF WORK:**	**Up to 4 months**	Continuous	9 consecutive months	5 consecutive months	8 consecutive months
40 hrs	**HOURS PER WEEK:**	40 hrs	Up to 19 hrs	19+ to 40 hrs	19+ to 40 hrs	40 hrs
	EMPLOYMENT RULES:		Can work 19+ hrs/wk for up to **10 FLSA workweeks,** continuous or intermittent, per calendar year --- If work **11th FLSA workweek** at 19+ hr/wk, must convert to 9-mo long-term temp **eff 1st workday in excess of 19 hours.** --- May have to retro pay 10 wks PERSI	**If employee works over 1530 hrs/calendar year, they become eligible for health insurance the next calendar year**	Restricted to 5 consecutive months	**Can start any time of year;** weather-related maintenance work
Non-competitive	**HIRING PROCESS:**	**Competitive**	Competitive	Competitive	Competitive	Competitive
Not Eligible	**PROMOTION:**	**Eligible**	Eligible	Eligible	N/A	Eligible
Not Eligible	**PERSI:**	**Not Eligible**	Not Eligible (until 9-mo convert)	PERSI Eligible	Not Eligible	PERSI-Exempt
Not Eligible for rehire as an Emergency Hire	**REHIRE RULES:**	**3-month break**	No break if under 19 hr/wk --- If converted to 9-mo, must **take 3-mo break at end** of 9-mo work assignment	3-month break **- OR -** **If at 1,530 cap, Jan 1 of new calendar year, whichever occurs LATER**	**Must take 30-day break after 5 consecutive mos; may work 3 more mos, then must take 3-mo break**	4-month break
	EXAMPLES:	Summer Seasonal: Lifeguard; Play Camp	19-hr Rec EE during school year who wants to work more hours in summer	Golf Course/R2R Mx Worker; WQ Lab Tech/Analyst	Anyone who has retired from a PERSI-eligible job	*SAW= Seasonal Agricultural Worker at 20 Mile South Farm


THE CITY OF
BOISE
TEMPORARY
EMPLOYEE
HANDBOOK
FOUNDED 1863

Welcome to the City of Boise

You have joined an amazing group of people who are genuinely excited and proud to serve our great city. We are humbled and honored to have an opportunity through the work we do to positively affect the lives of our citizens and to make a difference in our community. Now that you have joined us, you too have the opportunity to do great things by contributing to the success of our city and helping shape its future.

In order to understand our internal culture, please spend a few moments getting acquainted with all of the helpful information in this handbook, but especially our vision, mission and values. Why? These are not just empty catch phrases no one knows or cares about. We consciously use our vision, mission and values to drive our day-to-day and long-term decision-making. This keeps us all pulling in the same direction and focused on the same outcome - Making Boise the Most Livable City in the Country!

CHEERS

Mayor David Bieter

THIS IS HOW A LASTING INNOVATIVE & VIBRANT CITY FLOURISHES

CREATE LASTING ENVIRONMENTS

Recognize, protect, and improve the health and sustainability of all our activities, our connections to one another, and our natural resources.

CULTIVATE INNOVATIVE ENTERPRISES

Work with individuals, nonprofits and businesses to encourage creativity and collaboration that will promote economic prosperity and improve lives.

BUILD VIBRANT COMMUNITIES

Engage citizens and organizations to spark new connections, inspire exploration and strengthen Boise's rich, community-minded spirit.

Our Vision

Making Boise the Most Livable City in the Country!

Our Mission

Create Lasting environments, an Innovative economy and Vibrant communities (LIV) to achieve our vision.

Our Values

ONE CITY, ONE TEAM – FOR THE GREATEST GOOD

We are a single team aligned around a singular vision: Making Boise the Most Livable City in the Country. We employ and reward bright, motivated and passionate team players who connect directly to this vision. When there are competing points of view, we collaborate to deliver the greatest good for our citizens.

CITIZEN EXPERIENCE WITH 'WOW'

Boise deserves a responsive city government. Our people are empowered to offer creative solutions and experiences that go above and beyond to make citizens literally say 'Wow.'

THERE'S NOTHING WE CAN'T DO BETTER

We reject the bureaucratic response: That's the way we've always done it. We will question our own processes in an atmosphere of trust and risk-taking to deliver measurably better results. From the bottom up, we remove barriers to happiness, prosperity and livability for all our citizens.

There's Nothing We Can't Do Better

WELCOME

We're Glad You're Here!

You will notice that this handbook is a bit unique. We are giving you a break from the hundreds of pages of legalese-filled policies and regulations that govern every conceivable employment subject known to humankind. Instead, we are presenting you with a light-hearted, abbreviated edition containing the subjects we believe you care about most and need to know as you begin employment with us. Don't worry – the hundreds of pages of legalese-filled policies and regulations are still alive and well, and you can see all of them in the FULL MONTY version of our employee handbook.

In case you were wondering, the term "full monty" is British slang that refers to something in its entirety, the whole thing, the works.

What did you think it meant?

One City, One Team - For The Greatest Good

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BITS ABOUT BOISE

The City of Trees

1. Present day City Hall is located in an area once known as Levy's Alley, which served as Boise's red light district.

2. We employed a female police officer as early as 1930.

3. In 1868 Boise had two churches, two banks, three hotels, four physicians, and 20 saloons.

4. Our first fire station located at 619 Main Street burned to the ground in September of 1883.

5. In 1969 any of the following would have disqualified you from police or fire employment: offensive breath, multiple cavities, offensive body odor, obesity, and not enough teeth to adequately chew food.

6. Some of the causes of death listed in the Morris Hill Cemetery's first burial records from the 1800's include murder, dropsy, poison, falling tree, falling rock, and rickets gathering in the head.

7. The original Natatorium on Warm Springs Avenue was a 6-story building with a 122 x 64 foot plunge pool. It had an artificial waterfall that went over a 40-foot lava rock diving platform and a two-story copper slide.

8. The original plat for the City of Boise was ten blocks. The area boundaries today are 5th, 10th, Grove, and Idaho Streets.

9. During World War II, more than 6,000 men were stationed at Gowen Field, including actor Jimmy Stewart.

no

01

NOW THAT YOU'RE HERE

HOW TO ACT

No Drama Please.

No, we don't plan to send you to Hollywood; we are referring to your behavior. Whether you work in the City Attorney's Office, Code Enforcement, DFA, or one of our wastewater treatment plants, our expectation regarding your behavior is the same: We expect you to be professional, courteous, and respectful at all times. Can you believe how mainstream we are?

HOW TO DRESS

One Size Does Not Fit All.

Positions and duties across departments vary greatly, so a one-size-fits-all dress code doesn't work. However, there are some basic standards everyone is expected to meet. First, clothes are required at all times. Clothes should be clean and stain free; tear and wrinkle free; not too baggy; not too snug; and must completely cover everything the people you work with should never see.

Second, in regard to cleanliness, we believe that it's important for you to be seen and heard, but not smelled. So please keep yourself clean and free of body odor (BO).

Third, if you are fortunate enough to have hair, please keep it clean and combed. If you are the free-spirited type and choose to sport an unusual hair color, we recommend a shade that compliments your skin tone, uniform, and body art.

Our Lingo.

During the course of a normal work day you will be exposed to a flood of acronyms and abbreviations. Here is a brief, but not all-inclusive sample of some of our best phraseology.

CH1 = City Hall #1
Front half of City Hall

CH2 = City Hall #2
Southeast quarter of City Hall

CHW
City Hall West-Police and Fire department offices

ASAP
As Soon as Possible
(you'll see this a lot)

OMG
Oh My Gosh
(hopefully you won't see this a lot)

LIV
Lasting, Innovative, and Vibrant
(our abbreviated mission)

BUGS
Boise Urban Garden School
(fits right?)

EMT
Executive Management Team
(our fearless leaders)

RBT
Run the Business Team

B3
Blah, blah, blah or et cetera

PW
Public Works
(PU might be more appropriate)

PIO
Public Information Officer

P-Card
Purchasing Card

BMC
Boise Municipal Code aka City Code.
(aka means also known as)

CYA
Cover Your Assets

PPE
Personal Protective Equipment
(we think CYA and PPE go well together)

PO
Purchase Order

GACR
Goal Achievement and Competency Review
(some unmentionable nicknames also exist)

PRR
Public Records Request

JK
Just Kidding
(not meant to be taken seriously)

WBWWTP
West Boise Wastewater Treatment Plant
(you thought we were making this one up didn't you?)

EAP
Employee Assistance Program

BFD
Boise Fire Department
(fooled you again, didn't we?)

AFJ
Absolute Favorite Job
(congratulations, you just found it!)

SAFETY

Slips, Trips, and Falls. Oh My!

We've all heard the slogans, "Safety First!," "Safety is Something You Can Live With," "Safety is Something You Can't Live Without." Now don't turn the page; we aren't going to bore you with endless safety rules. Instead we are going to spin a few basics for you.

Watch where you're going. This applies to walking, sitting, driving, biking, scooting, crawling, B3 (blah, blah, blah).

Never touch a frozen metal pole with your tongue – even if someone triple dog dares you.

In case of fire, proceed to the nearest exit BEFORE tweeting about it. Then follow your coworkers to your assigned reporting location so we know you're safe.

In case of an earthquake drop to the ground, take cover under a sturdy desk or table and hold on! Do not run outside, stand in a doorway, or stop to take a shaking #selfie.

When driving, do wear your seatbelt; do not text or upload pics to Instagram of yourself inside a city rig.

During a lightning storm, do seek shelter indoors; do not seek shelter under a tree or point to the sky with your 7-iron.

Do report accidents immediately. Do not run with scissors.

Do use proper lifting techniques; do not expose a plumber's crack.

Never stick your finger into a light socket without licking it first. Just kidding! We wanted to see if you were still paying attention. Don't really do this. Not ever!

WORK SCHEDULES & TIME REPORTING

Take A Break; You Deserve It!

WORK SCHEDULES

Our philosophy is this: When you are scheduled to be at work, we expect you to be at work. Surprised? You shouldn't be. Just because we are government doesn't mean we have to make it complicated.

How is your schedule determined? Your schedule depends on your position as well as the business needs of the department. In some cases, a flexible schedule that allows you to start or end your workday outside the standard 8 a.m. to 5 p.m., Monday through Friday schedule is an option. Another option may be to compress your 40-hour workweek into four days. Again, the nature of your position and business needs will determine if these are options for you.

BREAKS

Generally speaking, if you are in a full-time position working 40 hours or more per week, you are eligible for two 15-minute breaks – one to be used during each half of your workday. Your supervisor may also authorize a 30- or 60-minute meal break.

REPORTING WORK TIME

If you are in a non-exempt (hourly) position, you are expected to clock-in and clock-out each day. You may also be expected to clock-in and clock-out for your meal break. Be sure to ask your supervisor where and when you need to clock-in and clock-out and please don't work any overtime unless your supervisor tells you it is okay beforehand.

no

02

COMPS & BENNIES

PAY DAY

Show Me the Money!

Show you what? Really? You just got here and you are already asking about money! Is that all we are to you - a paycheck? JK. Of course you want to know when you get paid! Who doesn't?

You will be paid on a biweekly basis. No, that does not mean you'll be paid twice a week; it means you will be paid every two weeks. To be more precise, you will be paid on alternate Wednesdays.

Generally speaking we do not issue paper pay checks, so just give us a canceled deposit slip or check and we will set you up on automatic deposit. There are no envelopes to open, no hurrying to the bank before it closes, and no lost paychecks. The funds just magically appear in your account on payday. If you want to see your pay stub, you can access it through our Boise Home.

BTW, if you are wondering if giving us a canceled deposit slip or check allows us to deduct money from your account, or see your account balances, don't worry-it doesn't. However, if you would like to give us that access, just add our name to your account; we'll be happy to help spend your money.

PAID & UNPAID LEAVE

Time Off Here I Come!

Have you ever heard the saying, "All work and no play makes Jack a dull boy"? Well, the last thing we want is for you to become dull, so we are happy to offer two (2) hours of paid time off each two week pay period to those of you whose standard schedule is 40 hours per week. Now this doesn't mean you can just call your supervisor and say you won't be in that day. In order to use the leave you must request the time off in advance and receive approval to take it. You should also know that any paid leave not used before the current employment period ends will be lost, never to be seen or heard from again. How sad.

HOLIDAYS

Temporary employees who work 20 hours or more per week may be eligible to receive paid holidays. If you work on a holiday you will be paid 1.5 times your regular hourly rate for each hour worked. How is that for an incentive? Cha-Ching!

Our observed holidays are Thanksgiving, Christmas, New Year's Day, Idaho Human Rights Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day.

ABSENT WITHOUT LEAVE (AWOL)

What happens if you miss work and you are not on an approved leave? Well, if this happens you will be considered absent without leave, aka AWOL. Do you know what happens to people who are AWOL? No? Great, let's keep it that way.

no

03

DO'S DON'TS AND DOH'S

MOONLIGHTING

It's Not a Madness Sale

We don't prohibit you from having a second job; however, we do expect you to treat your position with us as your AFJ (absolute favorite job) and not let your moonlighting activities detract you from your AFJ responsibilities. Additionally, as a CYA please inform your supervisor about any moonlighting gigs you have so we can make sure they don't create a conflict of interest under our Code of Ethics.

HIRING RELATIVES

Like Marrying Them, It's Against the Law

Please don't be offended, but we're not interested in hiring your relatives. It's not because we don't like them-we bet they're great! The problem is a little thing called nepotism. Nepotism is favoritism based on a family relationship, and it is something we frown upon. Why? Well, if hiring a relative creates a supervisor/subordinate relationship, directly or indirectly, it's a violation of Idaho State law. Another violation of State law would be hiring a relative in any position that has an auditing, financial, or control relationship to your job. So see, it's not that we don't like your relatives; we're just not hip on breaking the law.

TECHIE STUFF

Computer Use, Monitoring, and Privacy

Are you a conspiracy theorist? Do you ever feel like somebody's watching you? Is that song playing in your head right now? Well, guess what? We admit it, we are watching you! We monitor your use of our electronic equipment and media to ensure our resources are being used effectively, legally, and tastefully. For example, if your Internet usage shows you spent time watching *The Real Housewives of Sweetlips, Texas* or most any other reality TV episode, we could argue that your Internet use failed the "tasteful" test.

Not only are we watching how you use our electronic resources, but we are also watching how much time you spend on various media. Although we do permit personal use of our information technology, we ask that you limit your personal use to breaks, lunch, and other off-the-clock time.

Is there any other conspiracy-generating information you need to know? Yes there is! As a member of our great organization you automatically and expressly waive any right of privacy in anything you create, save, send, or receive that involves City business. And just so you know, even messages and information involving our business sent via your personal media or equipment can be subject to disclosure through a Public Records Request. Therefore, we discourage you from conducting any job-related business from your personal media accounts or equipment.

DRIVING

On the Job

You are welcome to sign-out one of our sweet government rides to cruise around in when you are conducting City business, but before you step on the gas there are a few things you need to know. For example, before driving one of our sweet vehicles, you are required to pass an online driving safety course. You must also possess a valid driver's license, wear your seatbelt, and obey all traffic laws. In addition to those common sense items, we have a few "STOP" signs for you to remember when using a City vehicle.

- Do not pick up hitchhikers.
- Do not transport family, friends or pets, or run personal errands.
- Do not text or otherwise use a mobile device while driving. If you absolutely must take a call, pull off to the side of the road or use a hands-free device.
- Do not challenge other drivers to drag race.
- Do not vape, smoke, chew, dip, spit, snuff, snort, or eat tobacco.
- Do not ask us to pay your speeding ticket.
- Do not return a vehicle full of trash; do return it full of gas.
- Do not drive into other vehicles, people, or property.
- Do not leave the vehicle unlocked.
- Do not listen to country music. If you do, you could wind up married to a Coal Miner's Daughter named Delta Dawn from Luckenbach, Texas who's wearing Tight Fittin' Jeans and your entire life will be about Rednecks, White Socks, and Blue Ribbon Beer. JK.

BTW, when you drive a City vehicle remember you're representing us, so always drive defensively, responsibly, and courteously. If you don't we WILL hear about it; John Q. Public is always watching.

DATING, ROMANCE & OTHER ENCOUNTERS

It's Risky Business

Having a romantic or sexual relationship or encounter with a coworker or other work-related colleague is risky business and highly discouraged. However, if you are bold enough to do it anyway and it doesn't end well, don't blame us; we told you so. If the mood suddenly changes and your love is now claiming you sexually harassed him, don't blame us; we told you so. And if you lose your job because all the dirty details of your encounter or break-up played out on Facebook, creating a daytime drama in your department and disrupting business, don't blame us; we told you so.

Now, if you are a supervisor, you are not only discouraged from engaging in these relationships or encounters with people you supervise (directly or indirectly), you are absolutely, positively, and without a doubt forbidden from doing so. However, if you are bold enough to do it anyway, we won't say we told you so. We will simply ask you if that goodnight kiss was worth kissing your job goodbye. SMACK!

ALCOHOL & DRUGS

Just Say No

It's not complicated. Don't do illegal drugs, abuse prescription medication, or consume alcohol on the job. Don't perform job duties under the influence, and don't test positive for drugs or alcohol during work hours. And for those of you who like to push the boundaries, let's be clear, even if you purchased it legally in another state or it was prescribed legally in another state, if it's not legal in Idaho, it's a no-go here. Capisce?

TOBACCO & VAPE

Can We Bum a...

Minute of your time to clear the air? It's simple. If you are smoking it, chewing it, dipping it, vaping it, or consuming it in other ways, all we ask is that you do so in designated areas only, dispose of it properly, and limit your use to work breaks. S'nuff said.

no

04

SERIOUSLY SPEAKING

ETHICS

Be Sure You Packed Your Moral Compass!

There are a lot of perks that come with working for the City, but PLEASE don't get your hand caught in the cookie jar. Correction: Please don't PUT your hand in the cookie jar. To assist you in recognizing a cookie jar when you see one, we've created an Ethics Handbook to explain how our Code of Ethics may come into play during the course of your employment. The handbook addresses subjects like accepting gifts, business travel, conflicts of interest, moonlighting, etc.

If you can't find the answer to your question in the Ethics Handbook, you may request an opinion from our Ethics Commission regarding a specific issue you are facing. Our Ethics Commission was the first of its kind in Idaho and has proudly served as a model for cities across the country. Now that is something you CAN put into your cookie jar.

There's Nothing We Can't Do Better

TEMPORARY EMPLOYMENT

No Strings or Contracts Attached!

You were hired as a temporary employee. This means your employment is seasonal, intermittent, or sporadic in nature and it is at-will. At-will means the employment relationship can end at any time, for any reason, and without notice. Have you heard people say that breaking up is hard to do? Not so much.

SEXUAL HARASSMENT & DISCRIMINATION

Just Don't Go There

We don't take ourselves too seriously, so please don't take yourself too seriously either. We want you to have fun at work. We want you to smile, laugh, and enjoy the people you work with...just not TOO much or at someone else's expense. More specifically, we prohibit, ban, bar, forbid (get the picture?) any discriminatory or harassing behavior based on a person's protected status. What is protected status? Protected status refers to religion, gender, age, sexual orientation, gender identity/expression, disability, race, color, genetic information, or national origin. The rules are simple.

KEEP YOUR HANDS AND BODY PARTS TO YOURSELF

No, this isn't about a harmless hand shake or the almost obsolete high-five. This is about respecting personal boundaries. For example, you may be a Hugger. A "Hugger" is someone who greets everyone with a hug. Well, not everyone likes to be hugged and your hugs may make the Huggee uneasy. So, in the spirit of respecting personal boundaries, you might consider changing from a Hugger to a "Bumper" (fist bumper). Not only will you look cool, but hopefully you won't make anyone uncomfortable.

Close-Talkers, Shoulder-Squeezers and Knee Slappers should use caution as well. Remember everyone's personal boundaries are different, but all personal boundaries must be respected.

MIND YOUR MOUTH

"Have you heard the one about ..." STOP RIGHT THERE! Yes, we all like to tell jokes and stories that make people laugh and yes, we want you to laugh and have fun at work. Our only request is that you please keep it within reason. Expressing, displaying, or distributing derogatory or stereotypical comments, jokes or images based on a person's protected status is a big NO, NO! So don't just mind your mouth; please be sure to think before you speak or act.

USE CAUTION ON AND OFF THE CLOCK

Just because you are off-the-clock or off city premises does not make it okay to engage in discriminatory or harassing behavior toward the people you associate with through work. We aren't just talking about your coworkers either; this includes vendors, customers, and anyone you associate with in your position with us. Whether you are out sippin' suds with your coworkers after work or sharing a joke on Facebook with a vendor, make sure to keep it clean. This will keep you out of hot water.

CHILD & SEX ABUSE REPORTING

We're Depending on You, So Are They

You're probably surprised to see child abuse and sexual abuse as a topic in this handbook. The reason for their inclusion is that one of the ways we build vibrant communities is to offer numerous programs for children. Because children are our community's future and greatest asset, we must do everything we can to protect them.

Thousands of kids participate in our programs, frequent our libraries and parks, visit our treatment plants, fire stations, etc. As an employee of our great city, you have a legal and ethical obligation to notify Child Protective Services within 24 hours or, in case of an emergency, the police if you have reason to believe that a child under the age of eighteen (18) years has been abused, abandoned, or neglected, or if you observe a child being subjected to conditions or circumstances that would reasonably result in abuse, abandonment, or neglect. The term "abuse" includes all forms-physical, sexual, verbal, etc.

POLITICS

We're Pro Suffrage and We Vote

Do you know the definition of boondoggle, mollycoddle, or snollygoster? Do you know the difference between a hanging chad, dimpled chad, and pregnant chad? If so, you'll be happy to know we have no intention of denying your civil and political liberties; however, it is important for you to know what is and isn't appropriate in regard to politics and your position with us. You absolutely have the right to personally support any candidate or legislative action you wish providing you do so as a private citizen outside of work hours. You may not, however, engage in political activities as our representative, or while on duty unless it is part of your job duties, it forwards one of our initiatives, and you have approval from your Department Director.

WHISTLEBLOWING

When to Whistle While You Work

There are times when keeping secrets doesn't equal good business. After all, how can we fix a problem if we do not know about it? This is why it is important for you to let us know when there is any funny business going on. Don't worry about retaliation; whistleblower protection makes it a BIG no-no to retaliate against anyone for reporting a concern in good faith. Whistleblower protection does not, however, give you a free pass if you are breaking rules too. Like that would ever happen.

The Disclaimer To End All Disclaimers.

No provision or portion of this handbook constitutes an implied or expressed contract, guarantee, or assurance of employment or any right to an employment-related benefit or procedure. The City reserves the right to change, modify, eliminate, or deviate from any information or procedure in this handbook at any time and to otherwise manage its employees as it deems appropriate. This handbook cannot replace City ordinances, other laws, or the Full Monty Employee Handbook (Full Monty). Ordinances, laws and the Full Monty prevail over this handbook.

Published February 2016

The End!

"The End" is actually the beginning for you and your temporary gig here at the City of Boise. Welcome! We are truly glad you are here.

BOISE

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	04-01-10
	03-14-11
Legal References:	

PROMOTIONS, TRANSFERS, TEMPORARY REASSIGNMENTS, & DEMOTIONS

I. INTRODUCTION

This regulation outlines the parameters for transferring or promoting current City employees within the same department and between different departments. It also outlines the parameters governing temporary reassignments and demotions.

Employees who are on an improvement plan due to unsatisfactory performance are not permitted to transfer or promote into another position without approval from the applicable Department Director(s).

This regulation applies to all City employees unless otherwise outlined within a current collective labor agreement, civil service rule, or City policy or regulation.

The Mayor and City Council may select employees to serve in their respective offices by whatever employment process deemed reasonable by the Mayor and/or City Council and consistent with Boise City Code and applicable laws.

II. REQUIRED BACKGROUND INVESTIGATIONS

Employees transferring, promoting, demoting, being reclassified or reassigned into a position where the responsibilities of the position require working with minors or individuals with disabilities, shall be required to undergo additional background investigations, including fingerprinting, if this did not occur when the employee was originally hired. Supervisors shall refer to the City's Background Investigations Regulation for information regarding these investigations.

III. REQUIRED DRUG TESTS

Current employees who are transferring, promoting, demoting, or being reassigned from a non safety sensitive position to a safety sensitive position are required to take a post offer drug test. A verified negative test result shall be received before the applicant may begin safety sensitive duties.

Current employees who are transferring, promoting, demoting, or being reassigned to a position that involves the duties or activities that require a commercial driver's license (CDL) shall take a post-offer Department of Transportation (DOT) test for illegal drugs. A verified negative test result

shall be received before the applicant may begin work. Supervisor shall refer to the City's Commercial Driver's License Regulation for more information.

IV. TRANSFERS, PROMOTIONS AND DEMOTIONS

A current regular or a current temporary employee who has gone through the City's competitive hiring process may be transferred or promoted into a regular position within their own department, without having to post the vacancy, provided the employee is qualified for the position. A status form effectuating the change must be sent to Human Resources.

However, if the position has been posted, or if it is in a different department, the employee must have applied online as an internal applicant, be qualified for the position, and have gone through the City's competitive hiring process before they can be considered for the transfer or promotion.

A regular City employee may be demoted within the same department into any vacancy provided that the employee is qualified for the position. The employment change does not require a new hire requisition or for the employee to go through the City's competitive hiring process, but does require a status form effectuating the change be sent to Human Resources.

The salary and benefit package offered for all transfers, promotions and demotions must be in accordance with City policies and regulations.

V. TEMPORARY REASSIGNMENT

A supervisor needing to temporarily reassign a current employee into a different position should discuss the reassignment with the employee. A reassigned employee must have the ability and qualifications required for the position. A temporary reassignment may not exceed six months without approval from the Department Director and Human Resources.

The salary and benefits package offered for temporary assignments must be in accordance with City policies and regulations.

The reassigned employee may assume the position on a regular basis after participating in the competitive hiring process or being promoted or transferred in accordance with this regulation.

Document Type:	Regulation
Number:	2.01i
Effective:	09-05-08
Revised:	07-13-09
	01-22-10
	08-27-20
Legal References:	

REHIRING FORMER EMPLOYEES

I. INTRODUCTION

This regulation outlines the circumstances and parameters under which a former employee may be rehired. This regulation applies to all city departments.

II. RESTRICTIONS FOR REHIRES

Former regular and temporary employees previously hired though the city's competitive hiring process may be rehired by the **same department** within one year of separation without going through the city's competitive hiring process.

Former employees who have been separated over one year, or are being hired into a different department, are required to go through the city's competitive hiring process unless otherwise permitted in the city's policies and regulations.

Supervisors shall not hire former employees who were terminated, resigned in lieu of termination, quit without proper notice (if required or not approved), were not in good standing with the city at the time of separation, or whose performance, work ethic, or conduct during their city employment were below average. The restriction against rehiring employees who were terminated or who resigned in lieu of termination does not apply to employees who lost their city job due to a layoff. However, the other rehiring restrictions and requirements in this regulation and in the city's Layoff policy and regulation do apply.

III. REHIRE REQUIREMENTS

Before offering employment to any former city employee, the hiring supervisor shall review the former employee's personnel file and contact their former city supervisor as well as human resources to gather information regarding their:

A. performance (e.g. quality and quantity of work, timeliness, effort, follows instructions and abides by rules, volunteers for additional work), and
B. work ethic (e.g. punctual, reliable, trustworthy), and
C. demeanor (e.g. temperament, gets along with others, takes direction well, good attitude toward the job and the city)

This is not required if the former employee previously worked directly for the hiring supervisor.

IV. BACKGROUND CHECK, PROBATIONARY PERIOD, PAY, ETC.

Former employees returning to work at the city are subject to all applicable background investigations, fingerprinting, reference checks, drug testing, etc. in accordance with other city policies and regulations.

Former employees hired into a regular position requiring a probationary period shall serve the required probationary period for that position.

Former employees who are rehired shall be paid in accordance with the city's policies and regulations.

A former employee with at least two years of continuous satisfactory employment in a regular position with the city, who voluntarily separated then is rehired into a regular position within one year of separation, is eligible to have one-half (½) of their accrued sick leave balance at the time of separation reinstated unless the balance was swept into the employee's PEHP account or is no longer available.

Document Type:	Regulation
Number:	2.01j
Effective:	07-01-06
Revised:	01-22-10
Legal References:	I.C. § 65-501 et seq.

VETERAN'S PREFERENCE

I. INTRODUCTION

Qualified veterans and disabled veterans are entitled to preferential treatment when being considered for initial employment. Temporary, elected, and key employees are not eligible to receive a veteran's preference. Key employee, as defined in Idaho Code 65-502(5) is an individual who is specifically hired for an "at will" or non-classified position for which there is no selection process, such as a position as an assistant or deputy of an official or department who holds a confidential relationship to the appointing or employing officer.

At the City's discretion, this regulation is inapplicable to positions where federal funds are contributed or if in conflict with federal laws or regulations that restrict employment eligibility to specific individuals or groups.

Qualified veterans and disabled veterans are also entitled to preferential treatment during a reduction in force. For more information regarding veteran's preference during reductions in force, please refer to the City of Boise's Layoff Regulation 7.10a.

II. PREFERENCE ELIGIBILITY

Preference is to be given to qualified veterans listed below:

A. Veterans and disabled veterans as defined by section 56-502 of Idaho Code.
B. A widow or widower of a veteran as long as he or she remains unmarried.
C. The wife or husband of a service connected disabled veteran if the veteran cannot qualify for public employment because of a service-connected disability.

"Veteran" means any person who has:

A. Served on active duty in the armed forces during a war, in a campaign or expedition for which a campaign badge has been authorized, or during the period beginning April 28, 1952, and ending July 1, 1955;

B. Served on active duty as defined in 38 U.S.C. section 101(21) at any time in the armed forces for a period of more than one hundred eighty (180) consecutive days, any part of which occurred after January 31, 1955, and before October 15, 1976, not including service under 10 U.S.C. section 12103(d) pursuant to an enlistment in the army national guard or the air national guard or as a reserve for service in the army reserve, naval reserve, air force reserve, marine corps reserve or coast guard reserve;

C. Served on active duty as defined in 38 U.S.C. section 101(21) in the armed forces during the period beginning on August 2, 1990, and ending on January 2, 1992; or

D. Served as may be further defined in 38 U.S.C. section 101(11).

III. APPLICATION FOR EMPLOYMENT

The City of Boise shall give notice in all announcements and advertisements of vacancies that preference in appointment will be given to eligible veterans. The application will inquire whether the applicant is claiming veteran's preference. Upon request an applicant claiming a veteran's preference may be required to provide required documentation.

For those positions where a register is established, an application for appointment to a position will be accepted after the closing date of the announcement from a person who was serving in the armed forces, or who was hospitalized up to one (1) year following discharge for a service-connected injury or illness. The application must be submitted within one hundred twenty (120) days of his or her separation from the armed forces or hospitalization and prior to the expiration of any register established as a result of the examination.

A disabled veteran may submit an application at any time up until a selection has been made for any position for which a register is then maintained as a source for future job openings, or for which a register is about to be established, provided:

A. He or she has not already been examined twice for the same position and grade for which application is made, and

B. Does not have current eligibility on that register, or

C. Is not serving in a competitive position in the same grade for which application is made.

If a register is not used as part of the selection process, a disabled veteran may file an application after the closing date, but such application will only be considered if a selection has not been made and the selection process is still active.

The City may refuse to accept an application from an otherwise qualified veteran who is deemed unqualified through his or her actions. Examples of such actions include dismissal for cause from a public entity, a felony conviction, or conduct unbecoming a public employee. Such refusal must be supported by good cause and is appealable pursuant to Idaho Code section 65-506.

IV. VETERANS PREFERENCE FOR POSITIONS NOT REQUIRING A COMPETITIVE EXAMINATION

Veteran's preference will be given for posted positions that do not require a competitive examination, as outlined in applicable law. For these posted positions, qualified veterans shall be offered an interview if they are one (1) of the top ten (10) qualified applicants. If applicants are not ranked, an interview must be offered to such veterans who fully meet all qualifications for the position. However, supervisors

are not required to interview more than a total of ten (10) applicants regardless of the number of such qualified veteran applicants.

A “position” does not include a job held by a temporary or casual employee, or an office filled by election.

Preference is given on initial appointment and not for the purpose of any promotion, transfer or reassignment.

V. VETERANS PREFERENCE IN COMPETITIVE EXAMINATIONS

Five (5) percentage points shall be added to the final earned rating of veterans discharged under honorable conditions when required to take competitive examination for any position which may now or which may hereafter require competitive examination under a merit system or civil service plan of selecting employees. The names of all veteran preference recipients shall be placed on the register in accordance with their augmented rating.

The additional points added by reason of veteran's preference shall be used only for the purpose of initial appointment and not for the purpose of any promotion, transfer or reassignment.

VI. DISABLED VETERANS PREFERENCE AND COMPETITIVE EXAMINATIONS

Ten (10) percentage points shall be added to the final earned rating of veterans discharged under honorable conditions who qualify as disabled veterans because they have served on active duty in the armed forces at any time and have a current service-connected disability of ten percent (10%) or more. In addition, a person qualifies as a disabled veteran if he or she is a purple-heart recipient, or is receiving compensation related to a service-connected disability including retirement benefits or pension from the military or the department of veterans affairs.

Alternatively, ten (10) percentage points shall be added to the final earned rating of the widow or widower of any disabled veteran as long as he or she remains unmarried, or the spouse of any eligible disabled veteran who cannot qualify for any public employment because of a service-connected disability. The names of all ten (10) point preference recipients shall be placed on the register in accordance with their augmented rating. The additional points added by reason of veteran's preference shall be used only for the purpose of initial appointment and not for the purpose of any promotion, transfer or reassignment.

VII. INTERVIEW REQUIREMENTS

Disabled veterans discharged under honorable conditions who served on active duty in the armed forces at any time and have a current service-connected disability of thirty percent (30%) or more shall be offered an interview if they are one (1) of the top ten (10) qualified applicants. If applicants are not ranked, an interview must be offered to such veterans who fully meet all qualifications for the position.

However, supervisors are not required to interview more than a total of ten (10) applicants regardless of the number of such qualified veteran applicants.

VIII. APPEAL RIGHTS

Individuals who believe they have been denied a right or benefit under this rule may file a written appeal with the City of Boise's Human Resource Director within 35 days of the alleged denial of preference.

Document Type:	Regulation
Number:	2.01p
Effective:	10-01-09
Revised:	01-22-10
	07-20-12
Legal References:	29 CFR 553.100 et seq.

VOLUNTEERS

I. INTRODUCTION

The City of Boise believes that volunteers are a positive force within the organization and provide a tremendous service to the City. The varied talents and expertise of community volunteers greatly enhances the livability of the City. The purpose of this regulation is to establish a uniform process for on-boarding volunteers throughout all departments within the City of Boise. This regulation applies to all City departments who utilize volunteers and to those volunteers who hold a designated volunteer position and are granted some level of authority as a City worker. For the purpose of this regulation unpaid interns are also considered volunteers.

II. TYPES AND TIERS OF VOLUNTEERS

Volunteers can be individuals or organized community groups. Volunteers assist City employees with programs, special events, and service projects, and serve on various boards and committees. Volunteers may serve for a single event, or on a continual basis throughout the year. The type of volunteer used and length of service shall be determined by the volunteer program coordinator or event coordinator.

Volunteers are individuals who perform services for the City of Boise without compensation. Volunteers serve "at-will" and are not considered employees of the City. The City has the discretion to dismiss a volunteer at any time with or without cause and without prior notice or due process.

The City has three levels of volunteers that are referred to as Tier I, Tier II, and Tier III. The first two levels of volunteers, Tier I and Tier II, pertain to *individual citizens* who wish to volunteer their services to the City. The third level of volunteers, Tier III, applies to *community groups* who volunteer their services to the City.

The difference between the individual volunteers in Tier I and Tier II is the degree of their unsupervised accessibility to minors or individuals with disabilities as well as sensitive and/or confidential information. Tier II volunteers are also required to pass a background investigation in accordance with the parameters set forth in City's Background Investigations Regulation.

For the purposes of this regulation "supervised" shall mean under the direction of and, except for momentary periods of time are within sight of a City employee. The term "minor child" shall mean any unmarried person under the age of 18 years of age, who has not been emancipated by order of the court. The term "individuals with disabilities" shall mean persons with a mental or physical impairment who require assistance to perform one or more daily living tasks.

Below are the specific definitions that differentiate Tier I, Tier II, and Tier III volunteers.

A. Tier I volunteers are *individual citizens* who:

1. Work with or around minor children or individuals with disabilities, but **are supervised** by a City employee or another volunteer who has passed the City's criminal background and fingerprint check, or are working in the **presence of the parent or adult guardian** of the minor child or the individual with a disability.
2. Work with or have access to confidential information, but **are supervised** by a City employee.
3. Provide other volunteer services unrelated to the conditions identified in section A (1) or (2).

B. Tier II volunteers are *individual citizens* who:

1. Work with or around minor children or individuals with disabilities, but are **not supervised** by a City employee or another volunteer who has passed the City's criminal background and fingerprint check, or are **not working in the presence of the parent or adult guardian** of the minor child or the individual with a disability.
2. Work with or have access to confidential information, but **are not supervised** by a City employee.
3. Are required to pass a background investigation in accordance with the City's Background Investigations Regulation.

C. Tier III volunteers are *community group*s that may include:

1. Service groups such as Rotary, Lions, Boy and Girl Scouts etc.; or
2. Groups from churches, clubs, and schools; or
3. Any other organization wishing to volunteer their services in a group capacity.

III. DEPARTMENT RESPONSIBILITIES FOR TIER I VOLUNTEERS

Departments using the services of a Tier I volunteer have the following responsibilities:

A. Provide the volunteer with a current City of Boise Volunteer Handbook. The Handbook may be in electronic form or a hard copy.
B. After they have read the Volunteer Handbook, have the volunteer sign an Individual Volunteer Waiver. This waiver should be retained by the department for two (2) years from the last date of volunteer service.
C. Review job duties with the volunteer(s) and provide information necessary to perform those duties as well as information on parking, appropriate attire, and citywide regulations.
D. Provide the volunteer with a badge, t-shirt, hat or other apparel that identifies him or her as a City of Boise volunteer. This is not required for large scale events or when otherwise not practical.
E. Provide personal protective equipment when appropriate.

In addition to these requirements, departments may choose to maintain a record of attendance for purpose of tracking individual contributions.

IV. DEPARTMENT RESPONSIBILITIES FOR TIER II VOLUNTEERS

In addition to the requirements listed above, if the individual is a Tier II volunteer the department is required to perform the following prior to permitting the volunteer to begin their volunteer service:

A. Contact Human Resources to schedule an appointment for a criminal background and fingerprint check on the volunteer; and
B. Send a completed Tier II Volunteer Fingerprint Notification Form (see exhibit 2.01s) to Human Resources; and
C. Notify the volunteer of the scheduled appointment time as well as directions on how to get to Human Resources. There is no cost to the volunteer for this service. Please note that it can take up to seven work days to receive the results.

Departments **shall not** permit Tier II volunteers to begin their volunteer service until the department has been notified by Human Resources that the volunteer's criminal background and fingerprint check is acceptable.

V. DEPARTMENT RESPONSIBILITIES FOR TIER III (COMMUNITY GROUP) VOLUNTEERS

When a community group volunteers its services for an organized event the department sponsoring the event shall ensure the volunteer group complies with the following:

A. Complete a Group Volunteer Waiver that includes a waiver and release of liability prior to beginning the volunteer service.
B. Obtain and retain a signed Acknowledgment of the Group Volunteer Waiver. This should be kept by the department for two (2) years from the last date of volunteer service.

VI. DEPARTMENT RESPONSIBILITIES FOR CURRENT CITY EMPLOYEES WHO VOLUNTEER

Before a current City employee volunteers for a position, the following requirements shall be met:

A. Before approving a volunteer position for a current City employee, the Department Director or designee of the volunteer position, shall ensure that the employee's volunteer position does not perform the same type of service or similar duties as those performed by the employee in his or her regular position with the City. This could create a liability for the City under the Fair Labor Standards Act (FLSA).
B. Provide the volunteer a current City of Boise Volunteer Handbook and Individual Volunteer Waiver. The Volunteer Handbook may be in electronic or hard copy form. Send a signed copy of the Individual Volunteer Waiver to Human Resources for inclusion in the employee's personnel file.
C. Wear a City badge, t-shirt, hat, or other apparel as required by this regulation that identifies him or her as a City of Boise volunteer, when serving as a volunteer.
D. When volunteering in a Tier II capacity, undergo and pass the City's criminal background and fingerprint check. If the employee underwent fingerprinting and criminal background check when hired into his or her regular position, this screening is not required. The department will inform the volunteer of the necessity of these requirements.

In addition to these requirements, departments may choose to maintain a record of attendance for purpose of tracking individual contributions.

VII. WORKER'S COMPENSATION ISSUES WITH VOLUNTEERS

In the event a volunteer is injured in the course of their volunteer service the supervisor or volunteer coordinator shall contact the City's Risk and Safety Division for instruction.

VIII. VOLUNTEER SEPARATION

Departments are responsible for collecting all City property at or before the time of separation, including but not limited to:

A. City uniforms or clothing
B. Cell phones and/or pagers
C. Volunteer identification badge (if applicable)
D. Keys to City vehicles and buildings
E. Computers, tools or other equipment
F. City issued parking permit
G. Any other City property in possession of the volunteer

IX. RETURNING VOLUNTEERS

Returning volunteers who underwent a fingerprint check during their previous volunteer service and are returning to the City within six (6) months are not required to undergo a fingerprint check, but are required to undergo a criminal background history check. For more information please refer to the City's Background Investigations Regulation 2.02a.

Document Type:	Exhibit
Number:	2.01q
Effective:	10-01-09
Revised:	12-15-09
Legal References:	

INDIVIDUAL VOLUNTEER WAIVER

Name of Volunteer: _____ Email Address:_____

Address: _____ City: _____State:_____ Zip:_____

Home Phone: _____ Work/Mobile Phone: _____

Emergency Contact (Print Name): _____

Address: _____ Phone: _____

AGREEMENT BY VOLUNTEER:

I agree to volunteer my services to the City of Boise in accordance with the following understandings:

1. I will offer my services with no expectation of pay, benefits or other privileges of employment of any kind. I certify that I have not been promised and have no expectation that I will receive a paid position as a result of my volunteer work.
2. I understand that placement into volunteer positions are at the sole discretion of the City of Boise. Accordingly, my volunteer assignment/service may be withdrawn or terminated at any time.
3. My volunteer service will not confer on me the status of a City employee, while acting within the scope of this Agreement.
4. I certify that I have been given and have read the City of Boise Volunteer Handbook. I understand my job duties and the potential hazards/risks that are involved, if any, for this volunteer position. I understand it is my responsibility to be aware of my physical condition and I will not engage in physical activities that are beyond my capabilities. I will notify my volunteer coordinator/supervisor of any significant change in my ability to do the work. If special skills are required for this project, I acknowledge I have been appropriately informed of the required tasks.
5. I grant the City permission to use my image in any and all publicity, advertising, and other materials, including websites and other electronic forms, or any other uses the City may deem proper. I waive any right to payment, royalties or any other consideration for use of the image in perpetuity.
6. I hereby hold harmless and release and forever discharge the City of Boise, its officers, agents, employees and volunteers from all claims, demands, and causes of action which I, my heirs, representatives, executors, administrators, or any other persons acting on my behalf or on behalf of my estate have or may have which arises out of or is in any way connected with this agreement.
7. If I drive a personal vehicle to and from a volunteer project, I certify that the vehicles are properly insured as required by Idaho State Law.
8. I understand and agree that the City is not responsible for any of my personal property that is lost, damaged or stolen while I am participating as a volunteer.
9. If the volunteer is under 18 years of age, a parent/guardian or supervising adult must sign this Agreement.

Volunteer Signature **Date**

Parent/Guardian Signature (Required if under 18) **Date**

Parent/Guardian Printed Name **Relationship to Volunteer**

Document Type:	Exhibit
Number:	2.01r
Effective:	10-01-09
Revised:	12-15-09
Legal References:	

GROUP VOLUNTEER WAIVER

Sponsoring Group or Organization: _____

Group Leader (Print Name): _____ Email:_____

Full Address: _____ Phone: _____

Emergency Contact (Print Name): _____

Address: _____ Phone: _____

Project: _____ Location: _____ Date: _____

City Staff: _____ Time Commitment: _____

AGREEMENT BY VOLUNTEER GROUP:

We, the sponsoring group or organization, agree to volunteer our services to the City of Boise in accordance with the following understandings:

1. We will offer our services with no expectation of pay, benefits or other privileges of employment of any kind. We certify that we have not been promised and have no expectation that we will receive paid positions as a result of our volunteer work.
2. We understand that placement into volunteer positions are at the sole discretion of the City of Boise. Accordingly, our volunteer assignment may be withdrawn or terminated at any time.
3. We understand our job duties and the potential hazards/risks that are involved for this volunteer position. We understand it is our responsibility to be aware of our physical condition and we will not engage in physical activities that are beyond our individual capabilities. We will notify the volunteer supervisor of any significant change in an individual's ability to do the work. If special skills are required for this project, we acknowledge we have been appropriately informed of the required tasks.
4. I grant the City permission to use my image in any and all publicity, advertising, and other materials, including websites and other electronic forms, or any other uses the City may deem proper. I waive any right to payment, royalties or any other consideration for use of the image in perpetuity.
5. I hereby hold harmless and release and forever discharge the City of Boise, its officers, agents, employees and volunteers from all claims, demands, and causes of action which I, my heirs, representatives, executors, administrators, or any other persons acting on my behalf or on behalf of my estate have or may have which arises out of or is in any way connected with this agreement.
6. If we drive a personal vehicle to and from a volunteer project, we certify that the vehicle is properly insured as required by Idaho State Law.
7. We understand and agree that the City is not responsible for any personal property that is lost, damaged or stolen while we are participating as a volunteer.
8. If under 18 years of age, a parent/guardian or supervising adult must sign this Agreement.

_____ _____

Signature of Group Representative/Supervising Adult Date

_____ _____

Printed Name Title

PARTICIPATING VOLUNTEERS:

- Name: _____ Phone: _____
  Address: _____ City: _____ State: _____ Zip Code: _____
- Name: _____ Phone: _____
  Address: _____ City: _____ State: _____ Zip Code: _____
- Name: _____ Phone: _____
  Address: _____ City: _____ State: _____ Zip Code: _____
- Name: _____ Phone: _____
  Address: _____ City: _____ State: _____ Zip Code: _____
- Name: _____ Phone: _____
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  Address: _____ City: _____ State: _____ Zip Code: _____

Document Type:	Exhibit
Number:	2.01s
Effective:	11-01-09
Revised:	02-10-10
Legal References:	

TIER II VOLUNTEER FINGERPRINTING NOTIFICATION

(To be completed by the volunteer's supervisor)

The City of Boise's Volunteer Regulation 2.01p requires some volunteers be fingerprinted based on the type of volunteer service they will be providing. Volunteers who require fingerprinting are known as Tier II volunteers. This form shall be completed by the department and sent to Human Resources (HR) notifying HR of the volunteer's Tier II status and requirement for fingerprinting.

Volunteer Name (Please print) _____ Volunteer Assignment _____

Please circle which of the following Tier II criteria this volunteer's service will include:

A. Work with or around minor children or individuals with disabilities, but are not supervised by a City employee or are not working in the presence of the parent or adult guardian of the minor child or the individual with a disability.

B. Work with or have access to confidential information, but are not supervised by a City employee.

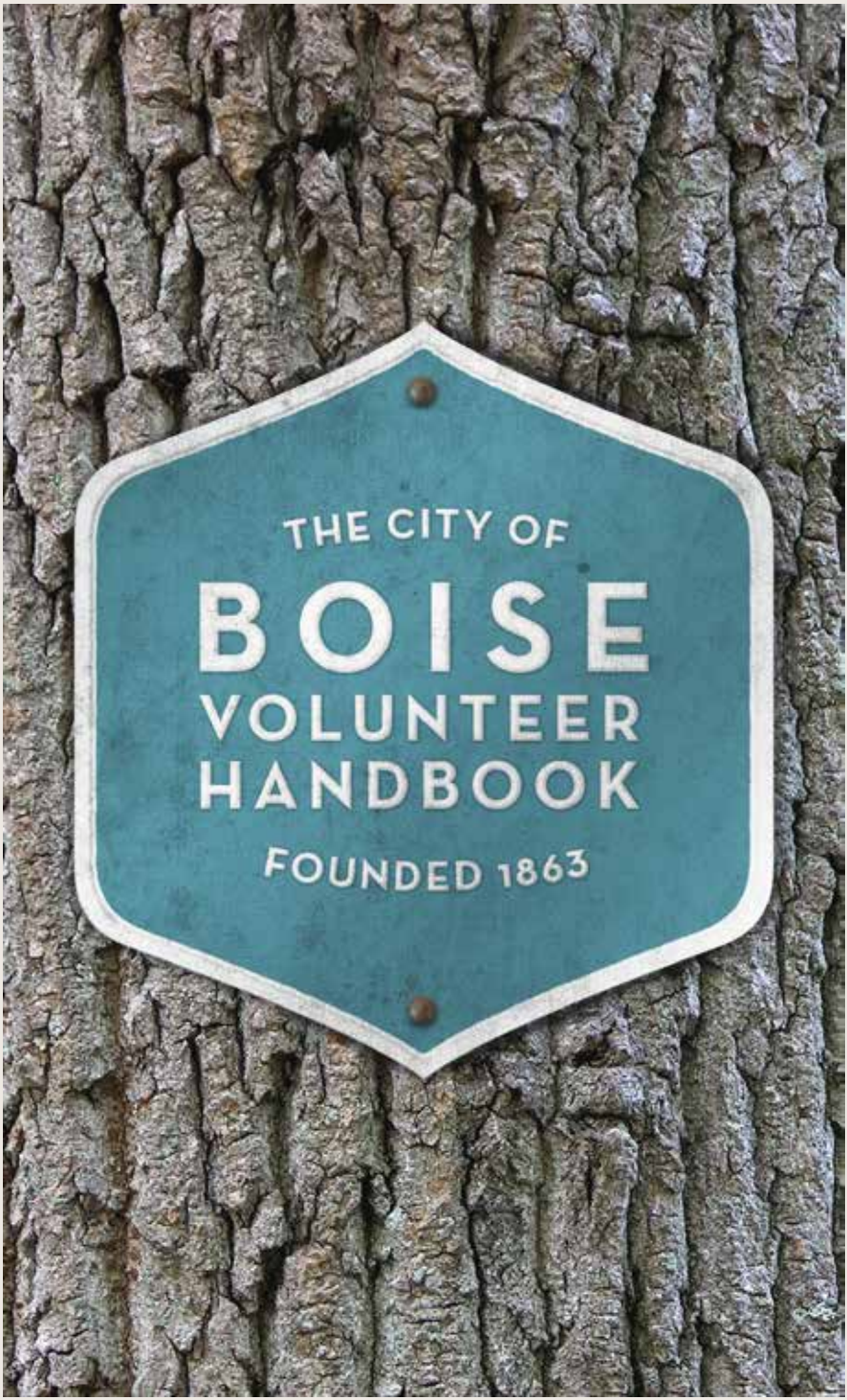
_____

My signature below certifies that I:

1. Provided the volunteer with a current City of Boise Volunteer Handbook.
2. Asked the volunteer to read and sign an Individual Volunteer Waiver to be retained by the department for two years.
3. Reviewed volunteer's duties with the volunteer and provided information necessary to perform those duties as well as information on parking, appropriate attire, and citywide regulations.
4. Provided personal protective equipment, when appropriate.
5. Provided the volunteer with a badge, t-shirt, hat or other apparel that identifies him or her as a City of Boise volunteer, when practical.
6. Request Human Resources perform a fingerprint check on the above referenced volunteer in accordance with the City's Volunteer Regulation 2.10p.

_____ Supervisor Printed Name _____ Department

_____ Supervisor Signature _____ Date


THE CITY OF
BOISE
VOLUNTEER
HANDBOOK
FOUNDED 1863

Welcome to the City of Boise

You have joined an amazing group of people who are genuinely excited and proud to serve our great city. We are humbled and honored to have an opportunity through the work we do to positively affect the lives of our citizens and to make a difference in our community. Now that you have joined us, you too have the opportunity to do great things by contributing to the success of our city and helping shape its future.

In order to understand our internal culture, please spend a few moments getting acquainted with all of the helpful information in this handbook, but especially our vision, mission and values. Why? These are not just empty catch phrases no one knows or cares about. We consciously use our vision, mission and values to drive our day-to-day and long-term decision-making. This keeps us all pulling in the same direction and focused on the same outcome - Making Boise the Most Livable City in the Country!

CHEERS

Mayor David Bieter

THIS IS HOW A

LASTING INNOVATIVE & VIBRANT

CITY FLOURISHES

CREATE LASTING ENVIRONMENTS

Recognize, protect, and improve the health and sustainability of all our activities, our connections to one another, and our natural resources.

CULTIVATE INNOVATIVE ENTERPRISES

Work with individuals, nonprofits and businesses to encourage creativity and collaboration that will promote economic prosperity and improve lives.

BUILD VIBRANT COMMUNITIES

Engage citizens and organizations to spark new connections, inspire exploration and strengthen Boise's rich, community-minded spirit.

Our Vision

Making Boise the Most Livable City in the Country!

Our Mission

Create Lasting environments, an Innovative economy and Vibrant communities (LIV) to achieve our vision.

Our Values

ONE CITY, ONE TEAM – FOR THE GREATEST GOOD

We are a single team aligned around a singular vision: Making Boise the Most Livable City in the Country. We reward bright, motivated and passionate team players who connect directly to this vision. When there are competing points of view, we collaborate to deliver the greatest good for our citizens.

CITIZEN EXPERIENCE WITH 'WOW'

Boise deserves a responsive city government. Our people are empowered to offer creative solutions and experiences that go above and beyond to make citizens literally say 'Wow.'

THERE'S NOTHING WE CAN'T DO BETTER

We reject the bureaucratic response: That's the way we've always done it. We will question our own processes in an atmosphere of trust and risk-taking to deliver measurably better results. From the bottom up, we remove barriers to happiness, prosperity and livability for all our citizens.

There's Nothing We Can't Do Better

CALLING ALL VOLUNTEERS

We're Glad You're Here!

Please accept our sincere THANKS for your volunteer service! We hope you find this handbook to be informative and entertaining. It was designed to answer questions you may have about your volunteer service and to embrace our vision, mission and values. Please review this handbook in its entirety and let your Volunteer Coordinator or Supervisor know if you have any additional questions.

Thank you again for your service.

One City, One Team - For The Greatest Good

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BITS ABOUT BOISE

The City of Trees

1. Present day City Hall is located in an area once known as Levy's Alley, which served as Boise's red light district.

2. We employed a female police officer as early as 1930.

3. In 1868 Boise had two churches, two banks, three hotels, four physicians, and 20 saloons.

4. Our first fire station located at 619 Main Street burned to the ground in September of 1883.

5. In 1969 any of the following would have disqualified you from police or fire employment: offensive breath, multiple cavities, offensive body odor, obesity, and not enough teeth to adequately chew food.

6. Some of the causes of death listed in the Morris Hill Cemetery's first burial records from the 1800's include murder, dropsy, poison, falling tree, falling rock, and rickets gathering in the head.

7. The original Natatorium on Warm Springs Avenue was a 6-story building with a 122 x 64 foot plunge pool. It had an artificial waterfall that went over a 40-foot lava rock diving platform and a two-story copper slide.

8. The original plat for the City of Boise was ten blocks. The area boundaries today are 5th, 10th, Grove, and Idaho Streets.

9. During World War II, more than 6,000 men were stationed at Gowen Field, including actor Jimmy Stewart.

no

01

NOW THAT YOU'RE HERE

HOW TO ACT

No Drama Please.

No, we don't plan to send you to Hollywood; we are referring to your behavior. Whether you volunteer in the Police Department, Parks & Recreation or Public Works, our expectation regarding your behavior is the same: We expect you to be professional, courteous, and respectful at all times. Can you believe how mainstream we are?

HOW TO DRESS

One Size Does Not Fit All.

Duties across departments vary greatly, so a one-size-fits-all dress code doesn't work. However, there are some basic standards everyone is expected to meet. First, clothes are required at all times. Clothes should be clean and stain free; tear and wrinkle free; not too baggy; not too snug; and must completely cover everything the people you work with should never see.

Second, in regard to cleanliness, we believe that it's important for you to be seen and heard, but not smelled. So please keep yourself clean and free of body odor (BO).

Third, if you are fortunate enough to have hair, please keep it clean and combed. If you are the free-spirited type and choose to sport an unusual hair color, we recommend a shade that compliments your skin tone, uniform, and body art.

IDENTIFICATION

Please be prepared to proudly show-off a City of Boise badge, vest, name pin, hat or other form of volunteer identification when performing your volunteer service. In addition to identifying you as a City volunteer, the identification may also serve as your access into super-secret, highly classified areas. Okay, not really, but it may get you into the back door of City Hall. Any exemptions from wearing volunteer identification during certain situations requires approval from your Volunteer Coordinator or Supervisor, and the long arm of the law aka Security Services.

SAFETY

Slips, Trips, and Falls. Oh My!

We've all heard the slogans, "Safety First!," "Safety is Something You Can Live With," "Safety is Something You Can't Live Without." Now don't turn the page; we aren't going to bore you with endless safety rules. Instead we are going to spin a few basics for you.

Watch where you're going. This applies to walking, sitting, driving, biking, scooting, crawling, B3 (blah, blah, blah).

Never touch a frozen metal pole with your tongue – even if someone triple dog dares you.

In case of fire, proceed to the nearest exit BEFORE tweeting about it. Then follow your coworkers to your assigned reporting location so we know you're safe.

In case of an earthquake drop to the ground, take cover under a sturdy desk or table and hold on! Do not run outside, stand in a doorway, or stop to take a shaking #selfie.

When driving, do wear your seatbelt; do not text or upload pics to Instagram of yourself inside a city rig.

During a lightning storm, do seek shelter indoors; do not seek shelter under a tree or point to the sky with your 7-iron.

Do report accidents immediately. Do not run with scissors.

Do use proper lifting techniques; do not expose a plumber's crack.

Never stick your finger into a light socket without licking it first. Just kidding! We wanted to see if you were still paying attention. Don't really do this. Not ever!

WORK SCHEDULES & TIME REPORTING

Take A Break; You Deserve It!

SCHEDULES

Our philosophy is this: When you are scheduled to volunteer, we expect you to be here. Surprised? You shouldn't be. Just because we are government doesn't mean we have to make it complicated.

How is your schedule determined? Your schedule depends on your position as well as the business needs of the department. Departments track the efforts and time that volunteers contribute throughout the year. Your Volunteer Coordinator or Supervisor will inform you if this is necessary and the preferred method for tracking your service contribution.

no

02

DO'S DON'TS AND DOH'S

TECHIE STUFF

Computer Use, Monitoring, and Privacy

Are you a conspiracy theorist? Do you ever feel like somebody's watching you? Is that song playing in your head right now? Well, guess what? We admit it, we are watching you! We monitor your use of our electronic equipment and media to ensure our resources are being used effectively, legally, and tastefully. For example, if your Internet usage shows you spent time watching *The Real Housewives of Sweetlips, Texas* or most any other reality TV episode, we could argue that your Internet use failed the "tasteful" test.

Not only are we watching how you use our electronic resources, but we are also watching how much time you spend on various media. Although we do permit personal use of our information technology, we ask that you limit your personal use to breaks, lunch, and other off duty time.

Is there any other conspiracy-generating information you need to know? Yes there is! As a volunteer of our great organization you automatically and expressly waive any right of privacy in anything you create, save, send, or receive that involves City business. And just so you know, even messages and information involving our business sent via your personal media or equipment can be subject to disclosure through a Public Records Request. Therefore, we discourage you from conducting any city-related business from your personal media accounts or equipment.

DRIVING

On the Job

If your volunteer duties include driving, you are welcome to sign-out one of our sweet government rides to cruise around in when you are conducting City business, but before you step on the gas there are a few things you need to know. For example, before driving one of our sweet vehicles, you are required to pass an online driving safety course. You must also possess a valid driver's license, wear your seatbelt, and obey all traffic laws. In addition to those common sense items, we have a few "STOP" signs for you to remember when using a City vehicle.

- Do not pick up hitchhikers.
- Do not transport family, friends or pets, or run personal errands.
- Do not text or otherwise use a mobile device while driving. If you absolutely must take a call, pull off to the side of the road or use a hands-free device.
- Do not challenge other drivers to drag race.
- Do not vape, smoke, chew, dip, spit, snuff, snort, or eat tobacco.
- Do not ask us to pay your speeding ticket.
- Do not return a vehicle full of trash; do return it full of gas.
- Do not drive into other vehicles, people, or property.
- Do not leave the vehicle unlocked.
- Do not listen to country music. If you do, you could wind up married to a Coal Miner's Daughter named Delta Dawn from Luckenbach, Texas who's wearing Tight Fittin' Jeans and your entire life will be about Rednecks, White Socks, and Blue Ribbon Beer. JK.

BTW, when you drive a City vehicle remember you're representing us, so always drive defensively, responsibly, and courteously. If you don't we WILL hear about it; John Q. Public is always watching.

DATING, ROMANCE & OTHER ENCOUNTERS

It's Risky Business

Having a romantic or sexual relationship or encounter with colleague that you know from your volunteer service is risky business and highly discouraged. However, if you are bold enough to do it anyway and it doesn't end well, don't blame us; we told you so. If the mood suddenly changes and your love is now claiming you sexually harassed him, don't blame us; we told you so. And if all the dirty details of your encounter or break-up played out on Facebook, creating a daytime drama and disrupting business, don't blame us; we told you so.

Now, if you are a volunteer supervisor, you are not only discouraged from engaging in these relationships or encounters with people you supervise (directly or indirectly), you are absolutely, positively, and without a doubt forbidden from doing so. However, if you are bold enough to do it anyway, we won't say we told you so. We will simply ask you if that goodnight kiss was worth kissing your volunteer position goodbye. SMACK!

ALCOHOL & DRUGS

Just Say No

It's not complicated. Don't do illegal drugs, abuse prescription medication, or consume alcohol during your volunteer service. Don't perform duties under the influence, and don't test positive for drugs or alcohol during service hours. And for those of you who like to push the boundaries, let's be clear, even if you purchased it legally in another state or it was prescribed legally in another state, if it's not legal in Idaho, it's a no-go here. Capisce?

TOBACCO & VAPE

Can We Bum a...

Minute of your time to clear the air? It's simple. If you are smoking it, chewing it, dipping it, vaping it, or consuming it in other ways, all we ask is that you do so in designated areas only, dispose of it properly, and limit your use to authorized breaks. S'nuff said.

no

03

SERIOUSLY SPEAKING

ETHICS

Be Sure You Packed Your Moral Compass!

There are a lot of perks that come with volunteering for the City, but PLEASE don't get your hand caught in the cookie jar. Correction: Please don't PUT your hand in the cookie jar. To assist you in recognizing a cookie jar when you see one, we've created an Ethics Handbook to explain how our Code of Ethics may come into play during the course of your service. The handbook addresses subjects like accepting gifts, conflicts of interest, etc.

If you can't find the answer to your question in the Ethics Handbook, you may request an opinion from our Ethics Commission regarding a specific issue you are facing. Our Ethics Commission was the first of its kind in Idaho and has proudly served as a model for cities across the country. Now that is something you CAN put into your cookie jar.

VOLUNTEER SERVICE

No Strings or Contracts Attached!

As a volunteer, you perform services without pay. Can you believe we actually had to tell you that? Well, hold on; we're not finished stating the obvious. Volunteers serve "at will" and are not considered employees of the City.

SEXUAL HARASSMENT & DISCRIMINATION

Just Don't Go There

We don't take ourselves too seriously, so please don't take yourself too seriously either. We want you to smile, laugh, and enjoy the people you serve with...just not TOO much or at someone else's expense. More specifically, we prohibit, ban, bar, forbid (get the picture?) any discriminatory or harassing behavior based on a person's protected status. What is protected status? Protected status refers to religion, gender, age, sexual orientation, gender identity/expression, disability, race, color, genetic information, or national origin. The rules are simple.

KEEP YOUR HANDS AND BODY PARTS TO YOURSELF

No, this isn't about a harmless hand shake or the almost obsolete high-five. This is about respecting personal boundaries. For example, you may be a Hugger. A "Hugger" is someone who greets everyone with a hug. Well, not everyone likes to be hugged and your hugs may make the Huggee uneasy. So, in the spirit of respecting personal boundaries, you might consider changing from a Hugger to a "Bumper" (fist bumper). Not only will you look cool, but hopefully you won't make anyone uncomfortable.

Close-Talkers, Shoulder-Squeezers and Knee Slappers should use caution as well. Remember everyone's personal boundaries are different, but all personal boundaries must be respected.

MIND YOUR MOUTH

"Have you heard the one about ..." STOP RIGHT THERE! Yes, we all like to tell jokes and stories that make people laugh and yes, we want you to laugh and have fun. Our only request is that you please keep it within reason. Expressing, displaying, or distributing derogatory or stereotypical comments, jokes or images based on a person's protected status is a big NO, NO! So don't just mind your mouth; please be sure to think before you speak or act.

USE CAUTION ON AND OFF THE CLOCK

Just because you are off-the-clock or off city premises does not make it okay to engage in discriminatory or harassing behavior toward the people you associate with through your volunteer service. We aren't just talking about other volunteers either; this includes vendors, customers, and anyone you associate with in your position with us. Whether you are out sippin' suds with other volunteers after work, or sharing a joke on Facebook with a vendor, make sure to keep it clean. This will keep you out of hot water.

CHILD & SEX ABUSE REPORTING

We're Depending on You, So Are They

You're probably surprised to see child abuse and sexual abuse as a topic in this handbook. The reason for their inclusion is that one of the ways we build vibrant communities is to offer numerous programs for children. Because children are our community's future and greatest asset, we must do everything we can to protect them.

Thousands of kids participate in our programs, frequent our libraries and parks, visit our treatment plants, fire stations, etc. As an volunteer for our great city, you have a legal and ethical obligation to notify Child Protective Services within 24 hours or, in case of an emergency, the police, if you have reason to believe that a child under the age of eighteen (18) years has been abused, abandoned, or neglected, or if you observe a child being subjected to conditions or circumstances that would reasonably result in abuse, abandonment, or neglect. The term "abuse" includes all forms-physical, sexual, verbal, etc.

POLITICS

We're Pro Suffrage and We Vote

Do you know the definition of boondoggle, mollycoddle, or snollygoster? Do you know the difference between a hanging chad, dimpled chad, and pregnant chad? If so, you'll be happy to know we have no intention of denying your civil and political liberties; however, it is important for you to know what is and isn't appropriate in regard to politics and your service with us. You absolutely have the right to personally support any candidate or legislative action you wish providing you do so as a private citizen outside of your volunteer service. You may not, however, engage in political activities as the City's representative, or while on duty unless it is part of your volunteer duties, it forwards one of our initiatives, and you have approval from your supervisor or Volunteer Coordinator.

WHISTLEBLOWING

When to Whistle While You Work

There are times when keeping secrets doesn't equal good business. After all, how can we fix a problem if we do not know about it? This is why it is important for you to let us know when there is any funny business going on. Don't worry about retaliation; whistleblower protection makes it a BIG no-no to retaliate against anyone for reporting a concern in good faith. Whistleblower protection does not, however, give you a free pass if you are breaking rules too. Like that would ever happen.

The Disclaimer To End All Disclaimers.

No provision or portion of this handbook constitutes an implied or expressed contract, guarantee, or assurance of employment or any right to an employment-related or volunteer-related benefit or procedure. The City reserves the right to change, modify, eliminate, or deviate from any information or procedure in this handbook at any time and to otherwise manage its volunteer as it deems appropriate. This handbook cannot replace City ordinances, other laws, or the Full Monty Employee Handbook (Full Monty). Ordinances, laws and the Full Monty prevail over this handbook.

Published March 2016

The End!

"The End" is actually the beginning for you and your volunteer service here at the City of Boise. Welcome! We are truly glad you are here.

BOISE
CITY OF TREES

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Revised:	
Legal References:	B.M.C. 3-10

BACKGROUND INVESTIGATIONS

The City of Boise is committed to hiring the most qualified applicants. Consequently, all offers of employment are conditioned on an applicant successfully passing the City's reference and other background check processes. Additionally, certain volunteer positions are also subject to a background check process.

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	03-23-12
Legal References:	B.M.C. 3-10
	I.C. 9-340C

BACKGROUND INVESTIGATIONS

I. INTRODUCTION

All offers of employment are conditioned on an applicant successfully passing the City's background investigation. The City's background investigation may include one or more of the following:

A. Criminal History Check - At its discretion the City may conduct a criminal history check on all applicants or volunteers regardless of age. This check provides information regarding such things as warrants, civil and criminal filings, and driving records.

B. Fingerprint Check – The City conducts fingerprint checks on all applicants and Tier II volunteers 18 years of age or older. This check provides information regarding state and national criminal history records.

C. Polygraph Examination - The City conducts polygraph examinations on positions assigned to the Police Department.

D. Miscellaneous Checks - For certain jobs additional background investigations are conducted. For example, security threat assessments are conducted on airport employees. For jobs involving significant financial accountability, the City may request a consumer report for employment purposes. This may include, but is not limited to information regarding the applicant's credit worthiness, credit standing, and/or credit capacity. Additionally, based on the required education qualifications of a position, the City may request a verification of education.

Sources utilized in gathering information include but are not limited to: Federal Bureau of Investigation; Idaho State Police Bureau of Criminal Identification; Sexual Offender Registry; Idaho Department of Transportation Driving Records; Department of Homeland Security; other states and jurisdiction records and findings; private investigators; and all other sources used by the City to gather information.

This regulation applies to applicants, volunteers and employees.

II. APPROVAL OF BACKGROUND INVESTIGATIONS

Without approval from the Department Director or designee and Human Resources, applicants shall not begin work until after successfully passing all of the background investigations applicable to the position they will hold. Applicants that do not successfully

pass these investigations are ineligible for hire or continued employment and the City's conditional offer of employment will be retracted.

The City may charge applicants for all or a portion of the cost of the background investigations based upon the salary grade of the position offered to the applicant. Volunteers are not charged for these investigations.

III. PROVIDING FALSE INFORMATION

The City retains sole discretion to determine whether to eliminate from consideration for further employment or volunteer service any individual who provides false, misleading, or willfully deceptive information. Employees hired based on false information discovered after employment begins are subject to discipline, up to and including termination. Volunteers may be dismissed from service at any time.

IV. CURRENT EMPLOYEES

All current employees transferring, promoting, demoting or being reassigned on a non-temporary basis into a position where the responsibilities of the position require working with minors or individuals with disabilities shall be required to undergo a criminal history check and fingerprinting if this did not occur upon hire, or at the discretion of the Department Director and Human Resources.

Current temporary employees transferring, promoting, demoting or being reassigned from one temporary position to another, or from a temporary position to a regular position, will be required to undergo a criminal history check and fingerprinting in accordance with this regulation if this did not occur upon hire.

V. REQUIRED DRUG TESTS

Applicants for safety sensitive positions within the City are required to take a post offer drug test. Current employees who are transferring, promoting, demoting, or being reassigned from a non safety sensitive position to a safety sensitive position are required to take a post offer drug test. A verified negative test result shall be received before an applicant may begin safety sensitive duties.

Applicants for positions that require a commercial driver's license are required to take a post offer Department of Transportation (DOT) drug test. Current employees who are transferring, promoting, demoting, or being reassigned to a position that involves the duties or activities that require a commercial driver's license (CDL) shall take a post-offer Department of Transportation (DOT) drug test. A verified negative test result shall be received before the applicant may begin work. Supervisor shall refer to the City's Commercial Driver's License Regulation for more information.

VI. FORMER EMPLOYEES AND VOLUNTEERS

Former employees who underwent a fingerprint check when they were hired and who return to work for the City within six months or less of active paid employment with the City are not required to undergo an additional fingerprint check, but are required to undergo a criminal history check. Former employees returning to work for the City after six months are subject to the regular criminal history check and fingerprinting processes. The same rules apply to volunteers who are required to undergo these checks due to the type of volunteer service they provide.

VII. PROHIBITED CRIMINAL OFFENSES

An applicant, volunteer, or employee shall be disqualified for employment and volunteer service if the individual's record reveals any felony conviction within the individual's lifetime; any misdemeanor conviction related to sexual misconduct, violence, or crimes against children or a vulnerable adult within the individual's lifetime; two or more drug or alcohol related misdemeanors in the last five years, including convictions from foreign jurisdictions.

If an applicant's, volunteer's, or employee's record reveals any other misdemeanors that individual may be disqualified for employment and volunteer service. For these crimes, Human Resources in conjunction with the applicable Department Director will consider the following factors in determining whether to disqualify the individual:

A. The severity or nature of the crime and/or conviction;
B. The period of time since the incident(s) under review occurred;
C. The number and pattern of incidents;
C. Activities since the incident, such as continuous employment, education, participation in treatment, payment of restitution, or any other factors that may be evidence of rehabilitation;
D. The individual's criminal and employment record since the conviction, including withheld judgment, dismissal, suspension, deferral, commutation, or a plea agreement where probation or restitution was or was not required, a sealed record, or an order according to Section 19-2604, Idaho Code, or other equivalent state law;
E. The falsification or omission of information on the application form and other supplemental forms submitted.

This term "conviction" includes: a guilty plea; "no contest" or similar plea; plea agreement where probation or restitution was or was not required; a sealed record according to Section 19-2604, Idaho Code, or other equivalent state law or similar result; suspension; commutation; pre-trial diversion; withheld or deferred judgment; bail forfeiture; or guilty finding.

The disqualifying crimes listed in this regulation are not intended to be all inclusive. The City of Boise reserves the right to consider additional criminal offenses as disqualifying. The City retains sole discretion to disqualify anyone from employment or volunteer service.

If an applicant or volunteer is identified as having a pending criminal action for a crime, the City may consider this as disqualifying.

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Legal References:	8 U.S.C. § 1324

LEGAL AUTHORIZATION TO WORK

The City of Boise is committed to meeting its obligations under United States immigration law. Accordingly, the City of Boise neither hires nor continues to employ an individual who is not legally authorized to work in the United States. Moreover, the City of Boise does not discriminate on the basis of citizenship status or national origin in recruitment, hiring, or discharge.

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	03-12-13
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LEGAL AUTHORIZATION TO WORK

I. INTRODUCTION

The City of Boise complies with all federal and state immigration laws and regulations and is committed to providing a workplace free from discrimination, including but not limited to any discrimination based on national origin or citizenship status. This regulation addresses the City's obligations to verify employment eligibility of all new hires and re-verify such eligibility as required by law. The Human Resources Department is responsible for implementing, administering, and reviewing procedures necessary to comply with employment eligibility verification and nondiscrimination requirements.

II. I-9 FORM: SECTION ONE

All new employees must complete and sign Section One of federal Form I-9 at the time of hire. The City of Boise provides employees with Form I-9 and reviews applicable form requirements with them. The City also provides employees with a Spanish version of Form I-9, upon request, for translation purposes only; all employees must fill out the English version of Form I-9.

Employees are not required to fill in their Social Security number in Section One however if using E-Verify employees shall provide their Social Security number when filling out Section One.

If employees need assistance to complete Section One, such as translators, they can have someone assist them. The City reviews Form I-9 Section One assistance requirements with all employees upon hire.

Employees who are under age 18 and do not have any documents to establish identity can have a parent or legal guardian complete Section One and write "Individual under age 18" in the space for employees' signature. Parents or legal guardians also must complete the preparer/translator certification portion of the form.

III. I-9 FORM: SECTION TWO

Employees shall provide the City of Boise with documentation of identity and employment eligibility to complete Form I-9 within three business days after their employment starts; employees who are hired to work for less than three business days must present such documentation at the time of hire. The City only accepts identity and employment eligibility documents as listed on Form I-9 that appear to be genuine and relate to employees. If using E-Verify acceptable documents from List B on Form I-9 shall include a photograph.

While application receipts for identity and employment eligibility documents can be acceptable in certain circumstances, the City of Boise does not accept receipts from employees who are hired to work for less than three business days.

If employees fail to produce required documents or receipt for documents within three business days of the date employment begins, they are subject to termination.

IV. I-9 FORM: SECTION THREE

In Section Three of Form I-9, the City re-verifies work authorization of certain rehired employees [see section titled Rehires of this regulation] and of employees whose authorization to work in the United States has expiration dates.

The City of Boise tracks expiration dates of employees' authorization to work in the United States, and employees are notified in advance of work authorization expiration dates that they must re-verify their work authorization with the City before their current work authorization expires. To complete re-verification, employees shall present the City with a document that shows continuing employment eligibility or is a new work authorization before their current work authorization expires; employees can present any document from List A or List C of the Lists of Acceptable Documents. If employees cannot provide the City with proof of current employment authorization, they are subject to termination.

V. REHIRES

Employees who quit or are terminated from employment, including seasonal employment, must complete a new Form I-9 if they are rehired by the City of Boise more than three years after separation from employment. The City also can require employees rehired after a shorter period to complete a new Form I-9.

The City of Boise re-verifies employees' work authorization if employees are rehired within three years of their initial hire date and remain eligible to work in the United States through their original work authorization or a different work authorization.

Rehired employees shall complete a current version of Form I-9 if they originally completed an older version of the form.

VI. EMPLOYEES HIRED BEFORE NOVEMBER 7, 1986

The City of Boise does not verify the employment eligibility of employees who were hired before Nov. 7, 1986, even if their employment is interrupted temporarily because of leave, labor disputes, layoffs, or internal transfers, promotions, or demotions.

Employees who were hired before Nov. 7, 1986, can lose their exemption from employment eligibility verification if they:

A. quit or are terminated from employment, including seasonal employment;
B. are excluded or deported from the United States or depart voluntarily; or
C. do not continue in their employment or lack a reasonable expectation of employment at all times.

Document Type: Exhibit
Number: 2.10b
Effective: 4-03-09
Revised: 8-07-09
Legal References: 8 U.S.C. § 1324

LISTS OF ACCEPTABLE DOCUMENTS

All documents must be unexpired

LIST A Documents that Establish Both Identity and Employment Authorization	OR	LIST B Documents that Establish Identity	AND	LIST C Documents that Establish Employment Authorization
1. U.S. Passport or U.S. Passport Card		1. Driver's license or ID card issued by a State or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		1. Social Security Account Number card other than one that specifies on the face that the issuance of the card does not authorize employment in the United States
2. Permanent Resident Card or Alien Registration Receipt Card (Form I-551)				2. Certification of Birth Abroad issued by the Department of State (Form FS-545)
3. Foreign passport that contains a temporary I-551 stamp or temporary I-551 printed notation on a machine-readable immigrant visa		2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color, and address		3. Certification of Report of Birth issued by the Department of State (Form DS-1350)
4. Employment Authorization Document that contains a photograph (Form I-766)		3. School ID card with a photograph		
		4. Voter's registration card		4. Original or certified copy of birth certificate issued by a State, county, municipal authority, or territory of the United States bearing an official seal
5. In the case of a nonimmigrant alien authorized to work for a specific employer incident to status, a foreign passport with Form I-94 or Form I-94A bearing the same name as the passport and containing an endorsement of the alien's nonimmigrant status, as long as the period of endorsement has not yet expired and the proposed employment is not in conflict with any restrictions or limitations identified on the form		5. U.S. Military card or draft record		
		6. Military dependent's ID card		
		7. U.S. Coast Guard Merchant Mariner Card		5. Native American tribal document
		8. Native American tribal document		6. U.S. Citizen ID Card (Form I-197)
		9. Driver's license issued by a Canadian government authority		
		For persons under age 18 who are unable to present a document listed above:		7. Identification Card for Use of Resident Citizen in the United States (Form I-179)
6. Passport from the Federated States of Micronesia (FSM) or the Republic of the Marshall Islands (RMI) with Form I-94 or Form I-94A indicating nonimmigrant admission under the Compact of Free Association Between the United States and the FSM or RMI		10. School record or report card		8. Employment authorization document issued by the Department of Homeland Security
		11. Clinic, doctor, or hospital record		
		12. Day-care or nursery school record		

Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)

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Revised:	
Legal References:	I.C. § 18-1359

EMPLOYMENT OF RELATIVES

The City of Boise will not hire, promote or otherwise employ relatives of a current City employee if the employment action will create a supervisor/subordinate relationship or will create a conflict of interest that is detrimental to the City of Boise.

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Effective:	05-01-06
Revised:	01-01-11
Legal References:	I.C. § 18-1359

EMPLOYMENT OF RELATIVES

I. INTRODUCTION

Relatives of a current employee will only be considered for employment on the basis of their qualifications. Additionally when the employment of an employee's relative results in the types of prohibited employment relationships identified in this regulation, the employment is prohibited. This regulation applies to all new hires and current employees.

II. PROHIBITED EMPLOYMENT RELATIONSHIPS

Employment of relatives is prohibited if the employment results in the creation of:

A. A supervisor/subordinate or managerial relationship between a relative and an employee. This includes but is not limited to hiring, promotions, demotions and transfers.
B. A conflict of interest. Generally, this bars the hiring or employment of an employee's relatives in any position that has an auditing, financial or control relationship to the employee's job.

For purposes of this regulation, unless otherwise noted, relatives include the following: spouse, parent, child, sibling, in-law, grandparent, grandchild, aunt, uncle, cousin, step-relative, or any individual with whom an employee has a close personal relationship, such as a domestic partner, co-habitant, or significant other.

Employees who marry or establish a close personal relationship can continue in their current positions as long as a prohibited employment relationship is not created.

Employees and supervisors are expected to disclose relationships covered by this policy whenever they come into existence. Failure to provide such disclosure can lead to discipline up to and including termination.

III. PROCESS IF A PROHIBITED RELATIONSHIP EXISTS

If a prohibited relationship does exist or occur, practical attempts will be made to find an open position that one of the employees can transfer into. However, if this is not feasible, the employees will be permitted to determine which of them will resign. If neither elects to resign the City will determine which employee will remain with the City.

IV. COVERED EMPLOYMENT CLASSIFICATIONS

This policy applies to hiring and employment decisions affecting all job classifications, including regular, temporary, part-time, and seasonal positions. These restrictions also are applicable when assigning, transferring, or promoting an employee.

V. MAYOR OR COUNCIL MEMBER RELATIVES

No person related to the Mayor or a City Council member by blood or marriage within the second degree shall be appointed to any clerkship, office, position, employment or duty with the City of Boise when the salary, wages, pay or compensation of such appointee or employee is to be paid out of public funds. The term “within the second degree” includes spouse, parent, child, sibling, in-law, grandparent, grandchild or as defined by law.

An employee of the City holding a position prior to the election of a City official, who is related within the second degree, shall continue to be eligible to retain his or her position and receive general pay increases, step increases, cost of living increases, and/or other across the board increases in salary or merit increases, benefits and bonuses or promotions.

Nothing in this section shall be construed as creating any property rights in the position held by an employee subject to this section, and all authority in regard to disciplinary action, transfer, dismissal, demotion or termination shall continue to apply to the employee.

VI. ENFORCEMENT OF POLICY AND REGULATION

Employees who become subject to this policy's provisions due to marriage or commencement of a close personal relationship shall inform their supervisor or Human Resources as soon as practical.

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Number:	3.01
Effective:	05-01-06
Revised:	
Legal References:	

BENEFITS PROGRAM

The City of Boise offers a comprehensive, flexible and competitive employee benefit package that represents a valuable portion of an employee's total compensation. An employee's participation in a specific benefit program will be determined by the eligibility criteria for that benefit. The City reserves the right to amend or terminate any benefit at its discretion.

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Effective:	05-01-06
Revised:	10-01-07
	01-15-10
	04-21-14
Legal References:	

EMPLOYEE ASSISTANCE PROGRAM (EAP)

I. INTRODUCTION

The City of Boise recognizes that most personal problems can be successfully treated provided they are identified and a referral is made for the appropriate type of care. An employee's work performance can be affected by his or her own personal problems or the problems of an employee's spouse and other dependents. Early assistance is strongly recommended.

Participation in the employee assistance program (EAP) does not jeopardize job security or career opportunities. Likewise, participation does not exempt employees from their normal job requirements, nor does it allow exceptions to standard work practices and policies, including the City's discipline policies and regulations.

For the purpose of EAP counseling or rehabilitation services, employee leave time shall be in accordance with applicable City policies and regulations.

II. EMPLOYEE AND DEPENDENT ELIGIBILITY

The following individuals are eligible to receive services provided under the City of Boise's Employee Assistance Program:

A. All regular full-time and part-time employees;
B. Retirees for a period of one year past retirement date;
C. Dependents of those persons listed in (a) and (b) below;
D. Laid off or terminated employees for a period of 30 days following the end of employment; and
E. All other employee family or associates as allowed by the current EAP provider contract.

"Dependent" includes the following individuals:

A. An employee's spouse, provided, that the spouse shall cease to be considered a dependent when the marriage is legally terminated or a legal separation is in effect, whichever occurs first.

B. An employee's child or children as follows:

1. An unmarried child up to age 25 provided the employee is contributing at least 1/2 of the dependent's financial support.
2. An unmarried child who has been determined on the basis of objective medical evidence to be physically or mentally incapable of self-support when coverage would otherwise terminate because of age.

C. As used herein, "child" or "children" includes one or more of the following:

1. Natural children or legally adopted children whose domicile is the same as that of the employee or who receive more than one half of their support from the employee;
2. Foster children whose domicile is the same as that of the employee and who receive more than one-half of their support from the employee;
3. Step children whose domicile is the same as that of the employee; or
4. Children not otherwise described in sub-paragraphs 1, 2, or 3, above, whose domicile is the same as that of the employee and for whom the employee has been appointed the legal guardian pursuant to a court order.

III. SELF-REFERRAL

The voluntary decision to request diagnosis and accept treatment for any problem is the personal responsibility of the individual. Employees with problems for which the EAP can provide guidance or assistance are encouraged to voluntarily seek information, referral and related services, on a confidential basis, by contacting the employee assistance program provider.

IV. SUPERVISORY REFERRAL

Supervisors should encourage employees to utilize the employee assistance program benefit and may require an employee to seek EAP assistance. In some cases a referral is required by a City policy or regulation, including but not limited to, the Drug Free Workplace regulation. Records pertaining to clients using the EAP will be maintained by the EAP contractor with the strictest confidentiality in accordance with the highest medical, legal, and ethical standards. Records will not be released to the City without the written approval of the client or as allowed by law.

Assertions regarding the effectiveness of EAP services shall not constitute either an excuse for substandard performance or a defense to disciplinary action if an employee's performance is substandard.

V. PSYCHOLOGICAL ASSESSMENT

Psychological assessment through the employee assistance program is limited to the kind of assessment which yields an understanding of the problem or crisis. This normally does not include the use of psychological tests, since such assessments are usually most effectively done through interview techniques. Where necessary to establish a more comprehensive diagnosis, the EAP clinician may use some psychological instruments. However, extensive psychological test batteries are not administered as part of the employee assistance program. Where there is a necessity for such extensive evaluation for legal or safety purposes, and/or fitness for duty determination, a referral will be made to an appropriate provider of such services. The employee assistance program provider is not in a position and does not have the resources to provide extensive and expensive psychological test batteries. These are not necessary to provide the assessment, counseling, and referral services that are part of the employee assistance program services.

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Revised:	10-01-07
	06-01-11
	03-01-14
	01-01-16
Legal References:	

POST EMPLOYMENT HEALTH REIMBURSEMENT ARRANGEMENT (HRA VEBA or VEBA)

I. INTRODUCTION

A Post Employment Health Reimbursement Arrangement (HRA VEBA or VEBA) is a 501(c)9 plan under the Internal Revenue Code that provides each eligible member with an individual account to pay health/dental insurance contributions and/or un-reimbursed medical expenses after separation of employment with the City of Boise. These accounts are funded by the employer and it is the intention of the City to provide a target benefit.

Employees who are eligible for this benefit include all general, regular employees who are regularly scheduled to work twenty (20) hours or more per week.

The City reserves the right to make changes to or to cancel this benefit at any time. Nothing in this regulation shall create an employment contract, or be construed to modify the employment relationship between the City and the employee, or to restrict the City's management rights.

II. EMPLOYER FUNDING

There are three (3) potential funding sources for an employee's VEBA:

A. Based on an eligible employee's status at the end of the final pay period of each calendar year, an employer contribution in the amount of 0.25% of the employee's annual salary will be made in January.
B. Eligible employees shall annually convert all accrued sick leave in excess of 600 hours into the employee's Post Employment Health Reimbursement Arrangement (VEBA) account. The conversion will be done on a 2:1 ratio at the employee's regular hourly rate of pay. Conversion of hours shall occur at the end of the calendar year and shall be based upon December 31 balances.
C. Beginning October 1, 2006, when an employee who is eligible for this benefit retires, a value will be given to all accrued sick leave hours and will be converted at a 4:1 ratio.

Eligible employees, who separate from the City of Boise prior to retirement, will have no further contributions made by the City.

Eligible exempt employees who retire from the City of Boise whose VEBA account balance at retirement is below the minimum funding standard shall have funds

transferred by the City from accrued vacation leave in the amount necessary to meet the minimum funding standard until such funds are exhausted. Eligible non-exempt employees who retire from the City of Boise whose VEBA account balance at retirement is below the minimum funding standard shall have funds transferred by the City from accrued vacation leave and accrued compensatory time in the amount necessary to meet the minimum funding standard until such funds are exhausted.

Employees who retire from the City of Boise with balances exceeding the minimum funding standard shall have no further contributions made by the City on their behalf. Balances from accrued vacation leave and compensatory time shall be paid to eligible employees in accordance with current City policy.

III. MINIMUM FUNDING STANDARD

The target benefit, or Minimum Funding Standard (MFS), represents the amount of funds necessary to pay for fifteen (15) years of single person Medicare supplement premiums after subtraction of the City's $50 per month contribution toward the premium. The premium amounts for the City-provided retiree Medicare supplement premium will be used to create the minimum funding standard calculation. Please see attached schedule for MFS amount by year.

MINIMUM FUNDING STANDARD ESTIMATES

Year of Retirement	Amount
2009	$45,000
2010	$48,000
2011	$51,000
2012	$54,500
2013	$58,000
2014	$61,800
2015	$65,800
2016	$70,100
2017	$74,600
2018	$79,500
2019	$84,600
2020	$90,100

The Minimum Funding Standard shall be updated periodically. It was last updated January, 2011. The assumptions used to calculate the target benefit are as follows:

1. Fifteen (15) years of single person Medicare supplement premiums.
2. The premium used is the amount of the City of Boise's retiree Medicare supplement plan minus the $50 per month contributed by the City.
3. Medical contribution increases are estimated at 6.5% per year.
4. VEBA investment earnings are estimated at 8% per year.

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Number:	3.01c
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	07-13-09
	01-01-10
	01-01-11
	01-04-13
	03-03-14
Legal References:	

FRINGE BENEFITS PROGRAM

I. INTRODUCTION

The City of Boise offers a comprehensive, flexible and highly competitive employee benefit package and pays a significant portion of the costs of these benefits for eligible employees. The City's flexible benefits program is known as *MyBenefits*. This program provides greater choice and flexibility for each employee's unique set of circumstances.

There is no entitlement to fringe benefits. The City reserves the right to make changes to or to cancel any benefit at any time. Nothing in this regulation shall create an employment contract, or be construed to modify the employment relationship between the City and the employee, or to restrict the City's management rights.

Bargaining unit employees shall refer to the fringe benefit sections outlined in their collective labor agreements.

Staff of the Mayor and City Council may receive a benefit package that is different from what is contained in this regulation providing the benefit package offered is deemed reasonable by the Mayor and/or City Council and consistent with Boise City Code and applicable laws.

Eligibility for individual benefits varies according to the type of position the employee holds. For more details on benefit eligibility please refer to the Fringe Benefits Exhibit.

III. BENEFITS OFFERED

The following is a list of fringe benefits the City of Boise offers eligible employees:

A. Medical/Vision and Dental Benefits – The City of Boise offers medical, vision and dental benefits to eligible employees through a partially self-funded plan. Employer contributions and employee contributions are subject to change each year.

B. Employee Assistance Program – The City of Boise provides confidential counseling and referral service for eligible employees and their families. For

details see the Employee Assistance regulation in the Employee Policy Handbook.

C. Deferred Compensation Plan – 457 – Plan for eligible employees to defer pre-tax dollars to supplement retirement. The City of Boise provides various matching percentage amounts for eligible employees. For general employees the City matches the employee contribution each pay period, not to exceed the allowable percentage amount. No frontloading is permitted.

D. PERSI Retirement Plan – The Public Employee Retirement System of Idaho (PERSI) provides retirement, disability retirement and survivor benefits to eligible employees.

E. Group Life Insurance – Boise City provides Basic Term Life and Accidental Death & Dismemberment (AD&D) Insurance including limited dependent coverage to all non-temporary employees who are regularly scheduled to work 20 or more hours per week.

F. Vacation Leave – The City of Boise offers paid vacation hours to eligible employees. For details see the Vacation Leave regulation in the Employee Policy Handbook.

G. Sick Leave – The City of Boise offers paid sick leave hours for eligible employees. For details see the Sick Leave regulation in the Employee Policy Handbook.

H. COBRA – When an eligible employee separates from the City or their work hours fall below a specified number of hours per week, the employee, spouse, and/or dependent children may be eligible to purchase continuing health care coverage under the Health Trust for a limited amount of time. For details see the Health Care Continuation (COBRA) policy and regulation in the Employee Policy Handbook.

I. Retiree Health Coverage– After exhausting COBRA benefits, retired employees may be eligible for the City's health and dental plans at a higher retiree rate. For details see the Health Care Continuation (COBRA) policy and regulation in the Employee Policy Handbook.

J. Post-Employment Health Reimbursement Plan – The City's Post Employment Health Reimbursement Arrangement (HRA VEBA) is a 501(c)9 plan under Internal Revenue Code that provides each eligible member with an individual account to pay health/dental contributions and/or un-reimbursed medical expenses after separation of employment with the City of Boise.

K. Compassionate Leave– Eligible employees may donate specified accrued leave hours to other eligible City employees who have exhausted their leave balances and who need to miss work because of a qualifying event. For details see the Compassionate Leave regulation in the Employee Policy Handbook.

L. Family Medical Leave – Family Medical Leave provides job protection for a guaranteed period of time to eligible employees who are absent from work for

a qualifying event. For details see the Family Leave regulation in the Employee Policy Handbook.

M. Bereavement Leave – Eligible employees may receive paid leave for the death of a relative as defined in the regulation. For details see the Bereavement Leave regulation in the Employee Policy Handbook.

N. Jury and Witness Duty Leave – The City of Boise provides paid leave to eligible employees who are required to attend court under specific circumstances. For details see the Jury and Witness Duty regulation in the Employee Policy Handbook.

O. Military Leave – The City of Boise grants military leave to eligible employees in the United States military or who miss work because of reserve or National Guard training or a call-up to active duty. For details see the Military Leave regulation in the Employee Policy Handbook.

P. Paid holiday program – The City of Boise provides eligible employees paid time off from work to commemorate certain events or people. For details see the Holiday regulation in the Employee Policy Handbook.

Q. Compensatory Time for Exempt Employees – Some exempt employees are eligible to accrue compensatory time for hours worked in excess of 40 in their designated FLSA workweek. For details see the Wage Payment and Overtime regulation in the Employee Policy Handbook.

R. Tuition Reimbursement – The City of Boise offers a tuition reimbursement program as a commitment to the professional growth of eligible employees. For details see the Tuition Reimbursement policy and regulation in the Employee Policy Handbook.

For more detailed information regarding specific benefits please refer to the *MyBenefits* page on the City's intranet.

The following is a list of supplemental benefits the City offers or employees may be eligible for based on their employment with the City:

A. Flexible Spending Account - The City's Section 125 Flexible Spending Account (FSA) helps participating employees use pretax dollars, through a salary reduction, to pay out-of-pocket expenses not covered by medical or dental coverage. Another type of FSA allows employees to use pretax dollars for work-related dependent care as defined by the law.

B. Long Term Disability Insurance – Long Term Disability (LTD) Insurance provides financial protection for the participating employee by paying a portion of their income while they have a long period of disability. The amount the employee receives is based on the amount he or she earned before the disability began. LTD insures participating employees when, as a result of qualifying sickness, injury, or pregnancy, an employee is unable to perform the material and substantial duties of his or her job.

C. Optional Term Life and Dependent Life Insurance – Eligible employees may purchase up to eight times his or her annual base rate salary with some restrictions. Supplemental Dependant Life may be purchased in limited amounts to cover eligible dependants

D. Fort Boise Community Center membership – Eligible employees may join the Fort Boise Community Center at a reduced cost.

E. Valley Ride Bus Pass – The City of Boise offers free access to Valleyride Bus system within Boise to eligible employees.

F. Alternative Transportation Program – The City offers a monthly allowance to eligible employees toward the commuter bus throughout the Treasure Valley.

G. Wellness Program – Includes fitness testing, cholesterol screening, on-site exercise classes, educational nutrition and fitness classes, chair massages and more.

H. PERSI Choice Plan – 401K – A voluntary pre-tax opportunity to save toward retirement through the Public Employee Retirement System of Idaho (PERSI).

I. Optional Accidental Death and Dismemberment (AD&D) Insurance – Eligible employees may purchase additional AD&D benefits in $10,000 increments with some restrictions. Please refer to the *MyBenefits* page on the City's intranet for more information.

The City acts as a pass through for the following series of voluntary benefits offered through AFLAC. Please contact Human Resources for details.

1. Short-Term Disability
2. Accident Insurance
3. Cancer/Specified-Disease Insurance
4. Hospital Intensive Care
5. Hospital Confinement Indemnity
6. Dental
7. Specified Health Event
8. Hospital Confinement Sickness Indemnity Insurance
9. Long Term Care

IV. EXECUTIVE BENEFIT PLAN

The City provides an Executive Benefit Plan for Department Directors, Senior Managers, and Command Staff. The Plan offers enhanced benefits for vacation leave, supplemental retirement benefit, and relocation expenses.

A. Vacation Leave

Department Directors shall receive enhanced vacation accrual amounts as outlined in the Vacation Leave regulation.

B. Supplemental Retirement Benefit

Department Directors and Senior Managers are eligible for an enhanced supplemental retirement benefit contribution into the participant's choice of available investment options. For Department Directors the City shall provide a dollar-for-dollar match up to 4.5% maximum of the Department Director's base salary. For Senior Managers the City shall provide a dollar-for-dollar match up to 4% maximum of the Senior Manager's base salary.

C. Relocation Expenses

Department Directors, Senior Managers, and Command staff are eligible for relocation expenses as outlined in the Relocation regulation in the Employee Policy Handbook.

Document Type: Exhibit
Number: 3.01d
Revised: 7/1/2020

Benefits	Temp	Non-Exempt	Exempt	Senior Mgmt	Police Union	Fire Union
Medical/Vision Insurance	8/9-mth >20 Hrs Basic PPO	Preferred, Economy & Basic PPO	Preferred, Economy & Basic PPO	Preferred, Economy & Basic PPO	Provided by Union Trust	Provided by Union Trust
Dental Insurance	N/A	Comprehensive, Core, Preventive or Dental Blue	Comprehensive, Core, Preventive or Dental Blue	Comprehensive, Core, Preventive or Dental Blue	Provided by Union Trust	Provided by Union Trust
Flexible Spending Account	N/A	Optional	Optional	Optional	Opt; $300 City Contribution with Engage	Opt; $300 City Contribution with Engage
PERSI	>19 hour per week	Employee: 7.16% Employer:11.94%	Employee: 7.16% Employer:11.94%	Employee: 7.16% Employer:11.94%	Employee: 8.81% Employer:12.28%	Employee: 8.81% Employer:12.28%
PERSI 401k Choice Plan	N/A	Optional w/City match of 2.0%	Optional w/City match of 2.0%	Optional w/ER match of 4.0%	Optional No Match	Optional - contribute 1% to receive City contribuion of 6.2%
		OR	**OR**	**OR**		
Deferred Compensation (457)	N/A	Optional w/City match of 2.0%	Optional w/City match of 2.0%	Optional w/City match of 4.0%	City Contribution of 6.2%; EE Contribution Optional	Optional No Match
Basic Term Life Insurance	N/A	$50k City paid; additional optional EE paid 8x annual salary	$50k City paid; additional optional EE paid 8x annual salary	$50k City paid; additional optional EE paid 8x annual salary	1x base salary City paid; additional optional EE paid 8x annual salary	1x base salary City paid; additional optional EE paid 4x annual salary
Basic Dependent Life Insurance	N/A	$5,000 City paid for spouse; $2,500 City paid for dependents; additional optional EE paid options	$5,000 City paid for spouse; $2,500 City paid for dependents; additional optional EE paid options	$5,000 City paid for spouse; $2,500 City paid for dependents; additional optional EE paid options	$5,000 City paid for spouse; $2,500 City paid for dependents	$5,000 City paid for spouse; $2,500 City paid for dependents
Long Term Disability	N/A	40% City paid; optional 50% or 67% EE paid	40% City paid; optional 50% or 67% EE paid	40% City paid; optional 50% or 67% EE paid	Optional - 67% EE paid	Optional - 67% EE paid
HRA VEBA	N/A	.25% annually; 2:1 SL over 600 yearly; all SL 4:1 at retirement	.25% annually; 2:1 SL over 600 yearly; all SL 4:1 at retirement	.25% annually; 2:1 SL over 600 yearly; all SL 4:1 at retirement	75% SL >600 annually; 60% of 600 & 75% >600 hrs at retirement	70% SL over 600 yearly; all SL 55% at retirement
AFLAC	N/A	Optional	Optional	Optional	Optional	Optional
Wellness Incentive Credits	N/A	Optional/Earned	Optional/Earned	Optional/Earned	N/A	N/A

Benefits	Temp	Non-Exempt	Exempt	Senior Mgmt	Police Union	Fire Union
Paid Holidays	N/A	x	x	x	x	x
Floating Holiday	N/A	x	x	x	N/A	N/A
Sick Leave	x	x	x	x	x	x
Vacation Leave		x	x	x	x	x
Bereavement Leave	N/A	x	x	x	x	x
Compensatory Time	N/A	x	x	N/A	x	x
Workers Comp	x	x	x	x	x	x
Family Medical Leave	x	x	x	x	x	x
Bus Pass	x	x	x	x	x	x
Alt. Transportation	N/A	x	x	x	x	x
Employee Assistance Program	N/A	x	x	x	x	x
Direct Deposit	x	x	x	x	x	x
Social Security (OASDI & HI)	7.65% EE & ER	7.65% EE & ER	7.65% EE & ER	7.65% EE & ER	1.45% HI Only EE & ER	1.45% HI Only EE & ER
Vacation Buy Back	N/A	N/A	N/A	N/A	N/A	Fire Sell Down

Document Type:	Regulation
Number:	3.01e
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Revised:	02-19-10
	07-20-12
Legal References:	

RELOCATION AND MOVING EXPENSE

I. INTRODUCTION

The City of Boise will partially reimburse eligible employees upon being hired into the City for certain actual and necessary expenses they incur as a result of relocation/moving to the Boise area in order to accept employment with the City. This applies to new employees who accept positions defined within the regulation, and who are required to move a distance of more than 50 miles. The regulation also applies to current employees in the defined positions who, as a condition of employment, are required by the Mayor and Council to move within the Boise City limits.

II. ELIGIBLE POSITIONS

The following positions that necessitate applicant recruitment on a regional or national basis are eligible for relocation reimbursement:

A. Department Director
B. Senior Manager
C. Command Staff

III. TRANSITIONAL COSTS

Transitional costs refer to the costs associated with temporary housing and living arrangements necessary during the employment transition.

Transitional costs authorized for reimbursement include:

A. Housing Rent
B. Hotel or Motel expenses
C. Meals
D. Transportation (i.e., taxi, bus, air travel, car rental)
E. Personal Laundry
F. Storage of household belongings incurred in transit.

Authorized indirect costs will be reimbursed up to a $1,000.00 maximum (taxable based on IRS Regulations) and only after the presentation of receipts in the manner specified within this policy. Authorized expenses as listed above will be reimbursed only if incurred in the first 30 days after the employee accepted the position or first day of employment at the employee's option, with the exception of storage fees for household belongings which may be incurred up to 90 days.

Unauthorized indirect costs include:

A. Costs associated with the sale or acquisition of a home (taxes, appraisals, insurance, utility hookups, etc.)
B. Permanent housing for any length of time
C. Home Cleaning Services
D. Purchase of draperies, carpet, appliances, etc.
E. Pasturing of livestock
F. Kennel or other animal boarding fees
G. Pre-move house hunting expenses
H. Expenses of getting or breaking a lease
I. Mortgage penalties

IV. ACTUAL MOVING EXPENSES

Moving expenses refer to the reasonable costs associated with changing permanent residences. Authorized actual and necessary moving expenses will be reimbursed up to 80% of the total cost or a maximum amount based on the distance moved, whichever is less. The maximum amounts for distance moved as follows:

Distance Moved Maximum

A. 50 to 500 miles $2,500
B. 501 to 1,200 miles $3,600
C. 1,201 to 1,900 miles $4,600
D. Over 1,900 miles $5,400

Moving expenses authorized for reimbursement include the cost of:

A. Moving household goods and personal effects to a new residence and/or an interim storage facility;
B. Commercial packing, unpacking, special crating and transit storage
C. Insurance associated with the moving of household goods;
D. Transporting automobile(s), if driven, at the current IRS mileage reimbursement rate for the most direct route;
E. Van shipment or drive away service for one automobile.

Unauthorized moving expenses include costs associated with:

A. Transporting livestock, boats, travel trailers, campers, pets, fuel, firewood;
B. Dismantling or erecting playhouses, swing sets, waterbeds, workbenches, storage sheds or shelving;
C. Installing or removing of satellite dishes, TV, cable, or CB antennas.

V. REQUIRED RECEIPTS AND DEADLINES

Moving expenses will be reimbursed only after the presentation of receipts in the manner specified within this policy and only if incurred within 12 months of employee's first day of employment. Receipts for expenses as covered under this policy must be submitted to Accounting for reimbursement. The City reserves the

right to deny any claim for reimbursement which is of an excessive nature or unspecified in this regulation.

In addition to the reimbursement provisions, an employee covered under this regulation shall be provided a total of six (6) days administrative leave with pay during the first six (6) months of employment for moving and relocation purposes.

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Revised:	
Legal References:	

COMPENSATION AND WAGE ADMINISTRATION

In order to best serve the citizens of our community, the City of Boise is committed to a compensation and wage administration program that helps to attract and retain the most qualified personnel at all levels of the organization. The objectives of this policy are to be communicated and understood, to achieve internal equity, to be competitive and comparable in the marketplace, to be fiscally responsible, to be legally defensible, and to provide recognition for employee contributions, performance and accomplishments.

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	03-09-10
	01-01-11
	03-23-12
Legal References:	

COMPENSATION AND WAGE ADMINISTRATION

I. INTRODUCTION

As part of its compensation philosophy, the City of Boise is committed to a compensation and wage administration program that helps to attract and retain the most qualified personnel at all levels of the organization. The objectives of this regulation are for the City's Compensation and Wage Administration practices to be communicated and understood, to achieve internal equity, to be competitive and comparable in the marketplace, to be fiscally responsible, to be legally defensible, and to provide recognition for employee contributions, performance and accomplishments.

The purpose of this regulation is to describe the processes related to wage administration processes for general employees. Compensation decisions for staff reporting to the Mayor and Council shall remain at the discretion of the Mayor and Council. Wage administration issues for bargaining unit employees shall be governed by the provisions of the applicable collective labor agreement.

II. GENERAL PAY PLANS

The City of Boise General Pay Plans are comprised of the following non-contract employee groups:

1) Temporary/Seasonal
2) Non-Exempt
3) Exempt
4) Senior Manager
5) Command Staff
6) Department Director

Newly established positions which may qualify for Senior Manager, Command Staff or Department Director compensation and benefits will be reviewed by Human Resources in accordance with the requirements of applicable regulations.

III. COMPENSATION STRUCTURE

The City of Boise uses a professionally recognized and systematic method of classifying jobs and administering pay to ensure that pay levels are objective and internally equitable.

The pay plan is a system of grades and ranges. Point values determined during the job evaluation process are associated with pay grades to create the plan. The pay grades reflect comparative levels of knowledge, skills, abilities, and responsibilities required for the position.

Employees are paid not less than the minimum, and not more than the maximum, of the pay grade assigned to the position. Each succeeding wage increase within the pay grade should be considered in light of increasingly higher standards of performance and responsibility. Employees who are paid at the maximum of the pay range may still be eligible to receive additional compensation as authorized, but it will not be added to their base pay. At the City's discretion the additional compensation may be given as a lump sum or divided into equal amounts as an additional pay item.

IV. BASE BUDGET IMPACT

At all times, base pay placement must be determined by considering department budget constraints, internal equity, the affected employee's performance, qualifications, experience, and level of responsibility, and equal employment opportunity. If the department does not have sufficient base funding to compensate the affected employee(s) in accordance with the guidelines in this regulation, a pay increase may be available through alternative resources to be accessed through analysis by the Finance and Administration and Human Resources departments. Adjustments must not result in range compression of current incumbents unless there is a legitimate nondiscriminatory reason for the decision. Pay adjustments are limited to an effective date within the current fiscal year. Supervisors shall not notify employees of pay changes until the funding source has been identified and approved for such use by the Department Director, Human Resources and the Budget Office.

V. WAGE ADMINISTRATION

The purpose of this section is to assist employees in understanding wage administration and to guide hiring supervisors in the consistent application for pay placement upon hire, reclassification, promotion, demotion, transfer and temporary assignment.

All compensation decisions must comply with the City's hiring policies, regulations and procedures. In addition, **Human Resources must approve in advance a determination letter from the department to the effected employee to document every compensation change**. Determination letters are generally not required for increases granted through the performance management system or Citywide adjustments. Letter templates are available in the Supervisor Toolbox online.

A. Determining the Hiring Wage

The starting wage for an employee entering a position shall be between the minimum and the first third of the pay grade assigned to the position. The department may request Human Resources approve a starting wage up to 95% of the midpoint of the grade, considering recruiting efforts, qualifications, experience, level of responsibility and internal equity.

With prior approval, the hiring department may choose to reserve a portion of the budgeted hiring pay for new employees to be awarded upon successful completion of the six-month probationary period of employment, not to exceed 95% of midpoint of the pay grade. In order to award a performance based increase upon successful completion of the probationary period, departments are expected to ensure the employee's salary remains within 95% of midpoint of the grade. Upon successful completion of the probationary period, the department must submit a status sheet and end probation letter documenting the employee's performance to Human Resources.

Active, regular full- and part-time employees are eligible to receive any budgeted performance or general wage increase as recommended by the Mayor and approved by City Council upon satisfactory completion of the probationary period and annually thereafter as available.

Departments experiencing significant compensation related difficulties in placing qualified employees, despite regular and special recruiting efforts, may request authorization from Human Resources to hire an individual with preferred qualifications above 95% of the midpoint value of the pay grade.

B. Promotion, Transfer and Reclassification Increases

A wage increase is permitted for employees who assume a position with additional duties, responsibilities, or work which requires a higher level of skill. This may occur as a result of promotion, classification change, transfer to another department or temporary assignment to a position that is vacant for more than three weeks.

When placed in a position which requires greater responsibility and skill, employees are eligible to receive an increase to no less than the minimum of the new pay grade up to 95% of the midpoint value of the new grade, at the department director's discretion. The employee's placement must be determined by considering internal equity and the affected employee's qualifications, experience, and new level of responsibility. When the employee's current pay exceeds 95% of the market rate for the new position and the department wishes to award an increase, the department may request Human Resources to authorize a 5% increase, and the pay shall not exceed the maximum of the grade or authorized budget for that department.

No pay increase shall be awarded for a transfer within the department to a position in the same job code.

Current employees do not serve a new probationary period when accepting a new position, but departments may reserve a portion of the promotional range for a base increase to be awarded within the first six months, provided the salary does not exceed 95% of the midpoint value of the pay grade or approved budget. To award such an increase, the department must submit a status sheet and letter documenting the employee's performance to Human Resources.

C. Temporary Assignment

Temporary assignment requires the employee to take responsibility for the duties of a position in a higher grade when a vacancy exists in the position or the incumbent is on an authorized leave of absence for more than thirty (30) days. When placing an employee in a temporary assignment, a five percent (5%) increase per pay grade may be awarded, to a maximum fifteen percent (15%) increase.

For temporary assignments lasting six (6) months or more, the employee may be temporarily reclassified into a new or vacant position and awarded an increase in accordance with that section of the regulation.

When the vacant position is filled or the incumbent returns, the acting appointment shall expire. The acting appointee will be returned to the classification, pay grade and pay held immediately preceding the acting appointment, to include any pay adjustments for which the individual would have been eligible. Pay calculations will take effect on the date the employee returns to the position previously held.

D. Demotion, Transfer and Reclassification Decreases

A wage decrease is required when an employee voluntarily requests a demotion, transfer or reassignment to a position in a lower pay grade; when a position is classified, rated and assigned to a lower pay grade; or when an employee is involuntarily demoted, transferred or reassigned to a position in a lower pay grade. The incumbent's pay shall be decreased a minimum of five percent (5%) per pay grade, or to 95% of the midpoint for the new grade. The determination regarding pay will be made collaboratively between the department and Human Resources. Under no circumstances shall the new pay be higher than the maximum of the pay grade of the position in which the employee is placed.

VI. TEMPORARY EMPLOYEES

A. Determining Wage Placement

Temporary positions shall be evaluated by Human Resources to determine the appropriate job code and pay rate, and to ensure pay is assigned objectively and equitably. Temporary positions placed on the Nonexempt and Exempt Pay Plans may not necessarily be assigned responsibility for the full scope of duties in a corresponding or similar job description, and are not required to be compensated at the minimum of the assigned pay grade.

Nonexempt temporary employees who perform duties in more than one job may be paid at different rates for those positions, but the departments must use a blended rate to determine base pay for purposes of calculating overtime.

Please refer to the Temporary Employment Regulation 2.01g for details regarding length of service, transfer and promotion requirements of temporary employment.

B. Pay Rate Adjustments

Temporary employees are not eligible to participate in the performance pay program however they may be eligible for a pay rate adjustment for increased skill, experience, or responsibility. Increases for returning temporary employees will be applied uniformly to all incumbents in the job code. Temporary employees who transfer to a different service unit or supervisor performing the same duties are not eligible for a pay rate increase. Pay increases are subject to department budget constraints.

Departments may recognize temporary employees' exceptional skills and service through the use of Department Excellence Awards. Temporary employees are not eligible for City-wide programs.

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Number: 3.02b
Effective: 09-05-08
Revised: 07-20-12
Legal References:

RANGE, MARKET, AND LIVING WAGE ANALYSIS

I. INTRODUCTION

In an ongoing effort to more closely align the value of jobs relative to the marketplace, Human Resources will survey and evaluate total compensation for benchmark positions at a minimum frequency of every two years. The market area is defined by peer agencies identified by Mayor and City Council in the Strategic Plan.

For all compensation changes the base pay placement must be determined by considering department budget constraints, internal equity, the affected employee's performance, qualifications, experience, and level of responsibility, and equal employment opportunity. Pay adjustments are limited to an effective date within the current fiscal year. Supervisors shall not notify employees of pay changes until the funding source has been identified and approved for such use by the Department Director and the City's Budget Office.

II. RANGE ANALYSIS

To establish the value of the City's pay grades and ranges, comparative labor market compensation analysis will be conducted according to the schedule in the following table:

Pay Plan	**Labor Market Area**	**Analysis Cycle**
Temporary/Seasonal	Boise Metro Public/Private sector	Annually
Non-exempt	Boise Metro Public/Private sector Idaho Public/Private sector	Even numbered fiscal years
Exempt	Boise Metro Public/Private sector Pacific Northwest Public/Private sector Peer Agencies	Odd numbered fiscal years
Senior Management	Boise Metro Public/Private sector Pacific Northwest Public/Private sector Peer Agencies	Odd numbered fiscal years
Command Staff	Contract driven internal factors Peer Agencies	Even numbered fiscal years
Department Directors	Pacific Northwest Public/Private sector Peer Agencies Other data as available	Odd numbered fiscal years

Values are established both for combined pay grades through the use of benchmark positions and for individual jobs, adjusted for the value of employer benefits. Pay analysis may result in adjustment for pay grades listed on each plan at the beginning of the next fiscal year. Incumbents whose wages fall below the new minimum of the pay range will receive an adjustment to the new minimum pay rate. Based upon

available and approved citywide budget funds, eligible employees may receive a pay increase to help maintain or increase range penetration to the extent possible.

Base increase amounts available in the budget for these purposes shall first be applied to pay plan adjustments as necessary; second, to correct market disparities; third, to correct range penetration and compression; and last, to assist in correcting classifications.

III. MARKET ANALYSIS

As a component of Workforce Planning, Human Resources requests departments participate in an annual survey process to determine current and future staffing needs. With regard to compensation, departments are asked to identify classes of positions or specific incumbents where:

A. pay compression of current incumbents is problematic in maintaining internal equity or in placing new hires;
B. it is difficult to find qualified candidates to fill vacancies or previous job candidates have declined a job offer based upon pay;
C. current pay does not reflect peer market conditions; or positions are not appropriately classified.

Where evidence shows a position or class of jobs has a market value substantially higher than the City's regular pay grade or incumbent pay, Human Resources will partner with departments to develop a plan to deal with the discrepancy utilizing a variety of methods. Often the difference is indicated through compensation related difficulties in attracting and retaining qualified employees for the job, or the potential loss of key personnel which would result in serious hardship to the department's operations.

Department Directors are instructed to take into consideration the business need, budget constraints, internal equity factors such as performance and current range penetration, and equal employment opportunity. As part of this process, the Department Management Team will review and prioritize the data in light of available budget and trim the list or the increase amounts as necessary.

If the position has experienced significant changes not documented in the job description, the department may be asked to go through the process of updating the job description which may affect the total point value for the job and by doing so, assign the position to a more appropriate pay grade.

Alternately, if the job description sufficiently identifies the duties and responsibilities of the position, Human Resources, in collaboration with the affected department(s), will gather salary information from various sources in the identified labor market area. Human Resources staff will then compile and validate the data to determine the extent of the pay discrepancy and suggest potential solutions.

IV. MARKET DISPARITY

Under unusual circumstances where the position is determined to fall significantly outside the current pay grade assignment despite proper classification, the position may be identified as a Market Disparity position, and receive documented pay grade designation above the assigned pay grade. To meet the full and complete definition of Market Disparity, the position must meet all of the following criteria:

A. Two or more professionally conducted compensation surveys show a median market value for the position that is 15% or more higher than the City's regular pay grade midpoint; and
B. The City has experienced compensation related difficulties in attracting and retaining qualified employees for the job despite regular and special recruiting efforts, OR the loss of key personnel would result in serious hardship to the department's operations; and
C. The hiring department and Human Resources agree that training/building the needed talent from among existing staff is impractical; and
D. The hiring department and Human Resources agree that availability or cost considerations make a weak business case for securing the job's service through the use of outside contractors or consultants; and
E. Pay adjustment shall not result in additional compression issues; and
F. The hiring department will explain to candidates and employees that market reviews every one to two years may result in conversion back to the regularly assigned pay grade, and discontinuation of market disparity pay for a position.

Specific positions which meet the criteria for Market Disparity must have an updated job description and a current Hay rating review for accurate pay grade assignment prior to any pay adjustment. If all conditions are met, employees in Market Disparity positions may be eligible to receive an increase in pay up to 95% of the position-specific market data.

V. LIVING WAGE

The City adheres to the living wage pay philosophy. A living wage is a wage that provides a household with economic self-sufficiency, allowing it to meet its basic needs without government subsidy. To determine the living wage, the City evaluates expenses for basic necessities, such as food, housing, utilities, transportation, health care, child care, clothing and other personal items, savings, and state and federal taxes.

The City will pay an hourly rate that is the same or higher than the living wage to an employee who meets the following eligibility requirements:

- The employee holds a regular, full-time position;
- The employee is in a position that is classified as non-exempt under the Fair Labor Standards Act; and
- The employee successfully passes the probationary period of employment.

The City will determine the methodology to update the living wage amount as needed.

Document Type:	Policy
Number:	3.05
Effective:	05-01-06
Revised:	
Legal References:	

EXCELLENCE AWARDS

Compensation funds equaling one quarter of one percent of non-bargaining unit base salaries have been designated for each department to use in recognizing special achievements of employees throughout the year. These funds are a portion of the department's salary budget and are given to the Department Director to use at his or her discretion, to reward individuals or teams, as recognition of excellence.

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Number:	3.05a
Effective:	05-01-06
Revised:	10-01-06 10-01-07 09-05-08 12-01-09 08-27-10 02-14-11 11-29-12 01-04-13
Legal References:	26 C.F.R. § 31.3401(g)-1(a)(1))

EXCELLENCE AWARDS

I. INTRODUCTION

The City has instituted citywide excellence recognition programs and encourages each department to establish excellence recognition programs that will be most beneficial to the department. Excellence recognition programs are intended to recognize a wide variety of achievements by individual and/or team efforts. The purpose of this regulation is to ensure that recognition awards are distributed among all levels of employees within the City. This regulation does not apply to bargaining unit employees covered under a collective labor agreement.

II. DEPARTMENT PROGRAMS

A. Department Excellence Recognition Programs

The following shall be applied when awarding department excellence recognition programs:

1. The accomplishment shall reflect productivity, creativity, or customer service.
2. The award shall be timely and/or spontaneous.
3. Good projects shall be considered, whether failures or successes.
4. Cash, products, or services may be used. A well-chosen product or service with the employee's interests in mind would be the most effective.
5. The maximum dollar limit per excellence award is $500 gross pay. Awards exceeding $500 require Mayor's office approval.
6. Excellence award requests shall be in gross amounts only. Gross amount refers to the amount awarded to the employee before payroll deductions. Cash awards will be included as a part of the employee's regular paycheck and payroll deductions do apply. Payroll deductions will also be taken for non-cash awards such as gift cards regardless of the dollar amount.

7. Monetary awards will be included as part of the employee's regular payroll check.
8. Supervisors may use the template letter in Exhibit 3.05d to notify the employee of the award.
9. More than one excellence award may be given to an employee per fiscal year; however, the combined total value of the excellence awards shall not exceed $500 per fiscal year without Mayor's office approval.
10. Departments may spend up to the budgeted amount. Excellence award funds may be used to fund goal achievement in accordance with the Performance Management regulation. Excellence award money that funds goal achievement does not count towards the employee's excellence awards cap. Unexpended excellence award funds will be "turned back" at the end of the fiscal year.
11. Excellence award funds shall not be used for sick leave incentive programs.
12. Unless otherwise allowed in this regulation, special departmental recognition events exceeding $500 are subject to approval by the Mayor's office.
13. The Department of Finance and Administration will set yearly deadlines for year end award submissions based on business needs.

B. Initiating a Department Excellence Award

The following process outlines how departments initiate employee excellence awards:

1. The supervisor shall initiate all excellence awards by completing an Excellence Award Authorization form (see Exhibit 3.05b).
2. Employees currently on an improvement plan and/or employees who have received a written reprimand or suspension in the six months prior to the proposed giving of the award are not eligible for employee excellence awards.
3. The award shall be authorized by the Department Director or designee in accordance with this regulation.
4. The department shall send a copy of the approved Excellence Award Authorization form to HR Payroll for processing.
5. The department initiating the award shall ensure all levels of employees are receiving awards.

III. CITY-WIDE PROGRAMS

To encourage the citywide recognition of the performance and the years of service of employees, the City has the following programs:

A. Service Awards

The City recognizes employees on an annual basis for their years of service. Specifically, employees are recognized when they achieve 5, 10, 15, 20, 25, and 30 years of service. Subject to budget limitations, eligible employees receive a certificate and are given the opportunity to select a suitable gift. These individuals are also recognized on the City's Inside page.

B. Employee of the Year

On an annual basis, the City will recognize an employee of the year in the following classifications:

1. Non-Exempt General Employee
2. Exempt General Employee
3. Senior Manager
4. Command Staff
5. Department Director
6. Firefighter
7. Police Officer

Employees will nominate and select their own department's non-exempt and exempt general employee of the year.

Any employee may nominate another general employee in his or her department who has successfully completed the probationary period, using the form in Exhibit 3.05c of this regulation. Nominations are due to the department selection committee, the Department Director, or his or her designee by September 10.

For departments without a selection committee or standing process, it is recommended that a team of 5 to 10 employee representatives, from various divisions in the department, read all the nominations and select an employee from each of the two categories by ranking the nominations and/or voting in rounds. Depending on the size of the department and number of nominations received, the team may choose to rank all nominations and vote for the top 3 to 5 employees. Employees on the team may wish to discuss the nominations and vote again until a selection is made in each category.

Upon receiving approval from the Department Director, each department will then submit the department non-exempt and exempt employee of the year to the Wages and Benefits Team representative by October 1. The Wages and Benefits Team will use the same ranking and voting process to determine the City of Boise Non-exempt and Exempt Employee of the Year awards.

The Wages and Benefits Team will forward the names of all departments' Employee of the Year nominees and the individuals selected in each category to the Office of the Mayor by November 1 so that awards can be prepared and presented at a recognition event.

In conjunction with the applicable departments, the Mayor's office will select the Senior Manager, and Department Director of the year. The Fire and Police Departments will determine their own processes to select a member of Command Staff and a Firefighter and Police Officer of the year.

The above individuals are eligible for an Excellence Award in accordance with this regulation and budget limitations.

C. Retirement Award

To recognize the years of service of an employee retiring from the City, departments shall use a portion of their allotted Excellence Award funds to purchase a gift, hold a celebration, and/or provide a cash award, at the retiring employee's discretion.

A "retiring employee" is an employee who meets the following requirements:

1. Has tendered a retirement letter to Human Resources;
2. Is eligible for a PERSI retirement and has worked for the City for at least ten cumulative years; and
3. Is not currently on a formal improvement plan.

The amount of the retirement award is $250.00, plus an additional $10.00 per each complete year of the employee's service in the City. The Mayor's office will determine amounts for Department Director retirements.

Document Type:	Exhibit
Number:	3.05b
Effective:	5-01-06
Revised:	9-05-08
	03-08-11
	01-04-13
	06-06-13
Legal References:	

EXCELLENCE AWARD AUTHORIZATION

Employee Name_____ Pay Grade_____

Employee Number_____ Department_____

Recognition for:_____

◯ Cash Award Amount of Cash Award (Gross)_____

◯ Non-Cash Award (includes gift cards) Type & Value of Award_____

◯ Not redeemable for cash ◯ May be redeemed for cash

Monetary awards are included in the employee's regular pay check. If departments want an employee to receive an award on a particular pay day, please submit this form to HR Payroll as soon as possible, but no later than close of business on the Wednesday (one week) before the desired pay day. Excellence award authorization forms received after the Wednesday deadline will be processed during the following payroll cycle.

Excellence Award Budget $_____ Amount Used-To-Date $_____

Balance $_____

My signature below affirms the employee nominated for this award is not on a performance improvement plan and/or has not received a written reprimand or suspension within the last six months:

Supervisor Signature_____ Date_____

Department Director Authorization_____ Date_____

Mayor's Office Authorization*_____ Date_____

*Required if award is valued over $500

SEND ORIGINAL TO HR PAYROLL

Document Type: Exhibit
Number: 3.05c
Effective: 9-01-10
Revised:
Legal References:

EMPLOYEE OF THE YEAR NOMINATION

Name of Employee you wish to Nominate: _____

Department: _____ Division: _____

Job Title: _____

Nomination category:

- o Nonexempt Employee of the Year
- o Exempt Employee of the Year

Please answer the following questionnaire about the employee you are nominating:

1. What accomplishments make this employee stand out this year, above and beyond their basic job duties? _____

2. How does this employee demonstrate commitment to serving their customers?

3. Please list the leadership qualities this employee displays in the work they do.

4. How has this employee helped to make his/her team better? _____

5. What outside activities is this individual engaged in that make our community a better place to live (e.g. volunteering, fund raising, or other social, cultural or educational involvement)? _____

Name of Employee Submitting the Nomination: _____

Department Director Authorization: _____

Document Type:	Exhibit
Number:	3.05d
Effective:	05-01-06
Revised:	08-07-12
Legal References:	

SAMPLE MEMORADUM TO EMPLOYEE

Memorandum

To: [EMPLOYEE NAME, POSITION TITLE]

From: [SUPERVISOR NAME]

Date: [TODAY'S DATE]

Re: Excellence Award

_____

Dear [Employee Name], as a result of your excellent work on [NAME OF SPECIFIC PROJECT/OR REASON FOR RECOGNITION], you will receive a [AWARD AMOUNT] Excellence Award on your [MONTH AND DAY] paycheck. Thank you for your valuable contribution.

When you contribute your best work for the City of Boise, your commitment to providing top quality services to citizens helps make Boise the most livable city in the country.

Thank you.

Document Type:	Policy
Number:	3.08
Effective:	12-01-06
Revised:	02-15-11
	11-30-13
Legal References:	I.C. § 41-4001 *et seq.*

HEALTH TRUSTEES

The Health Trustees are responsible to Boise City, and any public agency employer who enters into a Joint Powers Agreement, to provide health-related benefit programs that will enhance Boise City's total compensation philosophy. The Trustees are bound to do this in a manner that upholds their fiduciary responsibility. As such the Trustees will provide legal compliance review and financial projections for requested plan design changes brought forth from the Executive Management Team, the Mayor and City Council, and/or the governing Board of any Joint Powers public agency. The Trustees shall have final approval on all financial issues related to health-related benefit programs within the confines of the appropriated budget, applicable laws, and governing rules. The Mayor and City Council retain ultimate authority over the Trust through their ability to limit budget appropriations and/or for cause replacement of Trustees, as allowed by the Trust Agreement.

Document Type:	Policy
Number:	3.10
Effective:	05-01-06
Revised:	
Legal References:	29 C.F.R. Parts 785.18 – 785.19

HOURS OF WORK AND BREAK PERIODS

The City of Boise establishes time schedules for all employees. Employees are expected to report to their assignments on time each workday and shall be available until their designated ending time. Because the nature of the work varies across the City, starting, quitting, and meal and break times vary according to the needs of a particular department.

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Number:	3.10a
Effective:	05-01-06
Revised:	08-03-10 07-25-11 12-30-15
Legal References:	29 C.F.R. Parts 785.18 – 785.19 Patient Protection & Affordable Care Act 29 C.F.R. 207, Sec. 7

HOURS OF WORK AND BREAK PERIODS

I. INTRODUCTION

Hours of work and break periods for employees shall be governed by the provisions of the Fair Labor Standards Act. Hours of work and break periods for bargaining unit employees shall be governed by the provisions of the Fair Labor Standards Act and collective labor agreements when applicable.

II. HOURS OF WORK

The regular workweek for full-time employees typically runs Monday through Friday and consists of 40 hours, excluding meal breaks. Some departments that need to be staffed continuously or for other business purposes can, and do, schedule workweeks that do not run Monday through Friday. Because the nature of the work varies across the City, starting, quitting, meal, and break times vary according to the needs of a particular department.

An employee's work schedule can be modified at management's discretion to meet the varying conditions of City business. Employees are expected to observe the hours set within their departments. Any special arrangements or alterations must be discussed in advance and approved by the supervisor.

III. SUPERVISOR AND EMPLOYEE RESPONSIBILITIES

Supervisors are responsible for administering their department's break and meal periods in a fair and uniform manner and so that ongoing operational responsibilities are not compromised. When scheduling breaks and meal periods, supervisors must take into account their department's operational requirements and the employee's needs. Non-exempt employees shall obtain prior authorization from their supervisor to work through a meal period, since working through a meal period can create overtime liability for the City.

Based on business necessity, a supervisor may require an employee to remain on-site during a break or meal period. This requirement does not entitle the employee to receive pay for the meal period as long as the employee does not perform work-related duties.

Supervisors may track, inspect and/or monitor an employee's hours of work. This may occur in response to a particular problem, randomly, or, in some cases, continuously. Employees who take unauthorized breaks or meal periods, extend breaks or meal periods beyond the authorized time limit, or work during meal periods without authorization are subject to discipline, up to and including termination.

IV. WORK BREAKS

Non-exempt employees that work eight (8) continuous hours or longer a day are eligible to receive two fifteen minute paid breaks during the scheduled work day. Unless the supervisor schedules otherwise, one break is to be taken during each half-day or shift. Non-exempt employees working more than four (4) hours, but less than eight (8) hours are eligible to receive one fifteen minute paid break during the scheduled work day. Non-exempt employees working four (4) continuous hours a day or less, may receive one paid fifteen minute break at the supervisor's discretion. The time of a break is at the supervisor's discretion.

Accumulating any unused break periods or using break periods as the basis for starting late, leaving early, or extending a meal period is prohibited.

V. BREAK TIME FOR NURSING MOTHERS

Departments are expected to provide reasonable break time for an employee to express breast milk for her nursing child for one year after the child's birth each time such employee has need to express the milk. The frequency of breaks needed to express milk as well as the duration of each break will likely vary.

Departments shall provide a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk. A bathroom, even if private, is not a permissible location under the Patient Protection and Affordable Care Act. The location provided must be functional as a space for expressing breast milk. If the space is not dedicated to the nursing mother's use, it must be available when needed in order to meet the statutory requirement. A space temporarily created or converted into a space for expressing milk or made available when needed by the nursing mother is sufficient provided that the space is shielded from view, and free from any intrusion from co-workers and the public.

Breaks taken for the purpose of expressing milk are unpaid.

VI. MEAL PERIODS

Supervisors may authorize an unpaid 30 minute or longer meal period for non-exempt employees. Non-exempt employees shall be paid for any meal period during which the employee is not completely relieved from duty or that is less than 30 minutes. The time of a meal period is at the supervisor's discretion.

Employees are not permitted to use meal periods as the basis for starting late, leaving early, or extending a meal period, unless authorized by the Department Director or designee.

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Revised:	02-19-10
	03-14-11
	06-26-19
Legal References:	

FLEXIBLE SCHEDULES AND WORKWEEKS

I. INTRODUCTION

Each city department establishes the work schedules for employees assigned to that department. Because the nature of the work varies across the city, starting and ending times vary according to the needs of individual departments. Consequently, employees may be assigned to begin and/or end work their workday outside of the typical 8 a.m. to 5 p.m. Monday through Friday schedule. Additionally, employees may be assigned to work a compressed schedule, or begin and/or end their workweek on a Saturday or Sunday.

Business needs permitting, departments may also offer a flexible work schedule or compressed work schedule to accommodate personal, family, and other obligations. The city permits employees to have flexible schedules and compressed work schedules when such schedules align with the city's and department's business needs. The purpose of this regulation is to outline when, how, and under what circumstances flexible schedules and/or compressed schedules are permitted.

All regular employees who have successfully completed their probationary period are eligible to request a flexible schedule.

II. FLEXIBLE SCHEDULE VS. COMPRESSED SCHEDULE

A flexible schedule is a schedule that allows employees to start or end their workday outside the typical 8 a.m. to 5 p.m. Monday through Friday work schedule.

A compressed schedule allows employees to work the equivalent of a full 40-hour work week in fewer than five days.

For the purpose of this regulation, the terms "flexible schedule" and "compressed schedule" will jointly be referred to as "flexible schedule." Note, the term flexible schedule does not include shift work.

III. CONDITIONS

The city has a variety of flexible schedule options. Prior to approving an employee's flexible schedule request, the employee's supervisor shall contact Human Resources to verify the requested schedule comports with one of the city's established flexible schedules. New schedules may be created as agreed to by the department and

Human Resources provided, the schedules comply with applicable wage and hour laws and are compatible with the city's timekeeping and Human Resources Information Systems (HRIS).

IV. APPROVAL PROCESS

Employees who would like to work a flexible schedule and/or compressed workweek shall make their request verbally or in writing to their Department Director or designee. Whether an employee's request is granted is at the discretion of the department in consultation with Human Resources. Employees' requests for flexible schedules are evaluated on a case-by-case basis and may not be feasible in some departments or for certain positions.

When evaluating an employee's request, the following factors should be considered:

- Nature of the employee's responsibilities;
- Reasons for the employee's request;
- Staffing levels required to maintain service and production levels;
- Department's capacity to handle changing workloads;
- Employee's work record, including punctuality, reliability, productivity, and ability to meet deadlines;
- Potential for an increase in the department's overtime/compensatory time numbers;
- Employee's willingness to depart from a flexible schedule when needed;
- Seasonal or cyclical changes in workloads might restrict the ability to grant flexible schedules during certain times of the year; or
- Other business needs.

Departments are responsible for ensuring flexible schedules are granted in a manner that does not violate the city's Equal Opportunity Employment Policy or Regulation.

If a department is unsure of how a flexible schedule will affect their operations, the department can approve a flexible schedule for a limited period, so they can evaluate whether the flexible schedule interferes with or hinders a business need.

If an employee's request for a flexible schedule is approved, the department shall document the new schedule and its effective date on a position action form (PAF) and submit the PAF to Human Resources.

V. CANCELLING A FLEXIBLE SCHEDULE

There is no right to a flexible schedule. The city retains the right to cancel or suspend a flexible schedule. If the timeframe for canceling the flexible schedule is not mutually agreed upon between the department and the employee, the department shall provide the employee with notice at least ten (10) business days prior to canceling the flexible schedule. This timeframe may be shortened based on a stated emergency.

VI. SUPERVISOR REVIEW

Supervisors are expected to periodically evaluate how an employee's flexible schedule affects the employee's productivity, leave usage and accruals, the number of overtime or compensatory hours worked, holiday pay, and on-call/call-in pay.

Departments can require an employee adjust their work hours, within the parameters of applicable wage and hour laws and city policies and regulations, to ensure the employee does not work over 40 hours within their FLSA workweek creating an overtime/compensatory time liability for the city.

VII. OTHER CONSIDERATIONS

Non-exempt employees are not restricted from working hours or days outside their approved flexible schedule, providing all alterations to their approved schedule, including hours worked over 40 in the employees FLSA work week, are approved in advance by the employee's supervisor and meet the requirements of the city's Wage Payment and Overtime Regulation. Non-exempt employees can be required to depart from their flexible schedule to work overtime hours.

Exempt employees are expected to work as needed to meet business needs; therefore, a flexible schedule does not restrict exempt employees from working outside their approved schedule, including a flexible schedule, provided all hours over 40 in the employee's FLSA workweek are approved by the supervisor in advance and in accordance with the Wage Payment and Overtime Regulation.

Flexible schedules resulting in employees regularly working more than 12 hours per day are not permitted.

Flexible schedules must comply with all federal and state department of labor rules and the city's policies and regulations.

Document Type: Regulation
Number: 3.10c
Effective: 06-01-21
Revised:
Legal References:

HYBRID WORK

I. INTRODUCTION

Hybrid working is when a person splits their time between working at a designated onsite city location and their home or another pre-approved offsite location. The purpose of this is regulation is to outline the parameters and approval process for hybrid work arrangements. Department directors, managers, and supervisors are responsible for administering hybrid work in accordance with this regulation.

Regular full-time and regular part-time employees, including probationary employees, who are regularly assigned to work 19-hours or more per week and who are in positions that meet the hybrid work eligibility requirements may be permitted to hybrid work. Temporary staff do not qualify for hybrid work.

II. DISCLAIMER

Hybrid work is neither a right nor entitlement, nor is it a city-wide employee benefit and this regulation in no way creates a contract, changes the terms and conditions of employment, modifies the employment relationship between the city and the employee, or restricts management's rights to revise or end hybrid work or a hybrid work assignment at any time.

Employees who hybrid work are expected to comply with all city policies and regulations regardless of the work location, and all work product remains the property of the City of Boise regardless of the work location. The city reserves the right to modify or terminate, any and all conditions of this regulation, at any time, with or without notice.

III. POSITION ELIGIBILITY

While some positions are conducive to hybrid work arrangements, other positions simply are not. Hybrid work eligibility and availability is based on the position and will depend on a variety of factors including but not limited to:

A. whether all the position's essential job duties can be effectively performed offsite through secure remote access to the city systems;
B. whether the required job duties and the results needed from the position can be effectively accomplished from the offsite location; and

C. whether sufficient resources (e.g. people, funds, tools, etc.) are or continue to be available to support the hybrid work arrangement.

Hybrid work may be approved on a short-term or long-term basis depending on business needs. The city also reserves the right to require employees to hybrid work.

Persons in positions eligible for hybrid work must consistently meet established professional, behavioral, and performance-related expectations to be permitted to hybrid work and/or to maintain an existing hybrid work arrangement.

Hybrid work arrangements may be suspended or denied by management at any time with or without notice for business reasons, or due to misconduct or performance issues, including but not limited to disengagement, lack of communication or availability, insufficient quality of work and/or productivity, or violation of city policies and regulations.

Employees who are not eligible or authorized, or who are denied or suspended from hybrid work, are expected to report to work onsite as scheduled.

IV. REQUEST AND AUTHORIZATION FOR HYBRID WORK

To be approved for a hybrid work arrangement, employees in positions eligible for hybrid work shall discuss their wish to hybrid work with their supervisor. If the supervisor agrees to permit hybrid work, including their preferred hybrid work schedule, the employee must complete and submit an online *Hybrid Work Authorization and Agreement Form – Coming June 1, 2021!* Any long-term (over 90 days) changes to an approved hybrid work arrangement shall be pre-approved by the supervisor. Employees shall keep their supervisor informed of and receive approval for temporary and long-term changes to hybrid work arrangement.

Employees are required to follow the above authorization process if their supervisor changes, or if they change positions and the new position is eligible for hybrid work. This includes submitting a new *Hybrid Work Authorization and Agreement Form* for approval. Once the form is reviewed by the supervisor, the employee will receive an email notification informing them if their request was approved or denied.

Employees in positions that are eligible for hybrid work, who are denied hybrid work, are suspended from hybrid work, or who are no longer permitted to hybrid work, may appeal the decision to their Department Director or the director's designee. Upon receipt of appeal, the director or designee will work with employee and the supervisor on a resolution. If the employee and supervisor cannot agree on a resolution, the director or designee, will make the final determination and the matter will be considered closed and not subject to further appeal.

V. ACCEPTABLE HYBRID WORK SCHEDULES AND AVAILABILITY

The amount of hybrid work allowed per position will be determined by the Department Director or the department's senior leadership team.

Hybrid work schedules may be temporarily altered based on business need and at management discretion during work weeks containing paid holidays or work weeks during which the employee uses accrued vacation leave, compensatory time, or sick leave.

Fluctuating hybrid work schedules may be allowed at management discretion including but not limited to alternating weeks and rotations.

When working offsite, hybrid working employees must be available by Microsoft Teams, phone, text, email, video, or in-person at the same degree of accessibility as if working onsite.

Hybrid working employees are required to utilize web cameras for virtual meetings if equipped to do so. Employees may deactivate the camera once an introduction is made or if needed due to bandwidth or connectivity issues. If a hybrid working employee consistently does not use their web camera, the supervisor should inquire why and work with the employee to determine a satisfactory resolution.

VI. OFFSITE HYBRID WORK REQUIREMENTS

Employee's hybrid work locations may be flexible. However, hybrid working employees must abide by the following:

A. Designate a home workspace for placement and installation of equipment and secure storage of city material.
B. Conduct all in-person customer and co-worker interactions at appropriate customer site, department/city meeting room, or appropriate alternate public location. In-person, third party meetings at a home worksite are not permitted.
C. Be able to report to a designated onsite city work location, as needed, within two (2) hours to attend meetings, assist with staffing shortages or other business reasons deemed necessary by leadership. A longer reporting time may be permitted infrequently, under unique circumstances and must be pre-approved by supervisor.
D. Forward onsite city phone extension to a phone at hybrid work location and answer/respond to work-related calls in a timely manner.
E. Check in with supervisor to provide updates regarding work assignments, project status, etc.; check-in frequency shall be determined by the supervisor.

Employees who, on occasion cannot meet the availability conditions outlined above due to special circumstances, shall notify their supervisor in advance, and provide explanation. Employees who fail to notify their supervisor in advance and/or provide a reasonable explanation when availability conditions cannot be met may be subject to discipline up to and including termination.

VII. COMPENSATION, WORK HOURS, TIMEKEEPING & COMMUTING

Employee's compensation, benefits, work status, and work responsibilities will be based on the job description, classification, and work schedule. The amount of time an employee is expected to work per day, week, or pay period will not change because of hybrid working. The following general provisions shall be followed:

A. Employees shall adhere to their approved hybrid work schedule. Any exception to, or divergence from the hybrid work schedule must be pre-approved by the supervisor. Significant or long-term changes to the hybrid work schedule will require submittal of a new Hybrid work Request and Authorization form.

B. Overtime or compensatory time (comp time) must be pre-approved by the supervisor in accordance with the city's Wage Payment and Overtime Regulation.

C. All hours worked must be recorded accurately in accordance with the city's Wage Payment and Overtime Regulation 3.25 including use of appropriate hybrid work time code (HBW). Employees who do not accurately maintain their time records are subject to discipline up to and including termination.

D. When working from home/approved offsite location, time spent traveling (i.e. driving/walking/cycling) to and from city meetings or job-related events, within the employee's regular work hours counts as hours worked. Time spent traveling to or from such meetings or events either before or after the employee's regular work hours is considered regular commute time, not hours worked. Employees who hybrid work from a distant location are expected to be diligent and effectively plan their workdays, to ensure travel to and from the offsite hybrid work location does not hinder efficiency, productivity or consume unreasonable amounts of their workday. Virtual technology may be used for work meetings when appropriate.

VIII. DEPENDENT CARE

Hybrid work is not a substitute for dependent care. Employees shall not be responsible for, or provide, dependent or childcare during scheduled or compensable work hours, or while performing city duties. Employees working from their designated offsite work location, are expected to arrange for such care just as they would if they were working on site. The city reserves the right to impose additional restrictions as needed.

IX. HYBRID WORK LOCATION SAFETY

Employees are responsible for maintaining their hybrid work workspace in a well-kept safe condition, free from hazards and other dangers to the employee and any city-owned equipment. Injuries sustained by the employee in their offsite hybrid work location while performing their regular work duties must be reported to employee's supervisor immediately or as soon as possible. The employee is liable for any injuries sustained by family members or visitors at their offsite work location.

Offsite hybrid work location visits by supervisors are not permitted at this time.

X. HYBRID WORK EQUIPMENT, UTILITIES, AND FURNITURE

City-issued, mobile computing devices capable of accessing city networks and systems are required for hybrid work. The employee is responsible for providing necessary utilities at the offsite work location including power, phone/cable/fiber connections, and adequate internet/Wi-Fi. Employees will not be reimbursed by the city for these or other related expenses except for eligible cellular phone stipends.

On a case-by-case basis, the city may provide equipment for hybrid work use. There is no entitlement to city-provided equipment, nor is there a guarantee the city will provide all equipment (printers, scanners, multiple monitors, etc.). Supervisors are responsible for communicating with IT to determine equipment availability. All equipment provided by the city shall remain the property of the city. The use of equipment provided by the city for hybrid work is limited to the city employee who the equipment was issued to and in accordance with the city's IT Acceptable Use Regulation. Equipment provided by the city must be returned in good condition and immediately upon request. Employees may be required to bring equipment to a city facility for repairs, or updates.

The following conditions also apply:

A. City-owned desktop computers may not be moved to hybrid work locations.
B. The city will provide a Virtual Private Network (VPN) connection for city-owned devices or a secure Citrix account.
C. The city will provide repairs of city equipment or replacement in accordance with the city's replacement schedule.
D. IT will be consulted regarding any hybrid work equipment needs.
E. IT will maintain an inventory list of city equipment that is authorized for hybrid work.

Hybrid working employees will provide, at their own expense, the appropriate furniture needed to perform work from the hybrid work location. Ergonomic assessments for hybrid working employees will be done virtually and upon employee request. Employees who already have city-provided ergonomic equipment at their city workspace due to a documented medical need may be eligible to receive the same or similar equipment for hybrid work needs. Medical certifications and documentation may be required for new requests.

The city will provide small office supplies (writing utensils, file folders, notebooks, etc.) needed to perform city business at the hybrid work location.

XI. SECURITY AND CONFIDENTIALITY

Hybrid working employee shall be especially aware of information security and regulatory requirements. Hybrid working employees should avoid using public Wi-Fi

networks. If necessary, employees using public Wi-Fi networks shall establish a VPN connection. Hybrid working employees are expected to ensure the protection of sensitive information by limiting access to the device using locked file cabinets and desks, regular password maintenance, and locking computers. Whenever possible, work files should be stored in secure, city network drives. City materials, records, and equipment shall not be made accessible to others and shall be protected from damage.

Employee shall report to their supervisor any incidents of loss, damage, or unauthorized access to city equipment and information at the earliest opportunity.

All equipment, records, and materials provided by the city and/or created as a part of the employee's duties, shall remain the property of the city.

XII. TECHNICAL SUPPORT

Technical support remains in place for hybrid workers. Employees should first log an incident with IT Help either over the phone or via email. The IT team will determine the best path to resolution. This may mean a remote consultation with an IT Help staff member or, if IT is unable to fix the issue remotely, the employee will be asked to bring equipment to a city facility for access by Field Technician.

If equipment, network, or system access from the hybrid work location fails or suffers from inadequate performance, and this negatively impacts the employee's productivity, the employee shall notify their supervisor at the earliest opportunity. The supervisor may direct the employee to return to their city-assigned work location until equipment is replaced/repaired or adequate access is restored at the hybrid work location. Employees may be asked to return to their city-assigned work location indefinitely if adequate system performance cannot be maintained.

XIII. ONSITE CITY WORKSPACE

Employees who hybrid work may be asked to share their onsite city workspace with other city employees. Feasibility and need will be determined case-by-case with consideration given to the position responsibilities and department needs. Flex workstations may also be used.

Employees who share an onsite workspace are expected to maintain the workspace in a clean and orderly fashion. Employees are encouraged to wipe down shared workspaces at the end of shift.

Employees who hybrid work may also be re-assigned to a different city workspace as business/city needs dictate.

XIV. TAXES

Employees are responsible for determining any tax implications of maintaining a personal hybrid work workspace. The city will not provide tax guidance nor will the city

or department assume any additional tax liabilities. Employees are encouraged to consult with a qualified tax professional to discuss tax implications.

Document Type:	Policy
Number:	3.15
Effective:	05-01-06
Revised:	
Legal References:	42 U.S.C. § 2601, 2611-2619; I.C. § 2-218 38 U.S.C. § 4301

TIME OFF AND LEAVES OF ABSENCE

The City of Boise believes that it is of great importance for employees to have regular and consistent attendance at work. All employees are expected to come to work on all scheduled work days and during all scheduled work hours. The City, however, recognizes the need for providing time off and leaves of absence to assist employees in the event of illness and when special situations arise. Eligible employees receive paid and unpaid leaves of absence in accordance with City policies, regulations and applicable laws.

An employee shall be deemed “absent without leave” when absent from work because of (1) a reason that conforms to a policy or regulation currently in effect but the maximum days provided for in that policy or regulation are exceeded; (2) a reason that does not conform to a policy or regulation in effect; or (3) failure to report to work without providing proper notification and/or receiving proper approval. Employees who are absent from work without leave are subject to disciplinary action, up to and including termination, and/or a pay deduction.

Document Type:	Regulation
Number:	3.15a
Effective:	05-01-06
Revised:	07-01-06
	10-01-06
	09-05-08
	02-14-11
	08-15-14
Legal References:	

COMPASSIONATE LEAVE

I. INTRODUCTION

Within the restrictions discussed in this regulation, employees may donate accrued leave hours to other regular City employees who have exhausted their leave balances and who need to miss work because of a qualifying event. Participation as a donor or recipient is voluntary. Under no circumstances shall any employee be pressured into participating. Bargaining unit employees are eligible to receive and donate qualifying leave through this program.

II. REQUESTING COMPASSIONATE LEAVE

In order to request compassionate leave donations, an employee shall meet the following requirements:

A. Be a regular full or part-time employee;
B. Exhausted all accrued annual, sick and compensatory leave available to the employee;
C. Submit to Human Resources a Request for Compassionate Leave form [See Exhibit 3.15aaa] and the FMLA required certification;
D. Worked for the City for more than one year and more than 1250 hours during the 12 month period immediately preceding the commencement of leave as defined by the Family and Medical Leave Act ("FMLA"); and
E. Have a serious health condition as defined under FMLA; or have a spouse, parent or child with a serious health condition as defined by FMLA. After receiving Department Director or designee approval, employees may request an exception from this provision from the Mayor or designee. For example, requesting compassionate leave to care for a grandparent with a serious health condition.

In order to allow time for approval and solicitation of donations, recipient requests for the current month should be received by Human Resources no later than the 25th.

III. REQUIREMENTS FOR DONATING LEAVE

Employees can voluntarily donate accrued, unused vacation hours to employees that qualify for compassionate leave. Only employees classified as non-exempt under the Fair Labor Standards Act are eligible to donate accrued, unused compensatory time.

In order to donate leave, an employee shall complete a Compassionate Leave Donation form [See Exhibit 3.15aa] and shall meet the following requirements:

A. Be a regular full or part-time employee on active status;
B. Retain a minimum of 80 hours of vacation leave for the donating employee's use in each calendar year;
C. Cannot donate floating holidays or sick leave;
D. Successfully completed their probationary period; and
E. Be classified as non-exempt to donate accrued unused compensatory leave.
F. Donations should be received no later than the 25th of each month in order to allow time for processing.

All donations are strictly voluntary and confidential except on a need to know basis for accounting purposes. Once transferred, donations are irrevocable. Retroactive donations are not permitted.

IV. COMPASSIONATE LEAVE RECIPIENT REQUIREMENTS

All leave donations will be on an hour-for-hour basis and in one hour increments. Employees receiving donated leave hours will be paid for such hours based on the receiving employee's work schedule and base hourly rate of pay. No consideration shall be given to the dollar value of the leave donated.

The City will require a medical certification from a physician that:

A. Confirms the need for the employee's own use or confirms that the employee's attendance with the family member is required; and
B. Provides an estimated date of return to work.

Upon request, the recipient shall provide Human Resources with updated documentation as to the nature and expected duration of the illness or injury.

The compassionate leave option shall be terminated by the City if the recipient is no longer eligible for leave under the FMLA or becomes eligible for or receives long/short-term disability benefits whichever comes first. Compassionate leave benefits also terminate if the recipient returns to his or her regular work schedule, separates from the City, or otherwise fails to meet the eligibility requirements.

The recipient may not receive compassionate leave benefits while receiving unemployment benefits, or retirement benefits. Employees eligible for light duty, but who decline light duty assignments may not receive compassionate leave benefits. Employees on compassionate leave may still receive other benefits as allowed by City policies and regulations and the FMLA.

The maximum amount of donated leave an employee may be granted is 480 hours in a rolling twelve (12) month period as defined in the FMLA. The employee shall repeat the request with Department Director or designee approval if the employee finds himself or herself in need of donated leave following the rolling 12 month period.

Compassionate leave donated in excess of an amount needed for a recipient or that is not used by the intended recipient will remain in a Citywide compassionate leave

bank for future use by another employee qualifying for leave donations under this policy.

V. ADMINISTRATION

Human Resources is responsible for reviewing requests for donated leave, publicizing the need for donations, and overseeing the operation of the compassionate leave program. Human Resources will maintain documentation and verify whether the employee's situation qualifies and meets all requirements to receive leave under this policy.

There is no entitlement to compassionate leave. The City of Boise reserves the right to deny any compassionate leave request. The City also reserves the right to make changes to or to cancel this benefit at any time. Nothing in this regulation shall create an employment contract, or be construed to modify the employment relationship between the City and the receiving employee, or to restrict the City's management rights.

VI. CONFIDENTIALITY

In soliciting approved leave donations for a specific employee, prospective donors are likely to request to know the reason the employee needs donated leave. A release signed by the leave recipient shall be received by Human Resources prior to the City publicizing the need for leave.

Employees or supervisors with knowledge of an employee's confidential medical condition who disclose that condition without written permission from the employee will be subject to disciplinary action up to and including termination.

All donor names and contributions are to be kept confidential except on a need to know basis for accounting purposes. Employee's with knowledge of donor contributions are prohibited from disclosing such information. Employees who violate the donor confidentiality rule are subject to discipline up to and including termination.

VII. TAX IMPLICATIONS

Employees who donate leave are not subject to any taxes. However, employees who receive donated leave do incur a tax liability at the time the leave is actually paid.

Leave donations are not tax deductible.

Document Type:	Exhibit
Number:	3.15aa
Effective:	05-01-06
Revised:	01-26-10
	02-29-16
	06-15-20
Legal References:	

COMPASSIONATE LEAVE DONATION FORM

Employees wishing to donate compassionate leave must meet the following requirements:

A. Be a regular full or part-time employee on active status;
B. Retain a minimum of 80 hours of vacation leave for the donating employee's use in each calendar year;
C. Cannot donate floating holidays and sick leave;
D. Successfully completed their probationary period; and
E. Be classified as non-exempt to donate accrued unused compensatory leave.

Donations may be made in one-hour increments only. Partial hours will not be accepted. All donations are to be kept confidential except on a need to know basis.

- **Exempt and non-exempt employees:**

  I wish to donate _____ hour(s) of my accrued **vacation** leave.

- **NON-exempt employees ONLY:**

  I wish to donate _____ hour(s) of my accrued **compensatory** leave.

I voluntarily donate the number of leave hours listed above to the Compassionate Leave program for City employees. I understand my donation will be deducted from my leave accrual balance(s) following approval of this form by Human Resources. I understand that the leave hour(s) I donate will not be restored to my leave account. My signature below authorizes the deduction of the above leave time from my records.

Donor's **Printed** Name	Employee ID#	Department
Donor's Signature	Date	

If you prefer your donation to go to a specified recipient, please indicate the recipient's name below. Donated leave unused by specified recipient will be added to the Compassionate Leave Pool and not returned to the donor.

_____
Recipients Name

Approved By:

Human Resources	Date

***** HR USE ONLY*****

Recorded by HR on: _____ VACATION:_____ COMP:_____ ☐ EXEMPT ☐ NON-EXEMPT
Date

☐ TO PAYROLL ☐ TO DEPT ☐ PAYROLL RECEIPT

Document Type:	Exhibit
Number:	3.15aaa
Effective:	05-01-06
Revised:	08-15-14
Legal References:	

COMPASSIONATE LEAVE REQUEST FORM

_____ _____ _____

Employee's Printed Name Employee ID# Department

I will be unable to return to work due to the following FMLA qualifying condition:

☐ An incapacitating illness or injury to myself; or
☐ The need to care for a family member with an incapacitating illness or injury.

Probable duration of condition: _____

I will exhaust my paid leave balances, including sick, vacation and compensatory time on the following approximate date _____. I, therefore request consideration under the provisions of the City of Boise Compassionate Leave Policy 3.15.

Please Initial:

☐ I understand that any decision to grant me leave is discretionary and there is no entitlement to Compassionate Leave.

☐ Should I receive Compassionate Leave, I understand that I will be required to provide periodic updates from a physician concerning my estimated return to work in order to maintain eligibility for such leave.

☐ I understand that I may be required to present a fitness for duty release from a physician upon returning to work.

I do hereby authorize the City of Boise to use the information above to facilitate the request I have made. Further, I agree to hold the City of Boise harmless for any and all violations of my privacy related to the protected health information contained on this form. I understand the information I have provided may be shared with members of Human Resources, the City Attorney's Office, the Mayor's Office and City Council. I understand that this information will be provided to only those who need to know (timekeepers etc.) in order to grant my request. In no event shall I claim to have been wronged, injured or make any claim or bring civil legal action against the City of Boise, its officials, agents or employees under any provision of state or federal law based upon disclosure of the information in this request.

_____ _____

Employee's Signature Date

_____ _____

Supervisor's Signature Date

***** HR USE ONLY*****

Recorded by HR on: _____ ☐ EXEMPT ☐ NON-EXEMPT

Date

☐ TO PAYROLL ☐ TO DEPT ☐ PAYROLL RECEIPT

Document Type:	Regulation
Number:	3.15b
Effective:	05-01-06
Revised:	10-01-07
	09-05-08
	01-01-11
	01-12-15
Legal References:	

BEREAVEMENT LEAVE

Regular employees of the City of Boise are eligible for bereavement leave benefits. Bereavement leave benefits for bargaining unit employees shall be governed by the provisions of their collective labor agreement. Eligible employees receive up to 40 hours of leave for the death of a spouse, or an employee's child, parent, sibling, grandparent, or grandchild by blood or marriage. The department may request documentation from the employee to support the need for bereavement leave. If the employee does not provide the requested documentation, the department may deny the leave and/or require the employee to use his or her accrued vacation or compensatory time.

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Legal References:	42 U.S.C. § 2601, 2611-2619; I.C. § 2-218

FAMILY AND MEDICAL LEAVE (FMLA)

I. INTRODUCTION

The City of Boise is covered under the federal Family and Medical Leave Act and complies with all FMLA requirements. This regulation addresses FMLA leave for eligible employees because of the birth of a child or the placement of a child for adoption or foster care; to care for a parent, spouse, or child with serious health conditions; or because of employees' own serious health conditions.

This regulation applies to all employees.

II. EMPLOYEE ELIGIBILITY

To be eligible for FMLA leave, employees must have worked at City of Boise for 12 months and have worked at least 1,250 hours in the 12 months prior to taking FMLA leave.

Previous periods of employment with the City of Boise can be counted to meet the 12-month service requirement. Employment periods prior to breaks in employment of seven years or more are not counted; however, employment periods prior to breaks in employment of more than seven years are counted if such breaks are due to National Guard or Reserve military duty.

Employees who return to work from National Guard or Reserve military duty are credited for the time that they are on military leave to meet the 1,250 hours of service.

III. REASONS FOR TAKING FMLA LEAVE

Eligible employees can take up to 12 weeks of FMLA leave in a 12-month period:

A. for the birth and to care for a newborn child;
B. for the placement of a child with them for adoption or foster care;
C. to care for their spouse, child, or parent who has a serious health condition; or
D. because their own serious health condition – serious health conditions include illness, injury, impairment, or physical or mental conditions that include, continuous treatment and incapacity lasting more than three calendar days, inpatient care, and chronic or permanent long-term conditions.

Child: Employees can take FMLA leave for their biological children; adopted children; foster children; stepchildren; legal wards; or children for whom employees have day-to-day responsibilities to care for or financially support. Children must be under age 18 unless they are incapable of self-care because of a physical or mental disability, as defined under the federal Americans with Disabilities Act, at the time that FMLA leave begins.

Parent: Employees can take FMLA leave for their biological, adoptive, step or foster father or mother, or for any person who had day-to-day responsibilities or provided financial support for them as children. Employees cannot take FMLA leave for parents-in-law.

*Spouse***:** Employees can take FMLA leave for a husband or wife. Husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the State in which the marriage was entered into. This also includes a marriage that was entered into outside of any State, if the marriage is valid in the place where it was entered into and could have been entered into in at least one State. This definition includes an individual in a same-sex or common law marriage that either: If a dispute arises about whether leave qualifies as FMLA leave, Human Resources will discuss resolution of the dispute with employees and make the final determination.

FMLA leave for serious health conditions does not cover common short-term illnesses. Conditions such as the common cold, flu, ear infections, upset stomach, minor ulcers, and headaches are not considered to be serious health conditions. Restorative dental or plastic surgery after injuries, removal of cancerous growths, mental illnesses, or allergies *may* be considered serious health conditions under certain circumstances.

Supervisors who become aware of an employee's need for Family and Medical Leave (FML) shall notify Human Resources as soon as possible.
If a dispute arises about whether leave qualifies as FMLA leave, Human Resources will discuss resolution with the affected employee and make a final determination.

IV. AMOUNT OF FMLA LEAVE

The City of Boise designates the 12-month period in which employees can take FMLA leave for qualifying reasons by measuring a "rolling" 12-month period backward from the date employees take any FMLA leave.

If two spouses work for the city, they are limited to a combined total of 12 weeks of FMLA leave because of the birth, adoption, or foster care placement of a child, or to care for a parent with a serious health condition. Spouses remain eligible to take FMLA leave individually for other FMLA-qualifying reasons from the time that remains out of the original 12-week leave designation.

V. REQUESTING FMLA LEAVE

Human Resources determines if employees' need for leave qualifies as FMLA leave based on information received from employees or their spokesperson, such as their spouse or health care provider.

Employees who request FMLA leave must give 30 days' advance notice to their supervisors. If employees fail to provide such notice, they can be required to explain to their supervisors why such notice was not provided. If employees request leave due to a FMLA-qualifying reason which was previously approved, they must specify the qualifying reason for leave or the need for FMLA leave. When employees are previously approved for leave due to more than one FMLA-qualifying reason, the city can inquire further to determine which qualifying reason supports the leave.

Employees who cannot provide at least 30 days advance notice of their need for leave, because of a change in circumstances or a medical emergency, must notify their supervisors as soon as practicable. After employees submit requests for leave, the City of Boise will provide the following notices within five business days:

A. FMLA Eligibility Notice that states whether employees are eligible for FMLA leave. Employees do not receive additional eligibility notices for subsequent FMLA leaves during a 12-month leave period if their eligibility status remains unchanged; if employees' eligibility status changes, Human Resources will notify them of any ineligibility for leave within five business days of the request.
B. FMLA Rights and Responsibilities Notice that describes employees' rights and responsibilities under FMLA and consequences for failing to comply. If specific information in the notice changes, Human Resources will provide written notice to employees within five business days of receiving employee's first notice of need for leave after any change; the notice will reference the prior notice and provide new information. At any time, Human Resources can be contacted about and will respond to any questions about employees' rights and responsibilities under FMLA.

C. FMLA Leave Designation Notice that describes whether leave is designated and counted as FMLA leave. Employees will receive one designation notice for each FMLA-qualifying reason per 12-month leave period. Employees also will receive written notification if any information changes in designation notices for subsequent requests within five business days.

Employees are notified of the number of hours, days, or weeks that will be counted against their 12 weeks of leave. If such information is known at the time leave is designated, employees will be notified in the designation notice. If it is not possible for the City of Boise to provide such information, employees will receive such information upon request once in a 30-day period when leave is taken during that time. If employees receive oral notice from the city of such information, they will receive written confirmation no later than the following payday unless the payday is less than one week from the oral notice in which case written confirmation will be provided no later than the subsequent payday.

VI. MEDICAL CERTIFICATION

If FMLA leave is taken because of employees' or their family members' serious health condition, employees will receive a Certification of Health Care Provider form within five business days after leave requests are received. If employees do not provide advance notice of the need for leave, they will receive a Certification of Health Care Provider form within five business days after leave begins. Employees also receive notice of anticipated consequences for failing to provide adequate certification.

Employees must complete and submit medical certifications to Human Resources within 15 calendar days from the date certifications are provided.

If a medical certification is deemed incomplete or insufficient, the employee will be advised in writing of what additional information is necessary to make certifications complete and sufficient. Employees must return revised medical certifications to Human Resources within seven calendar days. With the employees' or their family members' permission, Human Resources can contact the employees' health care provider for clarification or authentication of a medical certification after the employee has had the opportunity to revise insufficient or incomplete certifications. Supervisors are prohibited from contacting an employees' health care provider for such information.

The city can require employees to obtain a second medical certification from a health care provider that is selected and paid for by the employee's department. If the city receives a medical opinion from a second health care provider that is different from employees' health care provider, the city can require the employee to obtain a third medical certification from a third health care provider at the department's expense. The city and employee should discuss and agree upon the selection of the third health care provider. The third health care provider's medical opinion will be considered the final medical

opinion. The city provides employees with copies of second and third medical certifications, if requested, within five business days.

If FMLA leave is requested for employees' or their family members' serious health condition that continues beyond a single leave year, employees shall provide Human Resources with new medical certifications each leave year.

Under certain circumstances, the city can require recertification of employees' or their family members' medical conditions. For example, the city can request a recertification every 30 days for pregnancy or chronic conditions.

Human Resources can request additional medical information if required by the city's paid leave policies or disability plans. Employees only need to provide such information for receiving payments or benefits. Employees' right to take unpaid FMLA leave is unaffected if they fail to provide such information for payments or benefits.

VII. WHILE ON FMLA

During FMLA leave, employees shall keep their supervisors informed of the estimated duration of leave and their intended date to return from leave.

If employees need to take more, or less FMLA leave than originally anticipated while on leave, they shall notify the city within two business days.

Employees on FMLA leave shall not engage in other employment.

VIII. SCHEDULING FMLA

FMLA leave can be taken all at once or, under certain circumstances, on an intermittent basis. *Intermittent leave* is leave taken in separate blocks of time for a single FMLA-qualifying reason. Employees will be informed whether they can take intermittent leave when they apply for FMLA leave. When it is physically impossible for employees using intermittent leave to begin or end their work midway through a shift, the entire time that employees are absent will be designated as FMLA leave.

Employees who request intermittent leave shall arrange medical treatments and appointments to minimize work disruptions. The city can transfer such employees temporarily to positions that permit them to take intermittent leaves with limited work interruptions, if available.

Employees who take intermittent leave and are unable to work required overtime because of a FMLA-qualifying reason can have the hours that they would have been required to work counted against their 12 weeks of leave. Voluntary overtime hours that employees do not work due to serious health conditions are not counted against employees' 12 weeks of leave.

IX. PAY AND BENEFITS DURING LEAVE

FMLA leave is unpaid. The city of Boise requires employees use all accrued leave, including compensatory time, concurrently with FMLA leave. Employees who have no accrued leave may still be eligible to take unpaid FMLA leave.

FMLA leave taken after employees' accrued leave is exhausted shall be unpaid.

Holidays that occur during FMLA leave will be paid in accordance with the city's Holiday regulation.

Leave accruals while on FMLA leave will be in accordance with the city's Sick Leave, Vacation Leave and Wage Payment and Overtime regulations.

Employees' short-term disability leave or workers' compensation leave shall be counted as FMLA leave. Employees' accrued leave is not substituted for paid short-term disability leave or workers' compensation leave.

The city will maintain group health plan benefits for employees on FML. Employees on unpaid FML or who do not have enough accrued leave to cover their portion of the copay, are responsible for arranging with Human Resources to pay their full portion of the premium copay. While on FML, employees will be notified how to make the payments for their share of their group health plan premiums during leave. If the city terminates employees' group health insurance coverage due to nonpayment of premium copayment(s), the city will provide written notice to employees 15 calendar days in advance of the coverage termination date. Employees will be required to reimburse the city for any group health insurance premiums paid during leave if employees do not return to work from leave. Employees who do not return to work from FML and those who lose coverage due to nonpayment of premium copayments can continue their group health insurance coverage under COBRA.

X. RETURNING FROM FMLA LEAVE

Employees returning to work will be required to present Human Resources with a fitness for duty release prior to returning to work.

Employees who return from FMLA leave will be reinstated to their former positions or to positions with equivalent pay, benefits, and other employment terms and conditions. If employees are no longer qualified for their former positions because of their inability to attend certain work-related functions or classes as a result of leave, the city will provide them with a reasonable opportunity to fulfill those conditions upon returning to work.

Certain "key" employees, who are among the highest paid employees at the City of Boise, might not be reinstated to any position. "Key" employees will be notified of their status in writing when they apply for FMLA leave and will receive notice at that time of the potential consequences with respect to reinstatement

and maintenance of health benefits if they are not reinstated. The City of Boise will notify "key" employees in writing the reasons for denying reinstatement when such decision is made. The city will make a final determination whether to reinstate "key" employees if they request job restoration; such employees will be notified in writing of the city's final determination.

Employees who return from FMLA leave retain all benefits they accrued prior to the start of leave. They also will receive any unconditional pay increases or eligible bonuses that were distributed during their FMLA leave; *eligible bonuses* generally do not include bonuses based on employee achievement of specified goals.

If employees' original worksite closes during FMLA leave, employees taking FMLA leave have the same rights as employees who did not take FMLA leave.

XI. COMPLIANCE WITH THE FAMILY AND MEDICAL LEAVE ACT

This regulation is intended to comply with the FMLA and should be interpreted considering federal regulations implementing the act.

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Legal References:	42 U.S.C. § 2601, 2611-2619; I.C. § 2-218

FAMILY AND MEDICAL LEAVE – MILITARY RELATED

I. INTRODUCTION

The City of Boise is covered under the federal Family and Medical Leave Act (FMLA) and complies with all its requirements. This regulation addresses Family and Medical Leave (FML) for eligible employees when the employees' circumstances qualify for leave due to a spouse, child, or parent being called up for or on active duty in the Armed Forces, or to care for a servicemember who is their spouse, child, parent, or next of kin and becomes seriously ill or injured while serving on active duty in the Armed Forces.

This regulation applies to all city employees.

II. EMPLOYEE ELIGIBILITY

To be eligible for FML, employees shall have worked for 12 months and have worked at least 1,250 hours in the 12 months prior to taking FML.

Previous periods of employment with the city can be counted to meet the 12-month service requirement. Employment periods prior to breaks in employment of seven years or more are not counted; however, employment periods prior to a break in employment of more than seven years are counted if such breaks are due to National Guard or Reserve military duty.

Employees who return to work from National Guard or Reserve military duty are credited for the time that they are on military leave to meet the 1,250 hours of service.

III. FML FOR ACTIVE DUTY

Eligible employees can take up to 12 weeks of FML in a 12-month period because employees' circumstances qualify due to a spouse, child, or parent who is a servicemember of the Armed Forces' Reserve components or National Guard or retired servicemember of the Armed Forces or Reserves and is on active duty or called to active duty status in support of a contingency operation. FML is not available for servicemembers who are part of the Regular Armed Forces. Circumstances that qualify for leave include:

A. *Military events and related activities*: employees can take leave to attend official ceremonies, programs, or events sponsored by the military that are related to servicemembers' active duty or call to active duty or attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to servicemembers' active duty or call to active duty;
B. *Childcare and school activities*: employees can take leave to arrange alternative childcare, provide childcare on an urgent, immediate need basis, but not every day. Employees can take leave to enroll in or transfer a child to a new school or day care facility, or attend meetings with school or day care staff, such as parent-teacher conferences, due to servicemembers' active duty or call to active duty. Children includes servicemembers' biological, adopted, or foster children; stepchildren; legal wards; or children for whom servicemembers have day-to-day responsibilities to care for and financially support; *children must be under age 18,* unless they are incapable of self-care because of a mental or physical disability at the time that FML begins.;
C. *Financial and legal arrangements*: employees can take leave to make or update financial or legal arrangements to address servicemembers' absence while on active duty or call to active duty, such as executing powers of attorney, transferring bank account signature authority, or obtaining military identification cards and to act as the servicemembers' representative before governmental agencies to obtain, arrange, or appeal military service benefits while servicemembers are on active duty or called to active duty and for 90 days following termination of active duty status;
D. *Counseling*: employees can take leave to attend counseling that is provided by someone other than a healthcare provider for servicemembers or their children for needs arising from servicemembers' active duty or call to active duty. Children include servicemembers' biological, adopted, or foster children; stepchildren; legal wards; or children for whom servicemembers have day-to-day responsibilities to care for and financially support; *children must be under age 18,* unless they are incapable of self-care because of a mental or physical disability at the time that FML begins.;
E. *Post-deployment activities*: employees can take leave to attend arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military that occur within 90 days following termination of servicemembers' active duty status or to address issues arising from servicemembers' death while on active duty, including meeting and recovering the body and making funeral arrangements; and
F. *Additional activities*: employees can take leave to address any other events that arise from servicemembers' active duty or call to active duty when agreed to by the city and employee that such events qualify for leave and agree upon the timing and duration of leave.

IV. EXCEPTIONS

Eligible employees can take up to seven calendar days of FML for short-notice deployments beginning on the date servicemembers are notified of an impending call or order to active duty. ***Short-notice deployment*** leave can be used to address issues that arise from servicemembers' call or order to active duty seven calendar days or less prior to the date of deployment. Employees also can take up to five days of FML for rest and recuperation. ***Rest and recuperation*** leave can be used to spend time with servicemembers on short-term, temporary rest and recuperation leave during a period of deployment.

A ***call for active duty*** refers only to a federal call to active duty; a state call for active duty is not covered unless under order of the President according to federal law in support of a contingency operation.

A ***contingency operation*** refers to a military operation that is designated by the Secretary of Defense as an operation in which members of the armed forces are or can become involved in military actions, operations, or hostilities against an enemy of the United States or opposing military force or a military operation that results in the call, order to, or retention on active duty of members of the uniform service according to federal military law or any other provision of federal law during a war or national emergency that is declared by the president or Congress.

A ***child*** on active duty or call to active duty status refers to an employee's biological child, adopted child, or foster child; a stepchild; a legal ward; or a child for whom an employee has day-to-day responsibilities to care for and financially support and the child is on active duty or called to active duty status. *The child can be any age.*

A ***parent*** on active duty or call to active duty status refers to an employees' biological, adoptive, step or foster father or mother, or for any person who had day-to-day and financial responsibilities for the employee as a child. Parent does not include parents-in-law.

A ***spouse*** means a husband or wife. Husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the State in which the marriage was entered into. This also includes a marriage that was entered into outside of any State, if the marriage is valid in the place where it was entered into and could have been entered into in at least one State. This definition includes an individual in a same-sex or common law marriage that either: If a dispute arises about whether leave qualifies as FML, Human Resources will discuss resolution of the dispute with employees and make the final determination.

V. FMLA LEAVE TO CARE FOR A SERVICEMEMBER WITH A SERIOUS ILLNESS OR INJURY

Eligible employees can take up to 26 workweeks of FML during a single 12-month period to care for a servicemember who is their spouse, child, parent, or next of kin with a serious illness or injury incurred in the line of duty while on active duty as a member of the Armed Forces, including the National Guard or Reserves, and is: undergoing medical treatment, recuperation, or therapy; assigned as an outpatient to a military medical treatment facility; assigned to a unit providing command and control of Armed Forces' members who are receiving outpatient medical care; or on the temporary disability retired list. Leave is not available for former servicemembers of the Regular Armed Forces, Reserves, or National Guard and servicemembers on the permanent disability retired list.

A *serious illness or injury* is an illness or injury that servicemembers receive while they are in the line of duty on active duty and makes them medically unfit to perform the duties of their office, grade, rank, or rating.

A *child* of a servicemember is a biological child, adopted child, or foster child; a stepchild; a legal ward; or a child for whom a servicemember has day-to-day responsibilities to care for and financially support. *The child can be any age*.

A *parent* of a servicemember is servicemembers' biological mother or father or person who had day-to-day responsibilities to care for and financially support servicemembers as children. Parents do not include parents-in-law

Next of kin of a servicemember is the nearest blood relative other than the servicemembers' spouse, parent, son, or daughter in the following order of priority: blood relatives who have legal custody of servicemembers; brothers and sisters; grandparents; aunts and uncles; and first cousins, unless servicemembers have specifically designated in writing another blood relative as their nearest blood relative. If no designation is made and there are multiple family members with similar levels of relationship to servicemembers, all such family members are considered next of kin.

If a dispute arises about whether leave qualifies as FML, Human Resources will discuss resolution of the dispute with employees. Any discussions and the decision about leave will be documented.

VI. AMOUNT OF FMLA FOR ACTIVE DUTY

The city designates the 12-month period as a "rolling" 12-month period backward from the date employees take any FML. During this 12-month period employees can take FML because employees' circumstances qualify due to a spouse, child, or parent who is a servicemember of the Armed Forces' Reserve components or National Guard or retired servicemember of the Armed Forces or Reserves and is on active duty or called to active duty status in support of a contingency operation.

VII. AMOUNT OF FMLA LEAVE

A single 12-month period of leave to care for a servicemember with a serious illness or injury begins on the first day employees take leave to care for the servicemember and ends 12 months after that date. If employees do not take the full 26 workweeks of leave during a single 12-month period, they forfeit the remaining amount of leave. The city provides leave on a per servicemember, per injury basis.

Employees can take more than one period of 26 workweeks of leave if leave is used to care for different servicemembers or to care for the same servicemember who has a subsequent serious illness or injury, except that no more than 26 workweeks of leave can be taken within any single 12-month period. Employees can take more than one period of 26 workweeks of leave for a servicemember, with more than one serious injury or illness, only when the injury or illness is a subsequent injury or illness. If employees take leave to care for more than one servicemember or for subsequent serious injuries or illnesses of the same servicemember and the single 12-month periods overlap, employees are limited to 26 workweeks of leave in each single 12-month period.

If servicemembers' serious injury or illness extends beyond employees' 26 workweeks of leave, employees cannot take additional FML to care for the servicemember unless employees are eligible for leave to care for a family member with a serious health condition.

The 26 workweeks of FML to care for a servicemember with a serious illness or injury can include leave taken for other FMLA-qualifying reasons, but no more than 12 workweeks of such leave can be used for other FMLA-qualifying reasons. For example, employees can take 12 workweeks of leave for the birth of a child and 14 workweeks of leave to care for a seriously ill or injured servicemember.

If two spouses work for the city and take FML to care for a servicemember with a serious illness or injury, they are limited to a total of 26 workweeks of leave during the single 12-month period for all FMLA-qualifying reasons. They remain subject to the 12 workweek limit for the portion of leave that can be taken to care for a newborn child or seriously ill parent.

VIII. REQUESTING FMLA LEAVE

Employees who request FML because employees' circumstances qualify due to a spouse, child, or parent who is a servicemember of the Armed Forces' Reserve components or National Guard or retired servicemember of the Armed Forces or Reserves and is on active duty or called to active duty status in support of a contingency operation must notify their supervisors as soon as practicable.

Employees who request FML to care for a servicemember with a serious illness or injury must give 30 days' advance notice to their supervisors. If employees fail to provide notice, they can be required to explain to their supervisors why such

notice was not provided. If employees request FML to care for a servicemember with a serious illness or injury and such leave was previously approved, employees must specify the particular reason for leave or the need for FML. Employees who cannot provide at least 30 days advance notice of their need for leave must notify their supervisors as soon as practicable.

When employees are previously approved for leave due to more than one FMLA-qualifying reason, the city may inquire further to determine for which qualifying reason the leave is needed.

After employees submit requests for leave, the city will provide the following notices within five business days:

A. FMLA Eligibility Notice that states whether employees are eligible for FML. Employees do not receive additional eligibility notices for subsequent FMLs during a 12-month leave period if their eligibility status remains unchanged; if employees' eligibility status changes, the city will notify them of any ineligibility for leave within five business days of the request.

B. FMLA Rights and Responsibilities Notice that describes employees' rights and responsibilities under FMLA and consequences for failing to comply. If specific information in the notice changes, the city will provide written notice to employees within five business days of receiving employee's first notice of need for leave after any change; the notice will reference the prior notice and provide new information. At any time, the city can be contacted about and will respond to any questions about employees' rights and responsibilities under FMLA.

C. FMLA Leave Designation Notice that describes whether leave is designated and counted as FML. If employees' leave qualifies as leave to care for a servicemember with a serious illness or injury and leave to care for family member with a serious health condition, it will be designated as leave to care for a servicemember with a serious illness or injury in the first instance. Employees will receive one designation notice for each FMLA-qualifying reason per 12-month leave period. Employees also will receive written notification if any information changes in designation notices for subsequent requests within five business days.

Employees are notified of the number of hours, days, or weeks that will be counted against their 12 or 26 weeks of leave. If such information is known at the time leave is designated, employees will be notified in the designation notice. If it is not possible for the city to provide such information, employees will receive such information upon request once in a 30-day period when leave is taken during that time. If employees receive oral notice from the city of such information, they will receive written confirmation no later than the following payday unless the payday is less than one week from the oral notice in which case written confirmation will be provided no later than the subsequent payday.

IX. CERTIFICATION FOR ACTIVE DUTY LEAVE

Employees who request leave due to a spouse, child, or parent who is a servicemember of the Armed Forces' Reserve components or National Guard or retired servicemember of the Armed Forces or Reserves and is on active duty or called to active duty status in support of a contingency operation must provide the city with a copy of servicemembers' active military orders and other certification.

To meet certification requirements, employees must provide the city with:

A. a signed statement or description of the facts regarding and supporting qualifying circumstances for which leave is requested, including copies of military meeting announcements, confirmations of appointments with school officials, or copies of bills for financial or legal services;
B. the approximate start date of the leave;
C. if leave is requested on a reduced schedule or intermittent basis, an estimate of the frequency and duration of qualifying circumstances;
D. if applicable, the duration of the leave; and
E. if qualifying circumstances involve meeting with a third party, a brief description of the purpose of the meeting and contact information for that party, such as name, title, organization, address, telephone number, fax number, and e-mail address.

The city does not request additional information from employees who submit complete and sufficient certifications. If leave involves a meeting with a third party, the FMLA allows the city to contact the third party to verify the schedule and nature of the meeting without employees' permission. The city is also permitted to contact an appropriate unit of the federal Department of Defense to verify that servicemembers are on active duty or call to active duty status without employees' permission.

X. CERTIFICATION FOR LEAVE TO CARE FOR A SERVICEMEMBER WITH A SERIOUS ILLNESS OR INJURY

Employees who request leave to care for a military servicemember with a serious illness or injury incurred while serving on active duty in the Armed Forces must obtain certification completed by authorized health care providers. Health care providers from the federal Department of Veterans Affairs, federal Department of Defense, and DOD TRICARE network and non-network private health care providers are authorized to complete certification for such leave.

The city can request that authorized health care providers supply the following information:

A. Their contact information (name, address, telephone number, fax number, and e-mail address), type of medical practice, medical specialty, and whether they are authorized to complete FML certifications;

B. Whether servicemembers' injury or illness was incurred in the line of duty on active duty;
C. The approximate date on which servicemembers' injury or illness commenced, and its probable duration;
D. A description of appropriate medical facts regarding servicemembers' health condition that are sufficient to support employees' need for leave; such medical facts must include whether the injury or illness can render servicemembers' medically unfit to perform duties of their office, grade, rank, or rating and whether servicemembers are receiving medical treatment, recuperation, or therapy;
E. Information that establishes that servicemembers are in need of care;
F. Whether servicemembers will need care for a single continuous period of time (including any time for treatment and recovery) and an estimate of the beginning and ending dates for this period of time; and
G. When employees request leave on a reduced schedule or intermittent basis for covered servicemembers, whether there is medical necessity for such periodic care and an estimate of the treatment schedule and frequency of appointments.

In addition to requesting certification information from authorized health care providers, the city can request certification information from employees or servicemembers, including:

A. Name and address of the employer of employees requesting leave to care for servicemembers, name of employees who request leave, and name of servicemembers for whom employees are requesting leave;
B. The relationship of employees to servicemembers for whom employees are requesting leave;
C. Whether servicemembers are current members of the Armed Forces, National Guard, or Reserves and their military branch, rank, and current unit assignment;
D. Whether servicemembers are assigned to a military medical facility as an outpatient or to a unit to provide command and control of members of the Armed Forces who are receiving medical care as outpatients (such as a medical hold or warrior transition unit) and the name of the medical treatment facility or unit;
E. Whether servicemembers are on the temporary disability retired list; and
F. A description of care to be provided to servicemembers and an estimate of the amount of leave needed to provide such care.

Whenever certification is requested, employees must provide the city with complete and sufficient certification. The city can request clarification or authentication of information in certifications. The city does not require second or third opinions or recertifications for leave to care for a servicemember with a serious illness or injury.

The city can require employees to provide confirmation of their family relationship to seriously injured or ill servicemembers.

The city will accept invitational travel orders (ITOs) or invitational travel authorizations (ITAs) as sufficient certification regardless of whether employees are named in ITOs or ITAs. Employees must provide the city with confirmation of their family relationship to servicemembers when they certify the need for leave to care for a servicemember with a serious illness or injury with an ITO or ITA. Employees who provide ITOs or ITAs to support intermittent leave requests do not need to provide any additional or separate certification that leave taken on an intermittent basis is medically necessary. If employees need leave beyond the expiration date that is specified in ITOs or ITAs, the city can request that they have authorized health care providers complete a certification form as requisite certification for the remainder of employees' necessary leave period. The city can request authentication and clarification of ITOs or ITAs. The city does not require second or third opinions or recertifications if leave is authorized under ITOs or ITAs.

XI. WHILE ON FMLA LEAVE

During FML, employees must keep their supervisors informed of the estimated duration of leave and their intended date to return from leave.

While on leave, if employees need to take more or less FML than originally anticipated, they must notify the city within two business days.

While on FML employees **shall not** engage in other employment.

XII. SCHEDULING FMLA LEAVE

FML can be taken all at once or, under certain circumstances, on an intermittent or reduced leave schedule. *Intermittent leave* is leave taken in separate blocks of time for a single FMLA-qualifying reason. An FMLA *reduced leave schedule* is a work schedule that reduces employees' usual number of working hours per workday or workweek. Employees will be informed whether they can take intermittent leave or a reduced leave schedule when they apply for FML. When it is physically impossible for employees using intermittent leave or working on a reduced schedule leave to begin or end their work midway through a shift, the entire time that employees are absent will be designated as FML.

Employees who request intermittent leave or a reduced leave schedule because employees' circumstances qualify for leave due to a spouse, child, or parent who is a servicemember of the Armed Forces' Reserve components or National Guard or retired servicemember of the Armed Forces or Reserves and is on active duty or called to active duty status in support of a contingency operation must provide proper notice and required certification.

Employees who request intermittent leave or a reduced leave schedule must arrange medical treatments and appointments to minimize work disruptions. The city can transfer such employees temporarily to positions that permit them to

take intermittent leaves or reduced leave schedules with limited work interruptions.

Employees who take intermittent leave or a reduced leave schedule and are unable to work required overtime because of a FMLA-qualifying reason can have the hours that they would have been required to work counted against their 12 or 26 weeks of leave.

XII. PAY AND BENEFITS DURING FMLA LEAVE

FML is unpaid. The city of Boise requires employees use their accrued leave, including compensatory time, concurrently with FML. Employees shall comply with the city's policies on accrued paid leave when such leave is substituted for unpaid FML. Employees who are not eligible for accrued paid leave, or have exhausted their accrued paid leave, or do not meet the requirements of the city's policies regarding accrued paid leave, shall take unpaid FML.

Holidays that occur during FML will be paid in accordance with the city's Holiday regulation.

Leave accruals while on FML will be in accordance with the city's Sick Leave, Vacation Leave and Wage Payment and Overtime regulations.

Employees' short-term disability leave shall be counted as FML. Employees' accrued leave is not substituted for paid short-term disability leave or workers' compensation leave.

The city will maintain group health plan benefits for employees on FML. Employees on unpaid FML or who do not have enough accrued leave to cover their portion of the copay, are responsible for arranging with Human Resources to pay their full portion of the premium copay. While on FML, they are notified how to make the payments for their share of their group health plan premiums during leave. If the city terminates employees' group health insurance coverage due to nonpayment of premium copayment(s), the city will provide written notice to employees 15 calendar days in advance of the coverage termination date. Employees will be required to reimburse the city for any group health insurance premiums paid during leave if employees do not return to work from leave. Employees who do not return to work from FML and those who lose coverage due to nonpayment of premium copayments can continue their group health insurance coverage under COBRA.

XIV. RETURN FROM MILITARY-RELATED FML

Employees who return from FML will be reinstated to their former positions or to positions with equivalent pay, benefits, and other employment terms and conditions. If employees are no longer qualified for their former positions because of their inability to attend certain work-related functions or classes as a

result of leave, the city will provide them with a reasonable opportunity to fulfill those conditions upon returning to work.

Certain "key" employees, who are among the highest paid employees at the city, might not be reinstated to any position. "Key" employees will be notified of their status in writing when they apply for FML and will receive notice at that time of the potential consequences with respect to reinstatement and maintenance of health benefits if they are not reinstated. The city will notify "key" employees in writing the reasons for denying reinstatement when such decision is made. The city will make a final determination whether to reinstate "key" employees if they request job restoration; such employees will be notified in writing of the city's final determination.

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HOLIDAYS

I. INTRODUCTION

Regular employees, with standard work hours of 19-hours or more per week, and temporary employees with standard work hours of 20-hours or more per week, are eligible for the holiday benefits outlined in this regulation.
Holiday benefits for bargaining unit employees shall be governed by the provisions of the applicable collective labor agreement.

To receive the holiday benefits outlined in this regulation an eligible employee must be in a full or partial paid status on his or her regularly scheduled work day before the holiday and on the day the holiday falls. Paid status is defined as receiving compensation from the City through its payroll system for hours worked or for an approved paid leave.

In the event an employee calls in sick for his or her regularly scheduled shift prior to or following a holiday, the supervisor has the discretion to request a doctor’s note in accordance to the City’s sick leave regulation.

II. PAID HOLIDAYS

The following holidays are paid in accordance with this regulation:

1. New Year's Day
2. Martin Luther King, Jr’s Birthday
3. President's Day
4. Memorial Day
5. Independence Day
6. Labor Day
7. Veteran's Day
8. Thanksgiving Day

9. Christmas Day
10. Floating holiday

Eligible holiday hours for *regular* employees are determined according to the following schedule.

Standard Weekly Hours	Eligible Holiday Hours
35 or more	8 holiday hours
29 – 34	6 holiday hours
19 – 28	4 holiday hours
18-hours or less	0 holiday hours

Eligible holiday hours for *temporary* employees are determined according to the following schedule.

Standard Weekly Hours	Eligible Holiday Hours
35 or more	8 holiday hours
29 – 34	6 holiday hours
20 – 28	4 holiday hours
19-hours or less	0 holiday hours

If a non-exempt or exempt employee's regular scheduled hours exceed the paid holiday hours the employee is eligible to receive per the above schedule, the employee has the following options:

A. Use accrued vacation [regular employees only]
B. Use of accrued personal leave [temporary employees only]
C. Use accrued compensatory time
D. Flex his/her schedule within the same FLSA workweek with supervisor approval
E. Take leave without pay

For example, if a full time employee is regularly scheduled to work 10 hours and is eligible for an 8-hour holiday, the employee has the option of accounting for the remaining two hours by using vacation/personal leave, compensatory time, taking leave without pay, or by working two additional hours within the same FLSA workweek with supervisor approval. Supervisors are encouraged, if business needs allow, to accommodate an employee's request to flex a work schedule. Sick leave shall not be used to make up the extra hours.

If an *exempt* employee has no vacation or compensatory time accrued and does not flex hours, the employee shall receive his/her regular salary. Under these circumstances the law prohibits any deductions being taken from the exempt employee's salary.

A paid holiday is computed at the employee's regular rate of pay. Except for floating holidays [see section V], a paid holiday in which the employee does not work shall be considered as time worked for the purpose of overtime or compensatory time calculations for both exempt and non-exempt employees.

In a job share situation, only the person regularly scheduled to work on the holiday is eligible for holiday pay.

Holidays occurring during an employee's approved vacation are treated as holidays and are not counted as vacation days.

Other than a floating holiday [see section V], employees shall not be compensated for unused holidays upon separation of employment.

III. HOLIDAYS FALLING ON DAYS OFF

As a general rule for employees who work Monday through Friday, holidays falling on Saturday are observed on the preceding Friday and those falling on Sunday are observed on the following Monday. However, when a designated holiday falls on an employee's regularly scheduled day off, other than Saturday or Sunday, the employee shall receive straight compensatory time for the number of eligible holiday hours allowed, as listed in Section II. However, the employee shall not be permitted to exceed the compensatory time accrual limit or be paid for a holiday falling on a day off. If the employee has reached his or her accrual limit for compensatory time the employee will forfeit the holiday benefit.

In a job share situation, if a holiday falls on a regularly scheduled day off for both job share individuals, then the number of holiday hours each employee is eligible to receive shall be based on the weekly standard hours each employee is scheduled to work. The combined number of holiday hours each individual is eligible to receive shall not exceed the number of eligible holiday hours for the position being shared. For example, Jane and Emma job share a Tuesday through Saturday 40-hour per week position. Jane works 8 hour shifts on Tuesdays, Wednesdays and Thursdays for a total of 24 hours per week. Emma works 8 hour shifts on Friday and Saturday for a total of 16 hours per week. Neither Jane nor Emma is regularly scheduled to work on Monday which is Labor Day. Because the holiday falls on both their days off and based on the schedule in Section II, Jane would receive 4 holiday hours and Emma would receive no holiday hours. If both Jane and Emma's standard weekly hours were 20, then both employees would receive 4 holiday hours.

IV. WORKING ON A HOLIDAY

Non-exempt employees who are required to work on the actual *or* observed [not both] holiday shall receive the number of eligible holiday hours listed in Section II and a holiday premium calculated at one and one-half (1 ½) times the employee's regular hourly rate of pay for each hour worked. The eligible hours of holiday pay or the actual hours worked, whichever is greater, are counted towards the FLSA workweek. The holiday premium cannot be awarded in compensatory time; however, Department Directors may at their discretion approve a future day off without pay to employees who were required to work on the holiday.

Non-exempt employees whose standard working hours in the City's timekeeping system requires them to work on both the actual holiday and the observed holiday are only eligible to receive holiday pay and the holiday premium for the hours worked on the actual holiday.

Non-exempt employees who take an observed holiday and work on the actual holiday shall receive their eligible holiday hours for the observed holiday and straight time for the hours worked on the holiday. For example, the 4th of July is on a Saturday and the observed holiday is on Friday, July 3rd. A full-time non-exempt employee whoworks Monday through Friday gets the observed holiday July 3rd off, but is required to work on the actual holiday Saturday, July 4th. In this case the employee has already received his or her 8 eligible hours of holiday pay for July 3rd; therefore, the hours worked on the actual holiday July 4th will be considered normal work hours and are not eligible for the additional holiday premium pay. All hours worked over 40 in the employee's FLSA workweek, including the eligible holiday hours received on the observed holiday and the hours worked on the actual holiday, will count toward the FLSA workweek.

An eligible exempt employee who is required by his or her supervisor to work on a holiday shall receive the employee's regular salary and straight compensatory time for all hours worked over 40, including the holiday, in their FLSA workweek. The employee shall not be permitted to exceed the compensatory time accrual limit for exempt employees.

When an employee's shift crosses midnight creating hours worked in two days, the shift that begins on the holiday will count as the holiday.

Temporary and regular employees who are not eligible for paid holidays in accordance with section II of this regulation, are eligible to receive one and one-half (1 ½) their regular hourly rate for all hours worked on a holiday.

V. FLOATING HOLIDAY

In January of each year, regular employees receive a floating holiday that can be used, with supervisor approval, through December 31 of the same year. Floating holidays for new regular employees will be loaded into their leave bank within the first two weeks of employment. Thereafter, the floating holiday will be available in January of each year. The exact date may fluctuate due to payroll schedules.

Employees who leave City employment will be paid for an unused floating holiday. Supervisor approval is required regarding the date the floating holiday is used. Approval will be based on workload and other business needs.

Temporary employees are not eligible to receive the floating holiday.

A floating holiday is the equivalent of four, six or eight hours according to Section II of this regulation. A floating holiday shall not be considered as time worked for the purpose of overtime or compensatory time calculations. A floating holiday may be used in increments and shall not be carried over to the next year.

Document Type:	Regulation
Number:	3.15e
Effective:	05-01-06
Revised:	10-01-07
	01-22-10
Legal References:	

JURY AND WITNESS DUTY

I. INTRODUCTION

This regulation applies to regular employees of the City of Boise. Jury and witness duty benefits for bargaining unit employees shall be governed by the provisions in their collective labor agreements when applicable. Temporary employees are not eligible for this benefit.

II. JURY AND WITNESS LEAVE

To encourage employees to carry out their civic responsibilities, free of financial hardship, the City compensates employees for time away from work that is spent serving as jurors or witnesses on matters unrelated to their job with the City of Boise. Compensation shall be at the employee's regular rate of pay for each regularly scheduled hour of work that is missed. In addition, payments received from the court for jury/witness duty and/or mileage may be retained by the employee. Time spent serving as a juror or a witness does not count as hours worked when determining overtime.

Employees must show the summons or court documents they receive to their supervisor as soon as possible after receipt. Advance notice helps the City make any needed scheduling adjustments. The employee shall immediately notify his or her supervisor to share whatever information the employee receives about the probable length of his or her absence. If not serving on jury or witness duty during his or her regularly scheduled work hours, an employee is expected to report to work.

III. EXCEPTIONS

Employees do not receive paid witness leave to attend trials in which they are plaintiffs or defendants, or in which they are testifying for a fee as expert witnesses. In this situation, the employee shall request and must be approved for a City leave, such as vacation.

Employees who are required by subpoena, summons, or by the City to attend a trial, hearing, or deposition related to their job will receive their regular rate of pay, but are not eligible for a witness fee or other compensation other than that allowed under City policies and regulations. Employees who receive a subpoena or summons are required to bring a copy to their immediate supervisor as soon as possible.

Document Type:	Regulation
Number:	3.15f
Effective:	05-01-06
Revised:	09-05-08
Legal References:	

LEAVE OF ABSENCE

I. INTRODUCTION

This provision applies to City of Boise regular employees who meet the eligibility requirements listed below. Bargaining Unit employees shall refer to the provisions listed in their collective labor agreements if applicable.

II. ELIGIBILITY

Regular employees who have completed three consecutive years of satisfactory service prior to the date of the proposed leave and who are regularly scheduled to work 20 or more hours per week may request a leave of absence without pay for the following reasons:

A. Continuing education in a job-related field,
B. Professional development,
C. Community service, and
D. A personal need not covered by the City's other leave policies.

A leave of absence shall not be granted to an employee to take other employment. The City reserves the right to deny leave requests as circumstances merit. Workload and staffing needs are taken into consideration when evaluating a leave request.

Before an employee may be granted a leave of absence, the employee shall return all City owned badges, keys, equipment, uniforms and/or property in their possession and shall pay in full any after-the-fact loan still owed to the City.

III. APPROVAL PROCESS AND LEAVE LENGTH

Employees requesting a leave of absence shall submit a Leave of Absence Request Form (see exhibit 3.15g) to their Department Director and Human Resources. In the request, the employee shall include the purpose of the leave, the proposed length of the leave, the facts as to its necessity, and other information that would be helpful in making a determination as to whether the leave should be granted. After conferring with the employee's Department Director, Human Resources will provide the employee a written response to the employee's request.

A leave of absence refers to leave without pay in excess of thirty calendar days. All leave of absence requests shall be approved in advance by the Department Director and Human Resources. A leave of absence will not be granted for more than six months at a time and consecutive leaves will not be granted.

IV. EXHAUSTING PAID LEAVE

Prior to approval of a leave of absence, an employee shall exhaust all accrued vacation leave and compensatory time. If the reason for the leave of absence is an allowable use of sick leave, then all sick leave shall also be exhausted.

V. HEALTH INSURANCE BENEFITS

During a leave of absence lasting one full month or longer, employees are responsible for both the employee and employer cost share of any insurance benefit that the City provides. Employees who allow health insurance benefits to lapse will have those benefits reinstated upon their request and in accordance with those benefits' procedures.

VI. RETURNING FROM LEAVE

Employees granted a leave of absence lasting more than 30 days shall notify their Department Director and Human Resources in writing of their intent to return to work no later than 10 calendar days prior to the expiration of their leave. Employees failing to return from leave or failing to report their intention to return to work will be assumed to have resigned their positions.

Upon returning from leave employees will be placed in the position that they held prior to the leave. However, if the Department Director and Human Resources determine that placing the employee in that position is not in the City's best interest, the employee will be placed in a comparable position for which the employee is qualified. If the employee's previous position no longer exists or was eliminated due to a staff reduction, the employee will have the rights outlined in the City's lay-off policies and regulations.

Document Type:	Exhibit
Number:	3.15g
Effective:	09-05-08
Revised:	01-12-10
Legal References:	

LEAVE OF ABSENCE REQUEST

Regular employees who have completed three consecutive years of satisfactory service prior to the date of the proposed leave and who are regularly scheduled to work 20 or more hours per week may request a leave of absence without pay in accordance with the City's Leave of Absence Regulation 3.15f. For more details regarding leave of absence eligibility please refer to the regulation.

Date leave is to begin: _____ Date leave is to end: _____

Purpose for leave request including facts as to its necessity: _____

_____

_____

_____

I make this leave of absence request with the full understanding that:

A. The City has the right to deny the request; and
B. During the leave of absence all paid leave accruals will be discontinued; and
C. During the leave of absence my insurance benefits, i.e. health, dental, life, LTD, etc., will be discontinued unless I make arrangements with Human Resources, within 30 days of the leave commencement, to pay both the employer and employee cost shares;
D. During the leave of absence I cannot accept other employment;
E. The leave of absence cannot exceed six (6) months and consecutive leaves will not be granted;
F. I am required to notify my Department Director and Human Resources in writing of my intent to return to work no later than 10 calendar days prior to the expiration of my leave. If I fail to return to work by the leave end date above, the City shall consider me to have voluntarily resigned my position; and
G. Upon returning from leave I will be placed in the position that I held prior to the leave. However, if the Department Director and Human Resources determine that placing me in that position is not in the City's best interest, I will be placed in a comparable position for which I am qualified. If my previous position no longer exists or was eliminated due to a staff reduction, I will have the rights outlined in the City's lay-off policies and regulations.

_____ _____ _____

Employee Signature Employee ID # Date

Approved: _____ Approved: _____

Department Director Human Resources

Document Type:	Regulation
Number:	3.15h
Effective:	05-01-06
Revised:	
Legal References:	

LONG-TERM DISABILITY LEAVE

I. INTRODUCTION

Long term disability insurance is available to all full-time regular employees and part-time regular employees who work 20 hours or more per week. Participating employees that become disabled due to a non-occupational injury or illness may be eligible for long-term disability benefits.

II. ENROLLMENT AND LEAVE RIGHTS

Eligible employees may enroll for long term disability benefits within the first 30 days of employment with the City of Boise without proof of insurability. Proof of insurability is required if an employee elects to enroll anytime after their first 30 days of employment.

All employees that are absent from work must be on an approved City leave of absence, including employees that receive long-term disability benefits. The employee's leave rights will be in accordance with the terms and conditions of the applicable City leave

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Number:	3.15i
Effective:	05-01-06
Revised:	07-01-06 06-10-14 08-29-16
Legal References:	38 U.S.C. 4301-4333 26 U.S.C. 3401 20 C.F.R. 1002

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MILITARY LEAVE

I. INTRODUCTION

The City of Boise is covered under the federal Uniformed Services Employment and Reemployment Rights Act (USERRA) and complies with all USERRA requirements and related federal and state military leave requirements. This regulation addresses military leave and reinstatement rights under USERRA for eligible employees who leave employment to fulfill military service obligations.

Military leave and reinstatement protections extend to employees who are regular full-time, part-time, or probationary. The benefits in this regulation do not apply to seasonal or temporary employees that have no realistic expectation of ongoing employment.

II. ELIGIBILITY

Employees who perform service in the uniformed services are eligible to take military leave. "Service in the uniformed services" means performance of duty on a voluntary or involuntary basis and includes active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, a period for which a person is absent from a position of employment for the purpose of an examination to determine the fitness of the person to perform any such duty, and a period for which a person is absent from employment for the purpose of performing funeral honors duty as authorized by Section 12503 of Title 10 or Section 115 of Title 32.

III. EMPLOYEE NOTIFICATION REQUIREMENTS

Employees must provide advance notice of the need for military leave to the City of Boise verbally and/or in writing unless relevant circumstances make such notice unreasonable, impossible, or prevented by military necessity.

IV. REINSTATEMENT ELIGIBILITY

Employees who return to work for the City of Boise from military leave are eligible for reinstatement if:

A. They give advance written and/or verbal notice to the City of the need for leave,

B. They report to or submit applications for reemployment in a timely manner,
C. They are honorably discharged from military service, and
D. The current military leave of absence combined with all previous military leaves of absence does not exceed five years. Please note there are eight exceptions to the five-year service limitation. For more information regarding exceptions please refer to 38 U.S.C. § 4312.

Employees do not have reemployment rights with the City of Boise after leave for military service if employees are:

A. Not honorably discharged from military service;
B. Commissioned officers who are dismissed by court-martial or order of the president; or
C. Commissioned officers who are dropped from military service rolls because of unauthorized absences of three months or more, confinement related to a court-martial, or imprisonment in a federal or state correctional institution.

The City of Boise also does not reemploy employees who return from military leave if:

A. The City's circumstances have changed as to make reemployment impossible or unreasonable;
B. Reemployment priorities would create undue hardship; or
C. The job employees held before taking military leave was for a brief, non-recurrent period, and there is no expectation that the employment would continue indefinitely or for a significant period.

V. APPLYING FOR REINSTATEMENT

After completing military service, employees can request reinstatement from the City by reporting to or applying for reemployment with the City within the following time frames:

For military service of 30 days or less or for a period of any length if leave is taken for fitness examinations. Employees must report to the City no later than the beginning of the next regularly scheduled work day following the end of service and safe transportation home, plus an eight-hour rest period, or as soon as possible after the end of the eight-hour rest period if earlier reporting is impossible through no fault of employees.

For military service of 31 days to 180 days. Employees must apply for reemployment with the City within 14 days of completing service. If applying for reemployment within that time frame is impossible, through no fault of the employee, he or she must apply as soon as possible thereafter.

For military service of 181 days or more. Employees must apply for reemployment with the City within 90 days after completing service.

For employees who are hospitalized or convalescing from injuries that are received during military service, the period of their military leave is extended until their recovery or two years, whichever is shorter. The two-year period can be extended to accommodate circumstances beyond employees' control that make timely reporting impossible or unreasonable.

Employees who fail to notify the City of their intent to return to work within these time frames are treated as other employees who are absent without leave according to the City of Boise's policy and regulation on leaves of absence.

Employees who apply for reemployment with the City of Boise after military leave and who were absent for military service for more than 30 days must provide the City with documentation that:

A. Their applications are timely,
B. They have not exceeded the service limit period, and
C. They were honorably discharged from military service.

Documents that satisfy the reemployment eligibility requirement for such military leave include:

A. Federal Department of Defense certificates of release or discharge from active duty;
B. Copies of duty orders that are prepared by the facility where the orders were fulfilled and indicate that service was completed;
C. Letters from commanding officers of a Personnel Support Activity or persons of comparable authority;
D. Certificates of completion from military training school; discharge certificates showing character of service (for example, whether discharge from service is honorable); and
E. Copies of extracts from payroll documents that show periods of military service.

The City of Boise does not deny or delay reemployment or attempt to avoid reemployment obligations by demanding documentation from returning service members that does not exist or is not readily available at the time of reemployment.

Employees who are reemployed by the City after military leave and were absent for military service for more than 90 days must provide documentation of reemployment eligibility to the City to ensure that no break in service occurs for calculating benefits.

VI. RE-EMPLOYMENT PRIORITIES

After satisfying the reinstatement application procedures, employees will be reinstated to employment with the City of Boise according to the following military service time frames:

For military service of fewer than 91 days. Employees who serve fewer than 91 days are reemployed by the City with the pay, benefits, and seniority, if applicable, to the position that they would have attained with reasonable certainty if they did not take military leave. Employees must be qualified for the position; the City will make reasonable efforts to help employees returning from military service become qualified to perform their job. If employees are not qualified for the job, even after reasonable efforts by the City to help them become qualified, the City will work with them for a reasonable time to attempt to find them another open position close to the position that they would have attained with reasonable certainty if they did not take military leave.

For military service of 91 days or more*.* Employees who serve 91 days or more are reemployed by the City with the pay, benefits, and seniority, if applicable, to the

position that they would have attained with reasonable certainty if they did not take military leave or a position of similar seniority, status, and pay. If employees are not qualified for the job, even after reasonable efforts by the City to help them become qualified, the City will work with them for a reasonable time to attempt to find them another open position close to the position that they would have attained with reasonable certainty if they did not take military leave.

If the City of Boise must reinstate two employees to the same position, the employee who left the position first has priority for the position. The other employee is reinstated by the City to a job of similar status and pay.

VII. MILITARY ACTIVATION PROGRAM (MAP)

Although not required by law, an extension of benefits and pay differential will be provided to eligible employees who have completed one year of employment with Boise City. For any activation period exceeding thirty (30) days that is not designated as training leave, an employee who is involuntarily called to active service by the United States Government will receive the following considerations for a period not to exceed one year from date of activation:

A. If the military pay (total of base pay, housing allowance, special duty pay, etc. excluding combat pay) is less than the employee's regular rate of pay, the City will make up the difference, less applicable payroll deductions. For an hourly employee, the regular rate of pay will be determined by computing the employee's average hours worked for the 13 weeks preceding the military leave, up to a maximum of 40 hours per week. Premium pay items such as overtime, bonus pay, shift differential, etc. are not included as a part of the regular rate of pay for salaried or hourly employees. The employee will be asked to provide documentation of military pay sufficient to satisfy the City's review for this benefit. Note: Under section 105(a) of the Heroes Earning Assistance and Relief Tax (HEART) Act, if an individual is on active duty for more than 30 days and is receiving military differential payments, those payments are considered wages and are subject to income tax withholding, but not to social security, Medicare (FICA), or unemployment tax (FUTA) withholding.

B. An employee may use any and all hours of accrued leave including sick leave, in increments necessary to maintain current voluntary deductions, including but not limited to health, Life, LTD, 457, etc.

C. The City of Boise will continue to subsidize an employee's group health/dental care benefits for the first 30 days of active service. Employees who are on military leave for 31 days or longer are eligible for health benefit coverage from the military. For employees with family coverage, the City will continue health/dental care coverage for eligible dependents during the active duty period including payroll periods without pay. Employees with employee-only coverage may voluntarily discontinue coverage after the first 30 days of active duty, or the City will discontinue coverage automatically after all leave accruals have been exhausted. If coverage is discontinued, employees can elect to purchase up to 24 months of continued coverage in accordance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) 38 U.S.C. § 4301.

D. To provide continuous support to activated reservists and their family members, questions regarding benefits, compensation and other needs should be directed to Human Resources who will attempt to answer questions and/or direct calls to the appropriate person.

VIII. BENEFITS CONTINUATION

Benefits, excluding wages for work performed, are restored to employees who are reemployed with the City of Boise after military leave just as they would have had by remaining continuously employed. Employees returning from military leave do not receive benefits beyond what they would have had if they had remained continuously employed.

Note: Except for wages or salary for work performed, seniority and other rights and benefits determined by seniority for contract employees under a collective labor agreement are restored to employees who are reemployed with the City of Boise after military leave as employees would have had by remaining continuously employed. They do not receive benefits beyond what they would have had if they had remained continuously employed.

If an employee provides written notice to City of Boise of their intent not to return to their job after military service, they may forfeit benefits ordinarily given to other employees on similar leaves of absence.

IX. TRAINING LEAVE

Employees who serve in the uniform services may be required to attend training on an annual basis. Boise firefighters who normally work 24-hour shifts and who are required to attend military training are eligible to receive their regular rate of pay for up to six shifts per calendar year. Other City employees required to attend military training are eligible to be paid their regular rate of pay not to exceed 88 hours per calendar year. For military training that exceeds 88 hours per calendar year [or six 24-hour shifts for firefighters] employees may choose one of the following options:

A. Use accrued compensatory time for regularly scheduled hours; or
B. Use annual leave for regularly scheduled hours; or
C. Choose to take leave without pay.

For an employee to receive compensation for military training leave, he or she shall:

A. Provide fourteen (14) days written notice of such absence to his or her supervisor with the dates, times and purposes; and
B. Provide a copy of military orders, when available, for the time; and
C. Have been scheduled to work during the period of military training leave requested.

The employee shall notify his or her supervisor as soon as he or she is aware of the training schedule and advise the supervisor of any conflicts with his or her work schedule.

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Revised:	10-01-06 10-01-07 12-01-07 09-05-08 01-01-11 07-25-11 06-02-14 09-17-15 11-01-16
Legal References:	Title 29 Part 541.710

SICK LEAVE

I. INTRODUCTION

Sick leave is a benefit provided by the City of Boise for the exclusive purpose of allowing employees to take time off for qualifying medical reasons as defined within this regulation. For purposes of sick leave eligibility, this regulation applies to regular full-time and part-time employees who are regularly assigned to work 19 or more hours per week. Sick leave for bargaining unit employees shall be governed by the provisions of the applicable collective labor agreement. Temporary employees are not eligible for sick leave benefits.

II. SICK LEAVE ACCRUAL

Sick leave is accrued at the end of the pay period and the number of hours an employee accrues is based on the employee's standard hours of work. The annual accrual amounts are prorated over the course of 26 pay periods.

A. Annual Accrual Amount:

Standard Hours Per Week	Hours Accrued
35 or more	96

B. Annual Accrual Amount:

Standard Hours Per Week	Hours Accrued
29 to 34	72

C. Annual Accrual Amount:

Standard Hours Per Week	Hours Accrued
19 to 28	48

III. NO WORK = NO ACCRUAL

The accrual rate for sick leave is normally based on the number of hours the employee is regularly scheduled to work. However, if an employee is on unpaid leave for the entirety of a pay period he or she is not eligible to receive any sick leave accrual.

To stop an employee's accruals a status form must be generated to document the loss of eligibility. The change will then be recorded in Lawson thus triggering Sum Total not to issue the accruals.

III. ACCEPTABLE SICK LEAVE USE AND REQUIRED NOTIFICATION

In accordance with the City's Time Off and Leaves of Absence Policy, City employees are expected to report to work as scheduled, or be on one of the City's approved leave of absences.

Sick leave is provided for the exclusive purpose of allowing employees to take time off from work for acceptable medical reasons. Acceptable medical reasons include the employee's own incapacitating illness or injury; the employee's child is sick and unable to care for him/herself; a seriously ill parent or spouse; and necessary medical treatment or recovery. Visits to doctors and dentists also are acceptable reasons for taking sick leave.

Sick leave may be used when an employee is scheduled to be at work, but is unable to report for work as expected due to the acceptable medical reasons listed in this regulation. Sick leave is not an entitlement and shall not be considered or used by employees as extra time off to be used at their discretion. Sick leave shall not be used in lieu of vacation leave, compensatory leave, or leave without pay. Abuse of sick leave and/or taking sick leave under false pretenses is a violation of this regulation and subject to discipline up to and including termination. Potential indicators of abuse include, but are not limited to, frequent or regular sick leave absences, having little, if any, sick leave accrued compared to the employee's time with the City, and patterns of use. Supervisors are responsible for monitoring employee sick leave use and addressing potential abuse situations.

When a business need arises regarding the use of an employee's sick leave, the City may request that the employee provide medical certification. Employees using sick leave may be required to present a fitness for duty certificate from a physician prior to returning to work.

Employees who know in advance that they will be absent from work for acceptable medical reasons shall provide their supervisor as much notice as possible, but at least 48 hours' notice prior to taking sick leave. If an emergency or sudden illness prevents the advance notification, notification shall be provided as soon as possible.

Employees that use sick leave for reasons that qualify for leave under the Family and Medical Leave Act ("FMLA") shall comply with the FMLA's procedural requirements addressed in the Family Medical Leave regulation.

Employees eligible for workers' compensation benefits may use accrued leave days, as outlined in the City's Illness/Injury on the Job and Workers' Compensation policy and regulation, to supplement their workers' compensation benefits.

Sick leave hours accrued for a particular pay period cannot be used by an employee in advance of or during the pay period the hours are earned.

Sick leave hours shall not be considered as hours worked for the purpose of computing overtime or compensatory time. In no case shall the number of hours accounted for in a week where sick leave is used exceed the number of hours the employee is regularly scheduled to work unless the actual number of hours worked exceeds regularly scheduled workweek hours.

IV. POSITION UPON RETURNING FROM LEAVE

Upon returning from leave employees will be placed in the position that they held prior to the leave. However, if the Department Director and Human Resources determine that placing the employee in that position is not in the City's best interest, the employee shall be placed in a comparable position for which the employee is qualified. If the employee's previous position no longer exists or was eliminated due to a staff reduction, the employee will have the rights outlined in the City's lay-off policies and regulations.

V. PAY DEDUCTIONS FOR EMPLOYEE ABSENCES

Deductions from a non-exempt employee's pay may be made:

A. At any time, the non-exempt employee is absent from work and the applicable leave balances have been exhausted, or
B. When required pre-approval was not received for use of sick, vacation or compensatory time.

Deductions from a public sector exempt employee's pay are permissible when:

A. The employee is absent from work for one or more full days for personal reasons other than sickness or disability, and all accrued vacation and compensatory leave balances have been exhausted or the employee failed to get approval prior to using vacation or compensatory leave; or

B. The employee is absent for one or more full days due to sickness or disability and all accrued sick leave balances have been exhausted; or

C. The employee is issued an unpaid disciplinary suspension of one or more full days imposed in good faith for serious workplace conduct rule infractions.

D. The employee is absent from work for less than one work day for personal reasons or because of illness or injury and accrued leave is not used by the employee because:
    1. Permission for its use has not been sought or has been sought and denied;
    2. Accrued leave has been exhausted; or
    3. The employee chooses to use leave without pay.

Deductions from the pay of a public sector exempt employee for absences due to a budget-required furlough shall not disqualify the employee from being paid on a salary basis except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

VI. REINSTATEMENT OF SICK LEAVE HOURS

The City of Boise does not pay employees for unused sick leave upon separation of employment. An employee with at least two years of continuous employment in a regular position who voluntarily separates from City employment and then returns to a regular position with the City within one year of separation is eligible to have one-half (½) of his/her accrued sick leave balance at the time of separation reinstated unless the balance was swept into the employee's Post Employment Health Reimbursement Arrangement Plan also known as a VEBA account and/or is otherwise no longer available.

In the event an employee is recalled after a layoff, the City may restore the employee's unused sick leave balances, when applicable, and sick and vacation accrual rates for recalled employees who are reinstated within one year from the effective date of the employee's layoff.

VII. SICK LEAVE CONVERSION PLAN

Except as noted in this regulation, designated accruals of sick leave for all regular, employees who are regularly scheduled to work twenty-hours or more per week shall be converted into the employee's Post Employment Health Reimbursement Arrangement Plan annually, and at retirement in specified percentages. Please refer to the Fringe Benefits Program Exhibit 3.01d for more information.

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Legal Reference: Title 29 Part 541.710

VACATION

I. INTRODUCTION

For purposes of vacation eligibility, the vacation benefit applies to regular full and part-time employees who are regularly assigned to work 19 or more hours per week. in accordance with this regulation some full-time temporary employees are also eligible to receive a limited amount of paid time off. Vacation for bargaining unit employees shall be governed by the provisions of the applicable collective labor agreement.

II. VACATION ACCRUAL

Vacation hours are accrued at the end the pay period. The hours accrued for a particular pay period shall not be used by an employee in advance of or during the pay period they are accrued. Vacation hours accrued may be carried over from one calendar year to the next but cannot exceed established maximum accrual limits set forth in this regulation. Any vacation hours earned over the established maximum limits cannot be used and are forfeited without compensation.

Vacation hours used during an employee's FLSA workweek shall not be considered hours worked for the purpose of computing overtime or compensatory time. Accordingly, the number of hours accounted for in a week where vacation leave is used cannot exceed the number of hours the employee is regularly scheduled to work unless the actual number of hours worked exceeds regularly scheduled workweek hours.

III. NO WORK = NO ACCRUAL

The accrual rate for vacation is normally based on the number of hours the employee is regularly scheduled to work. However, if the employee is on unpaid leave for the entirety of a pay period, they are not eligible to receive a vacation accrual.

To stop an employee's accruals a status form must be generated to document the loss of eligibility. The change will then be recorded in Lawson thus triggering Sum Total not to issue the accruals.

IV. YEARS OF SERVICE ACCRUALS

Except for Senior Managers and Department Directors, vacation accruals are calculated in five-year increments from the beginning of eligibility through the completion of the fifth year. Upon completion of the required years of service, employees move to the next level of the vacation schedule in the first pay period after the anniversary date. The annual accrual amounts are prorated over the course of 26 pay periods.

A. Annual Accrual Amounts – 35 or More Standard Hours Per Week:

Years of Continuous Service	Standard Hours Per Week	Hours Accrued	Maximum Accrual Limit in Hours
Less than 5 years	35 or more	96	144
5-year anniversary	35 or more	120	176
10-year anniversary	35 or more	144	216
15-year anniversary	35 or more	168	248
20-years and over	35 or more	192	288

B. Annual Accrual Amounts – 34 or Less Standard Hours Per Week:

Years of Continuous Service	Standard Hours Per Week	Hours Accrued	Maximum Accrual Limit in Hours
Less than 5 years	29 – 34 hours	72	144
	19 – 28 hours	48	

Years of Continuous Service	Standard Hours Per Week	Hours Accrued	Maximum Accrual Limit in Hours
5-year anniversary	29 – 34 hours	90	176
	19 – 28 hours	60	

Years of Continuous Service	Standard Hours Per Week	Hours Accrued	Maximum Accrual Limit in Hours
10-year anniversary	29 – 34 hours	108	216
	19 – 28 hours	72	

Years of Continuous Service	Standard Hours Per Week	Hours Accrued	Maximum Accrual Limit in Hours
15-yr anniversary	29 – 34 hours	126	248
	19 – 28 hours	84	

Years of Continuous Service	Standard Hours Per Week	Hours Accrued	Maximum Accrual Limit in Hours
Years 20 and over	29 – 34 hours	144	288
	19 – 28 hours	96	

C. Senior Manager & Department Director Monthly Accrual Amounts

Years of Continuous Service	Standard Hours Per Week	Hours Accrued	Maximum Accrual Limit in Hours
Less than 20 years	40	168	248
Years 20 and over	40	192	288

Current temporary employees that become eligible for vacation leave because of a change of hours or position, earn vacation at the beginning number of accrual hours. Time worked as a temporary employee shall not count toward years of service.

Employees who remain employed with the city, but who lose their eligibility for vacation shall be paid out for their accrued vacation at that time.

IV. ACCRUALS FOR RETURNING EMPLOYEES

Regular employees who left the city in good standing may receive credit for their prior time of service if:

A. They return to the city in a vacation accruing position within five years; and
B. They were in a vacation accruing position at the time of their departure

Credit for prior service will be awarded for fully completed years only. Partial years will not be credited.

IV. APPROVAL TO USE VACATION LEAVE

in accordance with the city's Time Off and Leaves of Absence Policy, city employees are expected to report to work as scheduled or be on one of the city's approved leaves of absence.

Prior approval for use of vacation leave shall be obtained from an employee's supervisor to ensure schedule and staffing needs are met.

VI. PAY DEDUCTIONS FOR EMPLOYEE ABSENCES

Deductions from a non-exempt employee's pay may be made:

A. Any time the non-exempt employee is absent from work and the applicable leave balances have been exhausted, or
B. When pre-approval was not received for use of vacation or compensatory time.

Deductions from a public sector exempt employee's pay are permissible when:

A. The employee is absent from work for one or more full days for personal reasons other than sickness or disability and all accrued vacation and compensatory leave balances have been exhausted, or the employee failed to get the required approval prior to using vacation or compensatory leave; or
B. The employee is absent for one or more full days due to sickness or disability and all accrued sick leave balances have been exhausted; or
C. The employee is issued an unpaid disciplinary suspension of one or more full days imposed in good faith for serious workplace conduct rule infractions.
D. The employee is absent from work for less than one workday for personal reasons or because of illness or injury and accrued leave is not used by the employee because:
    1. Permission for its use has not been sought or has been sought and denied;
    2. Accrued leave has been exhausted; or
    3. The employee chooses to use leave without pay.

Deductions from the pay of a public sector exempt employee for absences due to a budget-required furlough shall not disqualify the employee from being paid on a salary basis except in the workweek in which the furlough occurs and for which the employee's pay is accordingly reduced.

VII. VACATION PAY OFF

Employees who leave city employment will be paid for any unused vacation hours.

Eligible employees who retire from the city of Boise whose Post Employment Health Reimbursement Arrangement (HRA VEBA) account balance at retirement is below the minimum funding standard shall have funds transferred by the city from accrued vacation leave in the amount necessary to meet the minimum funding standard until such funds are exhausted. Eligible non-exempt employees may have funds transferred from accrued compensatory leave in addition to accrued vacation leave. Please refer to the Post Employment Health Reimbursement Arrangement (HRA VEBA) Regulation for the minimum funding standards.

Document Type:	Regulation
Number:	3.15l
Effective:	05-15-16
Revised:	
Legal References:	

PARENTAL LEAVE

I. INTRODUCTION

The City recognizes that it is in a unique position to be a model for other government organizations. As such, in an effort to provide an opportunity for parents to bond and welcome a new child to their family, the City offers paid parental leave.

Parental leave is available to regular, full and part-time employees, regardless of gender. Bargaining unit employees shall refer to parental leave programs, if any, outlined in their collective labor agreements for eligibility.

II. WHAT IS PARENTAL LEAVE

Parental leave refers to paid time off following the birth of an employee's natural child or the legal placement of a child with an employee for the purposes of adoption. The maximum amount of paid parental leave is six (6) work weeks.

Parental leave shall only be taken in a single, continuous block of time; thus incremental leave is not permitted. This means employees are only eligible for parental leave one time in the 12 months following the birth/adoption date. The employee's actual workweek counts as a week of leave regardless of the number of hours worked, or whether the employee is full or part-time.

III. ELIGIBILITY AND USE

Employees become eligible for parental leave the first day of the month following 60 days of regular employment. The leave may be used only for the birth of the employee's natural child or adoption of a child (up to the age of 18 years old) in order to promote bonding with the child. When an employee is eligible for Family Medical Leave (FML), paid leave under this program will run concurrently with FML (please refer to the Family and Medical Leave Regulation for details). Employees shall designate, at the time they request FML, when parental leave will be used during the FML period. FML eligibility does not dictate parental leave eligibility.

IV. REQUESTING LEAVE

Parental leave shall be requested at least 30 days prior to the child's anticipated due date/adoption date, absent any unforeseeable circumstances. To request parental leave, the employee shall complete a Request for Parental Leave form (see Exhibit 3.15m) and submit it to Human Resources in accordance within timeline specified above.

Document Type:	Regulation
Number:	3.15m
Effective:	May 15, 2016
Revised:	
Legal References:	

PARENTAL LEAVE REQUEST FORM

CONGRATULATIONS, you are welcoming a child into your home! Please take a moment to provide us with some information regarding the details of your planned leave and submit to Human Resources.

Employee's Printed Name	**Employee ID#**	**Department**

Anticipated date of event: _____

Parental Leave Start Date: _____

Document Type:	Policy
Number:	3.17
Effective:	11-14-06
Revised:	
Legal References:	

TUITION REIMBURSEMENT

The City of Boise is committed to the professional development of employees and desires to assist them in enhancing their job skills and knowledge. To further this commitment, the City provides a tuition reimbursement program to off-set the cost of taking approved college-level courses.

Document Type:	Regulation
Number:	3.17a
Effective:	11-14-06
Revised:	10-01-08, 07-13-09, 01-22-10, 01-01-11, 05-12-14, 06-17-14, 09-11-17 07-11-19 08-01-20
Legal References:	IC 45-609

TUITION REIMBURSEMENT

I. INTRODUCTION

This regulation outlines the process employees can use to request tuition reimbursement to support the city's commitment to the professional growth and development of employees. However, due to the popularity of this program and limited funding, it may not be possible to authorize all the requests for tuition reimbursement the city receives. Therefore, the city retains the right to amend, suspend, or terminate the tuition reimbursement program at any time. Additionally, there is no guarantee or promise of promotion or transfer to a new position or assignment for completing courses under this program.

II. EMPLOYEE ELIGIBILITY AND PARTICIPATION

Other than the exceptions noted below, all regular full- and part-time non-exempt and exempt employees who have completed one year of regular employment with the city prior to the start of the requested course(s) are eligible to apply for tuition reimbursement. Directors, senior managers, command staff, bargaining unit employees and employees in limited duration positions are not eligible to participate in the program.

Additionally, in order to be eligible for tuition reimbursement, an employee must have demonstrated satisfactory performance for at least one year. If an employee is or has been on any type of performance, work, or position alignment plan in the previous 12 months, or is expected to be put on such a plan in the next 12 months then the employee is not eligible for tuition reimbursement.

Federal wage laws require employers to compensate employees for time spent in courses under certain circumstances; however, the tuition reimbursement program is not designed to compensate participants for their course time. Therefore, to participate in the tuition reimbursement program the following requirements must be met:

A. Course attendance must occur outside employees' regular working hours.
B. Course attendance must be voluntary.
C. Employees shall do no productive work for the city while attending course.
D. The course cannot be directly related to the employees' present job at the city.

Under the Fair Labor Standards Act a course would not be considered directly related to the employee's present job if it:

A. Teaches an employee how to do a new job;
B. Teaches a new skill that would not improve handling of the present job; or
C. Upgrades the employee to a higher skill, but is not intended to make the employee more efficient in the present job, even if the course may incidentally improve the employee's skills needed in the present job.

If a course is only available during the employee's scheduled work hours, and if business needs permit, the employee and his/her supervisor may attempt to rearrange the employee's schedule, or the employee may request to use accrued leave in accordance with the city's leave regulations to attend ~~a~~ course.

It is expected that educational activities will not interfere with the employee's performance and the city's business needs.

III. COURSE CRITERIA

A requested course must a) serve to enlarge the employee's perspective and capacity and prepare the employee for potential future job assignments with the city, or b) provide general academic instruction required for the employee to obtain a degree related to the employee's potential future city job assignments. In evaluating a tuition reimbursement request, employees may be asked to provide information outlining the course's content or degree requirements. Graded/for credit courses are preferred, but all requests will be considered.

IV. EDUCATIONAL INSTITUTIONS

The course for which reimbursement is requested must be offered by an accredited institution of higher education, such as Boise State University, College of Idaho, Northwest Nazarene University, Idaho State University, Treasure Valley Community College and the University of Idaho, or courses offered online through accredited out-of-state schools.

Human resources shall administer the tuition reimbursement program and shall determine what schools, institutions and courses qualify and how allocated funds are disbursed.

V. REIMBURSEMENT CRITERIA

The following criteria apply to tuition reimbursement:

A. Eligible full-time employees whose tuition reimbursement request is approved can receive up to $1,242 per semester, not to exceed a maximum of $2,484 per fiscal year. Eligible part-time employees can receive a pro-rated amount per semester not to exceed a maximum of $1,863 per fiscal year. Employees who are in their final semester and are taking more than one course during fall semester may be eligible for additional funds, not to exceed $2,484, if there are funds remaining after all fall semester requests have been approved.

B. Employees who receive education assistance through the GI bill, trust funds, scholarships, grants (Pell) or other sources must declare receipt of that assistance upon request for participation in the city's tuition reimbursement

program. In those circumstances only the difference between the aid received and the cost of the course, if any, will be reimbursed, up to a maximum of $2,484 per eligible full-time employee in any one fiscal year and $1,863 per eligible part-time employee in one fiscal year. Failure of the employee to inform the city of any other education aid assistance will result in the employee reimbursing the city for the difference, and the employee will no longer be eligible to participate in the program.

C. Eligible employees will receive tuition reimbursement provided they complete the course within the specified time for that course, not to exceed twelve consecutive calendar months from the start of the course, and obtain a grade of "C" (2.0 on a 4.0 scale) or better, or "pass" if pass/fail, for the approved course, according
to the following scale:
    1. 100% reimbursement for a course grade of A
    2. 90% reimbursement for a course grade of B
    3. 80% reimbursement for a course grade of C
    4. 80% reimbursement for passing a pass/fail graded course
    5. 80% reimbursement for non-credit/certificate course

    Employees will be required to provide an unofficial transcript indicating the grade(s)/certificate received for the course(s).

D. Employees who voluntarily terminate employment or are terminated for cause during enrollment in the course or up to twelve months after the course is completed are not eligible for any tuition reimbursement. Likewise, employees who withdraw or do not complete the approved course are not entitled to tuition reimbursement. As part of the tuition reimbursement application, if any tuition was reimbursed within the past twelve months, employees authorize the city to deduct the reimbursed amount from the employee's pay.

E. Tuition, registration fees, required textbooks, and course-related fees (e.g. lab fee; online course fee) are reimbursable costs. All other costs are the employee's responsibility.

F. Employees who were approved for reimbursement but are subsequently terminated due to a reduction in force or job elimination continue to be eligible to receive reimbursement for the approved course.

G. Reimbursement will not be paid in advance of the employee completing the approved course.

VI. REQUEST AND REIMBURSEMENT PROCEDURE

Requests for tuition reimbursement are on a first come, first served basis. Each fiscal year 50 percent of the available funds will be allocated for fall semester and 50 percent for the spring semester. Any funds remaining after fall and spring semesters have been reimbursed will be available for summer semester.

To be eligible for tuition reimbursement, the employee must request and complete the approval process with their department.

Completed requests must be received in human resources by the following deadlines:

Fall semester:	Between July 1 and August 15
Spring semester:	Between December 1 and January 15
Summer semester:	Between April 1 and May 15

Requests received after these deadlines may be considered if there are funds remaining for that semester.

Employees will use the following process to request and receive tuition reimbursement:

A. Employees must complete a Pre-Course Tuition Reimbursement Request form [See Exhibit 3.17b] for each course and submit it to their supervisor and department director/designee for approval. The department director or designee is responsible for verifying that the employee meets the requirements for reimbursement
Employees must submit a separate request each semester and should only list courses to be taken during the semester.

   After approval by the employee's department director/designee, human resources will evaluate the request and available funds and notify the employee via email whether their request is approved or denied.

B. Within 30 days of the semester end date, employees must submit the following to human resources:
   1. A completed Post-Course Tuition Reimbursement Request form [See Exhibit 3.17c] for each course.
   2. An unofficial transcript from the academic institution indicating that the employee received an acceptable grade/certificate.
   3. A copy of the school invoice indicating the cost of tuition, registration and course fees, and proof through a receipt, canceled check, or other document indicating the employee has paid the tuition, registration and course fees.
   4. Documentation showing required textbook(s) for course, and receipt(s) for textbook(s).

C. Upon approval of the request, reimbursement funds will be forwarded to the employee. Tuition reimbursement shall be paid out through Payroll and included in the employee's paycheck under "Non-Taxable Exempt Reimbursements."

Document Type:	Exhibit
Number:	3.17b
Effective:	11-14-06
Revised:	10-01-08
	01-22-10
	08-08-16
Legal References:	IC 45-609

PRE-COURSE TUITION REIMBURSEMENT REQUEST

1. Employee Name_____ Employee ID _____

2. Course name and number _____
   Name of Academic Institution: _____
   Course Start Date: _____ Couse End Date:_____
   Tuition Amount Requested:_____Registration Amount Requested: _____
   Check all that apply:
   - ☐ The requested course is for credit, and a grade will be received upon course completion.
   - ☐ Other educational financial assistance is being sought or already granted for this same requested course offering (please provide details, including financial amount)._____
     _____
     _____

3. Please describe the course and how it is job-related, potentially increasing your skills-set in your current job or your ability to advance to another job within the City of Boise (attach additional sheets and a course curriculum summary, if available): _____
   _____

4. I agree to abide by the terms of the Tuition Reimbursement Policy and Regulation. In the event I terminate employment with the City within six months of course completion, **I authorize the City of Boise to deduct a sum, up to the entire amount reimbursed to me by the City of Boise, from any wage payment, or vacation and/or comp time payout I am eligible to receive.**

   Employee Signature _____Date_____

TO BE COMPLETED BY SUPERVISOR

Pre-qualifications (**verified by Supervisor**):

- ☐ Employee is a satisfactory performer.
- ☐ The employee has one year or more of City employment at time of application.
- ☐ The employee is NOT a member of a bargaining unit.
- ☐ The course is being offered at an accredited college or university.

Select **one** of the following course criteria:

	Approved	Denied*
☐ Completing the course would advance the skills-set for the employee in his/her current job with the city.		
☐ Completing the course would advance the skills-set for the employee who could potentially advance to another job within the city.		
☐ Completing the course is required for the employee to obtain a degree related to His/her current or potential future assignment with the city.		

Supervisor Signature _____	Date_____	☐	☐
Department Director or Designee Signature _____	Date_____	☐	☐
HR Authorized Signature _____	Date_____	☐	☐

*Reason for Denial _____
_____

Document Type:	Exhibit
Number:	3.17c
Effective:	11-14-06
Revised:	09-01-16
Legal References:	

POST-COURSE TUITION REIMBURSEMENT REQUEST

Staff in all departments will submit their requests for reimbursement of tuition expense with all required documentation noted below to Boise City Human resources, Attention: Tuition Reimbursement.

1. Employee Name_____Employee ID: _____

Department: _____ Date Submitted To Human Resources: _____

Course Title and Number: _____

I agree to abide by the terms of the Tuition Reimbursement Policy and Regulation. In the event I terminate employment with the City within six months of course completion, **I authorize the City of Boise to deduct a sum, up to the entire amount reimbursed to me by the City of Boise, from any wage payment, or vacation and/or comp time payout I am eligible to receive.**

Employee Signature _____ Date_____

2. REIMBURSEMENT APPROVAL CHECKLIST

(1) ☐ Course work completed and grade received (copy of transcript required)
(2) ☐ Tuition Reimbursement paid to the employee in this fiscal year (October 1-September 30) has not exceeded $2,160
(3) ☐ This request for reimbursement has been submitted to Human Resources within 30 days of course completion as evidenced by date of transcript submitted pursuant to above
(4) ☐ List here total amount of any other financial assistance applied to this course $_____
(5) ☐Reimbursement Calculation Worksheet (attach expense documentation action)

Course Tuition.....	$_____	
Course Registration	$_____	
Total: Reimburseable Costs	$_____	
Less amount in #4 above	$_____	**Reimbursement**
Net Reimburseable Cost	$_____	**Request**

Grade A (from attached transcript) 100% Multiply Net Reimb. Costs by 1 $ _____

Grade B (from attached transcript) 90% Multiply Net Reimb. Costs by .9 $ _____

Grade C (from attached transcript) 80% Multiply Net Reimb. Costs by .8 $ _____

Grade P (from attached transcript).....80% Multiply Net Reimb. Costs by .8 $_____
[Grade P refers to a pass or fail grading system]

3. RECEIVED BY BOISE CITY HUMAN RESOURCES

Date:_____ Authorized Signature: _____

Please check one:

Reimbursement Approved as Requested:	☐	
Reimbursement Approved as Amended:	☐	See below for reason
Reimbursement Denied:	☐	See below for reason
Employee Notified:	☐	Date:_____
Department Director Notified:	☐	Date:_____
Routing to Financial Services for Payroll Processing:		Date:_____

4. REASONS FOR AMENDING OR DENYING REIMBURSEMENT:

_____

_____

Document Type:	Policy
Number:	3.25
Effective:	05-01-06
Revised:	06-01-11
Legal References:	

WAGE PAYMENT AND OVERTIME

Employees who are non-exempt under the Fair Labor Standards Act (FLSA) and applicable state wage and hour laws receive overtime pay or compensatory time at a rate of one and one-half times their regular hourly rate for actual hours worked in excess of forty (40) hours in one FLSA work week. Non-exempt employees of the City shall not “volunteer” time for the purpose of avoiding overtime. No City employee shall work overtime without prior authorization from his/her supervisor. Any employee believing this policy is being violated shall contact the Department Director or Human Resources.

Document Type:	Regulation
Number:	3.25a
Effective:	05-01-06
Revised:	07-01-06 10-01-06 10-01-07 09-05-08 07-13-09 12-02-11 05-12-14 01-01-17
Legal References:	29 CFR 553.20, 531,548,551,778, 785,790, et seq. I.C. 45 606-609

WAGE PAYMENT AND OVERTIME

I. INTRODUCTION

The following regulation outlines the City's process for the payment of employee wages. This regulation applies to all City employees however certain portions of the wage payment process applicable to bargaining unit employees may be governed by the provisions of the applicable collective labor agreement.

II. THE FAIR LABOR STANDARDS ACT

The Fair Labor Standards Act (FLSA) requires all employees to be classified according to the provisions of the law. Therefore, for purposes of paying any compensation, all employees are classified as either "Exempt" or "Non-Exempt." Exempt refers to employees who are not covered by and are "exempt" from the FLSA's overtime requirements. Non-exempt refers to employees who are covered by the FLSA and earn overtime pay or compensatory time at a rate of one and one-half times their regular hourly rate for actual hours worked in excess of forty (40) hours in one FLSA work week. All determinations of an employee's exempt/non-exempt status are made through the job evaluation process that Human Resources conducts.

A. Workweek

Except for Fire Contract Shift employees, the City of Boise designates all employee FLSA workweeks to be 12:01 a.m. Sunday through midnight Saturday. 9/80 schedules are not permitted for exempt or non-exempt employees. The FLSA workweek has been designated by the City and it shall not be changed for the purpose of avoiding overtime payment.

B. Trading Shifts

A Department Director may allow employees to trade shifts as long as it will not create an overtime situation in terms of hours worked and provided that: (a) it is voluntarily agreed to by both employees and (b) it is at the employees' request.

C. Volunteered Time

Non-exempt employees of the City shall not "volunteer" time for the purpose of avoiding overtime. Any questions regarding the appropriateness of volunteering time should be forwarded to Human Resources.

III. WAGE PAYMENT SCHEDULE AND PAYROLL DEDUCTIONS

The City pays on a bi-weekly basis. Most payroll deductions will be taken over 24 pay periods rather than 26 pay periods. This means in the two months where employees receive three pay checks, certain deductions will not be taken on the third pay check. This group of deductions includes health related items and insurance premiums; consequently, the corresponding Flexible Benefit Credit and Wellness Credit will also not be included on the third pay check of the month.

There are some exceptions:

1. Court mandated items such as garnishments, levies and child support may be taken on every pay check, even if the deductions are voluntary.

2. Deferred compensation contributions will be taken on every pay check.

Changes in an employee's tax withholdings as identified on the W-4 form shall be submitted to Human Resources by the first day of the pay period to be effective on the pay date of that pay period.

The City does not issue pay advances.

IV. PAYMENT FORM AND EARNING STATEMENTS

The City pays employee wages through direct deposit to the employee's personal bank account or with a pay check that is mailed to the employee's home. To sign up for direct deposit, an employee shall provide Human Resources with a signed Direct Deposit form. Direct Deposit forms may be found on the City's Inside web page under Documents. To discontinue direct deposit, an employee shall submit a signed and dated notice to Human Resources indicating the pay period in which it is to be effective. Once initiated, the service continues each pay period until the employee separates employment, begins an unpaid leave of absence or otherwise elects to discontinue the service.

Employees can access their pay stubs electronically through the Employee Self Service link on the City's Inside web. No hard copy pay stubs are produced by the City.

Final paychecks are issued on the next regular payday or in ten days (excluding weekends/holidays) whichever is sooner. If the employee gives HR Payroll a written request for earlier payment, the employee will be paid within 48 hours (excluding weekends/holidays) of receipt of the request or the last day worked, whichever is later.

V. MANDATORY DUE DATES

A payroll processing schedule is posted on the Inside web page. The official schedule makes exceptions related to holidays and operational necessities, but generally is based on the following sequence of events:

A. Wages are paid on alternate Wednesdays.
B. Supervisors shall approve time records for payroll processing by the end of the workday on Tuesdays.

Timely reporting of hours worked is essential to payroll processing. Employees who fail to complete timely and accurate time records create administrative burdens for other employees, contribute to wage-payment errors, and threaten the integrity of the City's internal accounting systems. Therefore, all employees shall meet all payroll due dates and times.

VI. REPORTING TIME

All time records must be accurate, complete, and submitted on time to ensure that employees' wages are calculated correctly. By clocking in and out and/or by recording any deviations from their regular work hours on their time record, employees are certifying that their time record accurately reflects their hours worked and absences. For the purpose of this regulation the term "time clock" shall include the equipment and/or systems used to record an employee's hours of work for the City's payroll. Employees shall observe the following rules with respect to reporting their time:

A. All non-contract, non-exempt employees shall clock in at the beginning of their workday and clock out at the end of their workday. Some employees may be required to clock out at the beginning of a lunch break and clock in at the end of a lunch break. Non-exempt employees shall report and record on the time clock any period of leave or break from work that lasts more than 20 minutes. Note: The City's policies and regulations limit non-exempt employee work breaks to 15 minutes.
B. Non-exempt employees shall not work off-the-clock i.e. before they have clocked in or after they have clocked out.
C. The City's timekeeping system rounds time to the nearest 15 minutes. This means if a non-exempt employee clocks in anywhere from seven minutes before his or her start time to seven minutes after his or her start time, the employee will be paid as if they arrived at the exact starting time. However, this is strictly a timekeeping feature that relates to pay only; all employees are expected to abide by scheduled work hours.
D. Employees are prohibited from clocking in or out for another employee.

Exempt employees are not required to fill out daily work records; however, they are required to accurately record all exception time. Exception time refers to any leave used, or compensatory time taken or any compensatory time worked. Senior Managers are not eligible for compensatory time, so they are only required to record when leave time is used.

Some Departments may require exempt employees to clock in and out on a daily basis. Exempt employee's who are required to do this will be paid their regular salary regardless of hours worked unless otherwise permitted within City policy and applicable laws.

An employee on an unscheduled leave on the day time records are due shall telephone their supervisor or the supervisor's designee to coordinate the accurate preparation of the employee's time record.

Supervisors or designee shall review the hours worked recorded by their employees for completeness and accuracy and approve each time record. Supervisors who will be out of the office on the day time records are due shall make arrangements with their own supervisor or another designee so that time record duties are carried out while the supervisor is absent. Supervisors also are responsible for entering a time record for any employee who failed to complete a time record and is out of the office on the day the time record is due.

Prior pay period adjustments shall only be permitted under the following circumstances:

A. The employee was scheduled to be off, but actually worked;
B. The employee was scheduled to be at work, but was actually off.

No other prior pay period adjustments shall be made without authorization from the HR Payroll Manager.

VII. OVERTIME AND COMPENSATORY TIME

Regular employees who are non-exempt under the FLSA and applicable state wage and hour laws are eligible for either overtime pay or compensatory time at a rate of one and one-half times their regular hourly rate for actual hours worked in excess of forty (40) hours in one FLSA work week. Temporary non-exempt employees are eligible to earn overtime, but are not eligible to earn compensatory time. As a condition of employment, the City retains sole discretion to provide non-exempt employees with compensatory time off in lieu of cash overtime.

Part-time non-exempt employees are not eligible for overtime pay or compensatory time until they have worked over 40 hours in their FLSA work week.

A. Paid Holidays

Paid holidays shall be counted as hours worked for the purposes of overtime/compensatory time for both exempt and non-exempt employees. However, other paid leaves of absence, including but not limited to compensatory time, floating holidays, sick leave, and vacation leave, shall not count as hours worked for purposes of determining overtime or compensatory time eligibility.

B. Extra Hours

When required by heavy work demands or customer service needs, the City can require any employee to work extra hours. The City will attempt to give at

least one day's notice when extra hours must be worked, but reserves the right to require any employee, exempt and non-exempt, to work extra hours when the need arises.

C. Overtime/Compensatory Time Authorization and Use

Employees shall seek and receive authorization from their supervisor, or designee, prior to working overtime or accumulating compensatory time.

Employees are expected to seek prior approval from their supervisor to use compensatory time. The supervisor shall allow an employee to use the employee's accrued compensatory time within a reasonable amount of time after requested, provided such use does not unduly disrupt the operation of the department or work unit.

D. Compensatory Time Eligibility and Accrual

Temporary employees are not eligible to accrue compensatory time. Non-exempt regular employees are are eligible to accrue compensatory time, but are not authorized to accrue in excess of 100 hours of compensatory time. Non-exempt employees who have accrued 100 hours of compensatory time shall be paid for any additional hours worked in accordance with the City's overtime procedures. All hours of work and overtime hours of non-exempt employees shall be recorded in the timekeeping system and handled in accordance with the law and City regulation.

Exempt regular full-time employees, except for senior managers, may accrue compensatory time at the rate of one (1) hour for each hour actually worked in excess of the employee's standard hours of work in the designated FLSA workweek, not to exceed 160 hours. Senior managers are not eligible for compensatory time. Regardless of the 160 compensatory time accrual limit, exempt employees are expected to work as necessity dictates. Compensatory time for exempt employees is a benefit that the City offers and is not required under the FLSA. Exempt employees are expected to work regularly scheduled hours as identified by the supervisor. There is no entitlement to compensatory time for exempt employees. The City reserves the right to make changes to or to cancel this benefit at any time. Nothing in this regulation shall create an employment contract, or be construed to modify the employment relationship between the City and the employee, or to restrict the City's management rights.

Department Directors may set lower compensatory accrual limits for either exempt or non-exempt employees. If an employee works over the department's compensatory time limit with supervisor approval, the employee shall receive compensatory/overtime for the hours worked, in accordance with the City's regulation. If the employee did not receive supervisor approval the employee is subject to discipline; however, all hours that a non-exempt employee works must be recorded in the time-keeping system.

Elected officials, the Mayor's office exempt staff, Senior Managers, Command Staff, and Department Directors are not entitled to compensatory time.

F. Payoff of Accrued Compensatory Time

All non-exempt employees' unused, accrued compensatory time balances, in excess of sixty (60) hours shall be paid down toward the end of each calendar year. HR Payroll will determine the date of the pay down each year. No payment shall be made for the first 60 hours of accrued compensatory time until separation of employment or as allowed in this regulation.

Employees promoted from non-exempt to exempt positions shall be paid for accrued compensatory time prior to their promotion. Non-exempt employees shall be paid for all accrued compensatory time when:

1. Changing to a lower paying position and/or
2. Changing departments or funds

Exempt employees shall not receive cash payment for compensatory time while employed or at time of separation. There is no monetary or other value associated with compensatory time accrued by exempt employees.

Document Type:	Regulation
Number:	3.25b
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	10-01-08
	10-01-10
Legal References:	29 C.F.R. § 778.205
	29 C.F.R. § 778.221
	29 C.F.R. § 778.223
	29 C.F.R. § 785.35
	29 C.F.R. § 785.36

ON-CALL AND CALLED-IN

I. INTRODUCTION

Sometimes it is necessary to place an employee on-call outside his or her regularly scheduled work hours so the employee is available to report to work for the purpose of handling emergency repairs, equipment failures, or other problems requiring prompt attention. At times, employees who are not on-call may be unexpectedly called-in to work. The purpose of this regulation is to provide a consistent method, throughout all City departments, to compensate employees in these situations.

This regulation applies to regular full and part-time employees on the nonexempt or exempt pay plan. Temporary employees are not eligible for on-call compensation or the call-in incentive pay. Senior Managers, Command Staff and Department Directors are not covered by any provisions in this regulation. Bargaining unit employees shall be governed by the on-call and call-in provisions of their collective labor agreement.

II ON-CALL

On-call time refers to time outside an employee's regularly scheduled work hours during which he or she is away from the worksite yet is expected to be easily reached by telephone or radio/pager device, is ready and fit to work, and is expected to respond, within one hour, to a problem or emergency situation on behalf of the City. Department Directors in conjunction with Human Resources may set stricter time limits for response providing that the shorter response time does not create a liability for the City under the Fair Labor Standards Act (FLSA) and/or to ensure that the on-call employee is appropriately compensated in accordance with the law. Failure of an on-call employee to respond in accordance with this regulation may lead to disciplinary action up to and including termination of employment. With approval of the supervisor, the on-call employee, for business reasons, may contact and request another employee to respond to a call to perform work. The employee who is called in to work shall receive call-in incentive pay in accordance with this regulation.

A. On-Call Duty Pay

1. Nonexempt employees who are on-call shall receive three quarters (3/4) of an hour of pay at his or her regular hourly rate for every day he or she is on-call. The regular hourly rate for on-call duty pay excludes pay premiums, such as shift differential. On-call duty pay shall be included in the calculation of the employee's adjusted hourly rate pay for purposes of overtime.
2. Exempt employees who are formally scheduled by their respective department to be on-call shall receive $10 for every day he or she is on-call.

On-call duty pay shall not be considered hours worked. Compensatory time shall not be substituted for on-call duty pay. The overtime rules in the Wage Payment and Overtime regulation also apply.

An employee can only receive on-call duty pay once in each 24 hour time period. An employee who is on call for one-half or more of a 24 hour time period shall receive one day of on-call duty pay. An employee who is on call for less than one-half of a 24 hour time period is not eligible for on-call duty pay for that day.

B. On-Call Response Pay

A nonexempt on-call employee who is called-in to work shall be compensated as outlined in the Call-In Incentive Pay section.

III. CALL-IN

Call-in work refers to unexpected instances when a non-exempt employee is requested to return to work at a time he or she was not expected to work, or called in to perform work on a day he or she was not expected to work.

A. Call-In Incentive Pay

1. Nonexempt employees called in to work in accordance with this regulation receive a flat rate of $50.00 as call-in incentive pay. Additionally, when called in to work, all actual time worked shall be counted as hours worked and the employee will be paid overtime or will accrue compensatory time for all hours worked over 40 during the employee's FLSA workweek. The call-in incentive pay of $50.00 shall not be included in the calculation of the employee's adjusted hourly rate pay for purposes of overtime. However, the adjusted hourly rate for overtime includes pay premiums, such as shift differential and on-call duty pay. Compensatory time shall not be substituted for the $50.00 call-in incentive flat rate.
2. Exempt employees are not eligible for call-in incentive pay, however, all actual time worked shall be counted as hours worked for compensatory time accrued for hours worked over 40 during the employees FLSA workweek.

The overtime rules in the Wage Payment and Overtime regulation also apply.

B. Multiple Call-Ins

If after leaving the worksite, a nonexempt employee who has been called-in to work receives a second call-in to work, the employee shall be eligible to receive an additional $50.00.

C. Flexing Hours of Work

Supervisors have discretion to flex an employee's work schedule during the same FLSA workweek in which the employee was called-in.

IV. EXCLUSIONS

An employee is not eligible for the call-in incentive pay when that employee's regular work day is extended at the end of his/her shift.

An employee is not eligible for the call-in incentive pay when the employee receives notice that the call-in request is canceled prior to the employee reporting to the worksite.

An employee is not eligible for call-in incentive pay if the employee is called-in and arrives at the work site thirty minutes or less before the employee's regular starting time.

An employee is not eligible for call-in incentive pay if the employee receives notice of a change in his or her work schedule, prior to the end of his or her shift the preceding work day. An employee who is notified prior to the end of his or her normal shift that he or she may be called in to work, but no definite arrangements are made, is eligible for call-in compensation if called-in.

V. TELEPHONE CALLS

Telephone calls received by employees that last an insignificant period of time will be considered de minimis and disregarded when recording working time. De minimis will be regarded as five (5) minutes or less for the combined total of all calls. The on-call response pay/call-in incentive pay does not apply to telephone calls not requiring a physical response in accordance with that section. However, telephone calls that are not de minimis will be counted as actual hours worked.

VI. SICK, VACATION, FLOATING HOLIDAY AND COMPENSATORY TIME

Sick, vacation or compensatory leave hours taken during an employee's FLSA work week shall not be considered as hours worked for the purpose of computing overtime or compensatory time.

Supervisors assign employees to be on-call. Because employees are required to respond when on-call, if the employee needs or requests time off from work in the future and in accordance with the leave regulations, the supervisor will determine whether to discontinue or reassign the on-call assignment and the corresponding on-call duty pay.

Employees who have been on-call and have already taken leave in accordance with the City's leave regulations shall receive the on-call duty pay unless the employee failed to respond.

VII. DRIVE TIME

Travel time between an employee's home and work shall not be considered hours worked whether the employee is on-call or called-in. The fact that an employee is driving a City vehicle in commuting to and from home and a job site is not a basis for determining that commuting time is hours worked. Hours worked begins when the employee actually begins performing principal work duties and ends when the employee stops performing principal work duties. Traveling between job sites during the course of business shall be regarded as hours worked.

When employees are called out after having completed their day's work and must travel a substantial distance to perform an emergency job for one of the City's customers, all the time spent on such travel shall be counted as hours worked. The City of Boise defines "substantial distance" as 50 miles or more from the employee's regularly assigned place of business.

VIII. MILEAGE REIMBURSEMENT FOR PERSONAL VEHICLE USE

Travel to and from home and work under this regulation is considered a part of the employee's commute and is not eligible for mileage reimbursement. However other business related travel may be eligible for mileage reimbursement. For more information please refer to the City's Vehicle Usage Regulation.

Calculation of Adjusted Hourly Rate for Overtime Hours Worked While On-Call
Non-Exempt General Employees

Effective October 1, 2010

FLSA regs state the following as examples of compensation that must be included in an employees' adjusted hourly rate calculation:
** on-call pay
** bonuses
** contest prizes
** employee meal expenses if paid by the employer
** salaries, including retroactive increases
** shift differentials, hazardous-duty pay and longetivy pay

		Inputs			Calculated Value
Regular Hourly Rate	**Monthly Salary * 12 / 2080**				
	Monthly Salary	_____	*12/2080		$0.00
Work Week Hours	**Hours within FLSA work week (time period used to calculate overtime)**	40			
Shift Differential =	**Shift Differential Rate * # of S.D. hours worked**				
	# of Shift Differential Hours Worked (Grave)	_____	$	0.50	$0.00
	# of Shift Differential Hours Worked (Swing)	_____	$	0.35	$0.00
On Call Duty Days	# Of Paid On-Call Duty Days	_____	*3/4 hr/day		$0.00
Adjusted Hourly Rate =	Regular Hourly Rate + SD + On-Call Duty Pay	**$0.00**			

Overtime = **# of Time and a half overtime hours * (Adjusted Hourly Rate * 1.5) + # of straight overtime hours * Adjusted Hourly Rate**

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	06-01-11
	03-23-12
	08-04-14
	01-08-17
Legal References:	29 C.F.R. § 778.207(b)

SHIFT DIFFERENTIAL

I. INTRODUCTION

Shift differential is premium pay intended to compensate an employee for working less desirable hours. The shift differential granted by this regulation shall apply to non-exempt, full or part-time, regular employees who are regularly assigned to work a minimum eight (8) hour shift except as otherwise noted within this regulation. Shift differential for bargaining unit employees shall be governed by the provisions of their collective labor agreements.

II. APPLICATION

The definition of shifts for the purpose of receiving a differential is subject to the specific guidelines of this regulation and may or may not be identical to the employee's assigned work schedule. Each Department may designate work schedules based upon their operational needs.

When determining a shift differential, the entire shift, i.e. start time to end time, is counted. Second and third shift differentials shall not be applied concurrently. Shift differential is based on the following:

A. A differential in the amount of 5% of the employee's regular hourly rate per hour shall be paid to eligible employees for all working hours of a shift when 50% or more of the employee's shift is scheduled after 5 p.m.

B. A differential in the amount of 7.5% of the employee's regular hourly rate per hour shall be paid to eligible employees for all working hours of a shift when 50% or more of the employee's shift is scheduled after 9 p.m.

C. No differential shall be paid to employees when 50% or more of the employee's shift is scheduled after 5 a.m. and before 5 p.m.

D. If an employee's work schedule is split exactly 50/50 between two differential time periods, he or she is will receive the higher of the two differential rates.

III. EXCLUSIONS

The following are examples of situations in which a shift differential is not paid:

A. Any work that is scheduled during evening or nighttime hours primarily for the convenience of the employee is not eligible for the shift differential.
B. A shift differential is not payable for call-in hours or on-call time.

IV. BOISE POLICE LIEUTENANTS

Swing shift patrol Lieutenants are eligible to receive a shift differential equivalent of (2%) of base pay. Night shift patrol Lieutenants are eligible to receive a shift differential equivalent of (10%) of base pay.

Document Type:	Policy
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Effective:	05-01-06
Revised:	
Legal References:	I.C. § 16-1605

CHILD ABUSE REPORTING

Any City of Boise employee in the course of employment who has reason to believe that a child under the age of eighteen (18) years has been abused, abandoned or neglected or who observes the child being subjected to conditions or circumstances which would reasonably result in abuse, abandonment or neglect shall report or cause to be reported within twenty-four (24) hours such conditions or circumstances to the proper law enforcement agency or the department director.

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Number:	4.05a
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Revised:	02-01-10
	02-09-12
	08-01-14
Legal References:	I.C. § 16-1605
	I.C. § 16-1607

CHILD ABUSE REPORTING

I. INTRODUCTION

It is the City's desire to provide as safe an environment as possible for children who participate in City programs, and to notify employees of the reporting requirements of State laws covering child abuse. The purpose of this regulation is to establish a process for employees to use when they have reason to believe that a child has been abused, abandoned or neglected, or when they observe a child being subjected to conditions or circumstances which would reasonably result in abuse, abandonment or neglect.

II. DEFINITIONS

The following terms are defined in Idaho Statute.

A. "Abused" means any case in which a child has been the victim of:

1. Conduct or omission resulting in skin bruising, bleeding, malnutrition, burns, fracture of any bone, subdural hematoma, soft tissue swelling, failure to thrive or death, and such condition or death is not justifiably explained, or where the history given concerning such condition or death is at variance with the degree or type of such condition or death, or the circumstances indicate that such condition or death may not be the product of an accidental occurrence; or

2. Sexual conduct, including rape, molestation, incest, prostitution, obscene or pornographic photographing, filming or depiction for commercial purposes, or other similar forms of sexual exploitation harming or threatening the child's health or welfare or mental injury to the child.

B. "Abandoned" means the failure of the parent to maintain a normal parental relationship with a child including, but not limited to, reasonable support or regular personal contact. Failure to maintain this relationship without just cause for a period of one (1) year shall constitute prima facie evidence of abandonment.

C. "Neglected" means a child:

1. Who is without proper parental care and control, or subsistence, medical or other care or control necessary for his or her well-being because of the conduct or omission of his or her parents, guardian or other custodian of their neglect or refusal to provide them; however no child whose parent or guardian chooses for such child treatment by prayers through spiritual means alone in lieu of medical treatment shall be deemed for that reason to be neglected or lack parental care necessary for his or her health and well-being; or

2. Whose parents, guardian or other custodian are unable to discharge their responsibilities to and for the child and, because of such inability, the child lacks the parental care necessary for his health, safety or well-being; or

3. Who has been placed for care or adoption in violation of law; or

4. Who is without proper education.

III. REPORTING PROCEDURES

The following outlines what actions employees should take under the described circumstances.

A. Employee Suspected of Child Abuse

When an employee has reason to believe that another employee is abusing a child, the following steps should be followed:

1. The employee who becomes aware of another employee's suspected abuse shall immediately notify their own supervisor of the suspicion. The supervisor shall require the employee to **immediately contact Child Services [CPS] or in the case of an emergency, the Boise Police to report the issue in accordance with the Child Abuse / Sexual Abuse Report Form [see Exhibit 4.05c]**. Neither the supervisor nor the employee shall engage in any form of investigation.

2. The supervisor shall notify their senior management who will advise Human Resources and the Mayor that a report has been filed, consistent with State law.

To protect the privacy of all persons involved, all phases of the reporting procedure shall remain strictly confidential. The person who reports the actions of the suspected employee will remain anonymous, provided their report was made in good faith; however, persons with a legitimate need to know will be notified. Confidentiality of principals and witnesses cannot be guaranteed if criminal investigation is pursued or if administrative action is taken.

All media contact will be exclusively coordinated through the Mayor's Office.

Following the completion of the reporting and investigative process, an in-house debriefing session will be conducted to review each phase, to determine need for additional training, and to review the reporting procedure for possible revisions.

B. Child is Suspected of Being a Victim of Child Abuse

If a child is suspected of being a victim of child abuse, these steps will be followed:

1. The employee will **immediately notify their supervisor of the suspected abuse and report the suspicions to Child Protective Services [CPS]** or in case of an emergency Boise Police in accordance with the Child Abuse / Sexual Abuse Report Form [see Exhibit 4.50c].

2. The supervisor shall notify their Department Director who will advise Human Resources and the Mayor that a report has been filed, consistent with State law.

3. The proper authorities will conduct the investigation. Neither the supervisor nor the employee shall attempt any form of investigation.

4. In order to protect the privacy of all persons involved, all phases of the reporting procedure shall remain strictly confidential. The person(s) making the report will remain anonymous, provided their report was made in good faith; however, persons with a legitimate need to know will be notified. Confidentiality of principals and witnesses cannot be guaranteed if criminal investigation or prosecution is pursued.

5. All media contact will be exclusively coordinated through the Mayor's Office.

IV. IMMUNITY

Any person who has reason to believe that a child has been abused, abandoned or neglected and, acting upon that belief, makes a report of abuse, abandonment or neglect as required by law shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed. Any such participant shall have the same immunity with respect to participation in any such judicial proceeding resulting from such report. Any person who reports in bad faith or with malice shall not be protected.

Any person who makes a report or allegation of child abuse, abandonment or neglect knowing the same to be false or who reports or alleges the same in bad faith or with malice shall be liable to the party or parties against whom the report was made for the amount of actual damages sustained or statutory damages of two thousand five hundred dollars ($2,500), whichever is greater, plus attorney's fees and costs of suit. If the court finds that the defendant acted with malice or oppression, the court may award treble actual damages or treble statutory damages, whichever is greater.

Document Type:	Regulation
Number:	4.05b
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Revised:	08-01-14
Legal References:	I.C. § 16-1605

SEXUAL ABUSE PREVENTION

I. INTRODUCTION

The City of Boise is committed to providing a safe environment for all minor children. The City recognizes the importance of preventing sexual abuse and has adopted this Sexual Abuse Prevention Regulation to ensure that the City's programs offer a safe environment for all participants.

This regulation will establish preventative measures designed to protect children from sexual abuse and to outline the actions to be taken in the event of a suspicion or allegation of sexual abuse.

All employees, volunteers, and participants involved in City of Boise programs shall comply with this regulation. Any actions contrary to this regulation may result in disciplinary action up to and including termination of employment and/or termination of participation in any City of Boise programs.

II. SEXUAL ABUSE

Sexual Abuse means any sexual activity or sexual contact with a minor child. This includes sexual contact by force or threat of force, regardless of the age of the participants, and all sexual contact between an adult and a child. Sexual abuse does not require actual physical contact, but may consist only of inappropriate comments, viewing of inappropriate materials or voyeurism.

III. PRE-EMPLOYMENT AND PRE-VOLUNTEER SERVICE SCREENING

The City of Boise conducts background investigations on all incoming employees and Tier II volunteers [please refer to the Volunteer Regulation for the definition of a Tier II volunteer] 18 years of age or older. The City's background investigation may include a criminal history check and a fingerprint check for all employee applicants and Tier II volunteers 18 years of age and older.

IV. ONE-ON-ONE ADULT/CHILD CONTACT DISCOURAGED

In an effort to protect children and to protect staff from sexual abuse allegations, the City of Boise recommends employees, volunteers, and vendors minimize private one-adult/one-child interactions. "Private" refers to the degree to which situations are observable and interruptible. For example, when an adult golf instructor teaches a private lesson to a minor child, the instructor is encouraged to use a location on the golf course where the instructor and the child can still be easily seen by other adults.

V. ACTIONS CONSTITUTING SEXUAL ABUSE

Because of the City's wide variety of activities and different types of interaction among individuals, plus the added dimension of different cultural norms among participants, it is impossible to list every inappropriate behavior. However the following is a list, not all inclusive, of actions that constitute sexual abuse and are prohibited:

A. Intimate, romantic or sexual contact between an adult and a child, or an adult and an individual with a disability.
B. Comments or jokes of a sexual nature made by an adult to a child or an individual with a disability.
C. An adult showing pornography to a child or an individual with a disability.
D. Sexual contact or activity accomplished through the use of force or threats.

Sexual contact or other sexual activity between two or more children may constitute sexual abuse if there is a significant disparity in age, development, or sizes, rendering the younger child incapable of giving informed consent.

Some of the City's program activities involve physical contact, and some involve hugging and other displays of affection. However, when interacting with a child, City of Boise employees and volunteers shall consider the age and sex of the child, whether the child appears uncomfortable with the interaction, whether others are present as well as other relevant factors.

VI. REPORTING SEXUAL ABUSE

Any City employee or volunteer who observes sexual abuse shall take all reasonable steps to ensure that the safety of the victim is secured. Any City employee or volunteer who has actual knowledge or a reasonable suspicion that sexual abuse has occurred, or may occur, shall report the information to Child Protective Services [CPS] or in the case of an emergency, the Boise police department, their supervisor, and Human Resources**. Reports are to be made within 24 hours and a Child Abuse / Sexual Abuse Report Form [See Exhibit 4.05c] completed**.

In addition, staff should consult with CPS or law enforcement, if applicable, to determine who is responsible for notifying the parents or guardians of the child involved.

VII. INVESTIGATIONS

All City of Boise employees and volunteers shall cooperate fully with any investigation of sexual abuse by a law enforcement, social services agency, and Human Resources.

If sexual abuse is suspected or alleged, no City of Boise employee or volunteer shall delay reporting the incident or interfere with any law enforcement or social service agency investigation.

During an investigation if the person accused of sexual abuse is a City employee or volunteer, he or she shall be relieved of his or her duties until the investigation is completed.

The City strictly prohibits any type of retaliation against any individual for reporting in good faith or participating in an investigation of alleged sexual abuse.

VIII. DISCIPLINARY ACTION

In the event of a confirmed or probable incident of sexual abuse involving sexual contact between an adult and a child, or an adult and an individual with a disability, the adult perpetrator, if a City employee, shall be subject to discipline up to and including termination of employment. If permitted by law, the adult perpetrator may also be barred from further participation in any City of Boise program.

In the event of a confirmed or probable incident of sexual abuse involving sexual contact between two children, the child perpetrator may be barred from further participation in any program of City of Boise if permitted by law.

IX. DEPARTMENT RESPONSIBILITIES

Training concerning the prevention of sexual abuse is recommended every three years for all supervisory staff and volunteers who are involved in programs that include minor children. Supervisors who receive the training shall be responsible for providing the training as soon as possible to their staff and new hires.

Prior to beginning work or volunteer service with the City of Boise, all employees shall be provided a copy of this regulation via the Employee Policy Handbook, Temporary Employee Handbook, Volunteer Service Agreement or some other means.

Any questions regarding the City of Boise's Sexual Abuse Prevention efforts should be directed to the City's Risk Manager.

Document Type:	Exhibit
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Effective:	08-01-14
Revised:	
Legal References:	I.C. § 16-1605
	I.C. § 16-1607

CHILD ABUSE / SEXUAL ABUSE REPORT FORM

WHAT TO DO IF YOU SUSPECT ABUSE

1. Notify your supervisor or manager.
2. Call Child Protective Services [CPS]* to report your suspicions.
   Note: CPS will want detailed information [name, address, phone number, school, age, etc.] about the child and the family, so have all available information with you when you call.
3. Get first and last name of the CPS worker you spoke to and ask if there is anything further you should do.
4. Complete information below.
5. Send completed form to the City's Risk Manager.

In the event of an **EMERGENCY** call police dispatch or 9-1-1.

***CPS is a division of the Idaho Department of Health and Welfare.

INFORMATION

Child's Name:_____ Sex: _____ Age:_____

Child's Address:_____ School:_____

Name of alleged abuser:_____ Relationship to child:_____

Alleged abuser's contact information [phone, address, etc.]:_____

_____

Date reported to CPS:_____ Name of CPS worker you spoke to:_____

What observations and/or information lead you to suspect abuse? Please be as detailed as possible including dates, times, locations, names, etc. Attach additional sheets if necessary._____

_____

_____

_____

_____

_____

Your name [please print]:_____ Phone : _____

Supervisor's Name:_____ Date you completed this form:_____

SEND COMPLETED FORM TO RISK MANAGEMENT

Document Type:	Policy
Number:	4.10
Effective:	05-01-06
Revised:	
Legal References:	49 U.S.C. § 2717 49 C.F.R. Part 40 as amended, 49 C.F.R. Parts 382, 383, 395, 49 C.F.R. Part 171

COMMERCIAL DRIVER'S (CDL)

The City of Boise is committed to having a safe work environment. To assist in this effort, the City complies with all provisions outlined in the federal and state laws regulating commercial drivers' licenses. This policy applies to all persons who are applicants for or who are employed in positions with duties or activities that involve the requirement of a commercial drivers' license.

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Revised:	01-22-10 02-16-10 04-20-10 10-01-10 03-02-10 01-04-13 01-01-16
Legal References:	49 U.S.C. § 2717 49 C.F.R. Part 40, as amended, 49 C.F.R. Parts 382, 383, 395, & 49 C.F.R. Part 171, 172 I.C. 49-301(7)

COMMERCIAL DRIVERS (CDL)

I. INTRODUCTION

This regulation is furnished as a guide to comply with the federal regulations required for commercial drivers' licenses. This regulation applies to all persons who are applying for or who are employed in positions with duties or activities that involve the requirement of a commercial drivers' license (CDL). The requirements contained in this regulation are under the authority of the Department of Transportation.

The Human Resource Department maintains a list of all CDL holders and oversees the drug and alcohol testing for CDL holders. For questions regarding this program contact Human Resources.

II. WHEN A CDL IS REQUIRED

A commercial driver's license is required for operation of City vehicles that drive on public roads and meet the following commercial motor vehicle definition:

A. Have a gross combination weight rating of 26,001 or more pounds inclusive of the towed unit with a gross vehicle weight rating of more than 10,000 pounds, DOT1; or

B. Have a gross vehicle weight rating of 26,001 or more pounds, DOT2; or

C. Is designed to transport 16 or more passengers, including the driver,DOT3; or

D. Is of any size and is used in the transportation of materials that are found to be hazardous for purposes of the Hazardous Materials Transportation Act and require the motor vehicle to be placarded under the Hazardous Material Regulations (49 CFR, Part 172, subpart F), DOT4.

There are two exceptions that may apply to the City of Boise:

A. Drivers of fire fighting or other emergency equipment used in response to emergencies involving the preservation of life or property are exempt from having to possess a commercial driver's license.

B. Also exempt are operators of a farm vehicle which is:

1. Controlled and operated by a farmer;
2. Used to transport either agricultural products, farm machinery, farm supplies, or both to or from a farm;
3. Not used in the operations of a common or contract motor carrier; and
4. Used within 150 miles of the farmer's farm.

III. APPLICANT REQUIREMENTS FOR CDL POSITIONS

Any person applying for employment as an operator of a commercial motor vehicle who possess a valid commercial driver's license prior to hire shall provide the following at the time of application for employment:

A. Employment history information for the 10 years preceding the date of the application.

B. List of the names and addresses of the applicant's previous employers for which the applicant was an operator of a commercial motor vehicle;

C. Dates the applicant was employed by these employers; and

D. Reason for leaving such employment.

All applicants who have been conditionally accepted for employment in positions that involve the duties or activities that require a commercial driver's license (CDL) shall take a post-offer Department of Transportation (DOT) test for illegal drugs. A verified negative test result shall be received before the applicant may begin work. This includes current employees who transfer, promote, demote or are reassigned from a non safety sensitive position into a position requiring a Commercial Driver's License (CDL).

The Idaho Transportation Department will be a central source of information regarding Commercial Driver License's (CDL) and interpreting rules as they pertain to commercial drivers license issues.

V. LAWS AFFECTING CDL DRIVERS

Commercial driver's license drivers are subject to all laws affecting all drivers. In addition, there are several federal and state laws that affect commercial driver's license drivers. The following are important regulations employees with commercial drivers licenses are responsible for:

A. An employee cannot have more than one driver's license and that license shall be issued from the State of Idaho.
B. It is the employee's responsibility to keep a current address on file with the Idaho Transportation Department (ITD).

C. Effective January 26, 2010, texting while operating a commercial vehicle is prohibited and may be subject to civil or criminal penalties.
D. A commercial driver's license holder shall notify the Idaho Transportation Department and the City of Boise within 30 days if he or she is convicted in any other state of any traffic violation except parking. This applies no matter what type of vehicle the driver is driving at the time of the infraction.
E. An employee shall immediately notify the City if his or her license is suspended, revoked, or cancelled, or if he or she is disqualified from driving.
F. No employee shall drive a commercial vehicle without a valid commercial driver's license.
G. If an employee's position requires a commercial driver's license and the employee's commercial drivers license is revoked, the employee's employment is subject to termination.
H. Ongoing medical certification exams are not required for drivers of local government entities who drive commercially only in Idaho.

VI. DRUG AND ALCOHOL TESTING REQUIRED FOR COMMERCIAL DRIVERS

The City of Boise is committed to safeguarding the health of employees and providing and supplying our customers with the highest quality service possible. Substance abuse at work or away from work can seriously endanger the safety of employees therefore the City has established a program to detect users and remove abusers of alcohol, drugs, or other controlled substances. The City of Boise is committed to preventing the use and/or presence of these substances in the workplace. The City also provides as an employee benefit an Employee Assistance Program that is designed to help employees deal with substance abuse and other problems that they and their families might encounter.

Omnibus Transportation Employee Testing Act of 1991 and Title 49, Parts 40 as amended and 382, Code of Federal Regulations require the City to conduct alcohol and controlled substances testing for employee's who operate commercial motor vehicles. Any employee whose job duties require a CDL and performs safety sensitive functions as defined in the following section shall be considered as being "covered" under the Department of Transportation's Alcohol and Drug Testing Requirements.

Any person who holds a CDL is considered to have consented to alcohol testing as is required by any State or jurisdiction in the enforcement of §§383.51(b)(2)(i) Consent is implied by driving a commercial motor vehicle. As the employer, the City of Boise, cannot require an employee to sign a consent, release, or waiver of liability with respect to any part of the drug and alcohol testing process § 40.27.

VII. TESTING PROCEDURES

Specimen collection, handling, and testing procedures are conducted according to the U.S. Department of Health and Human Services (HHS) guidelines. Covered personnel will be tested for the presence of alcohol, marijuana, cocaine, opiates, phencyclidine, amphetamines, heroin and MDMA (aka Ecstasy).

A. Alcohol Testing

The rules allow for screening tests to be conducted using saliva devices or breath testing using evidential breath testing (EBT) and non-evidential breath testing devices approved by the National Highway Traffic Safety Administration (NHTSA).

Two tests are required to determine if a person has a prohibited alcohol concentration. A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered a "negative" test. If the alcohol concentration is 0.02 or greater, a second confirmation test must be conducted. The driver and the individual conducting the confirmation breath test, called a breath alcohol technician (BAT), complete the alcohol testing form to ensure that the results are properly recorded. The confirmation test, if required, must be conducted using an EBT that prints out the results, date and time, a sequential test number, and the name and serial number of the EBT to ensure the reliability of the results. The confirmation test results determine any actions taken.

NOTE: The provisions of this regulation do not relieve an employee from requirements pursuant to other City policies on drugs and alcohol. For example, the City's Drug-Free Workplace Policy is more restrictive and prohibits breath alcohol level of .01 or more.

Testing procedures that ensure accuracy, reliability and confidentiality of test results include training and proficiency requirements for the screening test technicians (STT), breath alcohol technicians (BAT), quality assurance plans for the breath testing devices, including calibration requirements for a suitable test location, and protection of driver test records.

B. Drug Testing

Drug testing is conducted by analyzing a driver's urine specimen. The analysis is performed at laboratories certified and monitored by the Department of Health and Human Services (HHS). The driver provides a urine specimen in a location that affords privacy and the "collector" seals and labels the specimen, completes a chain of custody document, and prepares the specimen and accompanying paperwork for shipment to a drug-testing laboratory. The specimen collection procedures and chain of custody ensure that the specimen's security; proper identification and integrity are not compromised. The Omnibus Transportation Employee Testing Act of 1991 requires that drug testing procedures for commercial motor vehicle drivers include split specimen procedures. Each urine specimen is subdivided into two bottles labeled as a "primary" and a "split" specimen. Both bottles are sent to a laboratory. Only the primary specimen is opened and used for the urinalysis. The split specimen bottle remains sealed and is stored at the laboratory. If the analysis of the primary specimen confirms the presence of illegal, controlled substances, the driver has 72 hours to request the split specimen be sent to another HHS certified laboratory for analysis. This split specimen procedure essentially provides the driver with an opportunity for a second opinion.

The testing is a two-stage process. First, a screening test is performed. If it is positive for one or more of the drugs, then a confirmation test is performed for each identified drug using state-of-the-art gas chromatography/mass spectrometry (GC/MS) analysis. GC/MS confirmation ensures that over-the-counter medications or preparations are not reported as positive results.

All drug test results are reviewed and interpreted by a physician known as a Medical Review Officer (MRO)) before they are reported to the City. If the laboratory reports a positive result to the MRO, the MRO contacts the driver and conducts an interview to determine if there is an alternative medical explanation for the drugs found in the driver's urine specimen. If the driver provides appropriate documentation and the MRO determines that it is legitimate medical use of the prohibited drug, the drug test result is reported as negative to the City.

Federal law prohibits any unauthorized use of the controlled substances. Illicit use of drugs by drivers is prohibited on or off duty.

Department of Transportation (DOT) required drug and alcohol tests shall be separate from the non-DOT tests that are required by the City's Drug Free Workplace Policy and Regulation. Only tests that are specified as DOT regulated urine or breathe specimen tests comply with DOT regulations. Therefore, when sending an employee for a drug test the City shall clearly designate the test as a DOT test.

VIII. COVERED EMPLOYEES COMPLIANCE PERIODS

Compliance period for employees whose job duties require a CDL are while:

A. Operating a commercial motor vehicle. This includes, but is not limited to full time, regularly employed drivers; casual, intermittent or occasional drivers, and

B. Performing, is ready to perform, or immediately available to perform, including all time doing any of the following "safety sensitive" functions:

1. Waiting to be dispatched, unless relieved of duty;
2. Performing inspections or servicing the motor vehicle;
3. Driving the motor vehicle;
4. Loading or unloading the vehicle, supervising the loading or unloading, assisting in the loading and unloading, giving receipts for the load, or waiting to operate the motor vehicle just before or after loading or unloading;
5. Performing duties and services at an accident scene;
6. Remaining in readiness to operate the vehicle;
7. Repairing, obtaining assistance for or remaining in attendance by a disabled vehicle;
8. Being physically present anywhere on the motor vehicle except when resting off-duty in the motor vehicle's sleeper berth.

IX. COVERED EMPLOYEE PROHIBITIONS

Commercial motor vehicle drivers are expressly forbidden by federal regulations from the following actions:

A. Report for duty or remain on duty while having an alcohol concentration of 0.02 or greater.
B. Using alcohol while performing safety sensitive functions.
C. Possess or use alcohol while on duty. The possession of medicines containing alcohol (prescription or over-the-counter) is also prohibited unless the packaging seal is unbroken.
D. Perform safety sensitive functions within four (4) hours after using alcohol.
E. No supervisor with knowledge that a driver has used alcohol within four (4) hours shall permit a driver to perform or continue to perform safety-sensitive functions.
F. Consume alcohol when required to take a post-accident alcohol test under Federal Regulations for eight (8) hours following involvement in an accident, or until undergoing the post-accident test, whichever occurs first.
G. Refuse to submit to an alcohol or controlled substance test required under the regulations.
H. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, **except** when the use is pursuant to the instructions of a licensed medical practitioner, as defined in §382.107, who has advised the driver that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle. A supervisor may require a commercial driver to inform him/her of any such therapeutic drug use.
I. No supervisor having actual knowledge that a driver has used a controlled substance shall permit the driver to perform or continue to perform a safety-sensitive function.

NOTE: The provisions of this regulation do not relieve an employee from requirements pursuant to other City policies on drugs and alcohol. For example, the City's Drug-Free Workplace Policy is more restrictive and prohibits breath alcohol level of .01 or more**.**

X. REFUSAL TO SUBMIT TO REQUIRED TESTS

An employee will be considered to have refused to submit to a required alcohol or controlled substances test when the employee:

A. Refuses to test; or
B. Fails to report for a required test at the scheduled time, or
C. Fails to provide adequate breath for testing without a valid medical explanation after he or she has received notice of the requirement for breath testing, or
D. Fails to provide adequate urine for controlled substances testing without a valid and written medical explanation from a state licensed physician after he or she has received notice of the requirements for urine testing, or
E. Engages in conduct that clearly obstructs the testing process.

Covered employees, who refuse to take any required test(s), or who fail to report for a test when scheduled, fail to provide adequate breath or urine for testing, shall be prohibited from performing or continuing to perform safety sensitive functions and shall be subject to disciplinary action up to and including dismissal. In the case of applicants, the conditional offer of employment will be withdrawn.

XI. TYPES OF TESTS

A DOT alcohol and/or controlled substances test is required for covered employees under the following conditions:

A. Post Offer: Includes promotions, transfers etc.

Federal regulations require employers to test new drivers for controlled substances prior to allowing the drivers to perform a safety sensitive function for the first time. Employers may, but are not required to, conduct pre-employment alcohol testing. The City shall ensure DOT test procedures are used for pre-employment testing of CDL drivers.

Federal regulations state no employer shall allow a driver to perform a safety-sensitive function unless the result of the breath alcohol test indicates a breath alcohol level of less than 0.04 and has received a controlled substance test from the Medical Review Officer (MRO) indicating a verified negative result.

Additional Post Offer Employer Obligations

1. The City of Boise must ensure that no prior employer of the driver has records of a violation of controlled substances within the previous 6 months.

2. The federal regulation requires employers conduct background checks of applicants. As a result, an employee is required to give the City written consent to contact his or her former employer(s). If the employee refuses to provide consent, the conditional offer of employment will be withdrawn.

3. In conjunction with the background check, the City must obtain the following information from a prior DOT regulated employer, for the three (3) year period prior to the date of the employee's application:

    a. Alcohol tests with results higher than 0.04;
    b. Verified drug test results;
    c. Refusals to be tested, including adulterated results;
    d. Other violations of drug and alcohol testing results;
    e. For any employee who violated a drug and alcohol regulation, documentation of the employee's successful completion of return to duty requirements; and
    f. Information from prior employers.

4. If possible, this information will be obtained and reviewed prior to an employee performing any safety sensitive duties. If this is not

feasible, the City must obtain and review the information as soon as possible. However, supervisors must not permit the employee to perform safety-sensitive functions after 30 days from the date on which the employee first performed safety-sensitive functions, unless the City has obtained or made and documented a good faith effort to obtain this information. All released information shall be kept confidential. Prior employers receiving such requests must comply. If any violations appear, the City may not employ the employee unless the former employer or employee can document successful completion of the return to duty process.

City employees, who are promoted, demoted or transferred into a position that has job duties that require a CDL and the performance of safety sensitive functions, are considered to be given a conditional offer of employment until a controlled substance test is completed and negative test results are received. Negative test results shall be received before employment is confirmed and the employee is allowed to perform any safety sensitive functions. Employees who test positive will not be allowed to fill the safety-sensitive position.

B. Random Test

To ensure that each covered employee has an equal chance of being selected for random testing, a computer generated selection process is used. The annual number of random tests will be determined by the Department of Transportation. Effective January 1, 2016, mployees, who are subject to alcohol and controlled substances testing by more than one employer, shall be subject to random testing at the minimum percentage of the employer that regulates more than fifty percent (25%) of the driver's function.

All random tests will be unannounced and occur throughout the calendar year. Some drivers may be tested more than once each year; some may not be tested at all depending on the random selection. **An employee shall be tested for alcohol only just before, while performing or just after ceasing to perform safety-sensitive functions.** Employees performing safety-sensitive functions at the time of notification shall cease to perform the safety-sensitive function and proceed to the test as soon as possible. Supervisors are responsible to ensure DOT test procedures are used for random testing of CDL drivers.

C. Reasonable Suspicion Test

A supervisor can require an alcohol and/or controlled substances test of a covered employee when the supervisor has reasonable suspicion that the covered employee is alcohol and/or drug impaired while on duty. Evidence that may provide reasonable suspicion include current, specific observations concerning the appearance, behavior, speech or body odors of the DOT regulated employee.

Whenever there is reasonable suspicion that a covered employee is under the influence or using controlled substances or alcohol, then the employee shall be transported to a collection/test site for an alcohol and/or controlled

substances test. The covered employee will not be allowed to perform safety sensitive functions until the results of the test are known.

Supervisors may not compel a DOT test on the mere possession of alcohol. Authorization for DOT alcohol testing shall be made during, just preceding, or just after the period of the workday that includes safety sensitive functions. A written record shall be made of the observations leading to the alcohol test, and signed by the supervisor who made the observations. If an alcohol test is not administered within two (2) hours following the reasonable suspicion determination, the supervisor shall prepare a written record stating the reasons the alcohol test was not promptly administered. If the alcohol test has not been administered within eight (8) hours, the supervisor shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test. The record shall be sent to Human Resources to be placed in the employee's CDL file. Copies are not maintained by the supervisor or the Department.

D. Post Accident Test

As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, the City shall test for **alcohol** for each of its surviving drivers:

1. Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; OR
2. Who receives a citation within 8 hours of the occurrence under State or local law for a moving traffic violation arising from the accident, and if the accident involved:

    a) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
    b) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, the City shall test for **controlled substances** for each of its surviving driver(s):

1. Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; OR
2. Who receives a citation within thirty-two hours of the occurrence under State or local law for a moving traffic violation arising from the accident, and if the accident involved:

    a) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or

b) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

The driver subject to post-accident testing shall remain available for such testing, or the City may consider the driver to have refused to submit for testing. The driver subject to post-accident testing shall refrain from consuming alcohol for eight (8) hours following the accident, or until he/she submits to an alcohol test, whichever comes first.

The tests shall be administered within the first two (2) hours, whenever possible, and no later than eight (8) hours for alcohol, and not later than thirty-two (32) hours for controlled substances. If the alcohol test is not administered within two (2) hours following the accident, the supervisor shall prepare a written record stating the reasons the tests were not promptly administered. If no tests were administered within the maximum time limits, the supervisor shall cease attempts to administer the tests and shall record the reasons for not administering the test(s). The record shall be sent to Human Resources to be placed in the employee's CDL file.

Under certain circumstances, post-accident tests conducted by law enforcement personnel will be acceptable. Any individual conducting the test must be trained to operate the EBT and be proficient in the breath testing procedures.

If a driver is seriously injured and cannot submit to testing at the time of the accident, the driver shall provide the necessary authorization for obtaining hospital reports and other documents that may indicate whether there were any drugs or alcohol used by the driver prior to the accident.

E. Return to Duty Test and Follow-up Test

The City's non-DOT Drug Free Workplace Regulation requires employees who test positive for illegal drugs be terminated. If a covered employee is retained after a positive alcohol test, a negative return to duty test is required. Confirmation of or continuing participation in an alcohol or drug rehabilitation program as recommended by a substance abuse professional (SAP), is also required of an employee returning to duty.

Once an employee has been identified as having a problem and has returned to work, the City is required to conduct follow-up testing as recommended by the substance abuse professional. A minimum of six (6) unannounced tests is required in the first 12 months following return to duty. After an employee returns to work, a single positive test result or failure to successfully complete the recommended rehabilitation program will be grounds for disciplinary action up to and including termination.

For alcohol, the DOT follow-up test may only be given when the driver is performing a safety sensitive function, or just before or just after performing a safety sensitive function.

The substance abuse professional can modify an employee's required follow-up tests once the employee has completed at least six (6) follow-up tests in the first 12 months of returning to duty. An employee may not be subjected to follow-up testing for more than 60 months following the date of the driver's return to duty. All requirements of follow-up testing go with drivers to subsequent employers and endure any break in employment.

XII. DISCIPLINARY ACTIONS

When a driver has engaged in prohibited conduct regarding alcohol and/or controlled substance misuse, the City is required by federal regulations to advise the employee of the resources available to evaluate and resolve drug and/or alcohol problems. The City shall provide names, addresses and telephone numbers of substance abuse professionals, counseling and treatment programs, but is under no obligation to retain the employee. The decision to retain the employee is governed by the City. Terminated employees shall also be provided with a referral to allow them the opportunity to receive counseling on their own.

Whenever the City is notified by the Medical Review Officer that a covered employee has tested positive for an illegal drug, the employee will be terminated.

Whenever the City is notified that a covered employee has tested positive for alcohol, the employee, if retained, will be required to take a return to duty test. If the return to duty test is negative, the covered employee may return to the job originally assigned or another similar job as deemed appropriate by the City.

A covered employee who is returned to duty after a negative Return to Duty alcohol test is required to:

A. Follow and complete the required rehabilitation program recommended by a substance abuse professional and all provisions in the Return to Duty Agreement. Failure to comply with the provisions in the Return to Duty Agreement shall result in disciplinary action up to and including dismissal.
B. Submit to follow-up testing as recommended by a substance abuse professional with a minimum of six (6) tests for a twelve (12) month period and additional follow-up tests for up to five (5) years thereafter as directed by the substance abuse professional.

If a covered employee tests positive for a City required test a second time after the employee has had a positive alcohol test, while employed with the City of Boise, the covered employee shall be terminated.

A covered employee whose alcohol breath test shows an alcohol concentration of 0.02 or greater, but less than 0.04, shall be removed from the work site and may not return for at least 24 hours and shall have a negative test before returning to work. Employees will only be entitled to pay for hours worked and are subject to disciplinary action up to and including dismissal.

The City may initiate action to dismiss an employee for:

A. Refusing to obtain counseling or rehabilitation through EAP or state licensed facility; and/or

B. Not refraining from misuse of alcohol after a first finding of such use.

XIII. SAFE HARBOR REFERRAL

The City will not initiate disciplinary action against any employee who meets all three of the following conditions:

A. Voluntarily identifies him/herself to Human Resources as a user of alcohol and/or illegal drugs, as they apply to this regulation, prior to being identified through other means, or prior to being asked to provide a urine and/or breath sample for testing;
B. Obtains evaluation, counseling or rehabilitation through an EAP; and
C. Thereafter refrains from using illegal drugs or misusing alcohol.

This provision is not intended to allow an employee to evade disciplinary action. The key to this provision's rehabilitative effectiveness is an employee's willingness to admit their problem. Since the key to this provision's rehabilitative effectiveness is an employee's willingness to admit their problem, this provision is not available to an employee who requests protection under this provision after:

A. Being identified through other means; or
B. Being asked to provide a urine sample for testing; or
C. Having had a verified positive test result for alcohol and/or illegal drugs pursuant to this regulation.

XIV. CONFIDENTIALITY

All information obtained in the course of testing of drivers shall be protected as confidential medical information. Except as required by law or expressly authorized or required in 49 CFR 382.405, no information that is to be maintained pursuant to 49 CFR 382.401 shall be released. Only authorized individuals who have a need for the information in the performance of their duties will be allowed access to this information

XV. RECORDS RETENTION

The following records shall be maintained by the City of Boise or the City's Drug Testing Services provider for a minimum of five (5) years:

A. Records of driver alcohol test results indicating an alcohol concentration of 0.02 or greater,
B. Records of driver verified positive controlled substances test results,
C. Documentation of refusals to take required alcohol and/or controlled substances tests,
D. Driver evaluation and referrals,
E. Calibration documentation,
F. Records related to the administration of the alcohol and controlled substances testing programs, and
G. A copy of each annual calendar year summary required by §382.403

Records that must be retained for two (2) years are records related to the alcohol and controlled substances collection process except calibration of evidential breath testing devices.

Records that must be retained for one (1) year are records of negative and canceled controlled substances test results as defined in part 40 and alcohol test results with a concentration of less than 0.02 shall be maintained for a minimum of one year.

Indefinite period: Records that must be retained for an indefinite period are records related to the education and training of breath alcohol technicians, screening test technicians, supervisors, and drivers shall be maintained by the employer while the individual performs the functions which require the training and for two years after ceasing to perform those functions.

Document Type:	Exhibit
Number:	4.10b
Effective:	01-22-10
Revised:	
Legal Ref:	49 U.S.C. § 2717 49 C.F.R. Part 40, as amended, 49 C.F.R. Parts 382, 383, 395, & 49 C.F.R. Part 171, 172

COMMERCIAL DRIVERS (CDL) SUBSTANCE ABUSE INFORMATION

Substance Abuse is widespread problem in our society. Alcoholism and other drug addiction affect the user's health, behavior, and life. Employees who misuse alcohol and drugs bring their problems to work with them. The sudden appearance of unusual behavior may be a sign of an alcohol or other drug problem**.** Signs of substance abuse include increased absenteeism, increased discipline issues, decreased productivity, relationship problems, financial problems, and decline in personal appearance.

The following are signs and symptoms of substance abuse:

Alcohol
Odor on breath, slurred speech, poor balance or coordination, bloodshot eyes, Blackout, slowed reaction, constricted watery eyes

Cocaine and Amphetamine
Restless, anxious, talkative, red nasal area, runny nose, dilated pupils, teeth grinding, tremors, exaggerated reflexes

Marijuana
Bloodshot eyes, odor, relaxed inhibitions, tremors, difficulty dividing attention

PCP
Blank stare, muscle rigidity, violent/combative, perspiring, confused, repetitive speech

Opiates
Droopy eyelids, on the nod, depressed reflexes, facial itching, dry mouth, slow raspy speech, constricted pupils

If an employee shows signs of alcohol or drug abuse, the best way to help a user face an alcohol or other drug problem is to make sure not to ignore or cover up behaviors or mistakes that result from the abuse or addiction. Don't let a drug-using employee or coworker put your health, safety, or job in danger. If an employee asks for help, refer him or her to the Employee Assistance Program provider for assistance and contact Human Resources. When confronting an employee who you suspect may be abusing drugs or alcohol a supervisor should:

Talk to the person in private.
Be calm and objective; don't preach or blame.
Express concern for the person's health and well-being and everyone's safety.
Focus on the problem, not the person.
Address the employee with known facts, not assumptions

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Number:	4.10c
Effective:	11-01-09
Revised:	01-22-10
Legal Ref:	

COMMERCIAL DRIVER (CDL) REASONABLE SUSPICION WORKSHEET

Supervisors can use this form to record observations of physical, behavioral, and work performance indicators of a possible drug or alcohol abuse problem. If possible, another supervisor should confirm the reasonable suspicion.

Name of Employee Observed: _____
Date & Time of Observation: _____
Location of Observation: _____

PHYSICAL INDICATORS (Check all that apply)

____Dilated Pupils	____Burns on hands	____Bloodshot eyes
____Tremors	____Needle marks on arms	____Breath odor
____Bruises	____Constant runny nose	____Constant itching

Other (describe):_____

BEHAVIORAL INDICATORS (Check all that apply)

____Emotionally unstable	____Nervousness	____Irritability	____Sleepy
____Unusually talkative	____Paranoid	____Withdrawn	____Confused
_____Slurred Speech	Other (describe):_____		

WORK PERFORMANCE INDICATORS (Check all that apply)

_____Leaving without permission	_____Excessive tardiness
_____Consistent long lunch breaks	_____Frequent trips to restroom
_____Repeated mistakes	_____Accident-prone
_____Complaints from coworkers	

Other observed behavioral indicators: _____

SUPERVISOR INFORMATION

Name: _____ Title:_____

Signature: _____ Date: _____

CONFIRMING SUPERVISOR INFORMATION (if available)

Name: _____ Title:_____

Signature: _____ Date: _____

Document Type:	Exhibit
Number:	4.10d
Effective:	01-02-13
Revised:	10-14-16
Legal References:	

DOT POST-ACCIDENT TEST REQUEST

Employee is to complete this form and provide it to the collection site along with a photo ID.

The City of Boise is requesting a **DOT Post-Accident Breath Alcohol Test** AND **DOT Post-Accident Drug Screen** for:

Employee Name: _____

Employee ID# / SSN: _____

Today's Date & Time: _____

Important Information for Supervisors:

For after-hours testing please call **208-870-9174.**

Post-accident DOT Alcohol test shall be administered within 2 hours (and no later than 8 hours) and **Post-accident DOT Drug** test shall be administered within 32 hours when:

1. The accident involves loss of human life; or
2. The driver is cited for a moving violation in which the following applies:
    a. Bodily injury to any person, requiring immediate treatment away from the scene of the accident; or
    b. One or more vehicles are required to be towed from the scene of the accident.

[Police personnel involved in critical incidents shall follow applicable department rules for testing.]

****

Information for Collection Site:

Contacts:	City of Boise: Rudy Gloria	(P) 208-972-8096	(F) 208-384-3868
	Wienhoff Drug Testing Services, Inc.	(P) 208-376-5600	(F) 208-376-5665

Laboratory Information
Quest Diagnostics
10101 Renner Blvd
Lenexa, KS 66219
P: 800-877-7484
Account Number: 10580870

MRO Information
Dr. Fernando Proano, MD
Proano Associates, Inc.
15500 1st Ave S. Ste. 106
Burien, WA 98148
P: 503-400-6660

Document Type:	Exhibit
Number:	4.10e
Effective:	01-02-13
Revised:	10-14-16
Legal References:	

DOT REASONABLE SUSPICION TEST REQUEST

Supervisors: Please complete this form and provide it to the collection site.

The City of Boise is requesting the following test(s)**:**

O **DOT Reasonable Suspicion Breath Alcohol Test**

O **DOT Reasonable Suspicion Drug Screen**

Note: Only check both boxes if alcohol AND drug impairment are suspected.

The test(s) is to be administered to:

Employee Name:_____

Employee ID#/SSN:_____

Today's Date & Time:_____

Important Information for Supervisors:

For after-hours testing please call **208-870-9174**.

Within 24 hours of the test, the supervisor shall complete a reasonable suspicion form [See Drug-Free Workplace Policy Exhibit 4.20d] identifying the signs which formed the basis to warrant the testing, and forward the completed form to Human Resources.

Information for Collection Site:

Contacts:	City of Boise: Rudy Gloria	(P) 208-972-8096	(F) 208-384-3868
	Wienhoff Drug Testing Services, Inc.	(P) 208-376-5600	(F) 208-376-5665

Laboratory Information
Quest Diagnostics
10101 Renner Blvd
Lenexa, KS 66219
P: 800-877-7484
Account Number: 10580870

MRO Information
Dr. Fernando Proano, MD
Proano Associates, Inc.
15500 1st Ave S. Ste. 106
Burien, WA 98148
P: 503-400-6660

Document Type:	Policy
Number:	4.15
Effective:	05-01-06
Revised:	
Legal References:	

DATING IN THE WORKPLACE

The City of Boise adopted this policy in recognition of its responsibility to provide guidelines on romantic and sexual relationships between employees and to caution employees about the potential problems posed by such relationships.

The City strictly prohibits a supervisor from dating or engaging in a romantic or sexual relationship with an employee that he or she supervises. If this occurs, the supervisor shall disclose the relationship to the Department Director or to the next highest individual in the supervisory chain of command if the supervisor is a Department Director. The Department Director or higher official shall assess the situation and resolve any actual or potential conflict of interest or impropriety created by the relationship and to ensure that the supervisor is prohibited from having any involvement in professional decision-making affecting the non-supervisory employee. The resolution can require one of the involved employees to transfer to an open position, or if a transfer is not consistent with the City's interests, the involved parties shall decide which individual will resign.

Romantic or sexual relationships between other employees shall not create conflicts of interest or discord or distractions that interfere with other employees' productivity.

Failure to comply with this policy may result in discipline, up to and including termination.

Document Type:	Policy
Number:	4.20
Effective:	05-01-06
Revised:	
Legal References:	49 U.S.C. § 2717 49 C.F.R. Parts 40, 382, 395 42 C.F.R. Part 2

DRUG-FREE WORKPLACE

The City of Boise is committed to having a drug and alcohol free work environment. Therefore, the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance or impairment by over-the-counter prescription drugs or alcohol is strictly prohibited in all City facilities, on all City property, in any City-owned vehicle, and at any City approved activity, unless authorized under the City's Drug-Free Workplace regulation. As a condition of employment, all employees must abide by this prohibition.

Document Type:	Regulation
Number:	4.20a
Effective:	05-01-06
Revised:	11-22-06 10-01-07 09-05-08 07-13-09 01-22-10 04-13-10
Legal References:	49 U.S.C. § 2717 49 C.F.R. Parts 40, 382, 395 42 C.F.R. Part 2

DRUG-FREE WORKPLACE

I. INTRODUCTION

The purpose of this regulation is to provide a drug and alcohol free workplace for the protection and well-being of the City, its employees, property, equipment, operations, and the public it serves. Employees are expected to report to work drug and alcohol free in order to enable safe and efficient job performance. Employees are expected to engage in activities while on-the-job, while on City premises, or in the scope and course of employment, which are appropriate for the work environment and do not compromise the City's integrity or interest in maintaining a safe, secure and drug and alcohol free workplace.

Employees being treated with a drug or controlled substance that might adversely affect their ability to perform their essential job duties shall provide a written statement from their doctor regarding their ability to safely and effectively perform these duties. Employees are not required to divulge what drug or controlled substance they are being treated with or the medical condition necessitating the need for treatment, unless the City requests this information in accordance with applicable laws.

II. SUBSTANCES TESTED

The City will test for the following substances:

A. Alcohol;
B. Marijuana;
C. Cocaine;
D. Amphétamines;
E. Opiates; and
F. Phencyclidine (PCP).

III. ALCOHOL USE

Employees are prohibited from consuming alcohol while working or while on-call. Employees are also prohibited from reporting to work under the influence of alcohol. This regulation includes unanticipated call-in situations. If an employee cannot meet

this requirement, it is his or her responsibility to tell their supervisor, or person initiating the call-in, that they cannot report to work.

Alcohol is a legal substance therefore it is not the intention of this regulation to prohibit employees from consuming alcohol when not on duty, or while participating in activities or events at City facilities while not on duty, or during the course and scope of employment when the employee's performance of duties has concluded for the day. Listed below are examples of situations in which the responsible use of alcohol by employees during the course and scope of City business may be acceptable. However, employees are expected to seek prior direction from their Department Director regarding the appropriateness of consuming alcohol in these situations.

A. While attending seminar or conference function where alcohol is being served.
B. While traveling on business, provided all work duties for the day have been completed.

Although alcohol use may be permitted under limited circumstances, employees are expected to use good judgment and behave in a professional and respectable manner while in the course and scope of City business. Misuse of alcohol under these circumstances is a violation of this regulation and may result in disciplinary action up to and including termination. Employees are required to abide by all terms of the vehicle usage regulation.

IV. RESERVATIONS

This Drug-Free Workplace regulation is not intended to replace or supersede testing, reporting, and procedures mandated by applicable laws.

Employees who are enrolled and are participating in, or have completed a supervised rehabilitation program and are no longer engaging in the use of illegal drugs or substances shall be protected from discrimination and harassment through the Americans with Disabilities Act of 1990.

This regulation is intended to carry out the City's non-DOT Drug-Free Workplace Policy. All situations will be handled in accordance with these regulations and in consultation with representatives of Human Resources. Situations not specified by policy or these regulations will be referred to and reviewed by Human Resources in consultation with the employee's Department Director or designee.

Separate provisions for commercial drivers as required by the Department of Transportation (DOT) are provided in the Commercial Drivers regulation.

V. EMPLOYEE ASSISTANCE PROGRAM

Any employee needing help in dealing with problems is encouraged to use the City's Employee Assistance Program (EAP) and the benefits available through the City's medical plan. Additional information regarding the City's Employee Assistance Program is available in the Employee Assistance Program regulation.

The City EAP plays an important role in preventing and resolving employee alcohol and illegal drug use by:

A. Providing confidential counseling and assistance to employees and their qualifying family members who self-refer for treatment or whose alcohol tests have been verified positive, and monitoring the employee's progress through treatment and rehabilitation;
B. Providing educational materials and training to supervisors and employees on alcohol and drug use issues;
C. Ensuring the confidentiality of test results and related medical treatment and rehabilitation records which they maintain.

The EAP will not be involved in the collection of test samples or the initial reporting of test results.

VI. SAFE HARBOR REFERRAL

A fundamental purpose of the City's Drug-Free Workplace Policy is to assist employees who themselves are seeking treatment for alcohol or illegal drug use. For this reason, the City will not initiate disciplinary action against any employee regarding the disclosure of his or her drug or alcohol related problem who meets all three of the following conditions:

A. Voluntarily identifies him/herself to Human Resources as a user of alcohol and/or illegal drugs, as they apply to this regulation, prior to being identified through other means, or prior to being asked to provide a urine and/or breath sample for testing;
B. Obtains evaluation, counseling or rehabilitation from an approved facility; and
C. Thereafter refrains from using illegal drugs or misusing prescription drugs and/or alcohol.

This provision is not intended to allow an employee to evade disciplinary action. The key to this provision's rehabilitative effectiveness is an employee's willingness to admit their problem. Since the key to this provision's rehabilitative effectiveness is an employee's willingness to admit their problem, this provision is not available to an employee who requests protection under this provision after:

A. Being identified through other means; or
B. Being asked to provide a urine sample for testing; or
C. Having had a verified positive test result for alcohol and/or illegal drugs pursuant to this regulation.

Drug or alcohol related incidents that are subject to discipline and occurred prior to seeking Safe Harbor are not covered by Safe Harbor protections. An employee who requests Safe Harbor will be required to sign an agreement outlining his or her obligations under Safe Harbor.

VII. NEW EMPLOYEE NOTIFICATION

Applicants for safety sensitive positions will be informed about the City's drug testing program on the vacancy announcement for each applicable position. During the screening process applicants will be notified of the testing requirements for particular positions and that appointment to the position is contingent upon a negative post-offer drug test. Upon hiring, new employees will receive an electronic copy of the policy in the Employee Policy Handbook containing this regulation.

VIII. SAFETY SENSITIVE POSITIONS

For purposes of this regulation, a sensitive position will be defined as a position in which the duties performed as a regular part of the job could reasonably expect to affect health, safety, and security of citizens.

Sensitive positions are those in which the responsibilities of the position require employees to:

A. Qualify and maintain qualification standards to carry firearms, CODE1;
B. Perform emergency medical, lifesaving, and/or fire suppression activities, CODE2;
C. Supervise employees during the performance of critical incident functions which require employees to qualify to carry firearms, perform emergency medical, lifesaving and/or fire suppression activities, CODE3;
D. Operate, maintain or inspect emergency vehicles, heavy equipment, or vehicles having a gross combination weight rating of 26,001 or more pounds and/or life saving equipment used for emergency services, CODE4;
E. Obtain a national security clearance as a condition of employment, CODE5;
F. Exercise custodial responsibility for illegal drugs or precursors, CODE6;
G. When the responsibilities of the position require the person to work with minors or individuals with disabilities, CODE7; and
H. Handle hazardous materials that if mishandled, place the general public at risk of serious injury, CODE8.

These positions are characterized by critical safety or security responsibilities as related to the mission of the City. The job functions associated with these positions directly and immediately relate to public health and safety, the protection of life, and law enforcement.

IX. TYPES OF TESTING

A. Post-Offer Applicant Testing

Persons applying for safety sensitive positions who are given a conditional offer of employment will be subject to testing for illegal drugs.

Vacancy announcements for safety sensitive positions shall contain a statement informing all applicants that the successful candidate will be given a conditional offer of employment for the position and will be required to submit to screening for illegal drug use prior to hire. Failure of the vacancy announcement to contain this statement notice will not preclude applicant testing if advance written notice is provided applicants in some other manner. In addition, each applicant will be notified that appointment to the safety sensitive position will be contingent upon a negative drug test result.

Individuals must submit to drug testing at a City approved facility within 24 hours of being sent for testing or as directed by Human Resources. No applicant shall begin work until Human Resources notifies the supervisor that the individual is cleared for work. Applicants shall be deemed ineligible for employment if they:

1. Fail to report for a test in a timely manner;

2. Refuse to take a test;
3. Tamper with a test specimen;
4. Receive a positive test result; or
5. Fail to provide adequate specimen volume without a verified medical explanation.

Applicants who are deemed ineligible for employment under any of these circumstances may be disqualified for future City employment.

The applicant shall be informed of a positive screening result by a Medical Review Officer. Because of the contingent nature of the offer, a positive screening result or other ineligibility will automatically revoke the offer of employment.

Safety sensitive employees, including seasonal and temporary, returning to work for the City within 90 days of active paid employment with the City are not required to undergo a post-offer applicant drug test.

B. Reasonable Suspicion Testing

Both safety sensitive and non-safety sensitive employees will be tested for alcohol and/or illegal drugs when there is reasonable suspicion of on-duty use or impairment.

Reasonable suspicion testing may be based upon, among other things: 1) observable phenomena, including but not limited to direct observation of drug or alcohol use or possession and/or the physical symptoms of being under the influence of a drug or alcohol; 2) a pattern of abnormal conduct or erratic behavior; 3) arrest or conviction for a drug or alcohol-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use or trafficking; 4) information provided by reliable and credible sources or which is independently corroborated; or 5) newly discovered evidence that the employee has tampered with a previous alcohol or drug test. Although reasonable suspicion testing does not require certainty, mere hunches alone are not sufficient to meet the standard for a test.

If an employee is suspected of using alcohol or illegal drugs pursuant to this regulation, the appropriate supervisor will gather all information, facts, and circumstances leading to and supporting this suspicion and present them for higher level concurrence. Concurrence may be from a Department Director, Division Manager, or representative from Human Resources.

The employee shall not be allowed to operate a vehicle or perform sensitive duties until the circumstances are evaluated and the supervisor receives higher concurrence. Employees who are subject to reasonable suspicion testing shall at the City's expense be transported to and from the collection facility by cab or any other similar means of transportation.

The appropriate supervisor will, within 24 hours, complete a reasonable suspicion form (see exhibit 4.20b) identifying the signs which formed the basis to warrant the testing and forward the form to Human Resources.

C. Post-Accident Testing

The City of Boise is committed to providing a safe and secure work environment. Employees involved in on-the-job accidents or who engage in unsafe on-duty job-related activities that pose a danger to themselves or others or the overall operation of the City, may be subject to testing. Based on the circumstances of the accident or unsafe act, the Department Director or designee may initiate testing when such circumstances involve:

1. Death; or
2. Serious personal injury requiring immediate emergency room or urgent care center treatment; or
3. Damage to government or private property estimated in excess of $5,000.

All Boise Police personnel, including civilians, involved in a critical incident shall abide by applicable department rules.

An employee subject to post-accident testing shall remain available for such testing, or the City may consider the employee to have refused to submit for testing. An employee subject to post accident testing shall not consume alcohol or drugs, either legal or illegal prior to the testing. Exceptions may be made for prescribed maintenance medications and/or medications administered to treat an injury related to the accident.

If a post accident test is not administered within two (2) hours of the occurrence, the supervisor shall document the reason(s) why it was not promptly administered. If more than eight (8) hours pass, then no alcohol test shall be administered and/or if more than thirty-two (32) hours pass, no drug test shall be administered.

D. Random Testing

Random testing for alcohol and/or illegal drugs will be conducted on employees whose positions are designated as safety sensitive as defined in this regulation.

Random tests will be unannounced and occur throughout the calendar year. The random selections will be conducted by the designated drug testing contractor using a lottery system and Human Resources will notify the individual's supervisor or designee and provide the name of the individual selected for random testing. The employee shall not be given advance notice of the scheduled testing. Upon notification by the supervisor, employees shall proceed immediately to the testing site.

To ensure that all employees in sensitive positions that have been designated for testing have an equal chance of being randomly tested, a scientifically valid random process is used by the testing contractor. The annual number of random tests will be no more than ten percent (10%) of the average number of employees subject to random testing for alcohol and illegal drugs.

E. Return to Duty and Follow-up Testing

After a verified positive test result for alcohol, employees shall have a negative test result before returning to work. All employees referred through

administrative channels that undergo counseling or rehabilitation program for alcohol through the EAP will be subject to unannounced alcohol testing by the City of Boise from the time they return to work for a period of at least one year following completion of such a program. Such employees shall be tested at the frequency recommended by the EAP. Such testing is distinct from testing which may be imposed as a component of a rehabilitation program.

Confirmation of or continuing participation in an alcohol rehabilitation program, as recommended by EAP, is required of an employee returning to duty. The EAP will notify Human Resources when an employee has completed a rehabilitation program. After an employee returns to work, a single positive test result for alcohol or illegal drugs or failure to successfully complete the recommended rehabilitation program will be grounds for disciplinary action up to and including termination.

X. TEST PROCEDURES

The City's alcohol and drug testing program services shall be provided by a designated contractor and a designated collection site with collection personnel trained in accordance with U.S. Department of Health and Human Services (HHS) standards and analyzed by an independent HHS certified lab. The personnel involved in testing and processing results are not employees of the City.

A. Procedures for Alcohol Testing

An initial test for the presence of alcohol will be conducted using an EBT as approved by the National Highway Traffic Safety Administration (NHTSA). If the result of the first/screening EBT is an alcohol concentration of .01 or greater, a confirmatory test shall be conducted.

The confirmatory test may be conducted on the same EBT as the initial test. Before the confirmatory test is given, the employee will, as instructed by the BAT, wait a minimum of 15 minutes and not eat, drink, belch or put any object or substance into their mouth during that time.

B. Procedures for Drug Testing

Any individual subject to testing for illegal drugs under this plan shall be permitted to provide urine specimens in private and in a restroom stall or similar enclosure so that the employee is not observed while providing the sample. Collection site personnel of the same gender as the individual tested, however, may observe the individual provide the urine specimen when such personnel have reason to believe the individual may alter or substitute the specimen to be provided. Collection site personnel may have reason to believe that a particular individual has or may alter or substitute the specimen when the individual has previously been found by the City to be an illegal drug user; or has previously tampered with a sample; or facts and circumstances suggest that the individual is an illegal drug user; or is under the influence of drugs at the time of the test; or has equipment or implements capable of tampering with or altering urine samples.

If the temperature of the specimen is outside the range of 32-38 degrees C / 90-100 degrees F or shows signs of contaminants, then there is reason to

believe the donor may have altered or substituted the specimen and another specimen shall be collected for testing under the direct observation of a representative from the collection facility.

Samples testing positive for illegal drugs will undergo further testing to identify the specific type of drug(s) in the specimen in accordance with HHS requirements. The cutoff levels used by the City's HHS certified lab may change and will be published in the Code of Federal Regulations and Federal Register. The applicant or employee will be contacted by the Medical Review Officer (MRO) and have the opportunity to provide an explanation of a positive result to the MRO. The MRO may choose to conduct employee medical interviews, review employee medical history, or review any other relevant biomedical factors. The MRO shall review all medical records made available by the tested employee when a verified positive test could have resulted from legally prescribed medication or some other legal substance.

Individuals will be afforded the opportunity to submit medical documentation of lawful use of an otherwise illegal drug. Evidence to justify a positive result may include, but is not limited to: 1) a valid prescription; or 2) a verification from the individual's physician verifying a valid prescription. If the MRO determines there is not justification for the positive result, such result will then be considered a verified positive test result.

The Medical Review Officer shall refer written determinations regarding all verified positive test results to Human Resources and/or the appropriate management official of a positive result when the MRO is convinced a verified positive result has been determined.

Once notified of a verified positive test result for illegal drugs, employees may within 72 hours of notification, at their own expense, request the confirmation specimen be tested by another HHS certified lab. If the MRO certifies that the second drug test is negative, an employee will be reimbursed for the cost incurred including any lost compensation.

C. Test Refusal

Employees will be considered to have refused testing if they:

1. Refuse to test; or
2. Fail to report for a required test at the scheduled time; or
3. Engage in conduct that clearly obstructs the testing process; or
4. Tamper with the test;
5. Fail to provide adequate breath or specimen volume without a verified medical explanation.

Employees who refuse to be tested, as described in the test procedures, when so required, shall be subject to the full range of disciplinary consequences up to and including termination. Attempts to alter or substitute the specimen provided will be deemed a refusal to take the test when required.

D. Deferral of Testing

An employee selected for random drug and alcohol testing may obtain a deferral of testing if Human Resources concurs that a compelling need necessitates a deferral on the grounds that the employee is:

1. In a leave status (sick, annual, compensatory, administrative or leave without pay); or
2. In official travel status away from the test site or about to embark on official travel scheduled prior to testing notification.

An employee whose random drug and alcohol test is deferred will be subject to an unannounced test within the following 60 days.

XI. FINDINGS AND ADMINISTRATIVE ACTION:

An employee may be found in violation of this regulation on the basis of any appropriate evidence including, but not limited to: 1) direct observation of prohibited alcohol use or illegal drug use including misuse of prescription medication; or 2) evidence obtained from an arrest or criminal conviction that is related to the workplace, or affects the employee's ability to perform job duties; or 3) a verified positive test result; or 4) an employee's voluntary admission, unless the employee is meeting the requirements as outlined under the Safe Harbor Referral; or 5) test refusal.

A. Mandatory Administrative Action

Administrative action is not required for an employee who voluntarily admits to alcohol use in violation of this regulation or illegal drug use through the safe harbor provision of this regulation, and obtains counseling or rehabilitation and thereafter refrains from using illegal drugs and using alcohol in violation of this regulation. The safe harbor provision is not intended to allow an employee to evade disciplinary action.

Any employee receiving a verified positive test for illegal drugs, including misuse of prescription medication, shall be terminated.

When an employee is found to be in violation of the alcohol provisions of this regulation, mandatory administrative action will result, such as referral to EAP and disciplinary action, including the full range of consequences, up to and including termination. The severity of the action chosen will depend on the circumstances of each case. The facts and circumstances leading to a reasonable suspicion test will be taken into account in determining disciplinary consequences.

Any rehabilitation recommended will be a condition of continued employment and the cost of rehabilitation will be the responsibility of the employee. The employee remains responsible for successful completion of a treatment program, and assertions regarding the effectiveness of a program shall not constitute either an excuse for continuing to misuse alcohol or a defense to disciplinary action if the employee does not complete treatment.

The City may initiate action to dismiss an employee for 1) refusing to obtain counseling or rehabilitation through an EAP or a state licensed facility; and/or 2) not refraining from misuse of alcohol after a first finding of such use.

B. Effects of Positive Alcohol Testing Results

In addition to the mandatory administrative actions outlined in the previous section, any employee with a breath alcohol test which results in a reading as set out below shall be subject to the following:

1. Employees testing .01 or greater may be subject to discipline up to and including dismissal.

2. If the results of the test are .01 or greater but less than .04 alcohol concentration the employee shall be removed from the work site and, if retained, may be required to go to EAP for assessment. The employee may not return to duty for the remainder of the scheduled work day and may be required to have a negative test result before returning to work. The decision to return the employee to duty shall be at the discretion of the Department Director or designee in concurrence with Human Resources.

3. If the results of the test show an alcohol concentration of .04 or greater, the employee shall be subject to the same conditions as set out in above, and in addition, within two (2) business days of the test the employee shall be evaluated through the EAP.

4. Any employee receiving a verified positive test for alcohol .01 or greater shall be placed on leave without pay unless the employee notifies his/her supervisor of his/her desire to use accrued vacation or accrued compensatory leave.

G. Other Alcohol and/or Drug-Free Workplace Requirements

Any employee who admits to violating a criminal drug statute, or is convicted of violating a criminal alcohol or drug statute that is related to the workplace or affects the employee's ability to perform job duties will be subject to disciplinary action up to and including termination and/or be required to complete a City approved rehabilitation program. A conviction, a plea of guilty, a plea of no contest, receiving a suspended imposition of a sentence, and a withheld judgment will all be considered the same as a conviction.

XII. RECORDS AND REPORTS

The employee's privacy shall be maintained. All testing information specifically relating to individuals pursuant to this program and any intervention steps, including referral for treatment, counseling or rehabilitation programs, is confidential and should be treated as such by everyone authorized to review or compile program records.

In order to efficiently implement this requirement and to make information readily retrievable, Human Resources or the City's drug testing service provider shall maintain records relating to testing, suspicion of tampering, and any other authorized documentation necessary to implement this regulation.

All records and information of personnel actions taken on employees with verified positive test results should be forwarded to the Human Resource Office. Such

information shall remain confidential, in a locked file cabinet, with only authorized individuals who have a need-to-know having access to them.

The results of a test for alcohol or illegal drugs of a City employee may not be disclosed without the prior written consent of such employee, unless the disclosure would be 1) to the Medical Review Officer; 2) to the EAP in which the employee is receiving counseling or treatment or is otherwise participating; 3) to Human Resources and/or to any supervisory or management official within the City having authority to process or take adverse personnel action against such employee; or 4) pursuant to the order of a court of competent jurisdiction or where required by the City of Boise to defend against any challenges of adverse personnel action.

Test results with all identifying information removed may be used for data collection and other activities necessary to comply with testing requirements. Employees who are the subject of a test for alcohol or illegal drugs shall have access to the results of their alcohol or drug tests.

XIII. ROLES AND RESPONSIBILITIES**:**

EMPLOYEES are expected to report to work drug and alcohol free in order to enable safe and efficient job performance. Employees are expected to engage in activities while on-the-job, while on City premises, or while in the scope and course of employment, which are appropriate for the working environment and do not compromise the City's integrity or interest in maintaining a safe, secure and drug-free workplace.

SUPERVISORS are expected to 1) attend training sessions on alcohol misuse and illegal drug use in the workplace; 2) when reasonable suspicion is confirmed, initiate an alcohol/drug test as described in this regulation; 3) refer employees to the EAP for assistance in obtaining counseling and rehabilitation upon a finding of alcohol misuse; 4) initiate appropriate disciplinary action upon a finding of alcohol or illegal drug use; 5) in conjunction with Human Resources, assist higher-level supervisors and the EAP Administrator in evaluating employee performance and/or personnel problems that may be related to alcohol misuse or illegal drug use; and 6) ensure confidentiality of all information regarding employee testing, disciplinary action and rehabilitation.

DEPARTMENT DIRECTORS shall 1) implement the Drug-Free Workplace policy within their respective department, and ensure that it is efficiently and effectively accomplished in accordance with this program and all other applicable regulations; 2) in conjunction with Human Resources and the EAP assist in determining appropriate action for employee performance and/or personnel problems that may be related to alcohol or illegal drug use; 3) attend training sessions on alcohol and illegal drug-use in the workplace and encourage supervisors and employees to attend training on these issues; and 4) ensure that all information regarding employee testing, disciplinary action and rehabilitation remains confidential.

HUMAN RESOURCES shall 1) direct and implement this program to ensure it is administered consistently among employee groups and in accordance with all of the provisions of this regulation; 2) consult with the Department Director or designee in determining appropriate action for situations related to this program; and 3) ensure that all records and information of personnel actions taken on employees with verified positive test results remain confidential and only shared with individuals having a need-to-know.

EAP is expected to 1) provide assessment, short-term counseling and referral services, and monitor the progress of employees while in treatment; 2) when requested, work with Human Resources to provide educational materials and training to managers, supervisors, and employees on alcohol and illegal drugs in the workplace; 3) when requested assist supervisors with performance and/or personnel problems that may be related to alcohol or illegal drug use; 4) monitor the progress of referred employees during and after the rehabilitation period, and provide feedback to supervisors in accordance with 42 CFR Part 2, Confidentiality of Alcohol and Drug Abuse Patient Records; 5) ensure that training is offered to assist supervisors in the recognition and documentation of facts and circumstances that support a reasonable suspicion that an employee may be using alcohol or illegal drugs;

COLLECTION FACILITY is expected to 1) provide specimen collection and alcohol testing as outlined in this regulation; 2) maintain an accurate record keeping system which includes safeguards against the unauthorized release of information, proper chain of custody documentation, protection of the privacy of the employee and the overall program effectiveness; 3) work with Human Resources to provide educational materials and training to managers, supervisors, and employees on alcohol and illegal drugs in the workplace; 4) ensure all collection personnel are appropriately trained and maintain certification standards as required by National Highway Traffic Safety Administration(NHTSA) and/or Substance Abuse and Mental Health Services Administration (SAMHSA); and 5) ensure all collection of specimens are conducted in accordance with SAMHSA procedures and/or NHTSA specifications;

MRO shall 1) receive all laboratory test results; 2) assure that an individual who has tested positive has been afforded an opportunity to discuss the test result in accordance with test procedures outlined in this program; 3) consistent with confidentiality requirements, refer written determinations regarding all verified positive drug test results to Human Resources and/or the appropriate management official, including a verified positive drug test result form indicating that the positive result has been verified, together with all relevant documentation; and 4) confirm to Human Resources whether an individual who has been tentatively selected for employment with the City has obtained a verified positive test result.

XIV. DEFINITIONS:

Administrative Action: For an alcohol violation may include referral to EAP and/or disciplinary action including a range of consequences such as written reprimand, suspension, etc. up to and including termination. For a drug violation the employee will be terminated.

Adulterant: Adulterating substance or agent aimed to corrupt, debase, or make impure.

Alcohol: Ethyl alcohol (ethanol) in a beverage or medication.

Breath Alcohol Technician (BAT): An individual employed by the collection facility who is trained and certified in the use of a U. S. Department of Transportation approved evidential breath testing device.

Employee Assistance Program (EAP): A contract-based counseling program that offers assessment, short-term counseling, and referral services to employees for a

wide range of drug, alcohol, and mental health problems, and monitors the progress of employees while in treatment.

Evidential Breath Testing Device (EBT): An instrument reliable in measuring alcohol concentration in breath that meets the National Highway Traffic Safety Administration specifications, and is included in the conforming products list of evidential breath testing devices.

Medical Review Officer: An independent licensed physician responsible for receiving laboratory results generated from the City's Drug-Free Workplace Program who has knowledge of substance abuse disorders and the appropriate medical training to interpret and evaluate all positive test results together with an individual's medical history and any other biomedical information.

Illegal Drugs: A controlled substance included in Schedule I or II, as defined by section 802 (6) of Title 21 of the United States Code, the possession of which is unlawful under chapter 13 of that Title. The term illegal drugs does not mean the use of a controlled substance in the prescribed dosage amount pursuant to a valid prescription or other uses authorized by law. However misuse of a controlled substance is considered an illegal drug in violation of this regulation.

Precursors: A biochemical substance which can be processed or synthesized into one of the categories of drugs to be tested under this regulation.

Random Testing: A system of drug and alcohol testing imposed without individualized suspicion that a particular individual is using illegal drugs or alcohol, and a statistically random sampling of such employees based on a neutral criterion, such as social security numbers.

Return-to-Duty Agreement: An agreement between the City and an employee which allows an employee continued employment under stringent guidelines prohibiting use of drugs and alcohol. An employee's failure to meet the terms of the agreement, which includes successfully passing tests for alcohol and/or illegal drugs, shall result in termination.

Sensitive Position: Employment position within the City which has been designated for pre-employment and random testing in accordance with this regulation.

Supervisor: An employee having authority to hire, direct, assign, promote, reward, transfer, layoff, discipline, conduct evaluations, or to effectively recommend such action, if the exercise of the authority is not merely routine or clerical in nature, but requires the consistent exercise of independent judgment.

Unannounced Test: A test for alcohol and/or illegal drugs previously scheduled and announced only to the employee just prior to the scheduled time, allowing only appropriate time for the employee to immediately proceed directly to the scheduled testing site.

Verified Positive Test Result for Alcohol: The presence of alcohol in the breath at a level of .01 or greater as measured by an evidential breath testing device and administered by a trained and certified Breath Alcohol Technician.

Verified Positive Test Result for Drugs: A test result that was positive on an initial FDA-approved immunoassay test, confirmed by a Gas Chromatography/Mass Spectrometry assay, (or other confirmation tests approved by the U.S. Department of Health and Human Services), and reviewed and verified by the Medical Review Officer in accordance with this policy and the Mandatory Guidelines for Federal Workplace Drug Testing Programs.

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Number:	4.20b
Effective:	01-02-13
Revised:	10-14-16
Legal References:	

POST-ACCIDENT TEST REQUEST

Employee is to complete this form and provide it to the collection site along with a photo ID.

The City of Boise is requesting a **Non-DOT Post Accident Drug Screen** and a **Non-DOT Breath Alcohol Test** be administered to the following employee:

Employee Name:_____

Employee ID#/SSN:_____

Today's Date & Time:_____

Important Information for Supervisors:

For after-hours testing please call **208-870-9174.**

Post-accident tests may be administered when the circumstances of the accident involve:

1. Death; or
2. Serious personal injury requiring immediate emergency room or urgent care center treatment; or
3. Damage to government or private property estimated in excess of $5,000.

[Police personnel involved in critical incidents shall follow applicable department rules for testing.]

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Information for Collection Site:

Contacts:	City of Boise: Rudy Gloria	(P) 208-972-8096	(F) 208-384-3868
	Wienhoff Drug Testing Services, Inc.	(P) 208-376-5600	(F) 208-376-5665

Laboratory Information
Quest Diagnostics
10101 Renner Blvd
Lenexa, KS 66219
P: 800-877-7484
Account Number: 10580870

MRO Information
Dr. Fernando Proano, MD
Proano Associates, Inc.
15500 1st Ave S. Ste. 106
Burien, WA 98148
P: 503-400-6660

Document Type:	Exhibit
Number:	4.20c
Effective:	01-02-13
Revised:	10-30-15
Legal References:	

REASONABLE SUSPICION TEST REQUEST

Supervisors: Please complete this form and provide it to the collection site.

The City of Boise is requesting the following test(s)**:**

O **Non-DOT Reasonable Suspicion Drug Screen**

O **Non-DOT Breath Alcohol Test**

Note: Only check both boxes if drug AND alcohol impairment are suspected.

The test(s) is to be administered to:

Employee Name:_____

Employee ID#/SSN:_____

Today's Date & Time:_____

Important Information for Supervisors:

For after-hours testing please call **208-870-9174**.

Within 24 hours of the test, the supervisor shall complete a reasonable suspicion form [See Drug-Free Workplace Policy Exhibit 4.20d] identifying the signs which formed the basis to warrant the testing and forward the form to Human Resources.

Information for Collection Site:

Contacts:

City of Boise: Rudy Gloria	(P) 208-972-8096	(F) 208-384-3868
Wienhoff Drug Testing Services, Inc.	(P) 208-376-5600	(F) 208-376-5665

Laboratory Information
Quest Diagnostics
10101 Renner Blvd
Lenexa, KS 66219
P: 800-877-7484
Account Number: 10580870

MRO Information
Dr. Fernando Proano, MD
Proano Associates, Inc.
15500 1st Ave S. Ste. 106
Burien, WA 98148
P: 503-400-6660

Document Type:	Exhibit
Number:	4.20d
Effective:	11-01-09
Revised:	01-22-10
	01-04-13
Legal References:	

DRUG-FREE WORKPLACE REASONABLE SUSPICION WORKSHEET

Supervisor can use this form to record observations of physical, behavioral, and work performance indicators of a possible drug or alcohol abuse problem. If possible, another supervisor should confirm the reasonable suspicion.

Name of Employee Observed: _____
Date & Time of Observation: _____
Location of Observation: _____

PHYSICAL INDICATORS (Check all that apply)

____Dilated Pupils	____Burns on hands	____Bloodshot eyes
____Tremors	____Needle marks on arms	____Breath odor
____Bruises	____Constant runny nose	____Constant itching

Other (describe):_____

BEHAVIORAL INDICATORS (Check all that apply)

____Emotionally unstable	____Nervousness	____Irritability	____Sleepy
____Unusually talkative	____Paranoid	____Withdrawn	____Confused
_____Slurred Speech	Other (describe):_____		

WORK PERFORMANCE INDICATORS (Check all that apply)

_____Leaving without permission	_____Excessive tardiness
_____Consistent long lunch breaks	_____Frequent trips to restroom
_____Repeated mistakes	_____Accident-prone
_____Complaints from coworkers	

Other observed behavioral indicators: _____

SUPERVISOR INFORMATION

Name: _____ Title:_____

Signature: _____ Date: _____

CONFIRMING SUPERVISOR INFORMATION (if available)

Name: _____ Title:_____

Signature: _____ Date: _____

Document Type:	Regulation
Number:	4.20t
Effective:	05-01-06
Revised:	01-02-12
	04-08-14
Legal References:	I.C. § 39-5501 *et seq.*
	B.M.C. 6-23
	B.M.C. 13-3-8
	Resolution #21562
	RES-145-14

TOBACCO USE

The City of Boise is committed to providing a safe and healthy workplace and to promoting the health and well-being of its employees. As required by law and/or the City's desire to provide a healthy work environment for employees, the use of tobacco and tobacco products that emit a vapor, including but not limited to, cigarettes, e-cigarettes, cigars, pipes, snuff, and chewing tobacco, is prohibited in the following locations:

A. Inside any City vehicle.
B. Within twenty (20) feet of entrances or exits to buildings owned or managed by the City.
C. In any City park, whether developed, undeveloped, or open space reserve, except for the areas specifically declared open to smoking within those parks or other non-public designated areas for employee tobacco use.
D. Inside any enclosed areas owned, leased, or operated by the City. The law defines an "enclosed" area as all space between a floor and a ceiling that is bounded on all sides by walls, doorways, or windows, whether open or closed. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent.

If allowed within the above restrictions, the management of each facility will designate areas outside the facility where tobacco products may be used. All tobacco products should be disposed of properly. This regulation applies to all employees of the City of Boise.

Document Type:	Policy
Number:	4.25
Effective:	05-01-06
Revised:	
Legal References:	

GROOMING

While it is the intent of the City of Boise that all employees dress for their own comfort during work hours, the professional image of the City is maintained, in part, by the professional appearance that our employees present to customers, vendors, and other visitors.

All employees should practice common sense rules of neatness, cleanliness, and comfort. Professional appearance also means that the City expects employees to maintain good hygiene and grooming while working.

The decision of whether dress or grooming is appropriate to the City's business operations shall be left to the reasonable discretion of the Department Director or designee. Certain positions require specific clothing requirements, which will be explained to employees upon placement into those positions.

The City will make reasonable accommodations for dress or grooming directly related to employees' religion, ethnicity, or disabilities. Employees should discuss any accommodation needs with their supervisor or the Human Resources department.

Document Type:	Policy
Number:	4.30
Effective:	05-01-06
Revised:	06-09-14
Legal References:	

ACCEPTABLE USE OF INFORMATION TECHNOLOGY

To remain competitive, better serve our customers, and give our talented workforce the best tools to do their jobs, the City of Boise adopts and makes use of new means of communication and information exchange.

Document Type:	Regulation
Number:	4.30a
Effective:	05-01-06
Revised:	10-01-07
	06-16-09
	01-01-11
	06-09-14
Legal References:	

INFORMATION TECHNOLOGY (IT) ACCEPTABLE USE

I. INTRODUCTION

This regulation is designed to express the City's philosophy and set forth general principles that employees, volunteers, contractors and interns, collectively referred to as “Users,” shall apply when using the City’s information technology.

Information technology includes the following:

A. Software, which includes, but is not limited to, all programs and data stored and maintained on any media that are used on City equipment and/or any and all data owned by the City.
B. Hardware, which includes, but is not limited to, microcomputers, networks, Internet services, telephones, pagers, personal digital assistants (PDAs) or other mobile devices, printers, fax machines, radios, other physical components, any device that uses City-provided services or capabilities, and all assets and resources owned or leased by the City whether or not they are accessed from City premises.
C. Services, which include, but are not limited to, the establishment of computer accounts for a User and the services provided by use of those accounts, or use of the Internet, the City’s wide area networks, local and long distance telephone service, email, and mobile telephone services, including additional capabilities such as text messaging. Services also include those not provided by the City, but are used to transact City business.

II. PERSONAL USE

Personal use of the City’s information technology is not a part of the benefits package of an employee. Although limited personal use of information technology may be permissible in accordance with the specific provisions of this regulation and other City policies and regulations, such use does not give a User a right or entitlement to such access and use.

Information technology is provided by the City for Users' business use. Users are allowed minimal use of the City’s information technology for personal use within the parameters of the City’s policies and regulations. Minimal use is defined as occasional or incidental. Users are expected to exercise reasonable restraint regarding the frequency and duration of their personal use, and, when possible, limit this use to breaks, lunch periods, and off-duty time. Personal use shall not interfere with business needs and productivity.

When the City incurs an expense for the User's personal use of the City's information technology, or if required by law or policy, the User will pay that expense. One exception to this rule is personal use of the City's watts line that results in minimal expense to the City.

The City will not provide support to Users for help in using or diagnosing problems with their personal information technology devices or accounts unless specifically permitted in other City policies and regulations.

III. MONITORING

The City monitors the use of its information technology and facilities to provide protection and ensure that these tools and resources are used effectively, appropriately and legally. The City may monitor in response to a particular problem, or randomly, or, in some cases, continuously on all activity related to City business or interests for a particular resource. The City reserves the right to inspect any and all files stored in private areas of its networks and systems in order to assure compliance with the law, this regulation, and other City policies, regulations and directives. The City may also choose or be required to publicize this data.

The City monitors use of some facilities using closed circuit television, identification badges, biometric identification devices, sign in sheets, vehicle gates, access restrictions, and/or guards.

All authorized personnel directly involved with monitoring activities have a responsibility to maintain confidence regarding the information they may find and share the information only on a need to know basis. Need to know implies that only those people who are directly involved or who must be notified are given the information they require resulting from the monitoring activity. It is a violation for those involved in monitoring activities to exceed their scope or authority. Random browsing or searching by those who have the ability but no authority to do so is prohibited.

Interference with monitoring is prohibited. Interference can take several forms, such as encrypting information, notifying one who is being monitored that they are being monitored, or actively interfering with the monitoring process.

IV. PRIVACY

Users should not consider any electronic communication, media or services to be either private or secure. Although email, computer and network accounts are protected by passwords, Users should understand that their account and records may not be private.

Users of the City's information technology expressly waive any right of privacy in anything they create, store, send, or receive on a City computer or through the City provided Internet. This includes, but is not limited to, messages or data sent or received on a mobile device. The term mobile device includes cellular telephone, smartphone, tablet, PDA, etc.

The use of personally-owned mobile devices to send and/or receive electronic communications for the transaction of City business creates a record that may be

subject to disclosure pursuant to a public records request. Users who use personal mobile devices to transact City business may be required to provide all communications that relate to City business, including text messages, to the City upon request. The City discourages the transaction of City business via text message on personal mobile devices and/or the transaction of City business via personal email accounts.

V. PASSWORDS

Passwords are the fundamental security mechanism employed to keep information secure and to associate activity with a User. Therefore, Users shall not:

A. Share, tell, or give hints about their passwords;
B. Keep a written unsecured record of their passwords;
C. Store passwords in a media cloud [Dropbox, Google Docs, etc.];
D. Mix City systems passwords with personal passwords in a password locker;
E. Store passwords on a device others have access to; or
F. Email passwords via Gmail, Hotmail, etc.

The City of Boise's network password requirements are as follows:

A. Passwords shall be at least eight characters in length;
B. Passwords shall contain at least one symbol [%^&]; and
C. Passwords shall be at least one number [1,2,3]. The number cannot be at the end.

Each time a User changes their City network password they must also change it on their mobile devices as well.

Users suspecting that any of their passwords have been compromised shall change it/them immediately. If management needs to access information in a User's account in accordance with this regulation, they are to contact the IT HelpDesk for assistance. Several methods are available for gaining access without compromising a password.

VI. INAPPROPRIATE USE

The City's information technology has been provided to enhance business processes within the City. Generally, use that is legal and business-related is appropriate. Users are prohibited from using the City's information technology systems to engage in, or attempt to engage in activities including but not limited to the following:

A. Transmitting, viewing, retrieving, copying, or storing any communication that is:
    1. Discriminatory or harassing;
    2. Derogatory to any individual or group;
    3. Obscene or inappropriate for the workplace;
    4. Defamatory or threatening;
    5. Interferes with productivity; or
    6. Engaged in for any purpose that is illegal or contrary to City's policies, regulations, or procedures.

B. Sending uninvited and/or unwelcome electronic communication of a personal nature;
C. Downloading and distributing material protected under copyright laws without the proper consent of the owner, or otherwise violating copyright laws or other applicable laws;
D. Providing access to or copies of City information, data, hardware, software, or access to City services to third parties, without adhering to approved procedures and authorization;
E. Accessing or using another User's account, or failing to keep the User's own log-in or password confidential. No communication shall be sent that attempts to hide the identity of the User or represents the User as someone else;
F. Downloading or transferring any files to any City systems, including entertainment software or games that are not business related. When using a personal email account at work and/or using City equipment, Users should never open any attachment to an email they receive. Users may be held accountable for damages sustained by viruses or other software that originated from personal email accounts;
G. Using the City's information technology for personal benefit or gain;
H. Using unauthorized technology resources on City networks including, but not limited to, personally-owned equipment such as computers, printers, software, modems, and wired or wireless networking devices;
I. Sending business-sensitive information using Internet-based email accounts;
J. Using information technology in a manner that is likely to cause network congestion or significantly hamper the ability of other Users to access and use the City's information technology systems;
K. Distributing or storing chain letters, inappropriate jokes, solicitations or offers to buy or sell goods, or other non-business material of a trivial or frivolous nature;
L. Breaching, testing, or monitoring electronic communications of other Users or third parties without appropriate authorization or attempting or accessing any Information Technology, including any data or programs contained on the City's systems for which the User is not authorized;
M. Using electronic communications to participate in any newsgroup, mailing list, bulletin board, or other type of discussion forum that is not job-related, is not incidental personal use, or is prohibited;
N. Using the network to sign up with websites or organizations that offer rewards, monetary or otherwise for surfing the internet;
O. Propagating a virus, worm, Trojan horse, or trap-door program code;
P. Blogging during work hours or while using City equipment.

VII. CITYWIDE MESSAGES

Citywide messages shall be prohibited for all employees except those departmental employees and email accounts that have been pre-approved by their Department Directors for citywide email distribution. Each Department Director shall name one of these pre-approved distributors as that department's "email manager."

Users who have not been pre-approved for citywide distribution and who believe they have a message of citywide interest shall bring the message to his or her department's email manager for approval. If the email manager

determines the proposed message falls within the citywide email parameters, the email manager will send out the proposed message. A list of current pre-approved email distributors and each department's email manager can be obtained by contacting the IT Helpdesk.

The Citywide email parameters are as follows:

A. The proposed email message should be related to the business and mission of the City.
B. The message should be of significant and urgent interest to a large segment of City employees. In addition, events publicized over citywide email must be of a high-profile nature.
C. Messages should be short and concise. For topics that require more information, consider a summary email message that contains a link to more detailed information.
D. Emails of a personal nature, such as notices of items for sale, lost or found items and solicitation of goods or services are not allowed.

VIII. ACCIDENTAL/UNINTENDED VIOLATIONS

The City uses independently-supplied software and data to identify inappropriate and/or sexually-explicit Internet sites. The City attempts to block access from within its networks and on City laptops to all such prohibited sites. Users that find themselves connected accidentally to a site that contains sexually explicit or other prohibited material shall disconnect from that site immediately, regardless of whether that site had been deemed acceptable by the screening program. A User who accidentally accesses a prohibited site is required to report each incident to the User's supervisor immediately. Repeated access to such sites by a User may be investigated to determine if such access is intentional.

IX. SOFTWARE COMPLIANCE

The City adheres to software licensing agreements. IT electronically monitors the software installed on all City computers and these scans are then compared to software licenses. Department Directors and IT are responsible for maintaining a list of approved software within the City.

X. MANDATORY REPORTING OF VIOLATIONS

All suspected policy or regulation violations, system intrusions, and other conditions that might jeopardize the City's information technology shall be immediately reported to IT. Users shall report any weaknesses in City computer security, and any incidents of possible misuse or violation.

Document Type:	Regulation
Number:	4.30b
Effective:	11-22-06
Revised:	10-01-07
	07-13-09
	01-01-11
	01-01-16
Legal References:	I.C. § 16-1605
	I.C. §16-1627

MOBILE DEVICE (CELLULAR PHONE) USAGE AND REIMBURSEMENT

I. INTRODUCTION

The purpose of this regulation is to provide employees with a set of guidelines governing the use of cellular telephones as well as other similar mobile devices, and to provide reimbursement criteria and conditions for business use of personal cellular telephones. Throughout this regulation the term mobile device is used and includes cellular telephones, smartphones, PDAs, etc.

While at work, employees are to exercise the same discretion in using personal mobile devices as they do for City-owned devices. Excessive personal calls, texting, or other mobile device use during the workday, regardless of the device used, interferes with employee productivity and can be distracting to others. Therefore, excessive personal use, regardless of the device used, during an employee's workday is prohibited. Flexibility may be provided in circumstances demanding immediate attention.

II. MANAGEMENT

Departments shall be responsible for oversight of employee mobile device usage and shall monitor and review such usage to ensure that use is appropriate and that prudent fiscal management guidelines are followed. This periodic review, no less than annually, shall include an assessment of each authorized employee's need to use a mobile device for business purposes.

III. ELIGIBILITY

Employees who hold positions that include the need for a mobile device may receive a reimbursement to compensate for business-related costs incurred when using their individually-owned mobile devices. Departments shall evaluate and determine the appropriate level of mobile device service each employee's job requires, if any. Department Directors or designee may then approve a mobile device reimbursement at their discretion for employees who **are required to regularly use his or her personal mobile device for work purposes.**

The reimbursement is considered a non-taxable fringe benefit to the employee, paid via direct deposit with their scheduled payroll. The reimbursement will not be considered part of the employee's base pay and will not be included in the

calculation of percentage increases to base pay or be used in the calculation of retirement benefits. If the employee chooses to participate in the reimbursement program their personal mobile device phone number will be made available to other staff members in their department.

The level of the reimbursement will be determined by a person's job duties as it relates to the mobile device use and access. The mobile device reimbursement program is designed to compensate employees for the **business use portion** of their service. The Department Director and employee shall sign a Request and Authorization stating the reason a mobile device is required and the agreed upon reimbursement level. On an annual basis the department will determine the appropriate monthly reimbursement in accordance with the standardized reimbursements listed in this regulation.

Any reimbursement agreement will be immediately cancelled if an employee receiving a reimbursement terminates employment with the City of Boise. In case of a change in job positions or department, a new Mobile Device Reimbursement Agreement must be submitted to Payroll to establish a continued business need for a cell phone.

IV. STANDARDIZED MONTHLY REIMBURSEMENT

The City of Boise has established the following standardized reimbursements:

$35 – Voice only
$65 – Voice and data access such as email and internet

V. REIMBURSEMENT PROCESS

The mobile device reimbursement process works as follows:

A. Employee submits a Mobile Device Reimbursement Request form to the Department Director, or designee.
B. The Department Director or designee approves or denies the request.
C. All approved requests are forwarded to the HR Payroll office for processing.
D. Once processed the HR Payroll office sends the approved request to the employee's personnel file.

VI. OTHER REQUIREMENTS

The employee is responsible for the purchase of his or her mobile device and obtaining mobile device service. An employee receiving a reimbursement for personal mobile device use for City business in accordance with this regulation will be expected to maintain the mobile device in working order and available for City business calls as needed and as reasonably expected.

The request form shall identify the employee and the employee's personal mobile device number.

Department Directors receiving a reimbursement for use of their personal mobile device shall follow this process with approval from the Mayor, or designee.

A. The City will not be liable for damage or loss of personal mobile devices brought into or used in the workplace.
B. The employee is responsible for the administration and payment of all personal mobile device bills and will in no way create financial liability for the City beyond the amount agreed to by department management as listed in the reimbursement authorization agreement.
C. Should a special project or assignment result in a temporary increase or decrease in business use of a mobile device, departments can authorize a temporary adjustment to the monthly reimbursement by completing and filing an amended authorization form.

VII. PERSONAL USE OF CITY PROVIDED MOBILE DEVICES

The City may issue a business mobile device to an employee for work-related communications. Minimal personal use is permitted, but employees will be required to reimburse the City if such personal use results in plan limit overage. Reimbursement to the City will be "actual cost."

Failure to reimburse the City for the cost of the mobile device use will result in tax liability for the employee, as well as possible disciplinary action up to and including dismissal.

Employees in possession of City equipment such as mobile devices are expected to protect the equipment from loss, damage or theft. Repeat damage or loss of mobile devices shall be at the employee's expense when the department deems necessary. Upon resignation or termination of employment or at any time upon request, the employee will be asked to produce the mobile device for inspection and return.

Employees unable to present the mobile device in good working condition within the time period requested (for example, 24 hours) will be expected to bear the cost of a replacement.

VIII. BUSINESS USE OF PERSONAL MOBILE DEVICES

The City realizes that some employees may use personal mobile devices for periodic business use while out of the office. The City will reimburse the employee for "actual cost" if business use results in plan limit overage. Reimbursement will require the employee obtain Department Director or designee approval and provide a full copy of the mobile device bill with City charges identified. The department is responsible for keeping the entire copy of the bill which is to be filed and retained per the City's file management guidelines.

IX. MONITORING AND PRIVACY

The City monitors the use of its mobile devices to ensure that these resources are used effectively, appropriately, legally, and in accordance with the City's

policies and regulations. The City may monitor randomly, in response to a particular problem, or, in some cases, continuously. The City reserves the right to inspect any and all information stored on or in mobile devices. The City also reserves the right to inspect any and all messages and data sent and received. The City may also choose or be required to publicize this data.

Employees using mobile devices expressly waive any right of privacy in anything they create, store, send, or receive on a City mobile device or through the City provided Internet, other computer network and/or any other City resources.

Employees should not consider any electronic communication, media or services to be either private or secure. Although mobile devices can be protected by passwords, employees should not assume that the passwords provide them with privacy or ownership of their mobile device account or the records within it.

X. SAFETY

Employees who use mobile devices on City business, regardless of how the devices are issued and funded, are required to read and follow the Vehicle Usage Regulation 4.80a that governs mobile device use while driving motorized vehicles.

XI. MISCELLANEOUS

The City reserves the right to modify or terminate any and all conditions of this administrative regulation, depending upon changing needs as defined by the City.

Cell Phone Reimbursement Agreement

Employee Name: _____ Reimbursement Start Date*: _____

Job Title: _____ Monthly Reimbursement Amount (select one):

Dept Name: _____

	Voice	*Voice/Data*
Cost	___$35	___ $65

Employee Number: _____

Mobile Device #: _____ Cellular Carrier: _____

Please indicate business usage on back page of this agreement.

**Reimbursement payment should begin with the start of the next month.*

Regulation Summary

Employees who hold positions that include the need for a cell phone may receive a cell phone reimbursement for business-related costs incurred when using their personally-owned cell phones. The reimbursement will be considered a non-taxable fringe benefit to the employee. The level of reimbursement will be determined by a person's job duties as it relates to cell phone use and access. The Data access rate will be considered for those employees required to access the internet outside of a WiFi enabled location. The department will review and set the service level reimbursement on an annual basis. For more information, refer to the *Cell Phone Reimbursement Policy*.

Employee Responsibilities

Recipients of a cell phone reimbursement have the following responsibilities:

- Purchase cellular phone service and equipment and assume responsibility for vendor terms and conditions. The employee is responsible for plan choices, service features, and calling areas that meet the requirements of the job and the area of service the reimbursement is intended to cover (at work, during travel or at home). This includes termination clauses, and paying all charges associated with the cellular service and device.
- Attest to related necessary business use (see page 2). Submit the latest monthly billing statement when the reimbursement begins and then each December to verify that the reimbursement is spent on this resource.
- Report any job function changes that eliminate or significantly reduce the business need for a cell phone to your supervisor within 5 business days of this change. Also, if the employee reduces service levels in the wireless contract below the reimbursed amount, the same communication expectations exist.
- Keep (or have access to) monthly invoices for a two-year period so they can be produced upon request by either a City of Boise representative or the Internal Revenue Service.
- Avoid using the cellular phone for work related purposes while operating a motor vehicle, machinery or in other dangerous situations.
- Comply with all City policies, including those pertaining to data security, acceptable computing use, and email.
- Delete all City data from the cell phone when employment with the city is severed, except when required to maintain the data in compliance with a litigation hold notice.

Employee Certification

By signing below, I certify that I have read, understand, and agree to the Cell Phone reimbursement Policy and my responsibilities under the policy.

_____ _____

Employee Signature *Date*

_____ _____

Department Head Signature *Date*

Necessary Business Usage Justification

Reason staff member requires mobile phone reimbursement :	
Performs work which requires the employee to be out of the office on a regular basis where the availability of conventional telephones is limited. If yes, please explain:	*Yes or No (circle one)*
Performs work which requires the employee to regularly serve in an off-duty, on-call status with a significant degree of frequency. If yes please explain:	*Yes or No (circle one)*
Performs work which requires the employee to stand by for emergency call back where, once called, time is too critical to permit the employee to drive to a City facility and pick up a pool cell phone and then respond to the incident. If yes, please explain:	*Yes or No (circle one)*
Temporarily authorized to facilitate a night meeting or during a time the employee is away from the office, either locally or on overnight travel. If yes please explain:	*Yes or No (circle one)*
Life/health/safety requirements make having a cell phone an integral part of performing duties of job description, and for assured prompt response to emergency situations on a 24/7 basis. If yes, please explain:	*Yes or No (circle one)*
For justifiable, documented business need that will improve efficiency or work performance. If yes, please explain:	*Yes or No (circle one)*
The employee is required to be contacted on a regular basis and is field-based with no office or land line. If yes, please explain:	*Yes or No (circle one)*

Document Type:	Regulation
Number:	4.30d
Effective:	10-01-07
Revised:	01-01-11
Legal References:	

PDA AND MASS STORAGE DEVICE REGULATION

I. INTRODUCTION

The purpose of this regulation is to provide employees with guidance governing auxiliary devices that may connect to the City's network and computers and to provide conditions for business use of these devices. The goals of this regulation are to provide increased utility and access for City employees, to control support costs, and to achieve responsible information stewardship.

Personal Digital Assistants (PDA's) and other electronic devices provide high-availability access to email and schedules and ease the transference of information, while becoming a growing challenge to support given their increasing functionality, capacity, prevalence combined with increasing numbers of vendors, models and service options. Because of their ability to introduce information into and take information away from the City's infrastructure, they also pose a security concern.

This regulation governs the introduction, use, and support of PDAs and mass storage devices by employees of the City of Boise, and others who have a business relationship with the City.

II. SCOPE

For the purposes of this regulation, personal digital assistants (PDAs) are defined as devices providing one or more of the following functions:

A. A handheld computing device running productivity applications tools for personal information management
B. Synchronization of the device with desktop software applications
C. Wireless communications with information services (e.g. email) while attached to the City's network

PDA devices vary in capability and form and include, but are not limited to, some mobile phones, communicators, Pocket PCs, Palm OS devices, Blackberries and other mobile devices. For the purposes of this regulation, mass storage devices are defined as devices providing one or more of the following functions:

A. Devices that provide digital storage capacity used for storing, transferring and carrying data
B. Synchronization of the device with desktop software applications or the desktop operating system
C. Wired or wireless communications with information services (e.g. the Internet) while attached to the City's network

Mass storage devices vary in capability and form and include such devices as flash memory storage devices (also known as USB Keys, Jump Drives, Thumb Drives, Flash Drives and Pen Drives), Zip drives, MP3 Players, iPods, and so forth.

Devices that connect to the City's PCs must be able to operate under "User" level security. Those that require "Administrator" access to operate are not allowed.

Boise City Information & Technology Department and its team members are charged with managing the City's computing infrastructure and this regulation. City Supervisors and Managers are charged with determining the suitability of purchasing and introducing these devices into the City, given the expected utility, cost, and security threat of use of these devices.

III. REQUIRED APPROVAL

Manager/supervisor approval is required to purchase a Personal Digital Assistant (PDA) or Mass Storage Device or any other device that can connect to the City's network or computers and download, upload, or store data.

Only City approved PDA or Mass Storage Devices may be used on the City's infrastructure. The Information & Technology Department maintains a list of allowed and supported devices. An exception to this general rule is made when an outside entity provides information on a device for temporary, immediate use by the City. In this case, the device must be surrendered to City personnel, who then can read from the device on City equipment outfitted with a current virus scanner. For example, a presentation loaded on a non-employee's USB Memory Device for use within the City.

IV. SECURITY

The devices covered by this regulation are not considered secure computing devices.

A. Only non-confidential information should be stored on these devices
B. If a password protection feature is offered, it must be enabled
C. If encryption is provided on the device, it must be enabled
D. Passwords should never be stored on these devices unless they are encrypted
E. When not in use, they must be secured in a locked cabinet or drawer to prevent loss or theft

V. MONITORING AND PRIVACY

The City monitors the use of its PDA's and mass storage devices to ensure that these resources are used effectively, appropriately, legally, and in accordance with the City's policies and regulations. The City may monitor randomly, in response to a particular problem, or, in some cases, continuously. The City reserves the right to inspect any and all information stored on or in PDA's and mass storage devices. The City also reserves the right to inspect any and all messages and data sent and received. The City may also choose or be required to publicize this data.

Employees using the City's PDA's and mass storage devices expressly waive any right of privacy in anything they create, store, send, or receive on a City PDA or mass storage device or through the City provided Internet, other computer network and/or any other City resources.

Employees should not consider any electronic communication, media or services to be either private or secure. Although PDA's and mass storage devices can be protected by passwords, employees should not assume that the passwords provide them with

privacy or ownership of the PDA or mass storage device account or the records within them.

VI. MISCELLANEOUS

Implementing and supporting traditional computer desktop-centric PDAs tends to be very labor-intensive activities that challenge the overall return on investment of personal productivity devices. Wireless server-based synchronization can meet the requirements of personal information management with less time involved in the support required for desktop-based devices, and the information is likely to be more up-to-date.

Document Type:	Regulation
Number:	4.30e
Effective:	11-05-07
Revised:	
Legal References:	

POSTING OF PROMOTIONAL MATERIALS

I. INTRODUCTION

As a service to its employees, the City of Boise allows employees and outside organizations to post promotional material on the City's internal website in accordance with the procedures outlined in this regulation. This regulation is intended to create a limited public forum for the distribution of promotional material. The City reserves the right to redefine or close the limited public forum at any time.

II. DEFINITIONS

Promotional material means material that is intended solely to notify employees of opportunities to purchase products or services or participate in activities.

III. POSTING REQUIREMENTS

Employees and outside organizations may request to post promotional material on the City's internal website. All requests must be submitted to Human Resources by 5:00 p.m. on the 20th of the month for posting in the next calendar month. Requests received after the 20th must be re-submitted the following month for consideration. Employees and organizations assume the risk that the City will not distribute time-sensitive promotional material on or before a desired date.

The posting is limited to 260 characters with no more than two attachments that must be in a Microsoft Word or PDF format.

The posting shall include a title for the posting and a contact name and telephone number. As needed, the posting shall include a mailing address.

Information will be posted for a length of time not to exceed 30 calendar days or one month, whichever comes first.

The City reserves the right to reject any promotional information based on space, technical, or other limitations on the City's workforce or internal website.

The City reserves the right to decline any submission deemed inappropriate and will not display promotional materials that:

A. Cause the City to violate federal, state, or other applicable laws.
B. Promote illegal discrimination on the basis of race, color, religion, gender, age, national origin, sexual orientation, gender identity, disability, veteran status, or any applicable legally protected status.

C. Contain words, symbols, or images that would be regarded as lewd, obscene, vulgar or plainly offensive.
D. Defame a person or organization.
E. Violate City policies or regulations.
F. Threaten disruption of a City operations or City-sponsored activity.

The City neither endorses nor sponsors the organization and activity represented in the promotional material. The display of the material is provided as a service to employees. The City makes no warranties, express or implied, as to the content of the posting or the accuracy, reliability, or quality of any posted service or product. Employees are strongly encouraged to verify the quality of any service or product before purchasing or participating.

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Number:	4.30k
Effective:	08-25-09
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	03-07-11
	02-24-14
Legal References:	

MOBILE DEVICE TECHNICAL SUPPORT

I. INTRODUCTION

The scope of Information Technology's (IT) technical support for mobile devices is described in this regulation. Because the City has a provision for employees to use City-owned and/or City-authorized employee-owned mobile devices for City business, IT is responsible for the limited support of these devices as defined in this regulation. This regulation also defines the employee's responsibility related to these devices. This regulation applies to all departments in the City.

II. SCOPE OF SUPPORT:

A. Services and features:

1. Synchronization of mobile devices for the following City of Boise data:
   - Calendar
   - Contacts
   - Email

2. Access to:
   - Certain network drives (individual H: drive and department I:drive)
   - Internal city web-sites (current site security still applies)

3. Mobile applications approved for a legitimate business purpose by the employees department and/or IT and specifically designed for use on mobile devices.

   Devices that have been jail-broken or rooted will be restricted from services 1-3 listed above due to the network security vulnerabilities that represents.

4. City of Boise webmail for all mobile devices.

B. Device operating systems included:
   - Android (current major release minus one)
   - iOS (current major release minus one)

C. Device brands and models:
Any mobile device capable of utilizing services as described in this regulation, within the listed operating systems.

III. LICENSE OWNERSHIP:

City of Boise will purchase and own all Mobile Device Management licenses for synchronizing and accessing city data; licenses cannot be purchased and owned by individual employees for use on the City's network.

IV. DELETION OF DATA ON A MOBILE DEVICE

City data remains the property of the City of Boise. Employees opening, saving, storing or forwarding City data from a mobile device should exercise great care in protecting the City's property. Subject to the conditions below, IT may be required to reset a device, or remove city data, in certain circumstances. Resetting a city-owned device will completely restore the device to its original factory settings. Removing city data from an employee-owned device will only remove the city data that was allowed through the mobile device management system; the device itself will not be reset. IT will only perform these actions if necessary for technical support of the device and/or to maintain security and confidentiality of the city's data. This applies to both city-owned and employee-owned devices.

City of Boise data will be removed from an employee-owned device via the Mobile Device Management system; city data will be removed from a city-owned device by a complete device reset under these conditions:

A. Separation of employment:

Upon separation the employee's manager is responsible to ensure the device has been returned and/or reset.

B. Stolen or lost device:

If the device has been stolen, the employee is required to report this immediately and IT will immediately perform the steps necessary to delete city data. If the device has been lost, the employee will be permitted two (2) business days to locate the device. If the device has not been located after the allowed time, IT will perform the steps to delete the city data.

V. INDEMNITY

By utilizing the services described in Section II, the employee acknowledges the City of Boise is not responsible for the loss of personal data or damage incurred as a result of providing technical support to the device.

VI. PRIVACY

The City of Boise does not collect personal information on employee-owned devices such as personal passwords, applications or their use, email, text messages, call history, data usage, browser use, current location information or history.

City owned devices will have the following collected: installed applications, call history, data usage (not browser history), text messaging usage (not actual content of text messages), and location information. This information will not be viewable by IT staff without management authorization.

For enrollment in the Mobile Device Management system, the following device information is required: Device, brand, model, serial number, UID, Operating system, phone number (if applicable), and service provider.

VII. EMPLOYEE RESPONSIBILITIES

A. Must obtain authorization from management to utilize the described mobile devices services; this applies to both city-owned and employee-owned devices.
B. Must obtain authorization from management for the department to purchase a Mobile Device Management license or confirm an existing department-owned license is available for transfer to another employee.
C. Must ensure the device is enrolled in the standard city Mobile Device Management system (for services listed in Section II. Part A, 1-3).
D. Must ensure the device has the correct operating system and version.
E. Must immediately report to management if the device is stolen.
F. Must report to management within 2 (two) business days if the device is misplaced.
G. Must establish a password on the device to help ensure data security.
H. Must ensure a city-owned device is backed up daily as technical support may lead to the loss of data. Employees may contact the help desk for assistance.
I. Employees are also advised to backup employee-owned devices as technical support may lead to the loss of data.
J. Must contact the service provider directly to obtain support for all other services and features not described in this regulation.

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Revised:	05-15-15
Legal References:	IC 9-337 (13) IC 9-338

SOCIAL MEDIA ADMINISTRATION

I. INTRODUCTION

The City of Boise recognizes that social media can be a highly effective tool for sharing ideas and exchanging information. The City is committed to using social media to promote the City's mission and strategic plan and to maintain effective communications with employees, customers, business partners and citizens.

The City has an interest and responsibility in determining what is published on behalf of the City via social media. The purpose of social media is to disseminate information from the City and its departments, to its citizens to provide a forum for discussion and to gather feedback from residents and visitors on City-related issues. This regulation establishes rules for the creation and use of social media by City employees as a means of conveying City related content to its citizens.

This regulation applies to all City departments, boards, commissions, elected officials, employees and volunteers.

II. DEFINITIONS

A. Social Media – web and mobile based technologies which are used for interactive communication by organizations, communities and individuals often utilizing, but not limited to, third-party services that connect users to one another. Examples of social media include, but are not limited to, Facebook, Twitter, Google+, LinkedIn, YouTube, MySpace, Second Life, Delicious, Yelp, Flickr, Picasa, blogs, message boards, and chat rooms. Social media may exist in many different forms including, but not limited to, internet forums, online profiles, wikis, podcasts, pictures and video, email, instant messaging, music sharing, and voice over IP.
B. Posts – content published through social media that may consist of dialogue, pictures, videos, URLs, articles, or other communicative content.
C. Comments – response, reply, observation or opinion made via a social media to a post or another comment, usually made by outside third parties.
D. Digital Equipment – includes but is not limited to computers, laptops, telephones, cellular phones, smart phones, and iPods. Any technology provided by the City for communication, computing, etc., is covered by this definition.
E. Electronic Communication – any communication made via digital equipment including but not limited to email, texts, phone calls, voicemail and tweets.
F. Disparaging Remarks – posts or comments made to ridicule, discredit, or demean another person.
G. The City - City of Boise City and all of its departments, boards, commissions, officials, officers, employees and volunteers.

H. Department - For the purpose of this regulation, the term "department" includes all departments, all boards and commissions, the City Council and the Mayor's office.

III. APPLICATION OF OTHER CITY POLICIES AND REGULATIONS

All City sponsored social media shall comply with all City policies and regulations, including, but not limited to:

A. City Code of Ethics
B. Equal Employment Opportunity
C. Standards of Conduct
D. Information Technology Acceptable Use
E. Political Activities
F. Proprietary Rights
G. Guidelines for City of Boise Logo Use

IV. SOCIAL MEDIA ACCOUNT ACCESS

Social media network access shall be limited to those with a clear business purpose to use the forum. Only official spokespersons, Public Information Officers (PIO) and authorized individuals shall have permission to create, publish or comment on behalf of the City, a department, board, commission or elected official. All users shall obtain authorization, as described within this section, prior to creating and maintaining a page or site associated with the City on a social media network. All authorized social media pages or sites associated with the City shall belong to and be managed by the City.

A. Departments may authorize the establishment of and use of City social media accounts. During this authorization, departments shall evaluate the requests for usage, determine its appropriateness, and designate an employee(s) authorized to use social media.

B. Only individuals who are authorized by the Department Director or designee, or equivalent chairperson of a board, commission, or City Council are permitted to access, manage and/or post via City social media for the purpose of conducting City business.

C. Departments will be responsible for maintaining an up to date list of all social networking application domain names in use, the names of all authorized employee administrators or users of these accounts, as well as the associated user identifications and passwords currently active within their respective departments.

D. Oversight of City sponsored social media shall be performed at the department level by supervisors of those authorized to manage the department's social media activity. All posts on City social media shall be in accordance with this regulation. Departments shall monitor their social media for comments requesting responses from the City and for comments in violation of this regulation. Departments will also monitor content on City social media to ensure adherence to this regulation and the interests and goals of the City. The department responsible for the creation and/or maintenance of social media content shall ensure that it is able to edit or remove this content.

E. Authorized individuals representing the City on City social media must conduct themselves at all times as a representative of the City in accordance with all City policies and regulations.

F. When an individual responds to a comment in his/her official capacity as a City employee, the individual shall not share personal information about himself or herself, or other City employees. If a department has multiple individuals posting or commenting on behalf of the City, those individuals shall coordinate their responses to ensure that conflicting views and/or information is not being disseminated.

G. Whenever possible, City social media should link back to the official City website for forms, documents, online services, and other information necessary to conduct business with the City.

H. Use of posted photographs on social media sites shall abide by all copyright and printed material laws.

I. Use of the City's logos in social media shall conform to the City's Guidelines for City of Boise Logo Use.

J. All City social media shall adhere to applicable federal, state, and local laws, regulations and policies.

K. All content or comments made in any social media shall conform to that site's terms and conditions of use.

V. PROHIBITED CONTENT IN CITY SOCIAL MEDIA

As a public entity the City must serve all of its constituents in a civil and unbiased manner. City social media posts and comments containing any of the following inappropriate forms of content shall not be allowed and are subject to removal and/or restriction by the City:

A. Comments unrelated to the purpose and topical scope of the page, which includes random or unintelligible comments;
B. Profane, obscene or violent language and/or content;
C. Defamatory, personal attacks, or invasion of personal privacy;
D. Threats to any person or organization;
E. Content that promotes, fosters, or perpetuates harassment or discrimination on the basis of race, color, religion, sex, age, national origin, citizenship status, disability, genetic information, veteran status, sexual orientation or gender identity/expression;
F. Sexual content or links to sexual content;
G. Any comments for the solicitation of commerce that is not related to the City of Boise or its business partners, including but not limited to advertising of any business or product for sale;
H. Comments in support of or opposition to political campaigns, or candidates
I. Encouragement, solicitation to commit, or speech integral to, illegal activity;
J. Conduct in violation of any federal, state, or local laws;

K. Information that may tend to compromise the safety or security of the public or public systems;
L. Content that violates a legal ownership interest, such as trademark, patent, or copyright, of any other party; or
M. Confidential or proprietary information.

If activity listed in I or K above occurs, employees are expected to secure the information and notify the Boise Police Department.

VI. REQUIRED USER RULES

A Terms of Use Statement (*see* Appendix A) shall be prepared for each City social media site. The Terms of Use Statement must be displayed or made available by hyperlink on each City social media site.

VII. EXPECTATION OF PRIVACY

Nothing in this regulation bestows an individual right nor may it be construed to provide an expectation of privacy.

Users of social media should be mindful that once content is placed online, it is no longer under the user's control. Content posted to the internet is immediate and does not expire.

Participation in social media, whether by City or non-City internet resources and whether made while on or off duty must not violate the privacy rights of other City employees or customers or violate any City policy or regulation.

VIII. RECORD RETENTION

Idaho state law and relevant City of Boise records retention schedules apply to social media formats and social media content.

The City reserves the right to restrict or remove any content that is deemed in violation of this regulation or any applicable law. Any content removed based on these guidelines must be retained by the Department pursuant to the relevant records retention schedule, including the time, date and identity of the poster or commenter, when available.

APPENDIX A

CITY OF BOISE SOCIAL MEDIA TERMS OF USE

The purpose of the City's social media sites is to present matters of public interest concerning the City's programs, activities, new stories, and photos. The City welcomes your comments; however, please note this is a moderated online discussion site and not a public forum. If you need an official source of information about the City of Boise, please visit our website at www.cityofboise.org.

Comments made by the public to the City's social media pages will be reviewed, and while comments will not be edited by City personnel, the City reserves the right to remove comments that include:

A. Comments unrelated to the purpose and topical scope of the page. This page is not meant for comments that do not directly relate to the purpose or topical scope of the page, which includes random or unintelligible comments;
B. Profane, obscene or violent language and/or content;
C. Defamatory, personal attacks or invasion of personal privacy;
D. Threats to any person or organization;
E. Content that promotes, fosters, or perpetuates harassment or discrimination on the basis of race, color, religion, sex, age, national origin, citizenship status, disability, genetic information, veteran status, sexual orientation or gender identity/expression;
F. Sexual content or links to sexual content;
G. Any comments for the solicitation of commerce that is not related to the City of Boise or its business partners, including but not limited to advertising of any business or product for sale;
H. Comments in support of or opposition to political campaigns, or candidates
I. Encouragement, solicitation to commit, or speech integral to, illegal activity;
J. Conduct in violation of any federal, state, or local laws;
K. Information that may tend to compromise the safety or security of the public or public systems;
L. Content that violates a legal ownership interest, such as trademark, patent, or copyright, of any other party; or
M. Confidential or proprietary information.

Users who habitually post comments in violation of these content rules may be blocked from use of the site.

The City does not provide for the posting of photographs or videos on its social media sites. If you have a photograph or video that you would like to share, please contact the City's Public Information Officer at mjournee@cityofboise.org

Users shall have no right of privacy on the City's social media sites, and such sites may contain public records subject to disclosure pursuant to the Idaho Public Records Act and the City's records retention schedule.

A comment posted by a member of the public on any City social media site is the opinion of the commentator or poster only. Publication of a comment does not imply endorsement of, or agreement by the, City of Boise, nor do such comments reflect the opinions or polices of the City of Boise.

These terms may be revised at any time.

A User's submission, "friending", posting, or other publication of a comment on a City's social media website constitutes acceptance of these terms.

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Number:	4.30n
Effective:	01-04-13
Revised:	
Legal References:	

SOCIAL MEDIA PERSONAL USE

I. INTRODUCTION

The City recognizes that many employees have personal social media web pages and engage in various social media activities. As such, the City respects employees' right to express personal opinions when using personal social media and does not retaliate or discriminate against employees who use personal social media for political or other lawful purposes. However, employees are personally responsible for content they post on personal social media.

Social media come in many forms including, but not limited to, internet forums, blogs, online profiles, wikis, podcasts, pictures and video, email, instant messaging, music sharing, voice over IP, and others. Social media also include social websites and online communities for business and personal use, such as Facebook, LinkedIn, Yelp, YouTube, Twitter, message boards, and chat rooms.

The purpose of this regulation is to caution employees and volunteers regarding their use of personal social media as it relates to the City of Boise. This regulation applies to all City employees and volunteers.

II. NO EXPECTATION OF PRIVACY

The City may monitor content, comments, and/or discussions about the City on social media made by anyone at any time. Content posted to the internet is immediate and does not expire. Users of social media should be aware that they are not anonymous when they make online comments. Even if a person posts anonymously or under a pseudonym, their identity may still be determined. Utilization of privacy settings for personal use of social media is recommended. However persons who use social media should be mindful that once content is placed online, it is no longer under their control and content shared via private social media does not always stay private.

Employees should have no expectation of privacy while using City digital equipment or facilities for any purpose including the use of electronic communications. Regardless of password use and privacy settings, the City may retrieve, review and/or monitor or log internet usage and content found on City systems and digital equipment, including deleted messages, posts, or comments without notice to the employee. Therefore, users have no expectation of privacy in the use of the City's systems or equipment to download, transmit, post, comment, or store information.

Nothing in this regulation bestows an individual right nor may it be construed to provide an expectation of privacy.

III. EMPLOYEE PERSONAL USE OF SOCIAL MEDIA

An employee may access social media while at work within the parameters of the City's policies and regulations. Users are expected to limit use to personal time, such as breaks, lunch periods and off-duty time. If an employee's use of social media becomes excessive, interferes with or is disruptive to City business or productivity, or negatively affects the employee's job duties, the employee may be subject to discipline.

When posting to personal social media, if an employee speaks about job-related content or makes reference to the City, people may perceive the individual to be talking on behalf of the City. If the employee is not acting in an official and/or authorized City capacity, the employee shall use a disclaimer and make it clear that the views are not necessarily reflective of the views of the City. An example of such disclaimer is "The views, opinions, ideas, and information expressed on this site are my own and neither reflects the views of my employer nor is in any way attributable to the City of Boise."

Participation in social media, whether by City or non-City internet resources and whether made while on or off duty must not violate the privacy rights of other City employees, customers, or business partners, or any City policy or regulation, including but not limited to the following:

A. City Code of Ethics
B. Equal Employment Opportunity
C. Standards of Conduct
D. Information Technology Acceptable Use
E. Political Activities
F. Proprietary Rights
G. Violence Free Workplace
H. Guidelines for City of Boise Logo Use

When participating in social media employees are expected to know and follow all City policies and regulations. They are also expected to be respectful, truthful, accurate, and not engage in retaliatory behavior.

IV. PROHIBITED CONDUCT IN PERSONAL SOCIAL MEDIA

Employees may be disciplined up to and including termination for engaging in any of the following in their personal online social media activity:

A. Promoting or taking part in activities which violate federal, state, or local law.
B. Threatening harm, directly or indirectly, to any City employee or City customer, business partner, vendor, or supplier.
C. Making false or misleading statements about City employees, the City, City customers, business partners, vendors, or suppliers.
D. Making disparaging remarks toward or about any City employee, the City, City customers, business partners, vendors, and/or suppliers that are based on race, color, religion, sex, age, national origin, citizenship status, disability, genetic information, veteran status, sexual orientation, gender identity/expression or other characteristic protected by law.

E. Using social media to bully, harass, or retaliate against City employees or City customers, business partners, vendors, or suppliers.
F. Posting content or making comments that purport to express the opinions of the City. If a comment or post could reasonably be interpreted to express the opinions of the City, then the employee shall state that the comment/post is a personal opinion in the manner previously described in this regulation. Only an individual officially authorized by his/her department may post or comment on behalf of the City.

The fact that the subject of the social media content is not specifically named does not constitute a defense or excuse for City employees to engage in behavior via their personal social media that violates City policies and regulations.

Employees are expected to report known violations of this regulation to Department Directors, Public Information Officers, supervisors, or to the Human Resources Department.

V. EMPLOYEE RESPONSIBILITY AND DUTY TO REPORT

Employees are personally responsible for the content they publish via personal social media. Conduct that violates any aspect of this regulation is subject to investigation and discipline regardless of whether such conduct may have occurred away from work or on non-working time. Employees with questions regarding whether certain activities fall within the parameters of this regulation are encouraged to contact their supervisor or Human Resources.

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Revised:	01-24-12
Legal References:	Resolution #21563

OUTSIDE EMPLOYMENT

The City of Boise recognizes that employees may decide to seek additional employment during their off hours. The City does not prohibit this as long as the additional employment does not conflict with or detract from the employee's responsibilities as a City employee. Despite any outside employment, an employee's position with the City is an employee's primary responsibility. Employees are prohibited from using City equipment or property to perform their outside employment. Outside employment is not an excuse for such things as poor job performance, tardiness, absenteeism, or refusal to work overtime.

City employees are prohibited from providing outside employment services to other City employees who fall within their reporting structure, including all employees who they supervise or who supervise them. This policy applies to all supervisory relationships regardless of whether the supervision occurs directly or through subordinate supervisors.

All employees holding outside employment, including self-employment, must inform their supervisor of the nature of the work and the hours when they work. The supervisor can then determine if the outside employment interferes with the employee's performance or creates an actual or apparent conflict of interest.

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Revised:	11-10-09
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PARKING

The City of Boise shall develop parking regulations for the City Hall garage that are fair and consistent for all employees. No Department or its representative shall imply or provide parking as a benefit of employment except where specified by the parking regulations. Parking permits shall be issued to employees in order of their place on a waiting list maintained by the Parking Services Division. The Parking Services Division is authorized to uphold all provisions of this policy and the corresponding regulation.

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	03-23-12
	09-18-13
	05-12-14
	06-10-15
	05-15-17
Legal References:	

PARKING

I. INTRODUCTION

This regulation was created to promote fairness and consistency in the treatment of all employees and to communicate rules and standards intended to effectively and fairly distribute the limited number of parking spaces at the City Hall parking garage. This regulation applies to all regular employees regardless of their position or bargaining unit status. The City may discontinue or amend any portion of these regulations at its sole discretion, with or without giving prior notice.

II. POSITIONS ELIGIBLE FOR PARKING PERMITS

No Department or its representative shall provide or imply that parking is a benefit of employment which conflicts with these regulations unless specifically authorized in writing by the Mayor.

A. The Mayor, the Assistant(s) to the Mayor and all Department Directors may be issued one parking permit free of charge for their personal vehicle that will allow them to park in designated parking spaces. At the Mayor's discretion, a fee may be charged for the permit.
B. Parking Services shall designate three (3) spaces in the basement of City Hall for exclusive use by members of the City Council.
C. Board and Commission members shall be granted a parking permit free of charge to park in the City Hall garage while conducting official City business.
D. Parking Services shall maintain a list of City Hall staff requesting a monthly use parking permit and publish the list on the City's Inside web. Parking permits for City Hall staff shall be distributed based on seniority. Seniority shall be determined based on the employee's current hire date. Current hire date refers to the most recent hire date in a regular employment position. Temporary employment positions do not count toward seniority for the purposes of this regulation. Any regular employee who is currently assigned to City Hall may request to have his or her name placed on the waiting list according to his or her current hire date. This includes employees who transfer to City Hall from another location. If, under these circumstances, the employee's hire date precedes the hire date of other employees currently on the list, the employee may be placed on the list ahead of the other individuals.

E. Except for exceptions noted in this regulation, all permit holders will be charged a monthly fee for the permit.
F. Employees who car pool daily with at least three City employees are eligible to receive a parking permit to use the City Hall garage, space permitted. There will be a monthly charge for the permit. If the car pool falls below three City employees, the permit must be returned to Parking Services immediately. Car pool permitees must provide quarterly written verification to Parking Services that they are qualified for the car pool permit. This includes the name and department of all riders. The verification is due on the first work day of the months of January, April, July, and October. Parking Services will monitor this program and will rescind the permit in the event of non-compliance or in the event of a shortage of parking spaces. Employees who obtain and/or use a parking permit under false pretenses are subject to discipline.
G. The City will make reasonable accommodation for employees with disabilities in possession of an accessible license plate or placard issued by the State of Idaho. Employees with disabilities who are issued a permit to use the City Hall garage will be charged the regular monthly rate.
J. A list of employees with grandfathered parking benefits is maintained by Parking Services, Human Resources and the City Attorney's office. Any changes to the list shall have written approval from the Mayor.

III. ASSIGNED PARKING SPACES

Beginning October 1, 2013 all spaces in the City Hall parking garage will be assigned.

All City-owned vehicles shall park on the west side of the basement garage.

Each monthly permit holder will be assigned a numbered space in the parking garage. Vehicles with a wheel base of 155 inches will be assigned parking spaces on the third floor of the garage.

All Board and Commission users, and special parking credential users [see below], shall park in the designated overflow parking spaces in the basement of the garage.

Drivers who park in a monthly permit holder's assigned space shall be issued a citation.

No City employee shall have more than one permit to park in the garage.

IV. SPECIAL PARKING CREDENTIAL

Employees are expected to use City motor pool vehicles when conducting City business. In the event an employee does not have access to a motor pool vehicle and therefore is required to use his or her personal vehicle, the Department Director may authorize the employee use a department permit. These permits are known as special parking credential (SPCs). SPCs will be issued to departments by Parking Services and shall only be used if a motor pool vehicle is not available. Departments shall not assign SPCs to a specific individual for his or her exclusive use.

Employees from worksites located outside City Hall, but who regularly come to City Hall to perform work, may use a SPC to park in the designated overflow parking area in the basement of the City Hall Parking garage.

IV. SPECIAL EVENTS

Parking for occasions that bring a large number of employees to City Hall from other worksites can create a shortage of parking for paying permit users. To ensure parking for the paying permit users, all individuals who come to City Hall shall use the designated overflow parking in the basement of the garage or parking facilities other than the City Hall garage.

V. FLEET VEHICLES

All City fleet vehicles shall use spaces in the basement and be identified by either a City license plate and/or a fleet vehicle decal provided by Parking Services.

VI. MOTORCYCLES

Motorcycle parking will be allowed in the City parking facilities in areas specifically designated for such parking. Parking permits will be provided by Parking Services and shall be displayed on the motorcycle. Motorcycle parking shall be regulated in the same manner as the automobile parking program.

VII. PUBLIC PARKING

No public parking is available in City Hall facilities.

VIII. AFTER HOUR PARKING

All City employees and Board and Commission members with badge access may use the City Hall parking facility from 5:00 p.m. to 7 a.m. weekdays and all day Saturday and Sunday without a parking permit.

IX. MONTHLY PARKING PERMITS

The following requirements pertain to monthly parking permits and SPCs:

A. Permits shall be visibly displayed at all times when parked in the garage. If the permit is not visible the permit holder will be cited.
B. If an employee leaves City employment, or has moved to another work location such as City Hall West or another City work location, the employee is required to return the parking permit to Parking Services or, if applicable, destroy the parking decal.
C. Employees are prohibited from using the parking permit of a current or former employee, or an employee who now works at another City work location unless otherwise permitted below:
    1. In the event of a temporary short-term leave of absence such as vacation, FMLA, etc., a permit holder may loan his or her permit to another City employee for use. A temporary short-term leave of absence can be no longer than three months. If the permit holder lends his or her permit to another City employee, the permit holder

shall notify Parking Services in advance. The permit holder will remain responsible for the parking permit fee. The person using the permit is required to have physical possession of the permit in order to utilize its privileges. No temporary permits will be issued unless permitted in this regulation.

2. Permit holders may loan their parking permit to another City employee for use during a temporary physical impairment or condition that presents a challenge to mobility (e.g. pregnancy). If a permit holder lends his or her permit to a mobility-challenged employee, the permit holder shall notify Parking Services in advance via the Compassionate Parking form. The permit holder will remain responsible for the parking permit fee.

D. City staff that use alternative transportation are encouraged to return their permits to Parking Services to be redistributed to others on the waiting list. If the permit holder elects to retain the permit, he or she shall not loan the permit to other staff for their use unless otherwise permitted in this regulation. Failure to use an assigned space for three (3) months may result in loss of parking privileges.

E. Only one permit will be issued per eligible employee or Commission/Board member. Individuals shall rotate the permit if they drive various vehicles to work. Photocopies are strictly prohibited.

F. Parking privileges are non-transferable unless otherwise permitted in this regulation, and are intended solely for the use of City employees, Commission and Board members. Permits may not be purchased or used on behalf of, or for the benefit of another party.

G. Parking fees will be deducted in advance from the employee's paycheck by automatic payroll withdraw. Employees are required to complete and submit a payroll deduction form to use facility parking. No refunds will be issued for partially used months.

H. The number of available parking spaces for personal vehicles may need to be reduced at times to accommodate new fleet vehicles that come into the system. As spaces are needed, monthly parkers will be reduced on a last in, first out basis.

I. All entrances into the parking facilities are controlled by electronic gates which require a City of Boise photo identification badge for access.

X. VEHICLE SIZE

Parking Services shall determine if the size of a vehicle is such that it impacts the traffic flow, access, or the number of spaces affected. The City rents or provides use of parking spaces and maintains the right to prohibit facility usage of any vehicle deemed to hinder or interfere with traffic flow, access, or number of available parking spaces.

Document Type:	Regulation
Number:	4.40b
Effective:	9-18-13
Revised:	

PAYROLL DEDUCTION FORM
FOR PARKING FEES

The City's Parking Regulation requires all employees who receive a City Hall parking garage permit to complete this form. Additionally, employees who pay a monthly rental fee for parking spaces from Republic Parking or Car Park may complete this form authorizing an automatic payroll deduction.

Parking fees will be deducted in advance and will be split equally between the 1st and 2nd paychecks of each month. Example: June paycheck deductions would cover parking fees for July. In the months where a 3rd paycheck is received, parking deductions will not be taken from the 3rd paycheck.

By signing this form you authorize the City to deduct parking fees in advance as an automatic bi-weekly payroll withdraw. Additionally, you acknowledge that any changes must be made prior to the payroll deduction for the month the parking is to be paid. If you fail to make such a request in time to stop the deduction, a refund may be forfeited. Partially used months will not be refunded.

Questions? Call Parking Services at 384-3770 or Human Resources Payroll at 384-3850.

SEND COMPLETED FORM TO PARKING SERVICES

Printed Name:_____ EmpID#:_____

Department:_____ Phone#:_____

License Plate #:_____

License Plate #:_____

Signature:_____ Date:_____

FOR PARKING SERVICES USE:

Authorized deduction amount

$_____

Receipt
City Hall Employee

12/06/13

Routing
Parking Services
HR-Payroll

Document Type:	Regulation
Number:	4.40c
Effective:	05-15-17
Revised:	

SHORT-TERM PARKING CHANGE

City Hall Garage Permit Holders are allowed to let other employees park in their space while they are not using it. Parking Services must be notified of the change so this form should be filled out completely to avoid any parking violations. The permit holder must be notified prior to this form being submitted. The vehicle temporarily parking in the space does not need to display the permit, but the license plate of the vehicle must be provided.

For questions or comments, please contact Parking Services
at parkingservices@cityofboise.org or call 208-972-8150

Please Fill out every field below

Permit Holder's Name

Permit Holder's Email

Space Number

Temporary User's Name

Temporary User's Email

Temporary User's License Plate

Start Date

End Date

Comment

I have read and understand the terms of use below

Signature:_____ Date:_____

Submit

Terms of Use:

The ability to temporarily transfer a parking permit to another employee is a privilege and not a right. Long term transfers are prohibited as a permit holder is required to return their permit to Parking Services for long term job or location changes. Any abuse of this program by the original permit holder, or the temporary permit holder will result in revocation of the ability to transfer parking permits. Depending on the situation, notification may be made to the appropriate supervisor(s), and could lead to revocation of the original parking permit.

If a temporary permit holder finds another vehicle in the assigned parking space, or multiple authorization forms are submitted for the same parking space, Parking Services is to be contacted immediately. Overflow parking authorization will NOT be given and the vehicle must vacate the parking structure.

Document Type:	Regulation
Number:	4.40d
Effective:	05-15-17
Revised:	

COMPASSIONATE PARKING DONOR AUTHORIZATION

Permit holders may loan their parking permit to another City employee for use during a temporary physical impairment or condition that presents a challenge to mobility (e.g. pregnancy). To do so, please fill out the form below completely and submit it to Parking Services. The vehicle temporarily parking in the space does not need to display the permit, but the license plate of the vehicle must be provided.

For questions or comments, please contact Parking Services
at parkingservices@cityofboise.org or call 208-972-8150

Please fill out every field below

Permit Holder's Name

Permit Holder's Email

Space Number

Temporary User's Name

Temporary User's Email

Temporary User's License Plate

Start Date

End Date

Comments

I have read and understand the terms of use below

Signature:_____ Date:_____

Submit

Terms of Use:

The ability to temporarily transfer a parking permit to another employee is a privilege and not a right. Long term transfers are prohibited as a permit holder is required to return their permit to Parking Services for long term job or location changes. Any abuse of this program by the original permit holder, or the temporary permit holder will result in revocation of the ability to transfer parking permits. Depending on the situation, notification may be made to the appropriate supervisor(s), and could lead to revocation of the original parking permit.

If a temporary permit holder finds another vehicle in the assigned parking space, or multiple authorization forms are submitted for the same parking space, Parking Services is to be contacted immediately. Overflow parking authorization will NOT be given and the vehicle must vacate the parking structure.

Document Type:	Policy
Number:	4.45
Effective:	05-01-06
Revised:	
Legal References:	I.C. § 9-340C

PERSONNEL FILES

The official personnel file relating to all employees shall be maintained in Human Resources.

Except for material used to screen and test for employment, all materials placed in the employee's file originating within the City after employment shall be available to the employee upon request for inspection, in the presence of the person(s) responsible for keeping the file. A copy of such material shall be made available to the employee upon request and at the employee's expense.

The employee shall have the right to file a written response to any material included in the file, except for material used to screen and test for employment.

Documents within the official personnel file are confidential, except those documents subject to disclosure under applicable laws. Access to personnel files shall be limited to authorized City officials and employees or as required by law.

Document Type:	Regulation
Number:	4.45a
Effective:	05-01-06
Revised:	03-23-12
Legal References:	I.C. § 9-340C
	I.C. § 50-908

PERSONNEL FILES

I. INTRODUCTION

In collecting, maintaining, and disclosing personnel information, the City of Boise makes every effort to protect employees' privacy rights and interests and prevent inappropriate or unnecessary disclosures of information from any employee's file or record. The City of Boise strives to ensure that it handles all personal and job-related information about employees in a secure, confidential, and appropriate fashion. This regulation applies to all City departments and divisions.

II. TYPES OF EMPLOYEE FILES

There are three categories of personnel files:

A. Official Personnel File
B. Site Based File
C. Benefits File

III. OFFICIAL PERSONNEL FILE

There shall be only one official personnel file and that file shall be maintained in Human Resources. The following documents shall become part of the official personnel file.

A. Hiring paperwork including employment application and other supporting documentation as determined necessary by Human Resources
B. Formal disciplinary actions
C. Performance appraisals
D. Improvement plans
E. Compensation changes
F. Change in job title or position
G. Awards, certificates or formal letters of commendation that are related to the employee's position with the City
H. Employment related correspondence
I. Problem solving complaints and resolutions
J. Letters of resignation, retirement, or termination
K. Leave of absence requests
L. Separation documents
M. Employee bonus information
N. Certificates and licenses required for the position held
O. Correspondence to employee
P. Complaints and claims that the employee files with federal, state, and local agencies

Ethnic identification forms, I-9 forms, and protected health information shall not be part of the official personnel file and shall be maintained by Human Resources in separate files.

IV. ACCESS TO OFFICIAL PERSONNEL FILES

Aside from Human Resources, only individuals with a valid business related need shall have access to the official personnel files such as:

A. Mayor or designee
B. Legal department
C. Current or prospective supervisor of the employee
D. Employee or designee identified in writing
E. Any person authorized by court order or applicable law
F. Hiring committees may have access to applications, resumes and other documents submitted by an applicant for a position. Other information contained in the personnel file may not be accessed by hiring committees. Hiring authorities shall have the obligation to advise hiring committees that any information provided to them in the hiring process is confidential, and that hiring committees have an obligation to not disclose any information they may receive during that process.

An employee may request copies of information in his or her personnel file. When this occurs Human Resources will email an electronic copy of the information to the employee. If this is not possible, Human Resources will make these copies available upon written request from the employee and may charge a fee to reproduce the information in accordance with applicable law.

V. DISCLOSURE TO THE PUBLIC

Except to individuals allowed access as specified above, only the following information may be released to the general public about individual employees:

A. Last name and first initial only
B. Work location
C. Position held
D. Dates of employment
E. Status
F. Gross salary and salary history
G. Classification, pay grade, and step
H. Any other information required by applicable law

All other personnel information relating to an employee or applicant including, but not limited to, information regarding sex, race, marital status, birth date, home address and telephone number, applications, testing and scoring materials, grievances, discipline information, correspondence and performance evaluations, and protected health information, shall not be disclosed to the public without the employee's or applicant's written consent, except as allowed by law.

VI. EMPLOYEE RESPONSIBILITIES

To ensure that the official personnel files are up-to-date and contain accurate, complete information, employees are expected to notify Human Resources of any changes that need to be made in the following categories:

A. Name,
B. Telephone number,
C. Home address,
D. Marital status,
E. Number of dependents,
F. Beneficiary designations,
G. Scholastic or licensure achievements, or
H. Individual to notify in case of an emergency.

VII. PURGING INFORMATION FROM PERSONNEL FILES

The records contained in an employee's personnel file are considered an official record and shall not be removed or destroyed from the personnel file until the entire file is destroyed in accordance with the City's records retention schedule or in accordance with City policies and regulations.

VIII. SITE FILES

Site files are sometimes also known as department files, supervisor files, desk files, and working files. Site files may be kept by a supervisor or kept in a central location within a department. Site files should only contain notes to help the supervisor remember specific occurrences, such as verbal coaching sessions, commendations and/or complaints from customers, staff, vendors or citizens, electronic or written instructions given to the employee, performance evaluations and improvement plans, and copies of informal and formal corrective action.

Site files shall not contain any documentation with personally identifiable information about the employee including social security numbers, birthdates, I-9 information etc. Site files also shall not contain any medical information. If an employee provides his or her supervisor with any medical documentation, including but not limited to return to work releases, the supervisor shall forward the documentation to Human Resources and not retain a copy.

The records contained in an employee's site file are considered an official City record and shall not be removed or destroyed. In the event an employee terminates or transfers out of a department, the site file shall be sent to Human Resources. If site files are not kept in a centralized location in a department and an employee transfers to another position within the department, the site file shall be forwarded to the new supervisor in its entirety.

IX. BENEFITS FILE

Employee benefits files are maintained by Human Resources and kept separate from the official personnel file. Benefit files include, but are not limited to, employee benefit elections, family medical leave information, medical certifications, return to

work notes, emergency contact information, and documents regarding military leave, and compassionate leave. Supervisors do not have access and are not permitted to view an employee's benefit file.

X. PROHIBITED REMOVAL OR DESTRUCTION

All personnel records are property of the City and no City official or staff shall have any personal or property right to such records even though he or she may have developed or compiled them. The destruction or removal of any of these records outside the City's established records destruction schedule is prohibited.

Document Type:	Policy
Number:	4.50
Effective:	05-01-06
Revised:	
Legal References:	5 U.S.C. § 1501 *et seq.*

POLITICAL ACTIVITIES

The City of Boise recognizes and encourages the right of its employees, as citizens, to engage in political activity. The City supports an employee's expressions of political activity and interests provided there is no conflict with the employee's responsibilities and no City time or resources are used, except as allowed by law.

Document Type:	Regulation
Number:	4.50a
Effective:	05-01-06
Revised:	06-01-13 08-27-20
Legal References:	5 U.S.C. § 1501 *et seq.*

POLITICAL ACTIVITIES

I. INTRODUCTION

This regulation outlines parameters for engaging in political activities and applies to all city of Boise employees and volunteers. Elected city officials and appointed members of city boards and commissions can refer to the city's Elected and Appointed Officials Handbook (coming soon) for guidance on political activities.

Nothing contained in this regulation shall be construed as denying the civil and political liberties of any person as guaranteed by the United States and Idaho Constitutions. Employees are encouraged to register and vote in elections and may choose to support or oppose a candidate or legislative action as a private citizen when off duty. Employees with questions regarding whether certain activities fall within the parameters of this regulation should contact their supervisor or Human Resources.

II. PROHIBITED ACTIVITIES

Employees and volunteers shall not engage in the following activities:

A. Participate in political activities as a representative of the city or while on-duty;
B. Use city equipment, property, materials, facilities or other city resources for political activities, except as allowed by law or city policy and regulations;
C. Distribute or post political circulars or petitions on city property;
D. Collect and/or solicit campaign funds and/or the contribution of services or resources as a representative of the city, or while on duty, or on city property;
E. Use the authority of their position to influence the vote or political activities of any subordinate including, but not limited to directly or indirectly coercing, attempting to coerce, commanding, pressuring or advising an employee to pay, lend, or contribute anything of value, including their personal time, to a party, committee, organization, agency, candidate or person for political purposes;
F. Take any adverse employment action, or make any promise or threat of adverse action, against an employee because they made or withheld a political contribution or service;
G. Take any favorable employment action, or make any promise of such action, for an employee because they made a political contribution or service; and/or
H. Organize or participate in any politically motivated behavior that is disruptive to the workplace, harassing or discriminatory.

III. EMPLOYEES SEEKING PUBLIC OFFICE

Employees shall disclose their intention to run for public office to their supervisor and Human Resources at least 30 days in advance of filing and agree in writing to the following requirements:

A. Employees may disclose their current or prior affiliation with the city; however, they cannot use that affiliation in a way that suggests or implies the city's endorsement of their candidacy or that they are speaking on behalf of the city.
B. They may request time off in accordance with the city's leave policies.
C. If an employee is elected as Boise's Mayor or as a member of the Boise City Council, they shall resign from their city position before taking office.
D. City employees elected to public office are required to resolve to the city's satisfaction any conflicts of interest created as a result of the employee's campaign. Minor conflicts can be resolved if the employee discloses the conflict and removes themselves from all decision-making related to the conflict of interest. Major conflicts of interest may require the employee to resign from their city position.

IV. HATCH ACT

Employees who are covered by the Federal Hatch Act may not be a candidate for apolitical office if their wages are paid completely, directly or indirectly, by loans or grants provided by the United States or a Federal agency, but does not include:

1. An individual who exercises no functions in connection with that activity; or
2. An individual employed by an educational or research institution, establishment, agency, or system which is supported in whole or in part by a State or political subdivision thereof, or by a recognized religious, philanthropic, or cultural organization.

The Hatch Act does not apply to the mayor or other individuals holding elective office in the city.

Document Type:	Policy
Number:	4.55
Effective:	05-01-06
Revised:	
Legal References:	

PROPRIETARY RIGHTS TO STAFF MATERIALS

The City of Boise has proprietary rights to original works of authorship and patentable inventions and ideas developed or prepared, in whole or in part, by employees within the scope of their employment or through the use of the City's facilities, materials or equipment.

Employees retain proprietary rights to original works of authorship and patentable inventions and ideas that are developed or prepared exclusively on their own time and without the use of City facilities or equipment and that are not within their scope of employment.

Employees submitting information for publication that represents the City shall notify the Department Director or designee of the information prior to releasing the information for publication.

Document Type:	Policy
Number:	4.65
Effective:	05-01-06
Revised:	
Legal References:	

SUBPOENAS, SUMMONS OR COMPLAINTS

Employees served with a subpoena, summons, or complaint on a matter relating to their employment or any other legal matter involving the City of Boise, are required to notify their supervisor and/or the City Attorney as quickly as practical prior to the time for response.

Document Type:	Policy
Number:	4.70
Effective:	05-01-06
Revised:	01-02-12
Legal References:	I.C. § 39-5501 *et seq.*
	B.M.C. 6-23
	B.M.C. 13-3-8
	Resolution #21562

TOBACCO USE

The City of Boise is committed to providing a safe and healthy workplace and to promoting the health and well-being of its employees. As required by law and the City's desire to provide a healthy work environment for employees, the use of tobacco products including, but not limited to, cigarettes, cigars, pipes, snuff, and chewing tobacco, is prohibited in the following locations:

A. Inside any City vehicle.
B. Within twenty (20) feet of entrances or exits to buildings owned or managed by the City.
C. In any City park, whether developed, undeveloped, or open space reserve, except for the areas specifically declared open to smoking within those parks or other non-public designated areas for employee tobacco use.
D. Inside any enclosed areas owned, leased, or operated by the City. The law defines an "enclosed" area as all space between a floor and a ceiling that is bounded on all sides by walls, doorways, or windows, whether open or closed. A wall includes any retractable divider, garage door, or other physical barrier, whether temporary or permanent.

If allowed within the above restrictions, the management of each facility will designate areas outside the facility where tobacco products may be used. All tobacco products should be disposed of properly. This policy applies to all employees of the City of Boise.

Document Type:	Policy
Number:	4.75
Effective:	05-01-06
Revised:	
Legal References:	29 C.F.R. §§ 785.34-785.35 29 C.F.R. § 785.38 29 C.F.R. § 785.39 29 C.F.R. § 785.37

TRAVEL

The City desires its employees to travel and conduct business in comfort. However, employees are expected to exercise good judgment in distinguishing between comfort and extravagance. Eligible travel expenses will be paid to any person authorized to travel on official business for the City. All employees traveling or incurring business expenses on behalf of the City as well as those responsible for the approval of these expenses are expected to use prudence, discretion, good judgment and the application of the travel regulations to assist in maintaining control over travel expenses.

Document Type:	Regulation
Number:	4.75a
Effective:	05-01-06
Revised:	09-05-08
	01-22-10
	10-01-12
	02-03-20
Legal References:	29 C.F.R. § 785.34
	29 C.F.R. § 785.35
	29 C.F.R. § 785.37
	29 C.F.R. § 785.38
	29 C.F.R. § 785.39
	29 C.F.R. § 785.40
	29 C.F.R. § 785.41
	2 C.F.R. § 200.474
	I.C. § 49-117(16)

TRAVEL

I. INTRODUCTION

All employees who travel and incur business expenses on behalf of the City as a result of such travel, as well as those responsible for the approval of these expenses are expected to use prudence, discretion, good judgment and the application of these regulations to assist in maintaining control over travel expenses. Employees shall not gain a personal financial benefit for travel on behalf of the City unless otherwise permitted in this regulation. The absence of guidance covering particular situations does not relieve a supervisor or employee from the responsibility of exercising good judgement. For the purposes of this regulation, the term “travel” refers to a work related trip, voyage, or journey that is outside of an employee’s regular/typical job duties. Transitioning between home and work is not considered travel for the purpose of this regulation.

This regulation applies citywide. Unless bargaining unit employees have special provisions that are specifically stipulated in a collective bargaining agreement or general order, this regulation shall be followed.

II. AUTHORIZATION

Travel authorization is required prior to commencement of travel and incurring expenses. Authorization requirements may vary depending on the person(s) traveling and the destination. For example:

A. Department Director and City Council travel requests shall be authorized and approved by the Mayor and City Council.
B. The Mayor and the Mayor’s office staff travel requests shall be authorized and approved by the City Council.
C. All other travel requests shall be authorized and approved by the the employee’s Department Director or designee.

EXCEPTIONS: Travel outside the continental United States requires City Council approval before arrangements are made.

If all, or any portion of, the travel will be paid for by third-party funds, the travel must be approved by Legal and Human Resources prior to arrangements being made. Approval may take up to five (5) business days. These travel requests are to be sent to BOCA@cityofboise.org for approval.

III. MODE OF TRAVEL

Travelers should attempt to use the most cost-effective and efficient mode of travel after considering total time and convenience involved, as well as direct costs for airfare, mileage, taxi's, rental cars, other fares, etc. Employees are permitted to accumulate mileage credits and other benefits from individual frequent traveler programs; however, travel providers and/or accommodations should not be selected based on membership or benefits in any program.

A. Airline
    a. Non-refundable tickets should always be purchased, when available.
    b. In accordance with the Fly America Act of 1974, US flag air carriers or shippers must be used when traveling or shipping items and the costs are charged to a federal grant or contract. Exceptions apply, including Open Skies, which allows for use of air carriers from countries who have transportation agreements with the US government – consult with the Office of Sponsored Projects for details.
    c. Airfare obtained with frequent flyer miles or program equivalent, travel vouchers, credits, gift cards, and other non-monetary methods are not eligible for reimbursement.
    d. The purchase of travel insurance shall be at the employee's expense.

B. Vehicles
    Travelers must obtain authorization for vehicle use prior to traveling. Non-city employees are not allowed to travel in City owned vehicles, unless the travel is city business related.
    a. City-owned vehicles
        i. The use of City owned vehicles should have a high priority over the use of private vehicles. The use of City owned vehicles are governed by the Vehicle Usage Regulation 4.80a.
    b. Personal vehicles
        i. Employees shall have current vehicle liability insurance in the amount required by Idaho Code § 49-117(16) and a valid driver's license when using a private vehicle for City business. The employee's insurance is considered by State statute to be primary before the City's insurance. If an employee is involved in an accident and does not have a valid driver's license and insurance the City will disclaim any liability and the employee will be personally liable.
        ii. When for personal reasons a traveler elects to use his/her own transportation in lieu of public transportation or City vehicle, reimbursement will be limited to the lesser of:
            1. The GSA allowable mileage reimbursement rate on the basis of the shortest direct route; or

2. The costs of the most economical and allowable public transportation

The following will apply to those employees that choose to use their personal vehicle:

i. Charges for repairs, tires, gasoline, or other operating expense will not be reimbursed.
ii. A City purchasing card (p-card) is not to be used for fuel or other operating expenses.
iii. Mileage starts and ends at the employees' regular place of business.
iv. The travel coordinator will use information gathered to determine the appropriate reimbursement.

c. Rental Vehicles
   i. Travelers that must rent a vehicle while on approved travel should use the rental car companies contracted with the City when available
   ii. When a traveler uses a non-contracted rental car company and pays for a rental car for City business via a City p-card it is not necessary to purchase liability, comprehensive, and collision coverage However, employees renting trucks, pickups, full-size vans mounted on truck chassis, and paying via a City p-card, will be required to purchase liability, comprehensive, and collision coverage. Employees must make a reasonable effort to secure the most economical rental vehicle that adequately fulfills the need of the business trip.
   iii. If an employee rents and pays for an automobile with personal funds, they shall purchase liability, comprehensive, and collision coverage through the rental agency, unless the automobile rental amount is paid by means of a personal credit card that provides such rental car insurance coverage. In the event that the employee fails to buy insurance through the rental car company and is not insured through the credit card used to rent the vehicle, the employee may be personally responsible for damages and other liability incurred through rental and use of the automobile.
   iv. Employees that use a City p-card for the payment of a rental car are allowed to use the p-card for fuel.

IV. TRAVEL EXPENSES

A City p-card is the preferred method of payment for travel expenses. Employees are encouraged to use their City issued p-card while traveling to pay for authorized travel expenses as defined in this regulation. Appropriate use of a city p-card is governed by the Purchasing Card Uses and Parameters Regulation, B 8.02a. Cash advances will be provided via direct deposit in cases where employees choose not to use a p-card. Employees may also request reimbursement for allowable travel expenses that are actually incurred and paid for using personal funds.

A. Authorized travel expenses
   a. One personal checked bag is a valid employee expense. Costs associated with overweight personal luggage is not expected to occur and is a personal expense.

b. Taxi, shuttle service or other transportation methods, including tips/gratuities, to transport an employee to or from an airport is a valid employee expense while traveling.
c. Lodging accommodations should be comfortable, not lavish, and should be a reasonable price, consistent with business requirements. Employees attending conferences may stay at the conference hotel even if it is not the most economical option available.
    i. Lodging provided by relatives or other individuals without charge is not a reimbursable expense.
d. Bridge tolls, airport parking, hotel parking and like expenses, while on approved travel, is a valid employee expense.
e. Telephone calls pertaining to official City business will be paid. One call home will be paid per day.
f. Tips and gratuities related to taxi or airport shuttle services are valid employee expense.
g. The cost of insurance for rental vehicles, as defined within this regulation.

B. Non-authorized travel expenses
a. Airline or other travel insurance coverage.
b. Tips and gratuities related to baggage handling or hotel services are not a reimbursable expense.
c. Personal services, such as barber, beautician, manicurist, shoe shine, masseur or masseuse.
d. Use of extra-cost hotel/motel services, such as pay-per-view television or movies, video games or similar items.
e. Additional charges for room upgrades, poolside rooms, or special floors.
f. Additional charges for rental car upgrades.
g. Traffic, seat belt, parking or other vehicle code/criminal fines incurred.
h. Laundry or dry cleaning services, unless on extended travel as defined in this regulation.
i. Lodging costs that exceed the single rate for (1) person plus tax, unless the room was shared with a city employee or fellow conference/training attendee.

V. MEALS WHILE TRAVELING

The City uses a per diem allowance for employees while on approved travel. The per diem allowance is intended to cover the cost of food, beverages, and related gratuities. The per diem allowance shall be based on the designated GSA rate at the temporary work location, and on the final day of travel the allowance shall be the designated GSA rate for the location where the traveler last stayed the night prior to returning ro their official primary work location. For partial days away from home, the per diem allowance should be adjusted using the employee's travel schedule and meal breakdown chart. At no time may the adjusted amount be more than the per diem allowance for the day. Meal tickets are an acceptable expense.

Continental breakfasts, snack, appetizers or light refreshments provided by a hotel or hosting organization free of charge will not be deducted from the employee's per diem allowance. A continental breakfast is defined as a very light meal which typically consists of a selection of muffins, roll, bagels and other bread items, fruit, jam, and beverage items like coffee, tea or juices.

If a meal is provided or included in the registration or conference fee, no allowance will be given unless one of the following applies:

A. The employee is unable to consume the furnished meal(s) because of medical requirements or religious beliefs;
B. The employee was unable to take part in the furnished meal because he or she was conducting official business.
C. The meal was outside the employee's normally scheduled work day and overtime/compensatory time would be accrued and was not approved by the department (i.e. opening or closing conference receptions).

Meals for same day travel

In order for a meal to be reimbursed by the City, the travel must substantially extend the employee's typical work day. When travel is more than 100 miles, one way, with no overnight stay required, the employee may either be reimbursed for allowable meals or choose to use their City p-card with their department director or designee's prior authorization. Meals for same day travel may not exceed the eligible GSA per meal limits and are governed by the Business Meals Regulation 1.04c. Meals that are provided as part of a meeting, conference or conference event shall not be eligible for reimbursement.

VI. PERSONAL TRAVEL IN CONJUNCTION WITH BUSNIESS TRAVEL

Employees may request to combine personal travel with business travel for their convenience beyond the approved travel dates. The City will only pay for the allowable travel expenses associated with the business portion of the travel. Only the actual City travel dates and times will be considered when calculating allowable travel expenses. Personal travel days must be clearly designated when submitting travel documentation.

In order to demonstrate that no additional expense was included for air fare and/or car rental for the personal portion of the trip, a cost comparison for transportation of the business travel versus the combined business/personal travel must be provided at the time of booking. If the extended trip results in a higher cost, the traveler must provide payment for the difference at the time of booking. If the traveler purchases an airline ticket or rental car with personal funds and fails to provide the cost comparison when requesting reimbursement, the City will reimburse 75% of the employees portion of the expense. The City will not pay for any personal expenses, nor will any personal expenses be reimbursed.

The City of Boise shall not reimburse or pay for the travel expenses of an employee's spouse or guest.

VII. EXTENDED BUSINESS TRAVEL

If an employee will be out of town for business related reasons for eight (8) consecutive weeks or more, the City will pay for one (1) roundtrip ticket home for the traveling employee. No meal allowance will be given while the employee is home on hiatus from the out of town business.

If an employee is on extended business travel, departments have the discretion to determine an appropriate amount for meals for the duration of the travel. When

determining the amount, the type of lodging should be taken into consideration. The final amount may not exceed the eligible GSA per meal limits.

VIII. DOCUMENTATION REQUIREMENTS

All expenses associated with the travel event shall be reconciled and submitted to the travel coordinator within 15 calendar days of the return. It is not allowable to combine travel reports for group travel or for multiple trips. Each traveler must submit their own travel expense report. A travel expense report is required for every trip and must include the business purpose, date and place of the trip.

A. Required itemized proof of purchase and documentation, if applicable, regardless of payment method:
    a. Air/Rail receipt, including cost comparison if the employee had personal travel in conjunction with business travel
    b. Baggage fees
    c. Hotel receipt
    d. Registration receipt
    e. Agenda/itinerary
    f. Car Rental receipt
    g. Taxi/shuttle/toll
    h. Parking fees (airport/hotel)
    i. Any other authorized and/or eligible expense

    Itemized proof of purchase must include the name of the vendor, location, date and dollar amount.

Repeated failure by an employee to submit required travel documentation within 15 calendar days will result in the suspension of the employees' p-card.
If an employee chooses to use personal funds for travel in lieu of the City p-card or travel advance, itemized proof of purchase is required to be submitted for all eligible travel expenses, regardless of the dollar amount. Eligible expenses paid for with personal funds will not be reimbursed until after the travel has occurred and required documentation has been received and approved. Alcohol purchases will not be reimbursed. Reimbursement requests for travel related expenses submitted after 90 days may be taxable. Reimbursement requests for travel related expenses submitted after 120 days will be denied.

Employees will receive reimbursement, if applicable, for eligible travel related expenses via direct deposit at the conclusion of the travel event when all documentation has been submitted and approved within the allotted time frame.

A. Travel associated with Federal Grants
    Travelers should refer to the current Federal requirements for required documentation and authorized travel expenses for travel to ensure such costs and/or charges are consistent with those allowed.

An item not specifically described or requests to exceed the established regulations as an allowable expense, but which are nevertheless necessary in the performance of official travel duties for the City, may be reimbursable upon submission of an itemized proof of purchase, a thorough explanation and approval by the employee's Department Director or designee.

IX. PAY FOR SAME DAY TRAVEL

In accordance with the Fair Labor Standards Act (FLSA), when City of Boise employee is required to travel to and from another city in the same day, all travel time involved shall count as time worked.

A. If traveling by air, arrival time to the terminal will be paid based on the traveled airline's recommendation for the departing airport and count as travel time
B. Meal periods shall not count as hours worked.
C. An employee that drives himself/herself directly from his/her home to the departure point shall count only the time spent driving that is in excess of the normal home to work commute as hours worked.

X. PAY WHILE TRAVELING OVERNIGHT

This section describes what is considered hours worked, in accordance with FLSA, related to employees traveling overnight. These provisions apply to both exempt and non-exempt employees.

A. Meal periods shall not count as hours worked.
B. An employee that drives himself/herself directly from his/her home to the departure point, shall count only the time spent driving that is in excess of the normal home to work commute as time worked.
C. Travel, including time spent waiting at an airport terminal, that takes place within the employee's regularly scheduled work hours, is treated as work hours, regardless of the day of the week.
    a. For example, if an employee regularly works from 8:00 a.m. to 5:00 p.m., only the time spent traveling during that time period is counted as hours worked. Time spent by the employee traveling before 8:00 a.m. or after 5:00 p.m. is not eligible for compensation.

D. If an employee is offered public transportation e.g. plane or bus, but requests permission to drive his/her vehicle instead, the City may count as hours worked either the time spent driving the vehicle or the eligible time he/she would have counted as hours worked if the employee had used the public transportation, whichever is less.
E. When an employee travels between time zones, the time zone associated with the point of departure shall be used to determine whether the travel falls within the employees regularly scheduled work hours.
F. Any work which an employee is required to perform while traveling, and is outside the employee's regularly scheduled work hours, must be counted as hours worked.
G. Departments may not adjust an employee's regular work schedule to include or exclude travel hours that would not otherwise be considered hours worked.

Compensatory time and overtime requirements resulting from travel time will be processed in accordance with applicable laws and City policies and regulations.

XI. TRAINING

Employees who travel, coordinate or approve travel for City business will be required to take and pass the travel course in iLearn every two years.

Document Type:	Policy
Number:	4.80
Effective:	05-01-06
Revised:	
Legal References:	

VEHICLE USAGE

City vehicles are intended for use in the course and scope of City business. Some City employees need to travel in a vehicle to perform their job duties, either because it has special equipment, is a special type vehicle, or they only occasionally need to travel. All drivers need to be aware that they are representing the City when they use City vehicles. They shall act accordingly and drive defensively and responsibly. Any employee driving a City vehicle or driving a personal vehicle for City business shall have a current and valid driver's license.

Document Type:	Regulation
Number:	4.80a
Effective:	05-01-06
Revised:	10-01-06
	01-01-09
	04-01-09
	03-23-12
	08-04-14
	01-08-21
Legal Ref:	I.C. § 49-117
	I.C. § 49-673
	I.C. § 49-1401

VEHICLE USAGE

I. INTRODUCTION

Some city staff need to travel by vehicle to perform their job duties, either because the vehicle has special equipment, is a special type of vehicle, or they occasionally need to travel. This regulation governs the use of city vehicles and personal vehicles used for work purposes. Staff who are required to have a commercial driver's license should refer to the commercial driver's license policy and regulation for additional requirements.

This regulation applies to all city employees, elected and appointed officials, and volunteers, collectively referred to as staff.

II. CITY MOTOR POOL

The city has a need for vehicles to be available on a short-term basis to transport city staff to conduct city business. A consolidated motor pool furthers the city's Strategic Plan Initiative to reduce the fleet to an optimal size, contain costs and make more efficient use of city financial resources and transportation assets. Vehicles identified as under-utilized by Fleet Services may be placed in the consolidated motor pool. Proceeds generated from the sale of administrative vehicles will supplement the cost of the consolidated motor pool.

All city pool vehicles shall be signed out prior to use. The use of city vehicles should have priority over use of private vehicles when conducting city business.

III. MOTOR POOL VEHICLE RESERVATIONS AND CHECK OUT PROCEDURES

Consolidated motor pools have initially been established at Boise City Hall and City Hall West with broadened availability to be phased in for other locations over time.

The types of vehicles available for use include, but are not limited to, sedans, pick-ups and vans. Other vehicle types may be added in the future.

Based on the city's regulation that city staff do not use their personal vehicles to conduct city business without their Department Director's authorization, use of the automated reservation system will be maximized. If available, vehicles can be obtained at any time without a reservation using the "Grab and Go" feature.

Special reservation requirements should be coordinated with Fleet Services. Staff needing the use of a motor pool vehicle will report to the established consolidated motor pool location to pick up reserved vehicles. They will enter their computer sign-on password on the touch-screen kiosk and it will dispense the vehicle ignition key and initiate a check-out time. Returning the key to the automated dispenser will initiate a check-in time. The check-out time and check-in time will be used as the basis for invoicing.

Consolidated motor pool vehicles must be returned to the facility where checked out by the end of the reserved period. Staff requiring a vehicle overnight to perform authorized city business must obtain written authorization from their Department Director or designee prior to checking out the vehicle. Fleet Services should be notified electronically prior to check-out.

No personal use of pool vehicles is allowed.

IV. COST OF USING MOTOR POOL

An hourly rental rate has been established and any changes will coincide with the biennial budget build. A minimum two-hour charge per rental will apply to each rental and a maximum charge of 10 hours within a 24 hour period. The rental rate includes costs for:

- Vehicle maintenance
- Depreciation
- Fuel consumption
- Vehicle replacement costs
- Administrative cost

V. FUELING AND CARE OF MOTOR POOL VEHICLES

Each pool vehicle has two pre-assigned fueling cards attached to the vehicle key chain. Gas may be purchased with either card. The Wright Express card may be used to purchase car washes.

Vehicles are to be returned to the motor pool facility clean, free of trash and fueled if the vehicle has less than ½ tank. The current operator is responsible for the above requirements. If a returned vehicle is found to be returned in an unacceptable condition, either not cleaned or fuel below ½ tank, expenses

incurred for cleaning or fueling the vehicle will be charged to the operating department.

Drivers should perform a pre-inspection before operating the vehicle. Vehicle cleanliness, any noted damage and fuel levels below 1/2 tank should be reported to Fleet Services immediately.

VI. VEHICLE DAMAGE, ACCIDENTS, REPAIR AND INSURANCE

If an employee is involved in a vehicle accident the following shall occur:

A. Accidents

1. Staff shall immediately report all traffic accidents involving a city vehicle to the local police and request them to respond.
2. Staff are prohibited from signing or making any statements regarding their, or other staff, responsibility or fault for a traffic accident that occurs while they are driving a city-owned vehicle.
3. The police will file a police report and complete an exchange of information slip. The employee shall retain a copy of this slip to attach to the vehicle accident report. If the information exchange slip is not available, staff shall obtain names, addresses, telephone numbers, and license numbers of the other drivers involved. Staff also shall collect insurance company contact information and the address and telephone number of the police office where the accident report will be prepared.
4. Staff are to immediately report all accidents to their supervisor regardless of lack of injury or property damage, shall report where it occurred and who was responsible, and supervisors are expected to submit a Vehicle Accident Report form to the Risk Manager within 48 hours.

B. Vehicle Repair and Towing

If the city vehicle is damaged, needs towing, or is inoperable the employee shall contact Fleet Services. If the vehicle is operable, take the vehicle to the Fleet Services Maintenance facility. Staff shall inform Fleet Services of any additional charges they may have incurred, such as towing.

C. Flat Tires

Operators of city vehicles should be familiar with their vehicle tire repair equipment and are expected to change flat tires when practical. If an operator is not able to change the tire, he or she should call Fleet Services Maintenance and they will assist in making arrangements.

D. Insurance

The city only obtains liability insurance for the fleet. Collision and comprehensive damages are self-insured, and the cost of repairs comes from the affected operating department budget. No Risk Management funds are

budgeted for this activity in order to motivate the customer to operate safely and legally. If the responsibility for an accident or incident is in dispute, the provisions of the following section will be followed.

VII. ACCOUNTABILITIES AND DISPUTE RESOLUTION

Oversight for the operation of the consolidated motor pool is the responsibility of the Administrative Services Manager and the Vehicle Maintenance Manager.

Departments are responsible for the safe, courteous operation of all pool vehicles. Departments will be charged for all repairs due to accident or incident when the operator has been determined to be at fault or any failure to clean or fuel the vehicle when required.

Disputes that cannot be resolved at the supervisory level shall be forwarded to the applicable Department Directors. If the dispute still cannot be resolved at the department level, the Mayor or designee will make the final determination for resolution.

VIII. USING PERSONAL VEHICLES FOR BUSINESS

If private vehicles are used, liability insurance in the amount required by I.C. § 49-117(18) shall be in place. The employee's insurance is considered by Idaho statute to be primary before the city's insurance.

If the Department Director authorizes an employee to use his or her personal vehicle for city business the employee will be reimbursed for business related mileage at the IRS allowable reimbursement rate. An employee's drive between home and work is not eligible for mileage reimbursement.

Any employee driving a personal vehicle for city business shall have a current and valid driver's license and current proof of insurance.

IX. ASSIGNED TAKE HOME VEHICLES

Staff are responsible for their conduct while in possession and operation of city owned vehicles and have the responsibility to abide by applicable laws and city policies and regulations. Staff that violate these laws, policies, or regulations are subject to disciplinary action up to and including dismissal. Police and Fire vehicles exempt by the Internal Revenue Service REG-106897-08 will be treated at the department level.

Generally, the city does not allow staff to take home city owned vehicles. Only in cases of frequent around-the-clock response needs and/or the clear business necessity of taking home a special purpose/equipped vehicle shall a city owned vehicle be taken home. Only the Department Director and the Mayor, or a Council Member if the employee works for the Council and the Mayor, shall grant

permission for a city owned vehicle to be taken home under these circumstances.

In addition to the above, an employee may under the IRS commuting rule take a vehicle home if the Department Director, with approval from the Mayor, can demonstrate a substantial business benefit to the city for this to occur. Under the IRS commuting rule all trips between home and the staff member's work location will result in reimbursement from the staff member to the city in the amount of the most current IRS approved commuting rule rate.* Note, this is not a per mile charge – it is a per one way trip charge. The business to personal benefit ratio is ignored.

Because distance is not a consideration for the IRS commuting rule, staff will also be required to reimburse the city a vehicle usage surcharge. The vehicle usage surcharge starts with the standard mileage rate set by the IRS. The standard mileage rate is typically changed on January 1 of each year. The Department Director and employee will submit a Take Home Vehicle Usage Surcharge Reimbursement Request [see Exhibit 4.80b] and a Take Home Vehicle Contract [see Exhibit 4.80c] to the Mayor for approval. The Take Home Vehicle Usage Surcharge Reimbursement Request weighs the business benefit verses personal benefit of issuing the employee a take home vehicle. The vehicle usage surcharge reimbursement will be equal to the number of miles driven, multiplied by standard mileage rate, multiplied by the business to personal ratio.

For example, assume a staff member commuted round-trip a total of 20 days in a calendar month and the one-way distance of the commute is 10 miles. Also assume the monthly commuting rule reimbursement amount is $1.50, and the IRS mileage rate is $0.56. The Department Director and staff member agree to a 60/40 split between business and personal benefit. The calculation in this case would be:

> Part 1
> Total Monthly Commute Trips multiplied by the IRS Acceptable Commuting Rule Rate = Monthly Commuting Rule Reimbursement Amount or 40 multiplied by $1.50 = $60.00.
>
> Part 2
> Total Monthly Commute Trips multiplied by the One-Way Commute Distance multiplied by the Personal Use Factor multiplied by the IRS Standard Mileage Rate = Monthly Vehicle Usage Surcharge Reimbursement Amount or 40 x 10 x .4 x $0.56 = $89.60.

The commuting rule reimbursement and the vehicle usage surcharge amount are added together to get the total reimbursement due to the city from the employee for use of the vehicle. The employee shall report and make a payment to the city for the amount due. Vehicle Usage Surcharge Reimbursement Requests [Exhibit 4.80b] shall be submitted for the month no later than the 10th day of the following month to Fleet Services. The requests may be submitted in hard copy or

electronically. If hard copy is used, the request shall be signed by the employee and the employee's supervisor. If electronic format is used, the request shall be submitted directly to fleetservicesTHV@cityofboise.org by the supervisor, not the employee. Questions regarding the implementation of this procedure shall be directed to the Fleet Services Manager who shall serve as the take home vehicle program administrator.

Staff who have been assigned to take-home a city vehicle shall:

A. Be 19 years of age or older;
B. Shall adhere to all maintenance and fueling requirements of the Fleet Services division;
C. Shall be responsible for any income tax consequences of use of a city car for home to work commuting, unless specifically exempt under IRS regulation. Following the reimbursement methodology embodied in this regulation avoids any Federal tax implications for the employee.
D. Since the presumption is there is some likelihood an urgent city of Boise business need would arise to which the employee would respond, very limited off-duty personal use of the vehicle is permissible.

*Reference November 4, 2008, advisory letter to city Comptroller from the Eide-Bailly audit firm.

X. AUTHORIZED PASSENGERS

City vehicles may not be used to transport family, friends or other passengers including personal pets unless it is for official business or authorized and pursuant to city policy or regulation, or unless the employee is officially on-call and is expected to respond without delay in the event of an emergency.

On-call staff who respond to an emergency shall discharge passengers, if practical.

Emergency vehicle ride-alongs conducted by the Police and Fire departments foster positive community relations; therefore, the City of Boise does allow these departments to conduct ride-alongs according to department policy when there is a positive purpose and employee and/or public safety are not compromised.

XI. REPRESENTING THE CITY OF BOISE

All city vehicles including assigned take-home vehicles, are to be easily identified as city vehicles by clearly displaying the city seal and exempt license tags. city vehicles may only remain unmarked for just reason and with written approval by the Mayor and City Council. The approval documentation will be retained by the City Clerk's office. All drivers need to be aware that they are representing the city when they use city vehicles or their personal cars for city business. They shall act accordingly and drive defensively, responsibly and courteously.

Drivers:

A. Shall be city staff with a valid driver's license and current proof of insurance.
B. Shall observe all traffic laws and speed limits. Police and Fire emergency vehicles responding to an emergency shall adhere to internal emergency response procedures specific to the task.
C. Shall be personally responsible for all moving violations and for all parking tickets.
D. Shall not smoke in city vehicles.
E. Shall keep vehicles locked when not in use or view of the driver.
F. Shall immediately report, to the Department Director or designee, any traffic citation received on or off the job that is likely to result in a change of the motor vehicle operator's license status.
G. Shall immediately report from the scene any traffic accident to the Department Director and the city's Risk Manager.

Volunteers and/or staff of temporary agencies working on behalf of the city may drive city vehicles with proof of a valid driver's license and current proof of insurance at the department's discretion. These drivers are required to follow all city policies and regulations regarding vehicle usage and safety.

Remote Vehicle Locations:

A. No city-owned vehicle utilized as a Take Home Vehicle will be stored at any location outside the city limits. Acceptable remote locations are defined as a "city owned or leased property, such as a Boise City Fire station, within the Boise city limits."
B. No city-owned, non-emergency vehicle will be driven outside the Boise city limits without authorization from the Department Director and the Mayor or his designee.
C. Any location designated or used as a "first work location" must be within the Boise city limits.

XII. PROHIBITED DRIVERS

Many city staff are required to travel as part of their job duties. Staff who are responsible for operating city-owned vehicles shall have an acceptable driving record. The following driving violations may prohibit an employee from operating a city-owned vehicle:

A. Committing more than one major traffic offense over the past 24 months, including reckless driving, careless driving, or a major moving traffic infraction.
B. Receiving a felony revocation of driving privileges or felony or misdemeanor driver license suspension within the last 24-month.
C. Transporting a controlled substance unlawfully.
D. Driving a motor vehicle under the influence of alcohol, a controlled substance, or any drug that impairs driving ability.
E. Leaving the scene of an accident unlawfully.

F. Using a motor vehicle in commission of a felony.
G. Refusing to submit to a test to determine alcohol concentration while driving a motor vehicle, in accordance with applicable city policies and regulations.

XIII. DRIVER SAFETY

Driver safety is important to the City of Boise. The following sets minimum qualifications for drivers and standards for vehicle operation.

A. Safety Belts

Safety belts shall be worn by drivers and passengers in all vehicles equipped with safety belts and used for city business in accordance with State law. Lap belts shall be properly secured in those vehicles equipped with automatic safety systems that require the lap portion of the belt to be manually secured. The driver of the vehicle is responsible for ensuring compliance by all vehicle occupants. Any city-owned vehicle in which a safety belt is inoperable shall not be used until the seat belt is repaired. Staff who discover an inoperable restraint system shall immediately report the defect to the appropriate supervisor.

B. Mobile Device Use While Driving

Idaho law requires drivers to use hands-free devices including when stopped at a red light or stop sign. Holding or supporting any mobile devices is also not allowed. Therefore, use of a mobile device outside the confines of Idaho law is prohibited. Boise Police and Fire should refer to their internal department procedures for direction on mobile device use while driving.

Safety shall come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, staff using hand operated devices are expected to safely pull off to the side of the road and stop the vehicle to use a mobile device. In situations where job responsibilities include regular driving and accepting of business calls, hands-free equipment should be provided by the department to facilitate the provisions of this regulation. Staff

Staff who are charged with traffic violations or other criminal offenses resulting from the use of a mobile device while driving will be solely responsible for all liabilities that result from such actions.

C. Defensive Driving Classes

Staff who drive city vehicles shall complete a city Defensive Driving course every three years or more often if required by their supervisor. The Emergency Vehicle Operations Course (EVOC) that Boise Police Officers are required to take meets this obligation. Staff involved in a preventable

accident should complete the next scheduled defensive driver class. These driver training classes may reduce an individual's driving record point total; thus, improving personal insurance premiums and the individuals overall driving records. The classes can be scheduled through Safety Services.

								Document Type:	Exhibit
								Number:	4.80b
								Effective:	1/1/2009
								Revised:	1/5/2021
								Legal Reference:	I.C. § 49-117(16)
									I.C. § 49-673
			VEHICLE USAGE SURCHARGE REIMBURSEMENT REQUEST						

Use This Form for Email Submission From the Supervisor Only
All blue sections are to be completed.

Month:		Year:	
Employee (Driver's) Name:		Department:	
Driver's Home Address - (Includes Street, City, State and Zip Code):			
Driver's Assigned Work Site - (Includes Street, City, State and Zip Code):			

Reimbursement Type	**Standard Two Line Calculation**								
	A. Report Month's Commute Days	B. Round Trip Factor		D. Total # Monthly Commute Trips (A*B)				H. IRS Rate	G. Monthly Commuting Reimbursement Amount (D*H)
Commuting Rule		2		0				$1.50	$0.00
	A. Report Month's Commute Days	B. Round Trip Factor	C. One Way Commute Distance		E. Total Miles	F. City %	G. Employee %	H. IRS Rate	I. Monthly Mileage Reimbursement Amount (C*D*G*H*)
Vehicle Usage Surcharge	0	2			0			$0.560	$0.00
Total Reimbursement Due City									**$0.00**

Please read the following before completing this form. To the best of my knowledge, information and belief, the contents of this form are true. I agree to make proper to the Department of Finance and Administration in the event of any change.

By Checking the Block Below, Supervisor Acknowledges They have Reviewed and Approved this Form.

Supervisor Name Printed	
Supervisor Approval:	

Fleet Services Manager Name Printed: Craig Croner Signature

An original of this form is to be forwarded to the Fleet Services Manager for processing. A copy will be retained by the department and employee after processing. For further information please refer to section IV of the Vehicle Usage Regulation 4.80a in the Employee Policy Handbook.

Document Type:	Exhibit
Number:	4.80bb
Effective:	1/1/2009
Revised:	5/5/2014
Legal Reference:	I.C. § 49-117(16)
	I.C. § 49-673

VEHICLE USAGE SURCHARGE REIMBURSEMENT REQUEST

Use This Form for Hard Copy Submission

Month:		Year:	
Employee Name:		Department:	
Driver's Home Address - (Includes Street, City, State and Zip Code):			
Driver's Assigned Work Site - (Includes Street, City, State and Zip Code):			

Reimbursement Type	**Standard Two Line Calculation**								
	A. Report Month's Commute Days	B. Round Trip Factor		D. Total # Monthly Commute Trips (A*B)				H. IRS Rate	G. Monthly Commuting Reimbursement Amount (D*H)
Commuting Rule	20	2		40				$1.50	$60.00
	A. Report Month's Commute Days	B. Round Trip Factor	C. One Way Commute Distance		E. Total Miles	F. City %	G. Employee %	H. IRS Rate	I. Monthly Mileage Reimbursement Amount (C*D*G*H*)
Vehicle Usage Surcharge	20	2	3		120	90%	10%	$0.560	$6.72
Total Reimbursement Due City									**$66.72**

Please read the following before completing this form. To the best of my knowledge, information and belief, the contents of this form are true. I agree to make proper notification to the Department of Finance and Administration in the event of any change

Employee Name Printed		Signature	
Supervisor Name Printed		Signature	
Fleet Services Manager Name Printed	Craig Croner	Signature	
Date Signed		Contact Telephone Number	

An original of this form is to be forwarded to the Fleet Services Manager for processing. A copy will be retained by the department and employee after processing. For further information please refer to section IV of the Vehicle Usage Regulation 4.80a in the Employee Policy Handbook.

Document Type:	Exhibit
Number:	4.80c
Effective:	04-01-09
Revised:	03-31-14
Legal References:	I.C. § 49-117(16)
	I.C. § 49-673

TAKE HOME VEHICLE CONTRACT

I, _____(please print), agree to have the Take Home Vehicle (THV) reimbursement deducted monthly from my paycheck. I have read and agree to abide by all the requirements of the City's Vehicle Usage Regulation 4.80a. I will make my supervisor aware of any and all changes in the routine use of the THV. I understand the THV usage is not a guaranteed right or benefit for my position, moreover, it has been determined at this time to serve the City's business interests. It can be cancelled by the City if the City determines it is no longer warranted.

The percentages between City use and personal use determined between me and my Department Director are listed below. I understand a new form may be submitted if/when circumstances warrant.

City Use %:_____ Personal Use %_____

_____ _____

Employee Signature Date

_____ _____

Department Director Signature Date

_____ _____

Mayor or Designee Signature Date

This contract must be signed and submitted annually.

CC: Employee Personnel File
Department File
Payroll

Document Type:	Policy
Number:	5.01
Effective:	05-01-06
Revised:	
Legal References:	

STANDARDS OF CONDUCT

In order to ensure a professional and respectful work environment and enhance the employment experience for all employees, the City of Boise expects all employees to behave in a civil, ethical, and courteous manner. Employees are expected to treat others professionally and engage in respectful and appropriate behavior in the workplace and on the job at all times.

An employee shall not, by action or inaction, disrupt any City of Boise activity or function, nor encourage any such disruption.

Employees are responsible for their conduct and have the responsibility to abide by applicable laws and City policies and regulations. Employees that violate these laws, policies, or regulations are subject to disciplinary action up to and including dismissal.

Document Type:	Regulation
Number:	5.01a
Effective:	05-01-06
Revised:	10-01-07
	09-05-08
	02-01-19
	11-01-21
Legal References:	

STANDARDS OF CONDUCT

I. INTRODUCTION

The city of Boise ("city") expects and encourages a work environment of respect and professionalism. All city employees are required to conduct themselves in a courteous manner that is appropriate for the workplace. This regulation applies to all city of Boise employees, elected officials, representatives, and volunteers.

II. UNACCEPTABLE CONDUCT

While it is impossible to list every type of conduct that is unacceptable, the following are examples of conduct that may result in disciplinary action, up to and including termination.

1. A violation of any city policy, regulations, or procedures.
2. Any conduct violating any federal, state, or local law or regulation.
3. Threat of harm (direct or indirect) to any city employee, member of the public, city government, operations, or property.
4. Physical violence against persons or property.
5. Damage or threat of damage to city property, or other property the city controls, regardless of location.
6. Intentional or negligent misuse, damage or sabotage of city property, including tools, equipment, vehicles, records, or other material.
7. Possession of deadly weapons, explosives, or other items used to inflict harm, on city property, or at city sponsored events, unless otherwise permitted in accordance with other city policies and regulations contained within the city's Employee Policy Handbook.
8. Forceful or unauthorized entry into or occupation of city properties or facilities, including buildings and grounds.
9. Use of city property and/or assets, including but not limited to tools, equipment, vehicles, records, and/or material, for anything other than official city business unless otherwise permitted by the policies and regulations contained within the city's Employee Policy Handbook.
10. Theft, or unauthorized removal or possession of property, from city a premises, event, worksite, or grounds.

11. Admission of guilt or conviction of a crime that reflects negatively on the employee's ability to perform their job or on the city as an employer.
12. Insubordination, including refusal or failure to carry out assignments or comply with policies, regulations, rules, procedures, and/or directives including oral instructions; failing to use required safety equipment, refusing a work schedule change, reasonable requests to work overtime or be on-call, or failure to perform duties in a timely manner. This provision does not apply to requests to perform assignments that are unethical or illegal.
13. Failure to keep management informed on matters that pertain to and/or affect work related duties, or city business.
14. Conduct or speech that violates commonly accepted standards of a professional workplace and that, under present circumstances, has no redeeming social value.
15. Any speech or conduct deemed rude, disrespectful, irresponsible, or otherwise inappropriate including, but not limited to, the use of profane, indecent, or abusive language when acting as or identified as a city employee.
16. Making malicious, vindictive, false, and/or harmful statements about others or engaging in verbal abuse, altercations, outbursts, name-calling, threats, or ridicule.
17. Attempting to intimidate or bully others.
18. Inability or refusal to work cohesively and in cooperation with others.
19. Exhibiting aggressive, antagonistic, or retaliatory behavior toward city employees, customers, or vendors.
20. Any conduct that obstructs, disrupts, or interferes with city business, processes, service, work environment or administrative functions and/or behavior that has an adverse impact on productivity and/or morale.
21. Material falsification of employment application or other documents relating to obtaining and maintaining employment.
22. Falsification of time or work records or falsification of city reports.
23. Untruthfulness related to the job or workplace which could hinder or jeopardize the city's interests.
24. Untruthfulness or withholding information relevant to an administrative investigation.
25. Absence without leave, job abandonment, unscheduled absences, tardiness, or failure to exercise due care for punctuality and/or attendance in regard to the scheduled hours set by the city.
26. Harassing, discriminating, or engaging in inappropriate conduct towards a person based upon that individual's protected class status as outlined in applicable laws or city policy or regulation.
27. Failure to report to the Human Resources Department within forty-eight (48) hours, or in accordance with the Drug Free Workplace Act, a felony or misdemeanor conviction, excluding minor traffic violations.

28. Use, possession, distribution, or sale of illegal drugs, paraphernalia, or controlled substances not prescribed to the user by a physician, on city property or at city sponsored events.
29. Reporting to work or working under the influence of alcohol, illegal drugs, or controlled substances not prescribed to the user by a physician.
30. Violating any safety rules or practices or engaging in any conduct on the job that causes a safety hazard.
31. Failure to report an accident or injury or making false claims or inaccurate statements in the reporting of a job injury or accident.
32. Failure to obtain and maintain licensure requirements required as a condition of employment in the position.
33. Failure to attend a management referred Employee Assistance Program assessment and/or fitness for duty evaluation.
34. Failure to satisfactorily complete the probationary period of employment, or to satisfactorily perform job duties.
35. Accessing another employee's e-mail, voice mail, electronic or paper files, computer account, desk, or office without authorization from the employee or department management.
36. Monitoring or intercepting the files or electronic communications of other employees or third parties, without appropriate authorization.
37. Use of camera equipped devices in restroom/shower/lactation areas or any other place a person has a reasonable expectation of privacy.
38. Using city equipment and/or time to view pornography or other images and/or websites that are considered inappropriate for the workplace.
39. Storing personally owned equipment or property in city premises or on city property.
40. Using personally owned property/equipment for city business without authorization from the Department Director.
41. Failure by a supervisor and/or member of management to uphold and enforce city policies and regulations.
42. Conduct or speech that is not a matter of public concern and disturbs or hinders the efficiencies of the day-to-day operations of the city.
43. Sleeping during scheduled work hours.
44. Repeat failure to recognize actual or mock phishing attempts, clicking on a malicious link, opening a malicious file, or revealing sensitive information.

The above restrictions are not intended to be all-inclusive of the proper standards of conduct or obligations that employees shall observe. When a situation arises in which the proper course of conduct is unclear, the employee involved should request direction from the employee's supervisor.

Document Type:	Policy
Number:	5.05
Effective:	05-01-06
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Legal References:	

CORRECTIVE ACTION

In order to maintain an orderly, safe, and efficient work environment, the City of Boise will respond to and correct inappropriate employee behavior or conduct. The City will ensure that employees are treated with respect during the corrective action process and will comply with all applicable laws. Corrective action may include any or all of the following at the City's discretion: written or verbal warning, formal written reprimand, unpaid suspension, and dismissal.

Document Type:	Regulation
Number:	5.05a
Effective:	05-01-06
Revised:	09-05-08
	07-13-09
	09-21-09
	01-01-11
Legal References:	I.C. 67-5251(1-4)

CORRECTIVE ACTION

I. INTRODUCTION

This regulation is intended to preserve the orderly and efficient administration of the City and to serve as guidelines for the imposition of discipline. This regulation is neither intended to restrict or eliminate the discretion a supervisor has to determine whether discipline is appropriate, nor does it limit a supervising employee's prerogative to engage in informal consultation with an employee to discuss matters of concern related to the employee's conduct and to decide not to issue discipline. Supervisors should use reasonable discretion in determining whether a particular alleged violation merits discipline. However, when an alleged violation involves violent conduct, theft, discrimination or harassment as defined in City regulation, potential criminal conduct, or any conduct that may impact the reputation of the City, the matter shall be discussed with Human Resources and the Office of the Mayor prior to finalizing the decision to issue discipline.

This regulation applies to full and part-time regular employees who have satisfactorily completed their probationary period of employment. The regulation does not apply to temporary employees, elected officials, at-will employees, all members of boards and commissions appointed by the Mayor and/or Council, or any independent contractors. All bargaining unit employees and all Boise Police Department employees shall refer to their department's internal rules regarding discipline.

Bargaining unit employees may elect to utilize the appeal portion of this regulation, or may elect to utilize a grievance procedure contained in their collective bargaining contract, but not both. If an employee chooses to utilize this appeal procedure, all applicable time periods shall be met or the ability to use this procedure shall be waived.

II. DISCIPLINE

Discipline is typically administered in a progressive manner so that the least amount of corrective action needed is used to correct the employee's conduct. However, as determined by the City, the discipline issued will depend on the seriousness of the violation, which could include termination as the first disciplinary step. All matters involving discipline will remain confidential to the extent possible.

An employee subject to discipline is allowed to have a personal consultant present

during an investigatory meeting that may potentially lead to discipline and during a disciplinary meeting. However, the employee's request to have a consultant present cannot unreasonably delay an investigative or disciplinary meeting. The consultant is allowed to confer with an employee, but may not speak for the employee or interfere with the disciplinary procedure.

While an employee's alleged inappropriate conduct is being investigated, supervisors, in conjunction with Human Resources, are authorized to place an employee on a non-disciplinary administrative leave with pay.

For purposes of this regulation, a "working day" shall mean Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m., excluding City recognized holidays.

For purposes of this regulation, a "Department Director" or "supervisor" also includes designee.

III. VERBAL OR WRITTEN WARNING

The following process shall be followed when issuing a verbal or written warning. The supervisor will notify the employee verbally or in writing of a deficiency and the action necessary to correct it. If the warning is verbal, the supervisor may document the conversation, including the date and what direction was given to the employee. If the verbal warning is documented or the supervisor issues a written warning, the supervisor shall retain documentation of the warning in his or her site based file.

A written warning will include a location for the employee to sign indicating receipt of the document. Employees shall acknowledge reading the information by signing a statement placed at the end of the information that states:

My signature below acknowledges receipt and understanding of this document, but does not in any way signify agreement with its contents.

Signature_____ **Date**_____

If an employee refuses to sign the document, the supervisor will notify the employee of the contents of the document and indicate in writing on the document that the employee refused to sign it.

The supervisor will give the employee the original written warning and place a signed copy in the employee's site based file. Within five (5) working days of receiving a written warning, the employee may write a rebuttal that will be attached to the warning.

Verbal and written warnings are not subject to appeal under any City process, including the Problem Solving regulation.

IV. FORMAL WRITTEN REPRIMAND

If the employee fails to take corrective action after receiving prior discipline, or the offense is deemed serious enough, or the cumulative nature of past disciplinary actions justify it, an employee may receive a formal written reprimand under the following circumstances:

A. The supervisor will provide the employee with a Notice of Intent to Discipline outlining what the employee allegedly did, will reference any policies, rules, laws, or previous directives that the employee allegedly violated, will include a statement that discipline may be issued if a violation is found, and will arrange a time to discuss the contents of the letter.
B. A meeting will be conducted with the supervisor and the employee. At the meeting, the employee will be informed of the information supporting the charges. The employee will have an opportunity to share any relevant information. If the employee fails to attend the meeting, the supervisor will base the decision on the available evidence.
C. The supervisor will consider all of the evidence and make a decision. If the evidence is conflicting, a credibility determination may be made by the supervisor. If the supervisor issues a formal written reprimand, the reprimand shall minimally include the following: identification of the deficiency or offense, supporting facts, date(s) of occurrence, a summary of the employee's response, an outline of corrective action, and location for the employee to sign indicating receipt of the document as demonstrated in section III of this regulation. The original document is given to the employee and a signed copy is placed in the employee's official personnel file located in Human Resources.
D. Within five (5) working days of receiving the reprimand, the employee may write a rebuttal that will be attached to the reprimand. A formal written reprimand is not subject to appeal under any City process, including the Problem Solving regulation.

V. SUSPENSION

If the employee fails to take corrective action after receiving prior discipline, or the offense is deemed serious enough, or the cumulative nature of past disciplinary actions justify it, an employee may be suspended without pay under the following circumstances:

A. The supervisor will provide the employee with a Notice of Intent to Discipline outlining what the employee allegedly did, will reference any policies, rules, laws, and/or previous directives that the employee allegedly violated, will include a statement that discipline may be issued if a violation is found, and will arrange a time to discuss the contents of the letter.
B. A meeting will be conducted with the supervisor, the employee, and a Human Resource representative. At the meeting, the employee will be informed of the information supporting the charges. The employee will have an opportunity to share any relevant information. If the employee fails to attend the meeting, the supervisor will base the decision on the available evidence.
C. The supervisor will consider all of the evidence and make a decision. If the evidence is conflicting, a credibility determination may be made by the supervisor. If the supervisor suspends the employee, the supervisor will notify

the employee in writing of the terms of the suspension, reasons and support for the suspension, expected corrective action, and the employee's appeal option. The document will have a location for the employee to sign indicating receipt as indicated in section III of this regulation. The original document is given to the employee and a signed copy is placed in the employee's personnel file located in Human Resources. Within five (5) working days of receiving the suspension letter, the employee may write a rebuttal that will be attached to the suspension letter or appeal the suspension as outlined below.

D. The suspension will become effective unless the employee within five (5) working days after receiving the suspension letter provides a written appeal to the Department Director and to Human Resources. The appeal shall minimally include the specific rationale of why the employee disagrees with the suspension, must specify the relief sought, and shall include a copy of the suspension letter. If the employee appeals, the imposition of discipline will be held in abeyance pending the outcome of the appeal. The employee may voluntarily waive his or her right to appeal.
E. Within five (5) working days of receiving the written appeal, the Department Director will issue a written decision upholding, overturning, or modifying the suspension recommendation. The Department Director's response constitutes the final decision and the matter shall be considered closed.
F. At the Department Director's discretion, he or she may schedule a meeting with the parties to hear additional evidence before issuing the final decision. If this additional meeting occurs, the final decision will be issued within five (5) working days of this meeting.
G. If the Department Director is the person who originally imposed the discipline, an appeal by the employee shall be sent directly to the Mayor who will follow the above process in lieu of the Department Director or will assign a designee to respond to the appeal. The Mayor or designee's response constitutes the final decision and the matter shall be considered closed.

VI. TERMINATION

If an employee fails to take corrective action after receiving prior discipline, or the offense is deemed serious enough, or the cumulative nature of past disciplinary actions justify it, the employee may be terminated for cause. An employee who has received an unsatisfactory performance review and/or failed to satisfy the conditions of an improvement plan may also be terminated for cause. Terminated "for cause" means that information exists to reasonably conclude that the employee engaged in misconduct, and/or failed to perform in a satisfactory manner, and/or violated a policy, regulation or rule. The termination for cause requirement does not apply to a layoff or reduction in force.

The termination process is described below:

A. The supervisor will provide the employee with a Notice of Intent to Discipline explaining what the employee allegedly did, will reference any policies, rules, laws, and/or previous directives that the employee allegedly violated, will inform the employee that he or she is subject to discipline if a violation is found, and will arrange a time to discuss the contents of the letter.
B. A meeting will be conducted with the supervisor, the employee, and a Human Resource representative. At the meeting, the employee will be informed of the

basis supporting the charges. The employee will have an opportunity to share any relevant information. If the employee fails to attend the meeting, the supervisor will base the decision on the available evidence.

C. The supervisor will consider all of the evidence and make a decision. If the evidence is conflicting, a credibility determination may be made by the supervisor. If the supervisor recommends termination, the supervisor will notify the employee in writing of the reasons and support for the termination recommendation and will notify the employee of his or her right to appeal. The original document is given to the employee and a copy is placed in the employee's personnel file located in Human Resources. The termination will become effective immediately and the employee is removed from the City's payroll.

VII. APPEAL PROCESS FOR TERMINATIONS

An employee, within five (5) working days after receiving a termination letter, may appeal the termination by submitting a written appeal and request for a post-termination hearing to Human Resources on the City's Appeal Form (See Exhibit). The written appeal shall be received in Human Resources within this five (5) day time period. Failure to comply with this time requirement shall constitute a waiver of any rights under this procedure.

The post-termination hearing will provide:

A. an opportunity to confront and cross-examine available adverse witnesses,
B. an opportunity to present witnesses and introduce evidence,
C. an opportunity to be represented by counsel or other representative, and
D. an impartial hearing officer.

The City shall contract with and retain a hearing officer who shall preside over all hearings. The Hearing Officer, upon receiving notice of the appeal, shall set the matter for hearing within twenty (20) working days of the notice unless otherwise agreed to by the parties or it is not possible. The Hearing Officer shall send a written notice of the time, date and place of the hearing to the employee or his or her authorized representative and Human Resources at least five (5) working days before the hearing date. The five (5) day notice may be waived and the hearing may be held sooner provided all parties mutually agree to the date and time of the hearing.

At least three (3) working days prior to the hearing, both parties will each provide to the other the names and nature of the testimony of all witnesses and copies of all documentary evidence each side plans to introduce at the hearing. Terminated employees will have access to materials in their official personnel file.

Every hearing shall be public unless either party requests a closed hearing. When a closed hearing is requested only the employee and his or her representative, the employee's supervisor and his or her representative and those parties involved in the administration of this procedure shall be permitted to attend the hearing. Witnesses, except when actually testifying, and observers will be excluded from attendance at a closed hearing. The hearing shall be informal and technical rules of evidence shall not apply other than as set forth in Idaho Code §67-5251(1-4). A verbatim record of the proceedings shall be maintained either by electrical devices or by stenographic means, but if any party to the proceedings requests a stenographic record, the requesting

party shall pay the cost of the stenographic record of recording.

The Hearing Officer shall make written findings of fact, conclusions of law and an Order following the conclusion of the hearing, a copy of which shall be sent by mail to the employee and to Human Resources. A decision shall be reached no later than ten (10) working days after the conclusion of the hearing.

The Hearing Officer is the final authority in making a determination of whether cause existed to terminate the employee. Upon a determination that cause did not exist, the Hearing Officer shall have the authority to order reinstatement of the employee to his or her former position and/or may order such other remedy as he or she determines to be appropriate. The Hearing Officer may uphold, reverse, or change the discipline imposed. The decision of the Hearing Officer does not supersede any other management rights of the City.

A decision reached by the Hearing Officer shall be final and conclusive between the parties unless, within thirty (30) days of the filing of such decision, either party appeals the decision to a court of competent jurisdiction. If reinstatement of an employee is directed by the Hearing Officer, the employee can be reinstated unless reinstatement is stayed by a proper order of a court of competent jurisdiction. Any appeal to a court of competent jurisdiction shall be pursuant to the laws of the State of Idaho.

A terminated employee's pay ends on the effective date of the termination. If an employee appeals his or her termination and is reinstated by the order of the Hearing Officer, the employee's pay will be reinstated from the time it was terminated to the time of the reinstatement order, unless directed otherwise by the Hearing officer. If the terminated employee is reinstated and had opted to continue medical insurance coverage under COBRA, the employee will be reimbursed for all applicable premiums, if any, paid from the date of termination.

The following are general provisions pertaining to the appeal process:

A. Human Resources shall receive copies of all related documents and maintain an official departmental file. Files directly related to the proceedings and maintained by Human Resources shall be confidential and not be subject to public review.
B. Any representative or witness who is an employee of the City shall be excused from his or her duties for a reasonable amount of time to prepare for and participate in this procedure.
C. In the event a disciplinary action cannot be feasibly handled under this procedure, it shall be the responsibility of the Legal Department to decide if a different procedure should be followed and to specify what that procedure shall be.
D. The Hearing Officer may allow that any hearings related to this procedure be conducted by telephone.

VIII. DEMOTIONS AND REASSIGNMENTS

The City of Boise reserves the right to modify its disciplinary measures as appropriate. Factors that are considered in modifying discipline include an employee's work record, length of service, and other mitigating circumstances. Modifications to disciplinary

measures listed in this regulation can include, but are not limited to, demotion and/or reassignment to another available position and/or work location within the department.

As an alternative to the disciplinary measures described in this regulation, or in addition to the disciplinary measures described in this regulation, the supervisor may elect to demote and/or reassign an employee to another position and/or work location. If this occurs, after issuing a Notice of Intent to Discipline and meeting with the employee to allow him or her to provide relevant information, the supervisor will consider all of the evidence and make a decision. If the evidence is conflicting, a credibility determination may be made by the supervisor. The supervisor will then notify the employee in writing of the terms of the demotion and/or reassignment. The document will have a location for the employee to sign indicating receipt as indicated in section III of this regulation. The original document is given to the employee and a signed copy is placed in the employee's personnel file located in Human Resources.

Demotions and/or reassignments that occur due to misconduct and/or performance issues may be appealed to the Department Director in accordance with the following process:

A. Within two (2) working days after receiving the demotion and/or reassignment letter, the employee provides a written appeal to the Department Director and to Human Resources. The appeal shall minimally include the specific rationale of why the employee disagrees with the demotion and/or reassignment, must specify the relief sought, and shall include a copy of the demotion and/or reassignment letter. The imposition of demotion and/or reassignment will be held in abeyance pending the outcome of the appeal unless the employee voluntarily waives his or her right to appeal.
B. Within two (2) working days of receiving the written appeal, the Department Director will issue a written decision upholding, overturning, or modifying the demotion and/or reassignment recommendation. The Department Director's response constitutes the final decision and the matter shall be considered closed.
C. At the Department Director's discretion, he or she may schedule a meeting with the parties to hear additional evidence before issuing the final decision. If this additional meeting occurs, the final decision will be issued within two (2) working days of this meeting.
D. If the Department Director is the person who originally imposed the demotion and/or reassignment, an appeal by the employee shall be sent directly to the Mayor who will follow the above process in lieu of the Department Director or will assign a designee to respond to the appeal. The Mayor or designee's response constitutes the final decision and the matter shall be considered closed.

Note: Demotions and/or reassignments that occur as a result of a reduction in force, reorganization, or other business reasons not associated with employee performance or conduct, are NOT appealable.

IX. INVESTIGATIONS

When information alleging misconduct of a serious nature is brought to the attention of a supervisor, he or she shall ensure that it is properly investigated. For the

purpose of this regulation serious nature is defined as misconduct that if substantiated, would constitute a violation significant enough to result in formal discipline up to and including termination.

If the alleged misconduct is regarding harassment or discrimination, employees and supervisors shall refer to the Equal Employment Opportunity regulation for direction. The procedures available under this regulation shall not preempt or supersede any legal procedures or remedies otherwise available to a victim of discrimination under state or federal law.

X. ROLES AND RESPONSIBILITIES DURING AN INVESTIGATION

In most cases, a member of the involved department's management team should conduct the investigation with the assistance of Human Resources. However, the Department Director or the Mayor's office may request Human Resources lead the investigation. In any case a second person, preferably from Human Resources, should accompany the primary investigator during all interviews with the complainant, respondent, and witnesses so that information obtained during the interviews can be corroborated.

For allegations involving the conduct of Boise police personnel, the Boise Police Department's Office of Internal Affairs will be assigned as lead investigator unless otherwise requested by the Department Director or the Mayor's office.

All investigations must be conducted in a fair and impartial manner. If an administrative investigation uncovers credible evidence of a crime under state or federal law, the proper law enforcement agency will be notified.

The City of Boise requires as a condition of employment that all employees, supervisors, and managers fully cooperate with investigations. This includes, but is not limited to:

A. Answering all questions completely and truthfully
B. Not withholding information or evidence
C. Not covering up or disposing of evidence

In addition to being obligated to fully cooperate with investigations, employees are not to interfere with investigations in any way. This includes, but is not limited to, disclosing the nature and/or subject of the complaint or investigation to others, contacting (directly or through others) potential witnesses to seek information, influence their statements, or solicit support. Interference also includes involving, or attempting to involve, individuals who did not participate or witness the incident or are not otherwise involved in the investigation.

XI. CONFIDENTIALITY

All inquiries, complaints, and investigations are treated confidentially to the extent possible. Information is revealed strictly on a need-to-know basis. However, the identities and statements of all the parties involved in an investigation may be revealed as a result of the investigatory or appeal process.

Employees who are interviewed as a part of an investigation are expected to keep the nature of the investigation confidential. This includes sharing information about the investigation or their interview with others.

The City will maintain all complaints, reports, statements, notations and memoranda generated during the course of an investigation in a separate file in Human Resources. Such material will be deemed confidential and access to the separate files will be limited. However, any discipline issued may be documented in an employee's personnel file in accordance with the requirements of this regulation.

At the completion of the investigation the claimant will be notified of its conclusion and may be provided a brief summary of findings. No disciplinary information will be shared.

XII. RETALIATION

The City of Boise strictly prohibits any form of retaliation against an employee who participates in any portion of the corrective action procedure, or who has reported a concern in good faith, or has provided information in an investigation, hearing or other form of administrative review. Retaliation includes, but is not limited to, adverse employment actions, direct or indirect threats, teasing, taunting, negative or derogatory comments about or to the person, silent treatment, refusal to work with or avoiding the person. Retaliation also includes informing others about the complaint, portraying the claimant and/or witnesses in a negative light, or soliciting support for one side verses the other. All incidents of retaliation shall be reported to Human Resources immediately.

XIII. RIGHT TO MANAGE

Nothing in this regulation is intended to circumscribe or modify the City of Boise's existing right to manage including:

A. Direct the work of its employees.
B. Maintain the efficiency of operations.
C. Hire, promote, transfer, assign and retain employees' position within the City.
D. Take actions as deemed necessary to carry out the duties of the City in emergencies.
E. Determine the methods, means and personnel by which operations are to be carried out.
F. To deviate from the corrective action procedure as circumstances warrant.

Document Type:	Exhibit
Number:	5.05b
Effective:	05-01-06
Revised:	08-18-14
Legal References:	

NOTICE OF APPEAL AND REQUEST FOR POST-TERMINATION HEARING

TO THE EMPLOYEE: Please note that your termination is final unless within five (5) work days after receiving the termination letter you provide a written appeal and request for a post-termination hearing to Human Resources on this form. Your written appeal must be received in Human Resources within this five (5) work day time period. **Failure to comply with this time requirement shall constitute a waiver of any rights under the City of Boise's termination procedure.**

By submitting this form, you are appealing your termination and requesting a post-termination hearing. The post-termination hearing process is explained in the City of Boise's Corrective Action Policy and Regulation. The policy and regulation are located on the City's Inside webpage or you can contact Human Resources at 208-384-3850 for a copy.

Please indicate whether you _____ WILL or _____ WILL NOT be represented by legal counsel at the hearing before the hearing officer.

_____ Name of Attorney for Employee

_____ Telephone Number of Attorney

_____ Address of Attorney

_____ Fax Number of Attorney

_____ City, State, and Zip Code

_____ E-mail Address of Attorney

_____ Employee's Signature Date

_____ Employee Printed Name

_____ Employee's Address

_____ Employee's Telephone Number

_____ City, State, and Zip Code

_____ Employee's Fax Number

_____ Employee's E-mail Address

For Internal Use Only

Date Received in Human Resources: _____

Received by: _____

Document Type:	Policy
Number:	5.10
Effective:	05-01-06
Revised:	
Legal References:	

PERFORMANCE MANAGEMENT

The City of Boise requires regular, periodic performance reviews of employees to ensure that employees are aware of the duties they are expected to perform and the level of performance expected of them. Employees shall receive timely, fair, and consistent feedback about their performance, and have the opportunity to discuss opportunities for development.

Performance reviews shall take place regardless of whether the employee is eligible for a compensation increase.

Document Type:	Regulation
Number:	5.10a
Effective:	01-17-19
Revised:	12-11-20
Legal References:	

CONNECTBOISE

I INTRODUCTION

ConnectBoise is a comprehensive approach to leadership designed to **engage, grow, and recognize** employees. The goal of ConnectBoise is to maximize individual and organizational performance and wellbeing through ongoing coaching and two-way feedback.

This regulation applies to all regular employees except bargaining unit employees.

II HOW WE ENGAGE

Employee engagement is an emotional commitment to the City of Boise and our vision, mission and values. Keys to achieving engagement are expectation setting, 1:1 conversations and pulse checks.

A. Expectation Setting

Setting clear expectations establishes the baseline for employee performance. Setting expectations includes identifying the results needed from the position as well as the behavioral and competency standards for accomplishing those results. Communicating these key expectations provides the clarity needed regarding what is expected of the position and gets the supervisor and employee on the same page.

B. 1:1 Conversations

A key component of engagement is a meaningful relationship between employees and their supervisors. One-on-one (1:1) conversations are dedicated times, at least once a month, focused on the employee and their success. 1:1's provide an established forum for ongoing, face-to-face communication between an employee and their supervisor, and represents an investment in an employee's continued development and success. The purpose of these conversations is:

1. To listen and provide support to the employee such as identifying and assisting the employee in removing barriers to their progress.
2. To ensure two-way communication focused on growing the employee; and
3. To learn how the employee is doing *overall*, not just in their work.

Supervisors and employees should journal their 1:1 conversations so they can look back on how they are progressing.

C. Pulse Checks

Pulse checks are short electronic surveys used to reflect on the engagement, growth, performance and leadership behaviors. The purpose of these reflections is to promote meaningful dialogue between supervisors and employees, spark growth-oriented conversations, and keep the organization informed about how people are doing.

There are four types of Pulse Checks:

1. 1:1 Pulse Check: Completed monthly by employee and supervisor to keep both parties accountable for their 1:1 conversations. For example, have you met in the past 30 days? Was it beneficial? If not, why? What can you do to make it beneficial?
2. Self-Pulse Check: Completed quarterly by all employees and supervisors to self-reflect on their own performance, engagement and wellbeing.
3. Performance Pulse Check: Completed quarterly by supervisors for each employee. Designed to reflect on employee engagement, performance and wellbeing.
4. Leadership Pulse Check: Completed twice a year by employees about their supervisors. This provides upward feedback about specific leadership behaviors.

III HOW WE GROW

Opportunities for growth and development increase employee motivation and engagement, enhance organizational effectiveness, and help attract and retain top talent. ConnectBoise uses ongoing development, growth plans, and leadership behaviors to grow employees.

A. Ongoing Development
Employees and supervisors have opportunities to develop through webinars, workshops, training, and/or online assessments.

B. Growth Plans
Individual Growth Plans can also be developed to assist employees in accomplishing their goals.

For supervisors and managers, there are 12 leadership behaviors aligned with Connect Boise's engage, grow, and recognize components that supervisors are expected to practice and demonstrate. Those behaviors are:

C. Twelve Leadership Behaviors
Engage:
1. Show you care personally
2. Set clear expectations
3. Have regular 1:1's
4. Remove barriers and provide support

Grow:
5. Actively coach employees
6. Address concerns directly with the intent to teach and grow the employee
7. Help team members grow professionally
8. Ask for and be open to feedback

Recognize:

9. Use people's strengths
10. Trust and empower employees to innovate
11. Hold people accountable for results
12. Recognize and reward good work

Employees will have the opportunity to give their supervisors anonymous feedback regarding these leadership behaviors twice a year via Leadership Pulse Checks. This provides supervisors with valuable information on their leadership strengths and opportunities for growth.

IV HOW WE RECOGNIZE

ConnectBoise is not only about maximizing individual and organizational performance; it is about making people feel valued and appreciated. Recognizing and rewarding employee contributions and accomplishments is essential to feeling valued. Meaningful recognition also helps retain top talent, builds a supportive work environment, and encourages high performance.

Citywide employee recognition events may include the Annual High 5 event; Pick 2's; Zoo Picnic; and Service Awards. Some recommended no cost/low cost forms of recognition are "Thank You" cards and ConnectBoise Recognition Cards. Departments are also encouraged to create peer-to-peer recognition opportunities for their employees.

A. Flexible Rewards

Flexible Rewards is a program designed to recognize and reward performance that is in line with our Citywide values and department goals and priorities, and in ways that are timely and meaningful to the employee.

Flexible rewards are awarded throughout the year. Employees can accumulate rewards throughout the fiscal year which may be paid out through payroll in accordance with the payroll calendar when the employee chooses. Any reward(s) remaining in an employee's flexible reward bucket at the end of the fiscal year will be paid out via payroll.

B. Guiding Principles for Issuing Flexible Rewards

1. Supervisors should get to know each employee as a person; find out what motivates them and their recognition preferences.
2. Be purposeful when issuing recognition. Look for outstanding performance, specific embodiments of our values, or growth-oriented achievements and results.
3. Directly link recognition to the city's vision, mission and values, our strategic framework, or departmental goals.
4. Provide equal opportunity for all employees to be recognized for performance, regardless of their position.
5. Make recognition timely and meaningful. Recognize at the time of outstanding performance, and chose a reward based on what is meaningful to the individual.

C. Flexible Reward Guardrails

1. There is no *guarantee* every employee will receive a flexible reward. Rewards are based on outstanding performance, specific embodiments of our values, or growth-oriented achievements and results that are linked to our vision, mission and values, our strategic framework and/or departmental goals.
2. Rewards over $500 may only be awarded by the Department Director or their designee. Directors may designate authorization by completing a Flexible Rewards Designee Authorization form (*See Exhibit 5.10c).*
3. No employee may receive more than a combined total of $3,000 in flexible rewards during a single fiscal year.

V ADDRESSING CONCERNS

A benefit of regular 1:1's between supervisors and employees and quarterly performance pulse checks, is that issues or concerns can be identified and corrected proactively and efficiently through coaching.

A. How to Address Concerns

When a supervisor becomes aware of an issue or concern with an employee, they should treat the issue or concern as an opportunity to teach and grow the employee. Supervisors are expected to discuss the issue/concern with the employee thoughtfully, clearly, and in-person. They should also clarify expectations with the employee to ensure they are both on the same page, and provide support to help the employee improve and be successful moving forward. If the issue/concern does not resolve, or multiple concerns exist, a position alignment plan (see section VI) may be implemented to assist the employee. Other corrective actions recognized by the city may also be used.

When an employee has a concern or issue with their supervisor, they should schedule a time with the supervisor to discuss the issue, including how it is effecting them. If the employee's concern/issue is not resolved during that meeting, the employee should schedule a time to discuss the matter with their supervisor's supervisor.

B. When to Consult/Involve Human Resources

The following are examples of corrective actions that require consultation with Human Resources prior to taking action.

1. Placing an employee on a position alignment plan (see section VI)
2. Issuing a written reprimand
3. Issuing an unpaid suspension
4. Terminating an employee's employment

Examples of conduct that may require these types of corrective actions include, but are not limited to, insubordination, violence, theft, safety violations, performance deficiencies, direct or indirect threats, property damage, etc. For a more comprehensive list, please refer to the Standards of Conduct Regulation 5.01a.

Employees may contact Human Resources anytime they have a need to do so.

VI POSITION ALIGNMENT

When a performance concern exists, the supervisor with the assistance of Human Resources, will create a plan to align the skill set of the person in the position with the results needed from the position. This is known as Position Alignment (PA). The supervisor's role will be to support and assist the employee during the course of position alignment plan.

Employees who have been notified that PA is needed for them to be successful, or have already begun the position alignment process:

A. May not transfer into another position without approval from the affected (current and future) Department Director(s); and
B. Are not eligible to receive a base pay increase until the employee successfully completes the PA plan and sustains the needed level of performance. The employee may be eligible for a base pay increase during the next annual compensation review cycle; however, such increases shall not be retroactive.

These restrictions also apply to one-time non-base compensation if base-pay performance increases are not funded.

PA plans are not subject to appeal. However, employees who disagree with the content of their PA plan may submit a written rebuttal within five (5) work days of receiving the PA plan. The rebuttal will be attached to the plan and included in the employee's personnel file. The PA plan will remain in effect and the employee will remain responsible for the expectations identified in the plan regardless of the rebuttal. For the purpose of the rebuttal, a "workday" shall mean Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m., excluding city recognized holidays.

The employment of an employee who fails to satisfy or sustain alignment with the position they hold will be subject to termination.

VII. GRANDFATHERED

Employees who were on a performance improvement plan (PIP) as of January 2019 shall complete the requirements of their PIP in accordance with the former Performance Management Regulation. All employees who were on a PIP prior to the implementation of PA's shall sustain the required level of performance once off the PIP. Failure to do so will result in recommendation for termination of the employee's employment for unsatisfactory performance.

Document Type:	Policy
Number:	5.15
Effective:	05-01-06
Revised:	
Legal References:	

PROBLEM SOLVING

Effective communication between City employees, the Mayor, and the City Council is essential for the proper operation of the City. To ensure effective communication, the Mayor shall establish a problem solving procedure for employees as a systematic and equitable means of resolving, at the earliest date and the lowest possible administrative level, issues which may arise with respect to terms and conditions of employment.

Document Type:	Regulation
Number:	5.15a
Effective:	05-01-06
Revised:	01-22-10
Legal References:	

PROBLEM SOLVING

I. INTRODUCTION

The Employee Problem Solving process is intended to deal with complaints initiated by the employee. This regulation applies to all regular employees who have satisfactorily completed their probationary period of employment. The regulation does not apply to individuals who are temporary employees, elected officials, all heads of departments or other offices which are appointed by the Mayor or City Council under the provisions of the Boise City Code, all members of boards and commissions appointed by the Mayor and/or Council, or any independent contractors.

Bargaining unit employees may elect to use this procedure or may elect to use a grievance procedure contained in the collective bargaining contract, but not both. If an employee chooses to use this procedure, all applicable time periods must be met or the ability to use this procedure shall be waived.

A "complaint" shall be a problem expressed by an employee alleging a violation, misinterpretation, or inequitable application as to the employee, of any written City or department ordinance, policy, or regulation that directly and specifically governs the employee's terms and conditions of employment.

"Terms and conditions of employment" refers to hours of work, compensation and fringe benefits, and other matters addressed in writing in a City or department ordinance, policy, or regulation that directly and specifically governs the employee's terms and conditions of employment.

The problem solving process cannot be used to appeal discipline or corrective action measures initiated by management. Employee appeal rights regarding disciplinary actions are covered in the Corrective Action Policy and Regulation. In addition, the problem solving process cannot be used in situations where the applicable policy and regulation specifies the subject matter is not eligible for the problem solving process, such as the Performance Management and Hours of Work Policies and Regulations.

Employees are encouraged to discuss any work-related problem with management at any time. Employees should talk to their immediate supervisor before going to the next supervisory level. Supervisors should always have an open door policy regarding all employee concerns. Supervisors and employees should work together in an attempt to resolve issues informally and at the lowest level of management possible.

The "immediate supervisor" is the lowest level supervisor who supervises and evaluates the employee.

For purposes of this regulation a "work day" shall mean any Monday through Friday between the hours of 8:00 a.m. and 5:00 p.m., excluding City recognized holidays.

For the purposes of this regulation supervisors, division managers, Department Directors, and/or the Mayor may assign designees.

II. GENERAL PROVISIONS

The following provisions shall be followed when using the problem solving procedure:

A. Except for the initial meeting with an immediate supervisor, an employee has the right to have a consultant of his or her choice present throughout all phases of this procedure. However, the request for a consultant cannot delay the time frames outlined in this regulation, unless the parties mutually agree to an extension for a reasonable period of time. The consultant is allowed to confer with an employee, but may not speak for an employee during a problem solving meeting or interfere with the problem solving process.

B. An employee shall have the right to follow all of the steps of the problem solving process with freedom from reprisal.

C. The time limits should be adhered to unless the parties mutually agree that the time limits and any intermediate step may be extended for a reasonable period of time.

D. If at any step the immediate supervisor, division supervisor or other person required to act fails to act or respond as required within the time limits specified, or agreed upon extension, the employee may immediately proceed to the next step in the procedure. If the employee fails to act within the time limits, or agreed upon extension, the problem shall be considered resolved and is not subject to being raised for reconsideration at a later date.

E. The administration of this procedure shall be the responsibility of Human Resources. Human Resources shall monitor the process at every stage to ensure compliance with this procedure and all other applicable personnel policies and regulations. Human Resources shall be available to all parties for consultation on this procedure, or on personnel policies and regulations. Human Resources shall receive copies of all related documents and maintain an official departmental file. In the event a conflict of interest arises that would inhibit Human Resources in complying with its responsibilities, the Legal Department shall issue a decision on the conflict of interest and, if necessary, assume the role of Human Resources in administering this procedure on the matter in question.

F. Anyone who is an employee of the City shall be excused from his or her duties for a reasonable amount of time to participate in a problem solving meeting.

G. Files directly related to the proceedings and maintained by Human Resources shall be maintained as confidential personnel items and are not subject to public review unless otherwise required by law.

H. In the event a work-related problem or issue cannot be feasibly handled under this procedure, it shall be the responsibility of the Legal Department to determine the appropriate procedure.

I. Nothing in this regulation is intended to circumscribe or modify the City of Boise's existing right to manage including:

1. Direct the work of its employees.
2. Maintain the efficiency of operations.
3. Hire, promote, transfer, assign and retain employees' position within the City.
4. Take actions as deemed necessary to carry out the duties of the City in emergencies.
5. Determine the methods, means and personnel by which operations are to be carried out.

III. STEP ONE – Informal Conference

Employees and supervisors are strongly encouraged to engage in informal conferences in order to identify the precise issue(s), discuss ways to resolve the issue(s), and hopefully resolve the issues(s) at the lowest level possible. Therefore, before filing a formal written complaint and within five (5) working days of the occurrence of the act or omission giving rise to the complaint, an employee must attempt to resolve the problem with at least one informal conference with the immediate supervisor. The purpose of this conference is to informally discuss the problem and jointly attempt to arrive at a satisfactory solution. If a solution is reached, the supervisor will document in writing on the City's form (See Exhibit) the resolution for both the supervisor and the employee to sign. Thereafter, the problem is considered resolved and is not subject to being raised for reconsideration at a later date.

If the problem is not resolved the employee shall submit a written complaint as described in Step Two.

IV. STEP TWO – Written Complaint

If a solution cannot be reached during the informal conference, and the employee decides to pursue the complaint, the employee must, within five (5) working days of the informal conference, present to the immediate supervisor a written Step Two complaint on the City's form (See Exhibit). The written complaint shall include a clear, concise statement of the circumstances giving rise to the problem, citation of the specific written City or department ordinance, policy, or regulation that is alleged to have been violated, the supervisor's decision rendered at the informal conference, and the employee's proposed solution. The employee shall send the original form to the employee's immediate supervisor and a copy to Human Resources.

If the next supervisor in the employee's department is a division manager, then the immediate supervisor shall schedule a meeting with the employee and the division manager within five (5) working days of receiving the Step Two complaint. The division manager may include any other relevant individuals in the meeting, at the division manager's discretion. The purpose of the meeting is to discuss the complaint to see if the problem can be resolved. If the next supervisor in the employee's department is not a division manager, but is a Department Director, the employee's complaint will be processed in accordance with Step Three.

Within five (5) working days after the meeting, the division manager shall reduce his or her decision and proposed solution in writing on the City's form (See Exhibit), sending the original response to the employee and a copy to Human Resources. If the employee is satisfied with the response, the matter is closed and is not subject to being raised at a later date.

V. STEP THREE – Formal Appeal

If the employee is not satisfied with the division manager's response in Step Two and decides to pursue the complaint, the employee must within five (5) working days after receiving the division manager's written response, present to the Department Director a written Step Three formal appeal on the City's form (See Exhibit). The formal appeal must include a copy of the complaint form(s), documentation, and the supervisory decisions rendered at the previous steps, and a clear, concise statement of the reasons for the complaint, including why the employee disagrees with the supervisory decision and proposed solution.

When the employee bypasses Step Two because of a lack of a division manager, the employee's Step Two written complaint and documentation will be processed in accordance with Step Three. The Department Director may ask for additional documentation or information, at the Department Director's discretion.

The Department Director shall within five (5) working days after receiving the Step Three formal appeal arrange a meeting with the employee. The Department Director may include any other relevant individuals in the meeting, at the Department Director's discretion. The purpose of the meeting is to discuss the complaint to see if the problem can be resolved.

Within five (5) working days after the meeting, the Department Director shall reduce his or her decision and proposed solution in writing on the City's form (See Exhibit), sending the original response to the employee and a copy to Human Resources. If the employee is satisfied with the response, the matter is closed and is not subject to being raised for reconsideration at a later date.

VI. STEP FOUR – Final Appeal

If a solution cannot be reached at Step Three and the employee decides to pursue the complaint, the employee must within five (5) working days after receiving the Department Director's written response, present to Human Resources and the employee's Department Director a written Step Four final appeal on the City's form (See Exhibit). The final appeal must include a copy of the Step One through Three complaints, the supervisor, division head, and Department Director's responses, and a clear, concise statement of the reasons for the appeal, including why the employee disagrees with the Department Director's Step Three decision and proposed solution.

Within five (5) working days of receiving the Step Four final appeal, the Department Director will forward to Human Resources a written rebuttal on the City's form (See Exhibit) with any attached information that the Department Director believes is relevant.

Human Resources will forward the Step Four final appeal and the Department Director's rebuttal information to the Mayor within five (5) working days of receiving the Department Director's rebuttal information.

Within five (5) working days of receiving the above information, the Mayor will issue a written decision on the City's form regarding the matter. The Mayor's response constitutes the final decision.

At the Mayor's discretion, he or she may schedule a meeting with the parties to hear additional evidence before issuing the final decision. The Mayor will inform the parties in writing regarding the format of the meeting. If this additional meeting occurs, the final decision will be issued within ten (10) working days of this meeting.

Document Type:	Exhibit
Number:	5.15b
Effective:	05-01-06
Revised:	01-07-10
	08-20-10
Legal References:	

PROBLEM SOLVING – STEP ONE
Informal Conference

Directions: If a solution is reached during the informal conference, the supervisor will document on this form the resolution for both the supervisor and the employee to sign. Attach additional sheets as necessary. If a solution is not reached at this level the employee shall complete a step two written complaint.

Employee Name _____ Position _____

Work Location _____ Date of Alleged Violation _____

Name of Immediate Supervisor _____

Statement of Circumstances Giving Rise to the Complaint: _____

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Resolution Reached at Step One _____

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Employee Signature _____ Date _____

Supervisor Signature _____ Date _____

cc: Human Resources

Document Type: Exhibit
Number: 5.15b
Effective: 05-01-06
Revised:
Legal References:

EMPLOYEE PROBLEM SOLVING – STEP TWO
Written Complaint

Directions: If a solution cannot be reached at Step One of the Problem Solving process, and the employee decides to pursue the complaint, the employee must, within five (5) work days of the informal conference, present to the immediate supervisor a written Step Two complaint on this form. The written complaint shall include a clear, concise statement of the circumstances giving rise to the complaint, citation of the specific written City or department ordinance, policy, or regulation that is alleged to have been violated, the supervisor's decision rendered at the informal conference, and the employee's proposed solution. The employee shall send the original form to the employee's immediate supervisor and a copy to Human Resources. Attach additional sheets as necessary.

Employee Name _____ Position _____

Work Location _____ Employee Representative _____

Name of Immediate Supervisor _____ Date of Alleged Violation _____

Statement of Circumstances Giving Rise to the Complaint _____

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Citation of the written City or department ordinance, policy, or regulation allegedly violated (Please attach a copy) _____

Supervisor's Step One Decision _____

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Remedy Sought _____

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Employee Signature _____ Date _____

cc: Human Resources

Document Type: Exhibit
Number: 5.15b
Effective: 05-01-06
Revised:
Legal References:

EMPLOYEE PROBLEM SOLVING – STEP TWO
Written Complaint
Supervisor Response

Directions: If the next supervisor in the employee's department is on a divisional level, then the immediate supervisor shall schedule a meeting with the employee and the divisional manager within five (5) work days of receiving the Step Two written complaint. The purpose of the meeting is to discuss the complaint to see if the problem can be resolved. If the next supervisor in the employee's department is not on a division level, but is a Department Director, the employee's written complaint will be processed in accordance with Step Three.

Within five (5) work days after the meeting, the division manager shall reduce his or her decision and proposed solution in writing on this form, sending the original response to the employee and a copy to Human Resources. If the employee is satisfied with the response, the matter is closed and is not subject to being raised at a later date. Attach additional sheets as necessary.

Employee Name _____ Position _____

Work Location _____ Employee Representative _____

Supervisor Name _____ Date of Alleged Violation _____

Date Supervisor Received Step Two Written Complaint _____

_____ Supervisor Decision/Proposed Solution _____

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Supervisor Signature _____ Date _____

cc: Human Resources

Document Type: Exhibit
Number: 5.15b
Effective: 05-01-06
Revised:
Legal References:

EMPLOYEE PROBLEM SOLVING – STEP THREE
Formal Appeal

Directions: If a solution cannot be reached at Step Two of the Problem Solving process and the employee decides to pursue the complaint, the employee must within five (5) work days after receiving the supervisor's written response, present to the Department Director a written Step Three formal appeal on this form. The formal appeal must include a copy of the step one and two complaint form(s), documentation, and the supervisor's decisions rendered at the previous steps, and a clear, concise statement of the reasons for the appeal, including why the employee disagrees with the supervisor's decision and proposed solution. Attach additional sheets as necessary.

Employee Name _____ Position _____

Work Location _____ Employee Representative _____

Name of Immediate Supervisor _____ Date of Alleged Violation _____

Statement of Circumstances Giving Rise to the Formal Appeal _____

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Supervisor's Step Two Decision _____

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Remedy Sought _____

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Employee Signature _____ Date _____

cc: Human Resources

Document Type: Exhibit
Number: 5.15b
Effective: 05-01-06
Revised:
Legal References:

EMPLOYEE PROBLEM SOLVING – STEP THREE
Formal Appeal
Department Director Response

Directions: The Department Director shall within five (5) work days after receiving the Step Three formal appeal arrange a meeting with the employee. The Department Director may include any other relevant individuals in the meeting, at the Department Director's discretion. The purpose of the meeting is to discuss the complaint to see if the problem can be resolved.

Within five (5) work days after the meeting, the Department Director shall reduce his or her decision and proposed solution in writing on this form, sending the original response to the employee and a copy to Human Resources. If the employee is satisfied with the response, the matter is closed and is not subject to being raised at a later date. Attach additional sheets as necessary.

Employee Name _____ Position _____

Work Location _____ Employee Representative _____

Name of Immediate Supervisor _____ Date of Alleged Violation _____

Date Department Director Received Step Three Formal Appeal _____

Department Director Decision/Proposed Solution _____

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Department Director Signature _____ Date _____

cc: Human Resources

Document Type: Exhibit
Number: 5.15b
Effective: 05-01-06
Revised:
Legal References:

EMPLOYEE PROBLEM SOLVING – STEP FOUR
Final Appeal

Directions: If a solution cannot be reached at Step Three of the Problem Solving process and the employee decides to pursue the complaint, the employee must within five (5) work days after receiving the Department Director's written response, present to Human Resources and the employee's Department Director a written Step Four final appeal on this form. The appeal must include a copy of the Step One through Three complaints, the supervisor's and Department Director's responses, and a clear, concise statement of the reasons for the appeal, including why the employee disagrees with the Department Director's Step Three decision and proposed solution. Attach additional sheets as necessary.

Employee Name _____ Position _____

Work Location _____ Employee Representative _____

Name of Immediate Supervisor _____ Date of Alleged Violation _____

Statement of Circumstances Giving Rise to the Final Appeal _____

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Supervisor's Step Three Decision _____

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Remedy Sought _____

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Employee Signature _____ Date _____

cc: Human Resources

Document Type: Exhibit
Number: 5.15b
Effective: 05-01-06
Revised:
Legal References:

EMPLOYEE PROBLEM SOLVING – STEP FOUR
Final Appeal
Department Director Rebuttal

Directions: Within five (5) work days of receiving the Step Four final appeal, the Department Director will forward to Human Resources a written rebuttal on this form with any attached information that the Department Director believes is relevant. Attach additional sheets as necessary.

Employee Name _____ Position _____

Work Location _____ Employee Representative _____

Department Director Name _____ Date of Alleged Violation _____

Date Department Director Received Step Four Final Appeal _____

_____ Supervisor Rebuttal _____

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Department Director Signature _____ Date _____

cc: Human Resources

Document Type: Exhibit
Number: 5.15b
Effective: 05-01-06
Revised:
Legal References:

EMPLOYEE PROBLEM SOLVING – STEP FOUR
Final Appeal
Mayor or Designee Decision

Directions: Within five (5) work days of receiving the Step Four final appeal and the Department Director's rebuttal, the Mayor or designee will issue a written decision on this form regarding the matter. The Mayor or designee's response constitutes the final decision.

At the Mayor or designee's discretion, he or she may schedule a meeting with the parties to hear additional evidence before issuing the final decision. The Mayor or designee will inform the parties in writing regarding the format of the meeting. If this additional meeting occurs, the final decision will be issued within ten (10) work days of this meeting. Attach additional sheets as necessary.

Employee Name _____ Position _____

Work Location _____ Employee Representative _____

Mayor or Designee Name _____ Date of Alleged Violation _____

Date Mayor or designee Received Step Four Final Appeal _____

Mayor or designee Decision _____

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Mayor or designee Signature _____ Date _____

cc: Human Resources

Document Type:	Policy
Number:	6.01
Effective:	05-01-06
Revised:	08-27-20
Legal References:	

SAFETY

The safety of employees and the general public is of primary importance to the city of Boise. The city complies with all applicable laws related to health and safety. All levels of management are responsible for requiring and upholding safe work practices, promoting safety, and setting the example for others. City employees are not only expected to adhere to the city's safety policy and regulations and all safe operating instructions, but are expected to continuously promote safety awareness and encouraged to provide their ideas and expertise to make safety a part of the job. Employees shall maintain property and equipment in a safe operating condition.

Document Type: Policy
Number: 6.01
Effective: 05-01-06
Revised:
Legal References:

SAFETY

The safety of employees and the general public is of primary importance to the City of Boise. The City complies with all applicable laws related to safety. All levels of management are responsible for developing and implementing safe work practices, promoting safety, and setting the example for others. Employees are not only expected to adhere to safe operating instructions, but are encouraged to provide their ideas and expertise to help the City make safety a part of the job. All employees shall continuously promote safety awareness and maintain property and equipment in a safe operating condition.

For detailed information regarding the City of Boise's safety requirements, specifications and procedures, employees are to refer to the City of Boise Employees' Occupational Safety and Health Policy Manual found on the City's Intranet or contact Safety Services.

Document Type:	Regulation
Number:	6.01a
Effective:	10-28-13
Revised:	
Legal References:	I.G.S.H.S. 30

SAFETY ADMINISTRATION

I. INTRODUCTION

The City of Boise is committed to providing a safe and healthy work environment for all employees. To further this commitment the City has implemented a variety of regulations designed to ensure a safe and healthy workplace. Employees are expected to act with the utmost regard for the safety and health of their co-workers, the public, and themselves at all times.

This regulation applies to all employees of the City of Boise.

II. EXPECTATIONS & RESPONSIBILITIES

All employees at all levels are expected to adopt and foster a safety culture. The following are the City's expectations and responsibilities for various levels of authority:

A. Department Directors:

The Department Directors and their appropriate designees will provide leadership in safety activities and comply with those safety policies as an example for all others.

B. Managers, Supervisors, and Lead Employees

Managers, Supervisors and Lead Employees are key in the implementation and application of safety practices in the workplace. They are expected to know the details of each job they supervise in order to recognize hazardous situations. Their knowledge of the work environment and of the work being performed make them most qualified to translate accident and injury-prevention principles into actual safety practices, on the job and at the work site. In addition to the specific responsibilities within this regulation, department managers, supervisors and lead employees are required to do the following:

1. Promote and encourage safe practices;
2. Provide adequate job training and safety instruction to all employees;
3. Provide safety instruction to employees before new work assignments to focus employee attention to potential hazardous exposure and changes in work conditions or procedures and post warning signs of hazards in the work areas;
4. Participate in training courses designed to increase their professional awareness and knowledge of safety supervision principles and techniques;

5. Observe, inspect, and evaluate work conditions, facility safety, and work procedures to detect and correct unsafe conditions and practices and insist on good housekeeping practices. A Job Hazard Analysis form in the Personal Protective Equipment regulation can be used to help identify potential hazards in the workplace;
6. Promptly investigate, identify and implement preventative and corrective measures as appropriate, and complete required documentation for all job accidents;
7. Be receptive to, and encourage employees to report unsafe practices or conditions and to submit practical suggestions for correction without fear of repercussion or reprisal;
8. Ensure that tools, equipment and protective devices are properly maintained, used and appropriately stored when not in use;
9. Become thoroughly familiar with and actively enforce all safety procedures applicable to the work they supervise;
10. Review safety rules and procedures with new employees, pointing out the possible hazards involved in doing the job;
11. Review accident reporting procedures and the Employee Policy Handbook with new employees; and
12. Make recommendations for disciplinary action when deliberate safety violations occur.

C. Employees

All City employees are required as a condition of employment to develop and maintain safe work habits and to contribute in every manner possible to the safety of themselves, their co-workers, and the general public. Employees are required to do the following:

1. Immediately report all accidents, unsafe practices, and conditions to their supervisors;
2. Comply with the all of the City's regulations pertaining to safety;
3. Successfully complete required training;
4. Cooperate with and assist the investigator or supervisor investigating accidents to identify causes. Offer corrective solutions without fear of repercussion or reprisal; and
5. Become familiar with and observe approved safe work procedures for their work activities.

D. Risk and Safety Services

Risk and Safety Services will provide risk management and occupational safety & health support and services to all departments and employees and facilitate compliance with federal and state occupational safety and health regulations. The Risk and Safety Services team will:

1. Administer and process Workers' Compensation Claims;
2. Perform statistical analysis to determine trends, problem areas and overall safety performance of each department;
3. Conduct and/or facilitate inspections (including safety and industrial hygiene assessments and those required by safety oversight regulators and insurance companies) of City operations and provide necessary instructions and guidance to achieve compliance with applicable laws and regulations;

4. Conduct follow-up investigations, when necessary, of accident/ injuries occurring in City operations to determine causes and recommend preventative measures;
5. Administer and facilitate the City's Safety and Health and Loss Control Programs; and
6. Offer employee training through a variety of delivery methods, and make available to departments a solution for tracking employee training.

Document Type:	Regulation
Number:	6.01b
Effective:	08-21-13
Revised:	02-18-16 07-02-18
Legal References:	IGSHS 350, 29 CFR 1910.1001

ASBESTOS

I. Introduction

This regulation will establish an Asbestos Management Program to safely manage asbestos-containing material (ACM) that employees may encounter. Intact and undisturbed ACM does not pose a health risk. The mere presence of asbestos in a building does not mean that the health of building occupants is endangered. ACM that is in good condition, and is not somehow damaged or disturbed, is not likely to release asbestos fibers into the air. Asbestos materials can become hazardous when, due to damage, disturbance, or deterioration over time, they release fibers into the air. When ACM is damaged or disturbed elevated airborne asbestos concentrations can create a potential hazard for workers and other building occupants.

The purpose of this regulation is to minimize or eliminate asbestos exposure. This regulation applies to all City employees who perform work involving building maintenance, construction, utility pipes, cleaning, and general operations. Fire personnel shall refer to their internal procedures for handling asbestos.

II. General Requirements

Prior to removing or disturbing materials within a facility, each department shall identify if their facilities are constructed with Asbestos-Containing Material (ACM) or any material that is presumed to contain asbestos (PACM).
To do this departments may use asbestos sampling records maintained by Public Works Environmental, manufacturer's information, laboratory analysis of bulk samples, or records indicating the age and composition of building materials. In addition, Public Works Environmental is available upon request to assist departments with sampling ACM.

Employees shall immediately contact Public Works Environmental and Risk and Safety Services after any accidental, suspected, or known asbestos release episode. This may include presence of debris on the floor, water or physical damage to ACM, or any other evidence of possible fiber release.

Renovation or demolition (including partial demolition) of buildings shall not be performed by employees until it can be positively determined that no ACM are present in the building or until asbestos abatement (intentional removal) is completed. Departments shall contract with appropriate vendors or contractors to perform asbestos abatement.

Project managers who oversee asbestos abatement projects for City property shall ensure all contracted asbestos abatement work complies with the appropriate Federal and State Regulations and City Code. They shall also ensure that the appropriate demolition permits and EPA notification forms have been completed.

Employees of the City shall only perform minor repair and maintenance operations of ACM that is likely to be disturbed. Examples of this type of work include, but are not limited to patching thermal insulation, resealing asbestos flooring (with non-abrasive methods), or cleaning the surfaces of asbestos material using non-abrasive methods. If the scope of work will be more than a minor repair and maintenance to ACM, the department shall request consultation from Risk and Safety Services and Public Works Environmental to determine what additional controls and precautions are necessary. No employee may perform asbestos abatement of any type.

If a department suspects a facility may contain ACM:

A. Supervisors or their designee shall coordinate with Risk and Safety Services for the necessary training;
B. Employees shall notify their Supervisors prior to disturbing any ACM; and
C. Supervisors or their designee shall contact Public Works Environmental and complete the necessary forms prior to disturbing any ACM.

III. Training Requirements

Employees who perform repair and maintenance operations where ACM or PACM is present shall participate in training prior to performing duties with potential exposure.

A. Maintenance and Custodial Work – Facility employees who may perform maintenance and custodial work where they may come in contact with but will not disturb ACM or PACM shall participate in a 2hour Asbestos Awareness Training on an annual basis. Examples of this type of work include painting over asbestos-containing wallboard, or cleaning asbestos-containing floor tile.
B. Repair Work – Facility employees who may perform repair work on ACM or PACM shall participate in initial 16-hour training on Asbestos and a 2-hour refresher class on an annual basis. Examples of this type of work include any intentional cutting, breaking, scraping, drilling or sanding of ACM or PACM. Supervisors shall notify and consult with Risk and Safety Services if they will have employees performing repair work on ACM or PACM to ensure that they have been provided other necessary training and personal protective equipment (i.e. Respiratory Protection).
C. <u>Exterior work on Non-friable ACM</u> (8-Hour NESHAP Training)
Training requirements for certain work practices performed outside of buildings such as roofing repair and pipe repair/replacement differ from those required for work done inside buildings. Completion of the 8-hour NESHAP training is adequate for working with non-friable asbestos cement pipe and non-friable roofing materials if a valid Negative Exposure Assessment (NEA) has been completed and exposure is shown to be below applicable limits. The 8-hr NESHAP training must be taken every two years and the NEA is required to be validated annually.

Training for employees can be coordinated through Risk and Safety Services.

IV. Warning Signs

Departments shall install signs which warn others of the presence of ACM or PACM at a particular location or in the area where ACM is located so long as installation does not disturb the ACM.

V. Personal Protective Equipment and Required Work Procedures

All employees shall wear appropriate personal protective equipment (PPE) when cleaning, repairing or maintaining any ACM. Supervisors shall verify with Risk and Safety Services the PPE provided is adequate for the work being performed.

Any employee performing cleaning, repair or maintenance of AMC or PACM shall:

A. Use vacuum cleaners with HEPA filters to collect asbestos-containing debris and dust;
B. Use wet methods or wetting agents during all maintenance and cleanup procedures (unless infeasible or creates a greater hazard);
C. Promptly clean-up and dispose of wastes and debris contaminated with asbestos in leak-tight containers;
D. Not perform dry sweeping, dusting, shoveling or normal vacuuming of ACM material, debris, waste, or dust;
E. Not use compressed air to clean surfaces contaminated with ACM unless it is used with a HEPA ventilation system that can capture the dust cloud; and
F. Not sand ACM flooring material.

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ASBESTOS MANAGEMENT PROGRAM

City of Boise Asbestos Management Program

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City of Boise Asbestos Management Program

I. INTRODUCTION

Asbestos is one of the most heavily regulated and litigated hazardous materials in the country. This carcinogen is found in a wide variety of building materials and contrary to popular belief is still legally used in products sold in the United States. A written plan for management of Asbestos Containing Materials (ACM) in City owned facilities is an important step in reducing the likelihood of asbestos exposure to City workers and citizens.

An Asbestos Management Program is a formulated plan of, work practices, record keeping, training and procedures to manage ACM. Creation of an Asbestos Management Program, will help to ensure the City is complying with asbestos regulations, preventing unnecessary exposure to employees, and protect the City from potential litigation.

This Asbestos Management Program consists of a set of procedures applied to building maintenance, construction, cleaning, and general operations in order to maintain a building environment free from asbestos contamination. The Asbestos Management Program is intended to be flexible in that all situations cannot be foreseen in advance. Methods of response may change and others may be added. New procedures will be developed as experience and job requirements expand. Protocol detailed in this Program will comply with EPA, OSHA and State of Idaho regulations regarding asbestos.

Intact and undisturbed ACM does not pose a health risk. The mere presence of asbestos in a building does not mean that the health of building occupants is endangered. ACM that is in good condition, and is not somehow damaged or disturbed, is not likely to release asbestos fibers into the air. However, asbestos materials can become hazardous when, due to damage, disturbance, or deterioration over time, they release fibers into the air. When ACM is damaged or disturbed elevated airborne asbestos concentrations can create a potential hazard for workers and other building occupants.

Instead of removal of asbestos containing material upon discovery, the Environmental Protection Agency (EPA) recommends an in-place management program for the existing asbestos. EPA only requires asbestos removal in order to prevent significant public exposure to asbestos, such as during building renovation or demolition. When ACM is properly managed, release of asbestos fibers into the air is prevented or minimized, and the risk of asbestos-related disease can be reduced to a negligible level.

II. GOALS

The City of Boise Asbestos Management Program has five main goals:

A. To comply with various EPA and OSHA regulations regarding asbestos management.
B. To educate City staff members on asbestos dangers and their responsibilities.
C. To identify all asbestos containing materials (ACM) in City buildings in a prioritized manner by conducting complete building inspections.
D. To repair or remove any severely damaged ACM which could cause exposure to employees or citizens.
E. To minimize asbestos fiber release by using an Environmental Review Form for activities that might disturb ACM.

III. SCOPE

This Asbestos Management Program applies to all buildings, structures, or other materials owned by Boise City. It applies to all City employees and also to contractors working for the City of Boise, on City owned buildings.

IV. PROGRAM LIMITATIONS

This program is designed as policy for management of asbestos containing materials and presumed asbestos containing materials in City buildings. It is not designed to teach staff members how to test, handle, or work with ACM. Specific training is required in order to legally perform these tasks.

V. SUMMARY OF REGULATIONS

The following is a list of applicable Federal OSHA and EPA Asbestos Laws:

- OSHA General Industry Standard (29 CFR 1910.1001) covers routine housekeeping activities in buildings and automotive brake and clutch repair.
- OSHA Construction Standard (29 CFR 1926.1101) applies to building demolition and renovation operations and other activities where asbestos is removed or encapsulated. It also covers building maintenance and emergency cleanup of asbestos spills.
- EPA Asbestos Worker Protection Rule (40 CFR Part 763 Subpart G) extends the OSHA asbestos protections to state and local government workers not covered by OSHA laws. o EPA Asbestos-in-Schools Rule (40 CFR Part 763 Subpart E) requires schools to inspect buildings for asbestos and prevent exposure worker/occupant exposure.
- EPA National Emission Standards for Hazardous Air Pollutants (NESHAP 40 CFR 61 Subpart M) has requirements for removal of asbestos before demolition, notification to EPA before removal, preventing release of fibers into the air, and waste disposal.

VI. DEFINITIONS

Asbestos- A name applied to a group of 6 different minerals occurring naturally in the environment (including the typical white as well as blue, gray and brown) made up of thin fibers 5 µm or longer with a length/diameter ratio of at least 3:1. Long fibers (>5µm) are more carcinogenic than short ones (<5µm).

Non-Friable ACM- Non-Friable ACM means that, when dry, the asbestos containing material cannot be crumbled, pulverized or reduced to powder by hand pressure. Examples include vinyl floor tile and cement pipe or panels. (Note: Friable materials are more likely to release asbestos fibers when disturbed. However, non-friable materials may also release fibers if ground, cut, sanded, or otherwise manipulated.)

Asbestos Containing Waste Material (ACWM)- Any waste material containing commercial asbestos generated by a source regulated by the National Emission Standard for Asbestos. These may include filters from control devices, friable asbestos material, packaging contaminated with asbestos, demolition products containing asbestos and contaminated disposal equipment, material and protective clothing.

Regulated Asbestos Containing Material (RACM)- 1) Either friable or non-friable Category I ACM that has become friable or 2) Category I materials that are subject to sanding, grinding, cutting or abrading or 3) Category II non-friable ACM that have a high probability of becoming friable in the course of demolition/renovation.

Category I non-friable asbestos- containing material (ACM) means asbestos containing packings, gaskets, resilient floor coverings, and asphalt roofing products containing more that 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, Section 1, Polarized Light Microscopy.

Category II non-friable ACM- means any material, excluding Category I non-friable ACM, containing more than 1 percent asbestos as determined using the method specified in appendix E, subpart E, 40 CFR part 763, section 1, Polarized Light Microscopy that when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

Demolition- The wrecking or taking out of any load-supporting structural member of a facility and any related handling operations.

Renovation- The altering a facility or one or more facility components in any way, including the stripping or removal of regulated asbestos containing materials from a facility component.

Surfacing Material- ACM sprayed or troweled onto surfaces such as acoustical plaster found on ceilings and walls, and fire-proofing material on structural members,

Thermal Systems Insulation (TSI)- ACM applied to pipes, boilers, tanks, ducts, etc., in order to prevent heat loss/gain or water condensation.

Miscellaneous Material- other ACM such as floor tile, wallboard, siding, and cement materials.

Incidental Roofing Materials- Thick, painted-on materials used to seal and reflect heat from roofs including cements, mastics, and coatings.

NESHAP- National Emission Standards for Hazardous Air Pollutants, 40 CFR Part 61, M

AHERA- Asbestos Hazard Emergency Response Act, Public Law 99-519, Oct 22, 1986, 15 USC Section 2651

VII. ASBESTOS WORK CLASSES

OSHA recognizes four asbestos work classes in order to address different degrees of potential asbestos fiber exposure and training requirements. The four work classes are defined as follows:

Class I asbestos work means activities involving the removal of thermal system insulation (TSI) and surfacing ACM/PACM and potentially asbestos-containing material (PACM).

Class II asbestos work means activities involving the removal of ACM/PACM which is not TSI or surfacing material. This includes, but is not limited to, the removal of asbestos containing wallboard, floor tile and sheeting, roofing and siding shingles, and construction mastics.

Class III asbestos work means the repair and maintenance operations, where ACM/PACM, including thermal system insulation and surfacing material, is likely to be disturbed.

Class IV asbestos work means maintenance and custodial activities during which facility personnel come in contact but do not disturb ACM/ PACM.

(A "disturbance" of ACM/PACM, as used in the class definitions, refers to any activity that disrupts the matrix of ACM/PACM, or generates visible debris, or disturbs visible debris.)

VIII. TRAINING REQUIREMENTS

A. Class IV maintenance and custodial work that can be performed by facility personnel is described in the above section. Class IV maintenance and custodial worker must have at a minimum the annual 2-Hour Asbestos Awareness Training. This training can be taken through iLearn, the City's Learning Management System, or through an instructor led class. This training does not permit personnel to disturb ACM.

B. An 8-hour NESHAP training is required (City of Boise regulation) for those staff identified as an "Environmental Lead" for each facility. These persons require addition training because they are the on-site responsible person for asbestos related questions. They will review asbestos surveys to identify if smaller scale renovations in their facility can be performed without disturbing ACM. This training is an instructor led training, provided by a consultant.
***Note - Training requirements for certain work practices performed outside of buildings such as roofing repair and pipe repair/replacement differ from those required for work done inside buildings. Completion of the 8-hour NESHAP training is adequate for working with non-friable asbestos cement pipe and non-friable roofing materials if a valid Negative Exposure Assessment (NEA) has been completed and exposure is shown to be below applicable limits. The 8-hr NESHAP training must be taken every two years and the NEA is required to be validated annually.**

C. Class III asbestos work requires a 16-hour training course which is available from a local environmental consulting firm. Four-hour refresher classes are required annually. Medical monitoring is also required for employees who perform Class III work more than 30 days in a year. This is the only training which allows staff to work with or disturb, some limited types and quantities of ACM.

D. Sampling of building materials for asbestos will be conducted only by persons trained to at least the 24-hr AHERA Asbestos Inspector level. Inspectors must pass an initial exam and attend a four-hour refresher class annually.

E. Any employee utilizing a respirator must adhere to all requirements in Safety Services Respirator Program.

F. No abatement (planned removal) of ACM or PACM shall be conducted by any City of Boise employee.

IX. GENERAL REQUIREMENTS AND PROHIBITIONS

A. Only persons who have completed the required training and hold current certifications (16-hr/Class III or 24/hr Inspector) can intentionally disturb Asbestos Containing Materials (ACM) or Presumed Asbestos Containing

Materials (PACM). The job supervisor shall inform Environmental Lead Staff (who will contact Safety Services, 972-8120 and/or the Asbestos Coordinator, 384-3906) prior to disturbance of any ACM/PACM. After-hours and emergency disturbance of ACM/PACM shall be conducted only by trained personnel, at the discretion of the job supervisor.

B. The different classes of asbestos work require varying degrees of training, engineering controls, safety procedures, and personnel protective equipment. Minimum controls and practices that must ***always*** be used, regardless of the level of exposure or work class, are:

1. Contact Environmental Lead Staff at your facility, (who will notify Safety Services and/or the Asbestos Coordinator) prior to starting any work which could disturb ACM.
2. Identify work area by using signs and/or locking doors so others do not enter the work area.
3. After complying with Safety Services respirator program, wear an approved respirator with P-100 filters.
4. Thoroughly spray the ACM to be disturbed with a water a dish soap mixture before and during the job. (Do not use water around electrical equipment to prevent potential electrical shock and use lock-out\tag-out procedures to ensure electricity is turned off)
5. Use vacuum cleaners with HEPA filters to collect asbestos-containing debris and dust.
6. Ensure prompt clean-up and disposal of wastes and debris contaminated with asbestos in approved leak-tight containers.

C. The following activities are prohibited by both EPA and OSHA:

1. Dry sweeping, dusting, shoveling or normal vacuuming of asbestos or PACM material, debris, waste, or dust.
2. Using compressed air to clean surfaces contaminated with asbestos or to remove asbestos unless it is used with a HEPA ventilation system that can capture the dust cloud.
3. Sanding of asbestos-containing material.
4. Abatement (intentional removal) of asbestos by anyone other than a licensed abatement contractor.
5. Eating, drinking, smoking, chewing tobacco or gum, or applying cosmetics in any area where ACM or PACM is being disturbed.

D. If a building material has not been tested and shown to contain less than 1% asbestos, you must assume that that it is asbestos containing, unless it is solid glass, wood, or metal. Contact your supervisor, Environmental Lead, Safety Services or the Asbestos Coordinator for testing and abatement options.

X. BUILDING INSPECTIONS

A. At this time only some City owned buildings have been thoroughly inspected for asbestos. Building inspections will be prioritized based on likelihood of potential exposure to employees and citizens. Buildings which match the following criteria are considered to be a priority for having an asbestos inspection completed.

1. A complete asbestos inspection of the building by an AHERA Certified Inspector is not available for review and;
2. The building was constructed before 1981 and;
3. The building is not a single-family home or apartment with four or fewer dwellings and;
4. The building is occupied by City staff or tenants on a normal/daily basis.

OR

1. The building is scheduled for demolition, burning, or renovations and a complete asbestos inspection of the building by an AHERA Certified Inspector is not available for review.

B. Other City buildings can be inspected on an "as needed" basis. Certain single-family homes owned by the City may be prioritized for asbestos inspections when City employees perform maintenance work on the building. Also, buildings in which there is regular maintenance that requires disturbance of building materials should be inspected.

C. Facility Managers may also request a complete asbestos survey to allow for more efficient work in their buildings.

D. Buildings not owned by the City in which City employees may perform work that could disturb ACM or PACM must be inspected for asbestos prior to City employees performing any non-emergency renovation or demolition work in the building. This applies to all City employees, including Fire and Police personnel.

XI. LABELS AND SIGNAGE

Signage adhering to OSHA standards will be placed in a visible location in all City owned buildings which contain ACM or PACM. In addition, appropriate warning labels will be placed on specific friable ACM which has been identified and is considered to be at risk of disturbance.

XII. RECORDKEEPING

A. Records for all inspections, sampling, abatements, fiber release episodes, NESHAP notifications, disposal, training classes, and other activities related to asbestos containing materials shall be kept on site by the Environmental Lead staff and sent to the Asbestos Coordinator. It is the responsibility of the Job Supervisor/Project Manager to ensure all required documentation is obtained and that copies are sent to the Asbestos Program Manager. The City must retain copies of all Waste Shipment Records (WSR), including a WSR signed by the owner or operator of the waste disposal site where the waste was deposited for at least 2 years. The City is expected to provide copies of the WSR upon request of the responsible agency (EPA) and to make the WSR file available for inspection during normal business hours. Each Facility and the Asbestos Coordinator will keep all other records of asbestos sampling or removal indefinitely (or until the building is no longer owned by the City of Boise). All asbestos related work must be reported to the Asbestos Program Coordinator or Safety Services by the Project/Job Manager.

B. "Environmental Lead Staff" are responsible for keeping all asbestos information for their facility current and available on-site. This includes asbestos surveys, Environmental Review Forms, and Warning labels. They will work with the assistance of the Project Manager, the Asbestos Coordinator, and Risk/Safety to update records when any work is performed at the facility that may impact ACM or PACM. It is the responsibility of the facility manger with the assistance of the Environmental Lead to report damaged building materials which could be ACM to Safety Services.

C. A spreadsheet containing all known information regarding ACM in City buildings is available (see Appendix B). This spreadsheet will be updated as each new survey is completed.

D. The City of Boise Asset Management (VueWorks) and GIS systems may be utilized for storing and obtaining information regarding ACM and Lead-Based Paint (LBP). This idea is being explored at this time and this section will be updated when appropriate.

XIII. FIBER RELEASE EPISODES

As long as ACM/PACM remains in City facilities, a release of asbestos fibers (fiber release episode) may occur. Maintenance and Custodial workers should report to Risk/Safety and/or the Asbestos Coordinator the presence of debris on the floor, water or physical damage to any ACM/PACM, or any other evidence of possible fiber release. The Asbestos Coordinator or Risk/Safety will assign a suitably trained contractor or in-house team to clean up debris and make repairs as soon as possible.

Steps to be taken by staff who first notices the fiber release include:

1. The area should be isolated as soon as possible after the ACM/ACBM debris is discovered. Where the area can be sealed by doors, they should be closed (escape corridors must remain in operation) and signs posted to prevent unauthorized personnel from entering the area.

2. If possible, the air-handling system should be shut off or temporarily modified to prevent the distribution of fibers from the release site to other areas of the building.

3. Each fiber release episode shall be documented with a fiber release form included in Appendix-C. Posted Signs should read:

"DANGER-ASBESTOS; CANCER AND LUNG DISEASE HAZARD; AUTHORIZED PERSONNEL ONLY; RESPIRATORS AND PROTECTIVE CLOTHING ARE REQUIRED IN THIS AREA"

XIV. OUTSIDE CONTRACTORS

Only licensed asbestos removal contactors will be used for asbestos abatement (removal) activities. Asbestos building inspections will be conducted only by licensed AHERA Inspectors. Licensed local asbestos abatement and consulting companies are listed in Appendix A. Notification to the Asbestos Coordinator or Risk/Safety is required prior to any abatement.

XV. NEW CONSTRUCTION

Asbestos is still permitted in certain building products including concrete. All new construction built by the City of Boise and all major renovation projects should be certified asbestos-free. The project architect or general contractor must certify that the products used in construction are asbestos-free. If an architect is not involved in the project, the general contractor must certify that all building products are asbestos-free. The Project Manager of each job is responsible for obtaining the certification. The bid specifications for new construction should also specify that all materials must be asbestos-free.

Obtaining this certification is the only legal way, other than performing building inspections, to prove that a building does not contain asbestos. Documentation of the asbestos-free certification will be kept by the Building Department, Facility Manager, Environmental Lead and the Asbestos Coordinator. This step will help to save

time and money during future building modifications. The Asbestos Free Certification Form is available in Appendix C.

XVI. DEMOLITION AND RENOVATION

A. NESHAP Requirements for Demolition & Renovation Projects

Most demolition (including intentional burning) and renovation projects of City buildings are regulated by the National Emissions Standards of Hazardous Pollutants or "NESHAP" (EPA, 40 CFR Part 61).

Facilities regulated by this program:

1. All public, commercial, industrial buildings
2. Apartment complexes of greater than 4 units
3. Two or more residential houses

Facilities not regulated by this program:

1. One private residence
2. Apartment complexes of 4 units or less

If your facility is regulated by NESHAP the Project/Job Manager must determine if an AHERA-certified asbestos inspector has inspected the building. If it has been inspected, obtain a copy of the inspection report to determine if asbestos is present. If it has not been inspected, have the building or the area to be renovated inspected by an AHERA certified inspector. The report must then be reviewed by the facility Environmental Lead or Asbestos Coordinator prior to commencing any work on the building. A copy of the report must be kept on site throughout the project as required by the EPA, also a copy sent to Peter McCullough, Public Works Environmental, City Hall-4th Floor.

For demolition projects:

1. All friable asbestos or asbestos which could become friable during demolition/burning must be removed by a licensed asbestos abatement company prior to demolition.
2. For all demolitions (even those not containing asbestos) you must prepare and submit an EPA NESHAP Notification Form. The form is available on the EPA Region 10 Web-site or from Peter McCullough at 384-3906. Send the completed form to: EPA Region 10, Idaho Operations Office (1OO), 1435 N. Orchard Street, Boise, ID 83706. This form must be postmarked or delivered 10 days working days before commencement of the project.

For renovation projects:

1. If asbestos materials are found in the area to be renovated, the materials must be removed by a certified Asbestos Abatement Company prior to the commencement of renovation work. It is

recommended that third-party consultant be hired for oversight and clearance testing of the removal, to ensure the building is safe to occupy during and after the removal.

2. If the amount of friable asbestos to be disturbed is greater than, or equal to **160 square feet, 260 linear feet, or 35 cubic feet**, then an EPA NESHAP notification form (see details above) must be completed.

B. City of Boise Demolition Procedures

In order to ensure compliance with the NESHAP regulation, a Demolition Environmental Review Form will be required for all demolitions (including intentional burning) of City owned structures. The Environmental Review Form will function like a permit and work shall not commence until the form is completed and signed.

Prior to any demolition of a City facility or structure, the Project/Job Manager with assistance from the facility Environmental Lead and Asbestos Coordinator will ensure that either:

1. No asbestos containing materials are present in the structure to be demolished and a NESHAP notification has been sent to the EPA at least 10 working days prior to the start of the demolition.

2. If asbestos containing materials are present, all friable asbestos (and ACM which may become friable during demolition) will be removed from the building by a licensed asbestos contractor prior to demolition. In addition, a NESHAP notification must be sent to the EPA at least 10 working days prior to the start of the demolition.

C. City of Boise Renovations Procedures

In order to ensure compliance with the NESHAP regulation, a Renovation Environmental Review Form will be required for all renovations of City owned structures. The Environmental Review Form will function like a permit and work shall not commence until the form is completed and signed.

Prior to any renovation of City facilities, the Project/Job Manager will ensure through coordination with the facility Environmental Lead and Asbestos Coordinator that:

1. No asbestos containing materials (ACM) or presumed asbestos containing materials (PACM) will be disturbed during the renovation or;
2. If asbestos containing materials are present, all ACM will be removed from the building by a licensed asbestos contractor prior to the start of renovation.
3. In addition, a NESHAP notification must be sent to the EPA at least 10 working days prior to the start of the renovation if the amount of friable asbestos to be disturbed is greater than or equal to **160 square feet, 260 linear feet, or 35 cubic feet**.
4. No new asbestos containing materials shall be used in a renovation of any City building. The Asbestos Free Certification Form (Appendix C) should be completed by the General Contractor or other responsible party for the renovation.

XVII. DISPOSAL

Qualified contractors shall, at a minimum, adhere to the following when preparing ACM for disposal. City of Boise employees should not actually be involved in the disposal of asbestos waste, but rather (as the property owner) ensure the contractor is performing their duties properly and that the Waste Shipment Record is returned to the City after disposal.

1. All ACM or asbestos-contaminated waste shall be placed in a labeled **6-mil impermeable poly bag** and sealed at the top with duct tape. The first bag shall be double bagged in a second labeled **6-mil impermeable poly bag** and sealed at the top with duct tape. In addition, a label with the date and name/location of the waste generator (City of Boise) is required on all bags.

2. All asbestos material shall be adequately wet inside the 6-mil impermeable poly bag prior to sealing; limiting fiber release if the bag is broken during transportation or disposal.

3. For jobs with large quantities of asbestos containing waste; a waste container lined with a double layer of 6-mil poly sheeting and seal prior to transport can be used in place of bags. All asbestos waste materials must remain adequately wet.

4. A Waste Shipment Record (WSR) shall be completed by the contractor transporting asbestos to the landfill. The Project/Job Manager shall ensure a signed copy of the WSR is obtained after the waste has been taken to the landfill. The Job/Project Manager shall send a copy to the facility Environmental Lead and the Asbestos Coordinator.

5. Asbestos waste shall be transported to a registered asbestos landfill in an enclosed or covered vehicle. The disposal site must conform to 40 CFR 61.152 and be permitted to accept asbestos waste (Ada County Landfill). The landfill receiving procedures of the Ada County Solid Waste Department must be followed; including notification to the landfill 24 hours prior to disposal.

6. If friable asbestos waste is to be stored on-site prior to disposal it must be in labeled double 6-mil poly bags and in a locked room or storage area with an OSHA approved asbestos warning sign.

XVIII. RESPONSIBILITIES

The ultimate responsibility for complying with this Asbestos Management Plan lies with the Project/Job Manager who initiates the request for a renovation or demolition on a building. They have the responsibility to ensure that the work given to city staff or contractors will not create an asbestos hazard.

<u>Asbestos Coordinator</u>

- Make recommendations to City departments regarding asbestos management.
- Assist in management of recordkeeping for asbestos in city buildings. Each facility will also keep records for their own buildings.
- Revise the Asbestos Management Program as needed.
- Review complex renovation and demolition projects for compliance with asbestos regulations.
- Perform limited asbestos sampling of building materials.

- Maintain current AHERA Asbestos Inspector Certification.
- Assist Job Supervisor/Project Manager with preparation of required paperwork during a renovation or demolition project.
- Assist Safety Services when responding to Fiber Release Episodes and make recommendations for cleanup.
- Contact regulators for guidance on asbestos related issues.
- Sign Demolition Environmental Review Form to authorize building demolitions.

Risk Management/Safety Services

- Assist with duties of Asbestos Program Coordinator listed above.
- Perform duties associated with a respirator program and medical monitoring.
- Manage required training of employees and keep records of the training on file.
- Facilitate exposure assessments of work activities when requested.
- Handle employee asbestos exposure claims.
- Serve as an emergency contact.

Project/Job Manager (Person who initiates the work on the building)

- Obtain a working knowledge of the regulations regarding asbestos by attending an 8-hour NESHAP training or a 2-hour awareness training annually.
- Read and understand the City of Boise Asbestos Management Plan.
- Ensure that employees and contractors you direct to perform work are not disturbing ACM unless properly trained, licensed, and equipped.
- Contact the Asbestos Program Coordinator or Risk/Safety Services prior to the disturbance of any ACM or PACM.
- Specify asbestos free construction materials on all new building projects.
- Follow all other procedures outlined in the City Asbestos Management Program.

Environmental Lead Staff (One or more needed for each facility, supervisors recommended)

- Attend an 8-hour instructor lead NESHAP training to gain knowledge regarding: reading asbestos surveys/reports, asbestos regulations, and City of Boise asbestos procedures.
- Read and understand the City of Boise Asbestos Management Plan.
- Has access to and gathers all records for asbestos at their facility/facilities.
- First line of defense for stopping asbestos exposure to staff in their facility.
- Liaison with Project/Job Manger, Asbestos Coordinator and Risk/Safety for asbestos projects.
- Can sign Renovation Environmental Review Form authorizing work in their facility. May consult with the Asbestos Coordinator and Risk/Safety for large complex renovations.

Maintenance Staff with current 16-hr Class III certification

- Attended annual Class III refresher training and follow all procedures detailed in the Class III training.
- Read and understand the City of Boise Asbestos Management Plan.
- Complete all components of the City of Boise respiratory protection program.
- Have a Negative Exposure Assessment completed by an OSHA “Competent Person” for each job type prior to commencing work.
- Post OSHA approved warning signs outside work area.

- Use glove bag method when practical.
- Only disturb up to 3 square or linear feet of ACM.
- When possible contact your supervisor and the Asbestos Program Coordinator prior to commencing work (emergency work is excluded).

City employees who could come into contact with ACM or initiate projects that could disturb ACM

- Attended Annual Asbestos Awareness Training.
- Read and understand City of Boise Asbestos Management Plan.
- Report any damaged or deteriorated ACM or PACM to supervisor or Risk/Safety.
- Perform normal job duties following all procedures of the City of Boise Asbestos Management Program.

Contracting Departments

- Prepare bidding documents to ensure compliance with applicable asbestos regulations regarding demolition and renovation of City buildings.
- Follow City of Boise regulations regarding asbestos in new construction.
- Obtain an asbestos free-certification form signed by the architect or general contractor on all new construction projects.
- Notify Asbestos Program Coordinator or Safety Services as soon as possible (at least 14 days prior) to any scheduled demolition.

Asbestos Consultants

- Perform duties as assigned by the City of Boise such as, material and air sampling, lab analysis, abatement oversight, training, and cost analysis.

Asbestos Contractor/Abatement Company

- Perform asbestos removal/abatement activities as assigned by the City of Boise, with licensed workers and in compliance with all applicable regulations.

XIV. COST CONSIDERATIONS

The costs associated with implementing an Asbestos Management Program may vary significantly depending on the types-of ACM, building-specific factors, actual procedures adopted, types of equipment used, and the useful life of the building. The City may find it more cost-effective to implement a well-supervised Asbestos Management Program than to incur the costs of immediate asbestos removal. In addition to the direct costs of removal, other costs related to ACM removal include moving building occupants, arranging alternative space for building occupants during the removal work, and restoring the building after the removal is completed.

The cost for a complete building inspection will vary considerably based on the size of the building and the number of samples required. A recent complete building inspection for the Boise Art Museum (BAM), a 32,000 SF structure was $3240. An inspection for a 10,000-square foot industrial building would likely cost less about $1200-$1400. This is because fewer suspect materials would need to be tested. Larger buildings would cost more about $700-$900 per additional 10,000 sq. feet. Again, these are rough estimates and will vary depending on building construction with more complex buildings costing more.

Inspections of the building materials to be disturbed is required by the NESHAP regulation before any renovation or demolition. Therefore, the cost will likely have to be incurred at some point in the future regardless. The earlier inspections are completed the less potential liability the City will be exposed to. In addition, more accurate renovation and demolition costs can be determined if the City is aware of the ACM present in all buildings. It should also be noted that a properly formulated Asbestos Management Program will likely reduced exposure to unforeseen expenses, such as regulatory fines and litigation. This will also help to avoid the negative publicity of an asbestos exposure incident.

APPENDIX A – CONTACT INFORMATION

City of Boise Contacts

Environmental Analyst (Asbestos Coordinator)
Peter McCullough, City Hall 4th Floor
(208) 384-3906 - pmccullough@cityofboise.org

Safety Services
City Hall, 1st Floor
972-8120
Emergency Contact: Corey Pence, Risk Manager, 859-4624 Cell

Regulatory Contacts

EPA Idaho Operations Office
950 W Bannock, Suite 900
Boise, ID 83702
208-378-5746

U.S. EPA Region 10 Regional Contacts:
Kim Farnham (Enforcement) farnham.kim@epa.gov
Maria Tartaglia (Outreach) tartaglia.maria@epa.gov
Prevention and Materials Management Unit (PAMMU) (AWT-128)
1200 Sixth Ave.
Seattle, WA 98101
(206) 553-6697

Boise OSHA Office
1150 North Curtis Road, Suite 201
Boise, Idaho 83706
(208) 321-2960
(208) 321-2966 Fax

APPENDIX B - ASBESTOS INVENTORY (COB BUILDINGS)

The inventory of known asbestos containing materials in City of Boise buildings is available in Excel format, and can be obtained by contacting the Asbestos Coordinator or Safety Services. The inventory will be updated as new sampling is completed. Any omissions or discrepancies should be reported to the Asbestos Coordinator.

APPENDIX C – FORMS

Forms referenced in the City of Boise Asbestos O&M Program are listed below in alphabetical order. These Forms are available in Microsoft Word format from the Asbestos Coordinator (pmccullough@cityofboise.org) and on the "Inside" City web page at: http://publicworks.boise.local/forms-and-documents/ .

Asbestos abatement contractors list
Asbestos Notice for City Buildings
Flow Chart – Renovations/Demolitions
Fiber Release Episode Report
Landfill Receiving Procedure
NESHAP Notification Forms
Renovation and Demolition Environmental Review Forms
Specific Work Procedure Guides
Waste Shipment Record

Document Type:	Regulation
Number:	6.01c
Effective:	10-28-13
Revised:	
Legal References:	I.G.S.H.S. 301 29 C.F.R. 1910.1200

CHEMICAL HAZARD COMMUNICATION

I. INTRODUCTION

The City of Boise believes all employees should know what hazardous chemicals they are using, how those chemicals might affect their health, what precautions are necessary when working with hazardous chemicals, and what procedures to take in case of contact.

The Chemical and Hazard Communication Program was developed to provide the appropriate information to employees about chemical hazards and their control, including container labeling, material safety data sheets (SDS), and employee education.

II. SUPERVISOR RESPONSIBLITY

Supervisors or designees are expected to ensure all employees receive information on hazardous chemicals and materials that are present in their work areas, at the time of their initial assignment. Information shall also be given when a new physical or health hazard is introduced to an employee's work area, and when the supervisor has reason to believe that the employee no longer has the understanding or skill necessary to prevent exposure to themselves or others. Supervisors, Leads, etc. shall inform employees of the dangers of hazardous substances by ensuring the following:

A. Chemical products used in the workplace are identified;
B. All containers that hold hazardous substances are labeled; and
C. Collecting, maintaining, and making SDS accessible along with other related information on hazardous substances.

III. SAFETY DATA SHEETS (SDS)

Safety Data Sheets (SDS) provide a summary of a chemical's characteristics and hazards. Supervisors or designee are expected to ensure that the SDS are maintained and kept up-to-date for all hazardous chemicals/materials used by their employees. The SDS shall be kept at each worksite for all employees to access. SDS information can also be found at the City's electronic safety data sheet management system, currently: www.MSDSonline.com.

Employees who purchase and receive chemicals for their department should ensure that a SDS accompanies the chemical(s). When the supplier does not provide one, the employee should request an SDS from the supplier or manufacturer. Employees shall acquire the SDS prior to use of the chemical.

IV. COMMUNICATION OF HAZARDS

A. Chemical Inventory

Each department facility shall keep a list of hazardous chemicals/materials known to be present in each of the facility's work areas. The list should be kept in a manner, such as alphabetically, where it can serve as a table of contents for binders holding hard copies of the SDS, and organized so information on a particular chemical can be easily found. Exhibit 6.01cc is an example of a document that can be used for inventorying workplace chemicals.

B. Labeling and Warnings for Containers

No container of hazardous chemicals should be released for use until the following requirements are met:

1. Containers are clearly labeled as to their contents;
2. Appropriate hazard warnings are noted; and
3. Name and address of the manufacturer is listed.

To further ensure employees are aware of the hazards of the materials they are exposed to in their jobs, all secondary containers must be labeled with either an extra copy of the original manufacturer's label, or a generic label that has space to enter the identity of the chemical and the hazard warnings.

The supervisor shall ensure that labels are legible and conspicuously displayed on the container. Departments may choose to use Hazardous Material Information System (HMIS) labels if desired. These may be found at MSDSonline.com.

When chemicals or materials are transferred from labeled containers to portable containers and are intended for IMMEDIATE USE by the employee who performs the transfer, the employee is not required to label the portable container. In this situation, the chemical must be completely used or properly disposed of during the same work shift or completion of task, and must remain in the possession of the person who made the transfer at all times.

C. On-site Contractors

Where chemicals are stored in such a manner that they are accessible or available to non-City workers, such as construction contractors working on-site, the City's project manager shall make the City's Hazard Communication Program and facility/work area specific information available to those workers. The project manager shall also ensure that while working at City facilities these workers have access to SDS, additional precautionary measures necessary to protect them, and the labeling system used at the facility/work area.

The project manager shall work with contractors working on-site to arrange for City employees to have access to the SDSs of any hazardous chemicals

City employees may be exposed to, and any additional precautionary measures necessary to protect employees while contractors are working on-site.

D. Non-Routine Tasks

Hazardous non-routine tasks are projects or situations involving the use of hazardous materials the employee does not normally encounter in their daily assignments such as an annual cleaning procedure. In this situation the project lead or supervisor is expected to inform and advise all employees working on or around the project about the particular hazards involved.

V. TRAINING INFORMATION

Risk and Safety Services will make training available, through a variety of delivery methods, on Hazard Communication that will include:

A. An overview of the requirements contained in this regulation, employee rights protected by the regulation, and the location and availability of this written program;
B. Instructions on how to read and review a SDS to obtain hazard information; and
C. General precautionary information about chemicals such as handling, labeling and storage of hazardous chemicals and materials.

Document Type: Exhibit
Number: 6.01cc
Effective: 10-28-13
Revised:
Legal References:

HAZARDOUS CHEMICALS INVENTORY and SDS TABLE OF CONTENTS

Hazardous Chemical	Operation/Area Used

Document Type:	Regulation
Number:	6.01d
Effective:	10-28-13
Revised:	
Legal References:	I.G.S.H.S. 330 29 C.F.R. 1910.1030

COMMUNICABLE DISEASE EXPOSURE CONTROL

I. INTRODUCTION

The purpose of this regulation is to minimize and, where possible, eliminate employee exposure to communicable diseases. This plan includes requirements for immunizations, reporting exposures and post exposure follow-up, training, and general precautions to prevent or minimize exposure.

II. SCOPE AND APPLICATION

This plan applies to all employees who have an anticipated occupational exposure to bloodborne pathogens (BBPs) and other potentially infectious material (OPIM). For the purpose of this regulation, communicable disease is defined as diseases that can be transmitted through blood and/or bodily fluid or OPIM. Bloodborne pathogens are pathogenic microorganisms that may be present in human blood and can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B and A virus, and human immunodeficiency virus (HIV). All employees shall assume and treat human blood and OPIM as if it were contaminated with infectious disease. Examples of positions with anticipated occupational exposure include: fire fighters, law enforcement officers, janitorial crews, lifeguards, and select maintenance and operational positions.

III. IMMUNIZATIONS

The purpose of the Hepatitis B and A (HBV/HAV) vaccine is to minimize or eliminate employee susceptibility to these communicable diseases. All employees who have an anticipated occupational exposure will be offered the opportunity to be vaccinated against Hepatitis B and Hepatitis A viruses at no cost, during normal working hours, and in a timely manner from their initial assignment to the position with anticipated exposure. Supervisors shall be responsible for notifying their employees of the availability and process of completing the vaccination series.

The City will secure a preferred provider who will conduct immunizations according to the Advisory Committee on Immunization Practices of the US Public Health Services. The HBV/HAV immunization is a series of vaccination shots. After the final dose a blood draw can be performed to determine the HBV/HBA antibody level. If the level is low, a booster may be necessary to adequately protect the employee. The City permits employees to complete the Hepatitis B series or the combination Hepatitis B/Hepatitis A series for immunizations.

A. Immunization Process

To complete or decline the vaccination series, employees will need to:

1. Complete the Hepatitis B Vaccination Declination or Acceptance form (Exhibit 6.01dd) and submit it to their supervisor for retention. Supervisors shall provide Risk and Safety Services with a copy of the form.
   a. Employees who wish to ***decline*** the vaccination series will complete Section I (Declination of the Hepatitis Vaccine) of the form. Employees may choose to accept the Hepatitis Vaccination Series at any point after initially declining.
   b. Employees who wish to ***accept*** the vaccination series will complete Section II (Acceptance of the Hepatitis Vaccine) of the form.
2. With their supervisor or designee, complete the Vaccination Voucher Form (Exhibit 6.01ddd) from the City's preferred provider and schedule a visit. This voucher must be completed and accompany the employee for each visit during the vaccination series.

IV. REPORTING EXPOSURES TO BLOODBORNE PATHOGENS AND FOLLOW-UP PROCEDURES

A. Reporting Procedures

Should an employee suspect that they have been exposed to blood or OPIM, the employee must report the exposure to their supervisor immediately. In the case of significant exposures (needlesticks; blood/OPIM contact with non-intact skin or mucous membranes) employees are strongly encouraged to seek medical attention immediately, but no later than two hours after exposure. If the exposure is only on clothing, appropriate decontamination procedures should be followed.

Once a supervisor is notified of an exposure, the supervisor will complete an SD-1 First Report of Injury or Illness Form and submit it to Risk and Safety Services. Supervisors shall document on the SD-1 form the route of exposure, and the circumstances under which the exposure incident occurred.

B. Follow-up Procedures

When an employee experiences an occupational exposure, supervisors are responsible for offering and making available medical attention for review of treatment options available. After any exposure, medical records will be maintained confidential and will be shared on a "need to know basis". The City's preferred provider will maintain all the necessary medical forms.

V. TRAINING

All employees with assigned duties that are considered to have an anticipated exposure to bloodborne pathogens will receive training on this Communicable Disease Exposure Control Plan. The content of the training program will include:

A. The Communicable Disease Exposure Control Plan;
B. The types of BBPs and how they are transmitted between individuals;
C. General safety rules;
D. Universal precautions;
E. Personal Protective Equipment;
F. Medical waste disposal procedures;

G. Post-exposure treatment and procedures; and
H. Vaccinations.

VI. GENERAL PRECAUTIONS

A. Supervisors must ensure their staff is trained in proper work practices that may be specific to the work they perform and monitor their understanding of universal precautions, personal protective equipment and proper cleanup and disposal techniques for contaminated material.

B. All blood, bodily fluids, and OPIM encountered by City employees will be treated as infectious for BBPs.

C. All employees performing tasks with reasonably anticipated exposure to blood or OPIM will be provided with and are required to use appropriate PPE.

D. For employees designated to provide emergency First Aid or CPR, supervisors shall ensure that nitrile gloves are provided, as well as resuscitation equipment such as pocket masks.

E. Eating, drinking, smoking, applying cosmetics or lip balm, and handling contact lenses are prohibited in work areas where there is a potential for exposure to any health hazard. Food and drink shall not be stored in refrigerators, freezers, cabinets, or in other areas of possible contamination where blood or OPIM exists.

F. According to the level of risk, whenever there is a possibility that body fluids or OPIM could come in contact with skin or clothing, the wearing of protective clothing, gowns, aprons, or lab coats may be required.

G. Gloves must be made of appropriate disposable material (nitrile or vinyl) and shall be used in the following circumstances:
   1. When performing job duties with potential exposure if the employee has cuts, abraded skin, chapped hands, dermatitis, or similar conditions;
   2. When providing First Aid;
   3. When performing custodial duties; or
   4. When working in or around sewage of any type.

H. Employees shall:
   1. Wash their hands or any exposed area of skin immediately or as soon as feasible;
   2. Wash their hands after removing gloves or other personal protective equipment; and
   3. Flush mucous membranes with water immediately or as soon as feasible after contact with blood or OPIM.

   Employees should wash hands and any other skin with non-abrasive soap and water. Antiseptic towelettes should be made available and used until an employee has an opportunity to wash their hands with soap and water.

I. If clothing or equipment is thought to be contaminated, it must be placed in a separate container for storage, washing, decontamination, or disposal. Care should be taken not to spread the contamination to other areas.

J. All procedures involving the handling of blood or potentially infectious agents must be performed in a manner that will minimize splashing, spraying, or misting.

K. Warning labels shall be affixed to containers of waste contaminated with blood or OPIM, or containers or bags used to store, transport, or ship blood or OPIM. Labels shall contain the universally accepted “BIOHAZARD” symbol.

L. Surfaces and equipment contaminated of blood or OPIM should be decontaminated as soon as feasible with a solution of 1 part bleach to 10 parts water or any EPA-approved disinfectant. At a minimum, employees shall wear non-permeable gloves and a face shield when performing decontamination procedures.

M. To avoid contact, sharps (syringes, needles, broken glass, or razor blades) shall be collected using tweezers, tongs, pliers, broom and dustpan, or shovel, and placed into a ridged, puncture-resistant, container which is labeled “BIOHAZARD”.

Document Type: Exhibit
Number: 6.01dd
Effective: 10-28-13
Revised:
Legal References:

HEPATITIS B VACCINATION

DECLINATION OR ACCEPTANCE

Complete Section I or II

The City offers a free Hepatitis B vaccination series (3 vaccines over six months) to employees with occupational exposure to blood or other potentially infectious materials that may place the employee at risk of acquiring Hepatitis B virus (HBV).

SECTION I - DECLINATION OF THE HEPATITIS VACCINE

I have received information on the Hepatitis B vaccine, including information on its efficacy, safety, method of administration, the benefits of being vaccinated, and that the vaccination will be offered free of charge. I choose not to have the Hepatitis B vaccine. I understand that I may change my mind at a later date.

Employee ID	Employee Name	Employee Signature	Date

	Witness Name	Witness Signature	Date

SECTION II - ACCEPTANCE OF THE HEPATITIS VACCINE

I have received information on the Hepatitis B vaccine, including information on its efficacy, safety, method of administration, the benefits of being vaccinated, and that the vaccination will be offered free of charge. I accept the offer of the Hepatitis B series and understand that I am responsible for scheduling and keeping my appointments to receive the vaccines in accordance with the recommended series (three vaccinations over six months). Furthermore, I understand it is my responsibility to bring a Vaccination Voucher, signed by my supervisor, to the contracted medical facility each time I go for a vaccination.

Employee ID	Employee Name	Employee Signature	Date

	Witness Name	Witness Signature	Date

IF UNDER 18 YEARS OF AGE, your parent/legal guardian must decline/accept the vaccination series on your behalf.

Parent/Guardian Printed Name:_____

Parent/Guardian Signature:_____ Date: _____

St. Luke's
Occupational Health Services

Vaccination Voucher

Employee Name: _____ **DOB:** _____

Employee Department: _____ **Employee Division:** _____

Company Name: City of Boise PO Box 500 Boise, ID 83701 Ph. 208-972-8120

Authorized By: _____
(Company Representative & Date)

NOTICE: This voucher is good for 14 days from the above date. Employee must present this voucher at check-in time (or employee may be responsible for payment)

IMMUNIZATIONS

This voucher is good for ONE VISIT

☐ Hepatitis A ☐ 1 ☐ 2

☐ Hepatitis B ☐ 1 ☐ 2 ☐ 3 ☐ Titer

☐ Combo Hep A&B ☐ 1 ☐ 2 ☐ 3 ☐ Titer

☐ Tetanus

Boise: boiseohs@slhs.org (f)208-706-7501 Nampa: nampaohs@slhs.org (f) 208-505-2708
Meridian: meridianohs@slhs.org (f) 208-706-5447 Elmore: elmoreohs@slhs.org (f) 208-587-1846
Magic Valley: occupationalhealth@slhs.org (f) 208-814-8969 Jerome: jeromeohs@slhs.org (f) 208-324-5157

Document Type:	Regulation
Number:	6.01e
Effective:	10-28-13
Revised:	
Legal References:	I.G.S.H.S. 210 29 C.F.R. 1910.253, 1910.101

COMPRESSED GAS

I. INTRODUCTION

Compressed gases present unique hazards. Depending on the particular gas there is a potential for simultaneous exposure to both mechanical and chemical hazards. Gases may be flammable explosive, corrosive, poisonous, or a combination of hazards. Additionally, the pressure in a compressed gas cylinder can cause the cylinder to become a rocket if the valve stem is damaged.

This regulation applies to City employees who, as a part of their job duties, will handle, use, transport or move gas cylinders.

II. INSPECTION AND IDENTIFICATION

Any employee handling cylinders shall review the operating and safety protocols for the tasks to be performed with compressed gas and review the Safety Data Sheets (SDS) for the compressed gas(es). For more information on SDSs please refer to the Chemical and Material Hazard Communication regulation.

Prior to use, employees shall inspect compressed gas cylinders to ensure they are in safe condition. If a leaky or damaged cylinder, valve or hose is discovered at any time it should be removed from service and from the work area immediately. Under no circumstances shall an employee attempt to repair a leaky cylinder or valve.

Some cylinders may require integrity testing at regular intervals. If you find a cylinder outside of its use window, notify your supervisor and return the cylinder to the supplier.

All cylinders shall be properly labeled and marked. If the label is illegible or missing, notify your supervisor and return the cylinder to the supplier.
Employees shall not rely on stenciling or color of the cylinder to indicate its contents and shall not use a cylinder with unidentified contents.

III. ATTACHING REGULATORS AND OPENING VALVES

Employees shall only use regulators recommended for use with the cylinder they are using. The pressure, purity, and corrosive properties of the gas will determine the correct regulator. Employees shall never use a cylinder without a regulator or other pressure-reducing device in place.

Before a regulator is connected to a cylinder employees shall open the valve slightly and close it immediately. This action is termed "cracking" and is intended to clear the

valve of dust or dirt that might otherwise enter the regulator. When opening a valve the employee shall position the cylinder with the opening pointing away from them and others nearby. The valve of a fuel gas cylinder shall not be cracked where the gas would reach welding work, sparks, flame or other possible sources of ignition. Toxic gas cylinders shall not be cracked.

When finished using a compressed gas system, the employee shall turn off the main cylinder valve, bleed the regulator and lines, and close the regulator. Employees are not to leave the regulator under pressure by closing down flow from the regulator without shutting off the main cylinder valve.

IV. OTHER DO'S AND DON'TS

A. Cylinders shall not be used as rollers or supports;
B. No person other than the gas supplier shall attempt to mix gases in a cylinder;
C. No employee shall use a cylinder's contents for purposes other than those intended by the supplier;
D. All cylinders used shall meet the Department of Transportation requirements;
E. All components of compressed gas equipment shall be inspected by the employee prior to use. Defective equipment shall not be used and shall be removed from service;
F. Torches that have become clogged shall be cleaned in accordance with the manufactures instructions, using wires, drills or other devices that are designed for that purpose; and
G. All components of compressed gas equipment shall be removed from service if they are damaged or are not in working order.

IV. TRANSPORTING OR MOVING GAS CYLINDERS

Always protect the valve during transport by removing the regulator and replacing the valve cover. Larger cylinders shall be transported with a cylinder cart. Rolling or "walking" cylinders is extremely hazardous. When a cylinder cart is not used, cylinders shall be moved by tilting and rolling on the bottom edges.

When transporting cylinders in vehicles they shall be securely fastened in a vertical position with chains or tie-downs and not permitted to roll.

V. STORAGE OF COMPRESSED GASES

A. Each facility using compressed gases shall designate areas for storage of compressed gasses. These areas shall be well-protected, well-ventilated, and dry;
B. Compressed gas cylinders shall be secured in an upright position at all times. A suitable cylinder cart, chain or other steadying device shall be used to keep cylinders from being knocked over while in use or in storage,
C. Place an "Empty" tag on cylinders that no longer supply adequate pressure for use;
D. If a cylinder is not in use, removal of the regulator and replacement of the valve cap is recommended; and
E. Compressed Fuel Gases

1. Keep cylinders upright. Never lay cylinders containing flammable gases on their sides;
2. Oxygen cylinders in storage shall be separated from fuel-gas cylinders (acetylene) or combustible materials (especially oil and grease) by a minimum distance of 20 feet or other method approved by the Boise Fire Department;
3. Fuel gas cylinders shall never be stored under stairways or adjacent to emergency exit routes or elevators; and
4. Cylinders containing oxygen, acetylene or other fuel gas shall not be taken into a confined space as defined in the Confined Space Regulation.

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Revised:	
Legal References:	I.G.S.H.S. 43 29 C.F.R. 1910.146

CONFINED SPACE

I. INTRODUCTION

Employees of the City may have to enter confined spaces to perform assigned work. This regulation will establish requirements to safely perform such assigned work.

II. SCOPE AND APPLICATION

This regulation will identify general methods for eliminating or controlling hazards, safeguarding entrants, and for regulating entry into a confined space. No entry into a hazardous confined space shall be permitted without documented procedures in place for safe entry and operation. This regulation applies to all employees who are assigned to enter confined spaces, perform attendant duties, and/or supervise work in confined spaces.

III. DEFINITIONS

A. A **Confined Space** will have these three criteria:
   1. Any space that is large enough and configured such that an employee can bodily enter and perform work;
   2. Has limited or restricted means of entry or exit; and
   3. Is not intended for continuous employee occupancy.

B. A **Hazardous (Permit-Required) Confined Space** will meet all three criteria above for a confined space, and will contain one or more of the following hazards:
   1. Contains or has the potential to contain a hazardous atmosphere;
   2. Potential for engulfment;
   3. Internal configuration such that an employee could be trapped or asphyxiated by inwardly converging walls or a floor that slopes downward and tapers to a smaller cross section; OR
   4. Any other recognized safety or health hazard.

For the purpose of this regulation, Permit-required confined spaces will be referred to as Hazardous Confined Spaces.

C. An **Entry Permit** is written documentation that once approved by all members of an entry team, certifies a hazardous (permit-required) confined space is safe for entry. The City's entry permit can be found in Appendix A of this regulation.

IV. GENERAL REQUIREMENTS

An inspection of all confined spaces and hazardous confined spaces must be performed to evaluate the hazards of the spaces before employees enter them. Upon request, Risk and Safety Services is available to perform a review of workplace confined spaces and hazardous (permit-required) confined spaces. If work is to be performed inside of a confined space, the affected parties shall document how the space was determined or modified to be safe for entry with an Entry Permit that contains the date, location of the space, and the signature of the person certifying the space is safe for entry. The Entry Permit to be used throughout the City can be found in Exhibit 6.01ff. Prior to each hazardous (permit-required) confined space entry all employees shall review any air monitoring performed and review and sign the entry permit. If an employee identifies a step that has been missed or is incomplete they shall notify the entry supervisor and all other entrants and attendants. Any member of the entry team has the right to stop work until the situation has been corrected.

A. Hazardous (permit-required) Confined Spaces with only Atmospheric Hazards

   When the ***only*** hazard posed by the hazardous (permit-required) confined space is an actual or potential hazardous atmosphere and continuous forced air ventilation alone can maintain a safe atmosphere, the following conditions shall be met prior to entry:

   1. Forced air ventilation shall be supplied from a clean source and directed to ventilate the immediate areas where an employee is or will be present.
   2. Atmospheric testing for oxygen content, flammable gases and vapors, and potential toxic air contaminants shall be performed prior to opening, when possible, and before entry and continuously while occupied. Employees shall immediately leave the space if a hazardous atmosphere is detected during monitoring. Where possible, all entrants should wear confined space monitors.
   3. Barriers to prevent an accidental fall or foreign objects entering the space shall be used.

B. Changing a Hazardous Confined Space to a Confined Space (Reclassification)

   When there is no potential for a hazardous atmosphere and all “other hazards” within the space can be eliminated without entry into the space, then procedures for entry will be developed to instruct the employees how to eliminate the hazards from the space prior to entry. These procedures should be attached to the entry permit. The “other hazards” of these confined spaces include but are not limited to mechanical or electrical hazards.

C. Performing work inside a Hazardous (permit-required) Confined Space or performing work which creates a Hazardous (permit-required) Confined Space.

   When employees must enter hazardous (permit-required) confined spaces or when the work to be performed inside a confined space creates or has the potential to create a hazardous work environment (i.e. welding in a confined space) employees are expected to take the following precautions:

   1. Develop safe entry procedures;
   2. Institute measures to prevent unauthorized entry;
   3. Specify acceptable entry conditions;

4. Isolate the hazardous space, purging, inerting, flushing, or ventilating the hazardous space as necessary to eliminate or control the atmospheric hazards; and
5. Verify that conditions in the hazardous space are acceptable for entry throughout the duration of an authorized entry.

If hot work is required, a Hot Work Permit shall be completed with the appropriate fire watch. (See Fire Prevention and Protection Regulation for additional information.)

V. ENTRY TEAM RESPONSIBILITIES

All entry team members must be informed of the hazards associated with the hazardous confined space including information on signs, symptoms, and consequences of exposure (i.e. entrants may exhibit impaired coordination, deeper respiration, or poor judgment in oxygen-deficient environments). For each hazardous (permit-required) confined space entry, an entry team shall be assembled to perform the following duties:

A. Entry Supervisors

Entry Supervisors are responsible for:

1. Ensuring that the following equipment is provided and used appropriately:
   a. Testing and monitoring equipment
   b. Ventilation equipment
   c. Communications equipment
   d. Personal Protective Equipment
   e. Lighting equipment
   f. Barriers and shields
   g. Equipment for ingress and egress (ladders)
   h. Rescue and emergency equipment for non-entry rescue
   i. Any other equipment necessary for safe entry
2. Verifying that safeguards required by the documented procedures have been implemented;
3. Verifying the means for summoning emergency rescue services is operable;
4. Remove personnel who are not authorized to enter the hazardous (permit-required) confined space during entry operations;
5. Regularly determine that the entry operation is being performed in a manner consistent with the requirements of the documented entry procedures and that acceptable entry conditions are maintained;
6. Authorize entry and close out permit at the end of the entry; and
7. When the confined space presents unique or unusual hazards the Entry Supervisor should notify the Fire Department in advance

Note: Duties of an Entry Supervisor may be passed from one individual to another during the course of an entry operation so long as the replacement is trained to fulfill the role.

B. Attendant Duties

During a hazardous (permit-required) confined space entry operation, an Attendant must remain outside the permit space continuously and not be

assigned any other duties during the entry operation. The Attendant may also serve as the Entry Supervisor. The Attendant:

1. Maintains a head count of entrants in the space;
2. Monitors the conditions inside and outside the hazardous confined space and maintains communication with entrants;
3. Determines when an evacuation is necessary and alerts the entrants to evacuate; and
4. Summons emergency rescue services when necessary.

C. Entrant Duties

All Entrants shall:

1. Be familiar with and properly use the entry equipment provided
2. Regularly communicate to the attendant the conditions of the hazardous confined space and alert the attendant if you recognize signs or symptoms of exposure to a dangerous situation or if you detect a prohibited condition
3. Exit the hazardous confined space as soon as possible whenever:

a. You have been advised to do so by the attendant or entry supervisor;
b. If you recognize any warning sign or symptom of exposure to a dangerous situation or a prohibited condition; or
c. An evacuation alarm is activated

VI. RESCUE AND EMERGENCY SERVICES

Only Boise Fire Department shall be authorized to enter confined spaces in order to perform rescue services. All other employees are not permitted to enter a hazardous confined space to rescue someone; however they may attempt to use non-entry rescue equipment to retrieve personnel from the space.

During rescue operations emergency rescue services shall operate under their standard operating procedures.

VII. TRAINING

All employees who enter a confined space to perform work shall be trained in the required duties and procedures for safe entry and operations. They shall also be trained on the hazards of the confined space(s) they must enter. Upon request Risk and Safety Services will facilitate training on general confined space entry operations. Each department will be responsible for informing their employees of the specific hazards involved with a particular confined space.

VIII. CONTRACTOR SERVICES

If a department acquires a contractor to perform work that involves joint confined space entry by City employees and contractor employees, the department shall ensure all the requirements of this regulation are followed.

Document Type:	Exhibit
Number:	6.01ff
Effective:	10-28-13
Revised:	11-09-21
Legal References:	29 CFR 1910.146

CONFINED SPACE ENTRY PERMIT

DEPARTMENT:	1. SUPERVISOR NAME: TELEPHONE#:	
2. SPECIFIC LOCATION OF SPACE:	3A. DESCRIPTION OF SPACE:	3B. VOLUME OF SPACE Height: Width: Depth: Total Volume:
4. PURPOSE OF ENTRY:	5. ENTRY DATE: TIME: 6. EXPIRATION DATE: TIME:	
7. **NAME OF ENTRY SUPERVISOR IN CHARGE OF WORK:** TELEPHONE#:		

8. **SPECIAL REQUIREMENTS TO BE COMPLETED PRIOR TO ENTRY** (mark each required item and attach written procedure or document to permit for entry team to review when hazard is present):

YES	NO	ITEM	HAZARD	TIME COMPLETED	YES	NO	ITEM	HAZARD
		A. Lockout/de-energize					H. Harness	
		B. Space purged					I. Fire Extinguisher	
		C. Ventilation					J. Lighting	
		D. Lines capped/blanked					K. Protective Clothing	
		E. Area secured					L. Respirator	
		F. Tripod					M. Breathing apparatus	
		G. Lifeline					N. Other	

9. Will hot work be performed during entry? If yes, attach hot work permit to this form.	YES	NO

10. Mark the method of communication during entry (must have two methods, radios must be intrinsically safe):

A. Visual:	C. Tug Rope:
B. Voice:	D. Radio:

11. Rescue and Emergency Services: **Boise Fire Department, 9-1-1**

CONFINED SPACE TEST DATA (Instructions: List specific tests made. Entry is prohibited if reading outside standard permissible entry level. **Attach applicable SDSs to permit when necessary.**)

12A. SUBSTANCES TESTED	12B. RESULTS		12C. RESULTS		12D. RESULTS	
	TIME	READING	TIME	READING	TIME	READING
OXYGEN (19.5 – 23.5%)						
% LEL (10%)						
CO (35 ppm)						
H2S (10 ppm)						
Toxic 1:						
Toxic 2:						
Toxic 3:						
Toxic 4:						

13A. NAME OF INSTRUMENTS(S):	13B. IDENTIFICATION#:	13C. LAST CALIBRATED (date):	13D. LAST BUMP CHECKED (date):

SPECIAL REQUIREMENTS:

ADDITIONAL COMMENTS/REMARKS:

AUTHORIZATION FOR ENTRY:

I CERTIFY THAT I HAVE READ AND UNDERSTAND ALL OF THE REQUIREMENTS OF THE CONFINED SPACE ENTRY PROGRAM IMPLEMENTED BY MY DEPARTMENT. FURTHERMORE, I WILL COMPLY WITH ALL OF THESE CRITERIA.

ENTRANT NAME	SIGNATURE	DATE	ATTENDANT NAME	SIGNATURE	DATE

I CERTIFY THAT ALL OF THE ABOVE INFORMATION IS CORRECT AND THE SPACE ENTRANT AND ATTENDANT ARE FULLY COMPETENT TO PERFORM WORK DESCRIBED IN THE ABOVE CONFINED SPACE.

ENTRY SUPERVISOR NAME:	SIGNATURE:	DATE:

PERMIT CANCELED BY (NAME):	DATE:	TIME:

Document Type:	Exhibit
Number:	6.01ff
Effective:	10-28-13
Revised:	11-09-21
Legal References:	29 CFR 1910.146

CONFINED SPACE ENTRY PERMIT

DEPARTMENT:	1. SUPERVISOR NAME: TELEPHONE#:	
2. SPECIFIC LOCATION OF SPACE:	3A. DESCRIPTION OF SPACE:	3B. VOLUME OF SPACE Height: Width: Depth: Total Volume:
4. PURPOSE OF ENTRY:	5. ENTRY DATE: TIME: 6. EXPIRATION DATE: TIME:	
7. **NAME OF ENTRY SUPERVISOR IN CHARGE OF WORK:** TELEPHONE#:		

8. **SPECIAL REQUIREMENTS TO BE COMPLETED PRIOR TO ENTRY** (mark each required item and attach written procedure or document to permit for entry team to review when hazard is present):

YES	NO	ITEM	HAZARD	TIME COMPLETED	YES	NO	ITEM	HAZARD
○	○	A. Lockout/de-energize			○	○	H. Harness	
○	○	B. Space purged			○	○	I. Fire Extinguisher	
○	○	C. Ventilation			○	○	J. Lighting	
○	○	D. Lines capped/blanked			○	○	K. Protective Clothing	
○	○	E. Area secured			○	○	L. Respirator	
○	◉	F. Tripod			○	○	M. Breathing apparatus	
○	○	G. Lifeline			○	○	N. Other	

9. Will hot work be performed during entry? If yes, attach hot work permit to this form. YES ○ NO ○

10. Mark the method of communication during entry (must have two methods, radios must be intrinsically safe):

A. Visual: ☐	C. Tug Rope: ☐
B. Voice: ☐	D. Radio: ☐

11. Rescue and Emergency Services: **Boise Fire Department, 9-1-1**

CONFINED SPACE TEST DATA (Instructions: List specific tests made. Entry is prohibited if reading outside standard permissible entry level. **Attach applicable SDSs to permit when necessary.**)

12A. SUBSTANCES TESTED	12B. RESULTS		12C. RESULTS		12D. RESULTS	
	TIME	READING	TIME	READING	TIME	READING
OXYGEN (19.5 – 23.5%)						
% LEL (10%)						
CO (35 ppm)						
H2S (10 ppm)						
Toxic 1:						
Toxic 2:						
Toxic 3:						
Toxic 4:						

13A. NAME OF INSTRUMENTS(S):	13B. IDENTIFICATION#:	13C. LAST CALIBRATED (date):	13D. LAST BUMP CHECKED (date):

SPECIAL REQUIREMENTS:

ADDITIONAL COMMENTS/REMARKS:

AUTHORIZATION FOR ENTRY:

I CERTIFY THAT I HAVE READ AND UNDERSTAND ALL OF THE REQUIREMENTS OF THE CONFINED SPACE ENTRY PROGRAM IMPLEMENTED BY MY DEPARTMENT. FURTHERMORE, I WILL COMPLY WITH ALL OF THESE CRITERIA.

ENTRANT NAME	SIGNATURE	DATE	ATTENDANT NAME	SIGNATURE	DATE

I CERTIFY THAT ALL OF THE ABOVE INFORMATION IS CORRECT AND THE SPACE ENTRANT AND ATTENDANT ARE FULLY COMPETENT TO PERFORM WORK DESCRIBED IN THE ABOVE CONFINED SPACE.

ENTRY SUPERVISOR NAME:	SIGNATURE:	DATE:

PERMIT CANCELED BY (NAME):	DATE:	TIME:

Confined Space Evaluation Form

Section 1: Space Details * Please include a drawing of the profile of the identified space.

Date of Evaluation:	Dimensions (H:W:L):
Location of Space:	Description of Space:
Work likely to be performed:	
How many times are employees likely to enter the space in a year:	
What positions are most likely to enter the space:	

Section 2: Confined Space Determination Please mark Yes or No to the question.

YES	NO	
		1. Can a person fit inside the space to perform work?
		2. Does the space have limited or restricted access?
		3. When the space was created, it wasn't designed for a person to work in? (Lights and ventilation not present?)

If the response to all three questions above was YES, the space being evaluated is a confined space. If any question answered was NO, the space in question does not meet the confined space criteria. Please use the sections below to evaluate the potential hazards in confined spaces and to determine if a permit is necessary to enter the space.

Section 3: Physical Hazard Identification

YES	NO	**Hazard** (Use the space below each hazard to briefly describe how to eliminate it before entry.)
		Stored Energy – Electrical equipment or potential for shock
		Stored Energy – Hydraulic/Pneumatic
		Stored Energy – Gravity/Mechanical
		Safety Hazards – Engulfment/Immersion (causes death by crushing, constriction, or drowning)
		Safety Hazards - Trapped or tangled by the shape of the space
		Safety Hazards – Slip, Trip, Fall
		Safety Hazards – Visibility
		Physical Agents – Temperature (hot/cold – air temp and surfaces)
		Physical Agents – Noise/Vibration

		Physical Agents – Biologic hazards (could be respirable too)
		Physical Agents – Chemical hazards (could be respirable too)
		Physical Agents – Radiation (Ionizing & non-ionizing)
		Other
		Other

Confined Space Evaluation Form

Section 4: Atmospheric Hazard Identification (must be re-evaluated before entry)

Hazards	**Does the hazard exist or have the potential to develop?**	**Baseline Levels:**	**How can the hazard be eliminated or controlled?**
Oxygen Deficiency or Enrichment(<19.5% or >23.5%)			
Fire/Explosion (%LEL)			
Carbon Monoxide (CO), >35ppm			
Hydrogen Sulfide (H2S), >10ppm			
Could material in the space be decomposing? (eg Biological Action)			
Is there a chemical process that occurs in the space?			
Are their residues of a chemical in the space?			
Toxic 1:_____ • PEL:			
Toxic 2:_____ • PEL:			

Section 5: Hazardous Confined Space Determination

YES	**NO**	Is the space identified above a hazardous (permit-required) confined space? (please circle)
Reason for evaluation:		

Name of employee(s) performing evaluation (please print):	

Document Type:	Regulation
Number:	6.01g
Effective:	10-28-13
Revised:	
Legal References:	I.G.S.H.S. 60 29 C.F.R. 1910.38

EMERGENCY PREPAREDNESS

I. INTRODUCTION

The purpose of this plan is to provide for the safety of employees and visitors of City-owned and operated facilities during emergency situations.

II. PREPARING FOR A WORKPLACE EMERGENCY

Preparation is the best defense to minimize workplace emergencies. Risk and Safety Services will coordinate emergency preparation activities for City Hall. Designated individuals from Fire and Police will coordinate emergency preparation activities for City Hall West. The Boise Airport will have an emergency preparedness plan in accordance with Federal Aviation Administration (FAA) regulations.

Other City-owned and operated facilities should designate personnel to develop a site-specific evacuation plan for employees to review. Each plan should contain:

A. The name and address of the building;
B. Emergency contact information for response services (9-1-1) necessary work group numbers (facility maintenance, supervisors, etc.);
C. A list of contact information for evacuation leaders who sweep designated areas of the facility;
D. Primary and secondary meeting locations for fires, storm shelters, and shelter in-place locations; and
E. Evacuation maps that identify emergency egress routes, with the location of fire extinguishers and wall-mounted pull fire alarms noted.

A template to document the above information can be found in Exhibit 6.01gg. Upon request, Risk and Safety Services will support organizing emergency planning activities for City owned and operated facilities.

III. SUPERVISOR RESPONSIBILITIES

When orienting new employees and volunteers, supervisors or their designee shall ensure new employees are informed of and provided a copy of the facility's emergency evacuation procedures, and information on any additional duties they may be requested to perform in the event of an emergency. On an annual basis supervisors or their designee should review emergency response procedures with their employees.

Each City-owned and operated facility should have designated Evacuation Leaders who sweep designated areas including cubicles/offices, break rooms, and restrooms, to ensure everyone is out, or if people cannot evacuate on their own. These Evacuation Leaders should have a means of accounting for missing employees such as an

employee roster. Floor Monitors will fulfill the role of Evacuation Leaders for the purposes of City Hall Emergency Response activities.

Each City-owned and operated facility should have emergency evacuation maps posted in common areas and in conference/meeting rooms.

No one shall re-enter an evacuated building until they have been instructed it is safe to do so by Emergency Services.

III. GENERAL RESPONSE PROCEDURES FOR SPECIFIC TYPES OF EMERGENCIES

The procedures outlined below are the minimum general response procedures for City-owned and operated facilities. Additional procedures may be needed for those employees who have additional roles or responsibilities (such as shutting down specified equipment, if safe to do so), or modified to fit the needs of the facility.

A. In the event of Fire

1. If you witness a fire, pull the nearest alarm and proceed to the nearest exit. If an employee has been trained to do so and it is safe, they may attempt to use a fire extinguisher to stop small stage (wastebasket-size) fires. After you are in a safe location, report the fire by dialing 9-1-1.

2. When a fire alarm sounds all employees shall evacuate their occupied facility and proceed directly to the facility's designated meeting area.

3. Do not use an elevator to evacuate a facility. If it is safe to do so, employees should secure any sensitive information or areas and turn off electrical equipment before exiting. Office doors and windows should be shut before exiting, but do not lock doors to offices or conference rooms.

4. If members of the public are present, employees should direct them out of the building. If an employee encounters someone needing assistance, the employee can accompany the person to a safe area (typically a stairwell). If it is safe to do so, stay with the person until rescue services arrive. Request others who are evacuating to notify an Evacuation Leader of your location.

5. When employees have made it to the meeting area, they shall check in with their designated Evacuation Leader. Employees shall not leave the meeting area until they have checked in with their Evacuation Leader (or Floor Monitor at City Hall).

B. Weather-Related Emergencies

1. Flood

Some City facilities are located in areas where they are at a higher risk for flooding. Depending on the type of flood warning, the response by employees may be different;

a. Flash Flood – Employees should immediately seek higher ground.

b. River Flooding – Employees working at facilities that could be threatened by river flooding should regularly monitor the weather and river conditions for increases in threat to their facility. If the flood has been predicted to threaten their facility, managers and maintenance employees may organize and deploy sandbags, only if it is safe to do so. When it is anticipated that sandbags will not control the flooding, employees and members of the public should be evacuated from the facility to safe locations higher in elevation.

c. Flooding caused by damaged/broken equipment – When equipment damages occur that causes localized flooding within a City facility all non-essential employees and members of the public shall be removed from the area and electrical equipment should be shut off as soon as possible if safe to do so. When flooding continues to threaten a facility, managers and supervisors should determine if a full evacuation is necessary.

2. Severe Thunder and Windstorms

When severe thunder or windstorms pose a threat to work performed outdoors, supervisors shall use their discretion to determine if it is safe for employees to continue the work. In the event of lightning and/or high winds employees should stay indoors and away from windows and doors, preferably in the basement or lowest building level. If the facility does not have a basement, go to the center of an interior room on the lowest level. If you are outside and no shelter is available, lie flat in a nearby ditch or depression and cover your head; be cautious for potential flash flooding or flying debris.

C. Earthquakes

During an earthquake, if indoors, employees should get under a sturdy table or desk, or stand in a strong doorway. Watch for falling and sliding objects. Stay away from windows, outer walls and outside doorways. If an employee is in an elevator, attempt to stop at the nearest floor, exit the elevator, and take cover against the interior wall. If employees find themselves outside during an earthquake, they should move to an open area, staying away from trees, power lines and other structures that may fall.

D. Bomb Threats and Other Workplace Violence

1. Bomb Threat

A bomb threat exists when an explosive or dangerous device has been reported. All employees, especially those who answer telephones routinely or handle mail regularly, should become familiar with the Bomb Threat Checklist in Exhibit 6.01ggg and keep it next to their desk phone.

2. Workplace Violence

   See the City's Violence-Free Workplace regulation for details on what to do in the event of a workplace violence incident.

EXCEPTION: During an emergency the Executive Management Team may use their discretion to determine if it is appropriate to meet at the same or an alternate location as all other employees and should notify any Evacuation Leader (floor monitor) of their status.

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Effective:	10-28-13
Revised:	
Legal References:	

EMERGENCY EVACUATION INFORMATION

Department: _____

Division: _____

Location Address: _____

EMERGENCY CONTACT INFORMATION

Fire & Police: _____ 9-1-1

Name: _____ Phone ( ) _____
(Primary Person in Charge of Facility)

Name: _____ Phone ( ) _____
(Second Person in Charge of Facility)

Name: _____ Phone ( ) _____
(Alternate Person)

Facility Maintenance_____ Phone ( ) _____

Risk & Safety Services_____ 384-3787

Security Services_____ 866-0943

Police Non-Emergency Dispatch_____377-6790

Evacuation Leaders (Please list cell phone number)

Name: _____ Phone ( ) _____

Name: _____ Phone ( ) _____

Name: _____ Phone ( ) _____

Name: _____ Phone ( ) _____

EMERGENCY EVACUATION MEETING LOCATIONS

Emergency Situation	Primary Location	Secondary Location
Fire		
Earthquake		
Flood		
Severe Thunder or Windstorm		
Chemical Spill/Release		

EMERGENCY EVACUATION ROUTES

(Include an EMERGENCY EVACUATION MAP below, with locations of fire extinguishers, fire alarm pull stations, and any Shelter-In-Place locations marked.)

Document Type:	Exhibit
Number:	6.01ggg
Effective:	10-28-13
Revised:	
Legal References:	

BOMB THREAT CHECKLIST

Exact time of call:_____ Date_____

ALERT A COWORKER AND ASK THEM TO CALL 9-1-1

Phone number/Caller ID?_____

Exact words of Caller:_____

_____

_____

Ask Caller:

- When is the bomb going to explode? _____
- Where is it located? _____
- Did you set the bomb yourself? _____
- What kind of bomb is it? _____
- What does it look like? _____
- What will cause it to detonate? _____
- Why did you do this? _____
- Where are you? _____
- What is your name? _____
- Are you affiliated with any group? _____

Pay attention to the Caller's voice and note anything unusual: calm; agitated; stuttering; giggling; accent; loud; deep; high-pitched; disguised

Pay attention to any background noise: traffic; train whistle; airplanes; music; noisy; quiet

Is the Caller _____ Male or _____Female? Estimated Age of Caller_____

POLICE AND FIRE DEPARTMENT: 9-1-1 Risk & Safety: 384-3787

Your Evacuation Leader:_____

Your Supervisor: _____

Document Type:	Regulation
Number:	6.01h
Effective:	10-28-13
Revised:	
Legal References:	I.G.S.H.S. 70, 72, 76 29 C.F.R. 1926.22, 1926.25, 1926.66, 1926.67, 1910.68, 1910.500, 1910.501, 1910.502, 1910.1053

FALL PROTECTION

I. INTRODUCTION

The purpose of this regulation is to prevent and protect employees from falling off, onto, or through surfaces and to protect staff and the public from being struck by falling objects. This regulation applies to all work performed by City employees in elevated areas such as aerial lifts, roof, elevated platforms, on top of industrial equipment, building ledges, etc. Police and Fire shall abide by their department guidelines and training during emergency operations.

II. SAFE LADDER USE

Any employee working from a portable ladder shall ensure:

A. Ladders are inspected prior to use for visible defects. Damaged ladders shall be immediately removed from service and marked “DAMAGED: DO NOT USE” or similar language which conveys the same message;
B. Ladders are used as designed or intended and according the manufacturer’s instructions. For example, A-frame ladders are not used as extension ladders, load limits shall be adhered to, extension ladders are not used as scaffolding (unless designed for that function), etc.
C. Extension ladders are extended three (3) feet above the upper landing surface that an employee is trying to gain access to and secured to prevent slipping or falling.
D. Users maintain three (3) points of contact, face the ladder while ascending or descending, and never carry any object or load that could cause the employee to lose balance and fall.
E. When work is to be performed in front of a door or walk way they establish a detour when possible; otherwise, prevent others from accidentally moving the ladder; and
F. Metal ladders are not used where there is a potential for accidental contact with electrical lines.

III. WORKING FROM AERIAL LIFTS

Any employee operating an aerial lift shall be familiar with and operate the equipment according to the manufactures instructions and safety requirements. Fall protection harnesses shall be worn with a shock-absorbing lanyard when working from an elevated lift. It is suggested the lanyard be no longer than three feet in length. EXCEPTION: Lifts that have the capability to only extend vertically do not require the use of a harness and lanyard so long as the work platform is protected by a guardrail system.

When a personal fall protection system is used while working from an aerial lift, employees shall not attach lanyards to adjacent poles, structures or equipment. Employees shall not move an aerial lift horizontally in an elevated working position. EXCEPTION: Employees do not have to return the aerial lift to the grounded position in an articulating boom lift while wearing a fall protection harness with a lanyard attached to the equipment's anchor.

A. Cages on Forklifts
Cages used on forklifts to elevate employees shall be designed by a registered Professional Engineer. The operator of a forklift which is elevating an employee to perform work shall not travel horizontally while the employee is in the cage.

IV. FLOORS

All floor and wall openings shall be protected with a guard rail in accordance with the guard rail requirements described in this regulation. When it is not practical to install a guard rail system, i.e. the hole is not big enough for a person to fall through, a suitable cover shall be installed. When the hole is not protected by a guard rail or cover it shall be continuously attended to by an employee. All floor surfaces shall be clear of clutter or slippery material in order to avoid slip, trip, and fall hazards.

V. GENERAL FALL PROTECTION WHEN WORKING FROM THE TOP OF STRUCTURES OR EQUIPMENT

Guard rails or personal fall protection is required wherever the potential exists to fall, but at a minimum shall be used at: six (6) feet or more when employees are performing construction-type activities, including repair; and four (4) feet or more when employees are involved in general activities, i.e. routine maintenance. Engineering controls such as guard rails shall be considered first and installed where feasible. Anyone purchasing fall protection systems should contact Risk and Safety Services for support and analysis of the intended application.

A. Guard Rails
Guard rails should be placed on all open sided floors or platforms and on leading edges of roofs or mezzanines. Guard rails shall include a smooth top rail at a vertical height of 42", a mid-rail halfway between the top rail and the working surface, and a 4" toe board on the surface of the vertical edge. Rails shall be capable of withstanding a force of 200lbs or more in any direction. If wire rope is used, it shall not deflect more than 3" in any direction and shall be flagged with high-visibility material at least every six feet.

B. Personal Fall Protection Systems

All components of a fall protection system shall be used according to the manufactures installation and use requirements and inspected prior to use. If there is evidence of excessive equipment wear, deterioration, or a mechanical malfunction is detected, the item shall immediately be removed from service. All parts of the protective system shall be protected against cuts and abrasion when in use. No part of a personal fall protection system shall ever be used to hoist materials.

1. Anchors and Lifelines
   Temporary or permanent applications of anchors and lifelines may be used as appropriate for the needs of the scenario. All anchors and lifelines shall be capable of withstanding a minimum of 5,000 lbs of force per employee attached.
2. Lanyards and Connectors
   Appropriate lanyards and connectors shall be used with other compatible components and shall only be mixed when the manufacture permits. Knots shall not be tied in lifelines, lanyards or other system components.
3. Harnesses
   Full body harnesses are required when a personal fall protection system is used. Body belts shall not be permitted as a part of the protection system.
4. Fall Distance and Rescue
   The personal protective system shall not permit an employee to free fall more than six (6) feet. When using a personal fall protection system, employees shall use a “Buddy System” so that someone is available to render aid or call 9-1-1, if necessary.

C. Employee Responsibilities
   Employees who work at heights are responsible for:
   1. Tethering non-motorized tools to prevent them from falling to a lower level;
   2. Using all required fall protection components
   3. Inspecting fall protection system components and anchors prior to each use; and
   4. Notifying their supervisors of any potential or existing problems.

Each employee is responsible for maintenance, care and storage of fall protection equipment. Employees shall follow the protocols identified by the manufacturer for equipment maintenance, cleaning, and storage. Employees shall not use equipment that is damaged.

Personal fall protection equipment shall be stored appropriately. For example, it is not appropriate to store equipment in the bottom of a tool box where it is exposed to rust, or on the ground or outside exposed to the elements, etc.

When working at heights, employees shall be responsible for barricading areas below them where other staff or the public may travel or congregate.

VI. SUPERVISOR RESPONSIBILITIES

Supervisors shall ensure employees can safely use the equipment they are provided. Upon request, Risk and Safety Service staff has resources available to assist supervisors with educating employees on the proper use of equipment.

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Revised:	
Legal References:	I.G.S.H.S. 061 29 C.F.R. 1910.157

FIRE PREVENTION

I. INTRODUCTION

The purpose of this regulation is to identify and establish procedures for employees to follow to ensure the safe storage of combustible materials, prevention of fires, storage of flammable liquids, and general housekeeping.

III. PORTABLE FIRE EXTINGUISHERS

Employees shall not place items in front of fire extinguishers or fire alarm pull stations preventing easy and immediate access to them.

In order to avoid unnecessary risk to employees, only employees that have been trained in the use of fire extinguishers should be permitted to use them. For training options please contact Risk and Safety Services.

In the event of a fire employees shall pull the nearest fire alarm and immediately evacuate the facility. Portable fire extinguishers are intended for beginning-stage fires. Trained employees who attempt to extinguish a fire that has grown beyond the size of a small waste basket shall stop, pull the nearest fire alarm, and immediately exit the facility.

IV. GENERAL FIRE PREVENTION REQUIREMENTS

A. For all employees

All employees shall be responsible for maintaining good housekeeping and minimizing accumulations of combustible materials in their work areas. All employees shall take the following precautions:

1. Never block or reduce egress to emergency exit routes by using the route for storage space;
2. Never block the free flow of water from sprinkler heads by placing storage materials directly under sprinklers. In buildings that are not sprinkler-protected, do not stack storage from floor to ceiling (keep storage material below 2 feet of the ceiling);
3. Keep fire doors shut and never prop them open. Fire doors are marked on the hinge side of the door jamb;
4. Do not store combustible material in boiler rooms, mechanical rooms or electrical rooms; and
5. *Electrical Safety*
   Employees shall:

a. Inspect electrical equipment (power strips, extension cords, etc.) prior to use and discontinue use when damage is found until repaired or replaced;
b. Never place items in front or on top of hard wired electrical equipment (such as circuit breaker panels or transformers);
c. Never connect multiple power strips or extension cords together, i.e. daisy chain fashion; these devices must be plugged directly into an outlet;
d. Not run power strips or extension cords through doorways, walls, or through ceilings; and
e. Use extension cords on a temporary basis only.
f. Prior to using space heaters, employees shall first attempt adjusting the thermostat to control the temperature/climate. However, when space heaters are necessary, employees shall plug the heater directly into an outlet and not place it near (within 3 feet of) waste baskets or other combustible material. All space heaters must have an auto shut-off feature.

B. Additional Safety Requirements

Some employees may need to take additional measures to prevent workplace fires. Where applicable the following precautions shall be taken:

1. Flammable and Combustible Liquids Handling and Storage:
   a. When large quantities of flammable liquids are used or need to be stored, they should be stored in flammable storage cabinets;
   b. Use grounding and bonding when transferring flammable liquids to new containers;
   c. Fuel cans shall always be placed on the ground when filling. Never fill them in the bed of a vehicle;
   c. Safety cans shall be used to transport and store fuel. Damaged safety cans shall not be used;
   d. Weeds and rubbish shall not be permitted to accumulate around fuel dispensing tanks;
   e. Containers of flammable or combustible liquids and compressed gasses shall not be stored in such locations or in a manner that could result in damage to the container. Containers shall not be stored where they are exposed to heat or direct sunlight or in egress routes or near exit ways;
   f. Materials that will react with water shall not be stored in the same room with flammable or combustible liquids;
   g. “No Smoking or Open Flames” signs shall be posted in areas or places where fire or explosion hazards exist; and
   h. Battery-charging stations where hydrogen gas may be released shall be located in well-ventilated areas.

V. PERFORMING HOT WORK OUTSIDE OF DESIGNATED AREAS

A Hot Work Permit (Exhibit 6.01ii) is required for ***any*** temporary operation (including work performed by employees, contractors, or subcontractors in City owned and operated facilities) involving open flames or producing heat and/or sparks outside of a designated area (such as a welding shop). Instructions on completion of hot work permits can be found in Exhibit 6.01ii. Employees shall request additional Hot Work Permit forms from Risk and Safety Services, or use an equivalent form approved by a

department manager and Risk and Safety Services. Hot work is not permitted to be performed while any part of a sprinkler system is impaired or not operational.

If possible, the hot work shall be relocated to an area that has been identified as safe for hot work. Before initiating hot work outside of an area that is identified as safe, the precautions identified on the Hot Work Permit form shall be implemented.

VI. FIRE PROTECTION SYSTEMS

A. Planned or Unplanned Impairments to Fire Protection Systems

A Red Tag Permit (Exhibit 6.01iii), or an equivalent permit approved by Risk and Safety Services, is required at any City owned and operated facility to manage all impairments caused by employees, contractors or their subcontractors. An *impairment* is anything that results in the planned or unplanned shutdown of a fire protection system. This includes but is not limited to the shutdown of the fire protection water supplies, sprinklers, fire pumps, special protection systems and fire alarm systems. For emergency or unplanned impairments (i.e. a sprinkler head is accidentally contacted and broken), after the situation has stabilized the employee facilitating the corrections shall perform the procedures for a Red Tag Permit.

The employee overseeing the impairment should ensure that the City's property insurance provider is notified prior to start of the impairment. See Exhibit 6.01iii for instructions on how to complete a Red Tag Permit.

During impairment the following precautions shall be taken:

1. Shut down hazardous processes;
2. Prohibit hot work and smoking;
3. Implement a continuous fire watch; and
4. Continue the work until the protection is restored.

Risk and Safety Services is available to assist departments with questions regarding hot work and fire protection system impairments.

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Number:	6.01ii
Effective:	10-28-13
Revised:	
Legal References:	

HOT WORK PERMIT

To establish precautions which should be followed prior to any hot work operation, and to provide procedures for using hot work permits. A valid, authorized, ***Hot Work Permit*** is required for each hot work operation performed in City owned and operated facilities by employees, contractors or their subcontractors. The person responsible (Firesafety Supervisor) for the completion of the hot work shall ensure that all Hot Work Permit requirements are satisfied.

General Rules for Permits

- Hot work may not be performed when a fire protection system is not operational or is impaired. In the event of a sprinkler system impairment during work, the area supervisor or contractor must be notified to cease hot work operations until the impairment can be corrected.
- Permits must not be issued for work areas that cannot be made fire safe.
- A permit is not required for designated fire-safe areas where hot work operations are routinely conducted and proper fire safeguards are already in place.
- Additional training on hot work can be found at https://fmglobaltraining.skillport.com.

Hot Work Permit – Work Instructions

The Hot Work Permit procedure is as follows:

1. **Prior to start** of any hot work operation, the Firesafety Supervisor must personally **examine the work area** to confirm that the following minimum precautions have been taken:
    - Hot work equipment inspected and in **good working condition.**
    - The equipment or material to be worked on is **thoroughly cleaned** of all deposits of oil, carbon, dust, or other combustible/flammable residues.
    - Whenever possible, the hot work operation should be moved to a **designated hot work area** Shop, to minimize the risk of fire in the facility.
    - **Sprinklers**, where provided, are in commission and will not be taken out of service while this work is being done.
    - All **combustibles materials** have been located at least 35 feet from the operation and any combustible materials that cannot be moved, protected with metal guards or flameproof covers (i.e. fire-resistant tarpaulins).
    - The work will be **confined to the area** or equipment specified on the permit.
    - **Surrounding floors** have been swept clean and, if combustible, wet down.
    - Ample **portable extinguishing equipment** has been provided and is easily accessible (i.e. extinguishers are not from the immediate area, but are additional ones).
    - Exhaust and return air fans (HVAC) within 35 feet have been turned off.
    - All **floor, wall, and ceiling openings** within 35 feet of the operation have been tightly covered to prevent sparks or slag from entering an unobserved area.
    - Hot work areas must be **isolated with tape, barricades, or traffic horses** to warn personnel from walking into and under this area when work is in progress and divert them from hazards.

- **Compressed oxygen** is not to be used under any circumstances for the purpose of ventilation, comfort, cooling, blowing dust from clothes, or for cleaning the work area.

2. In order for a Hot Work Permit to **be valid**, it must be signed **and issued by the Firesafety Supervisor**.

3. The Firesafety Supervisor will review all appropriate emergency procedures.

4. The Firesafety Supervisor signs the permit, removes **Part 1** and gives **Part 1a** and **Part 2** to the person doing the work who must post it in a visible location in the hot work area. The original copy of **Part 1** will be kept by the Firesafety Supervisor until the job is complete.

5. **The person performing the hot work will indicate the start and stop times on part 2.**

6. **During and after hot work**, the following work rules must be implemented:
   - **Fire watch** will be provided **during and for 60 minutes after work**, including any coffee or lunch breaks.
   - **Fire watch person** is supplied with a suitable fire extinguisher and properly trained in use of fire extinguisher and activation of the nearest local fire alarm.
   - The hot work area and all adjacent area (including floors above and below) must be **monitored periodically for 3 hours after the work has been completed**. When hot work is performed on or near a wall, check the other side of the wall because there is a chance that heat was transferred or radiated through the wall.
   - The **Fire watch person must sign off on Part 2** of the permit confirming fire watch is completed.

7. Upon completion of the work, the Firesafety Supervisor will conduct a **final inspection of the area and sign off on Part 2 of permit** only if the area is fire-safe.

8. Collect both **copies of the permit** for documentation purposes. Copies of old permits should be kept on file in the Hot Work Permit file.

First, are there any alternatives to the hot work?

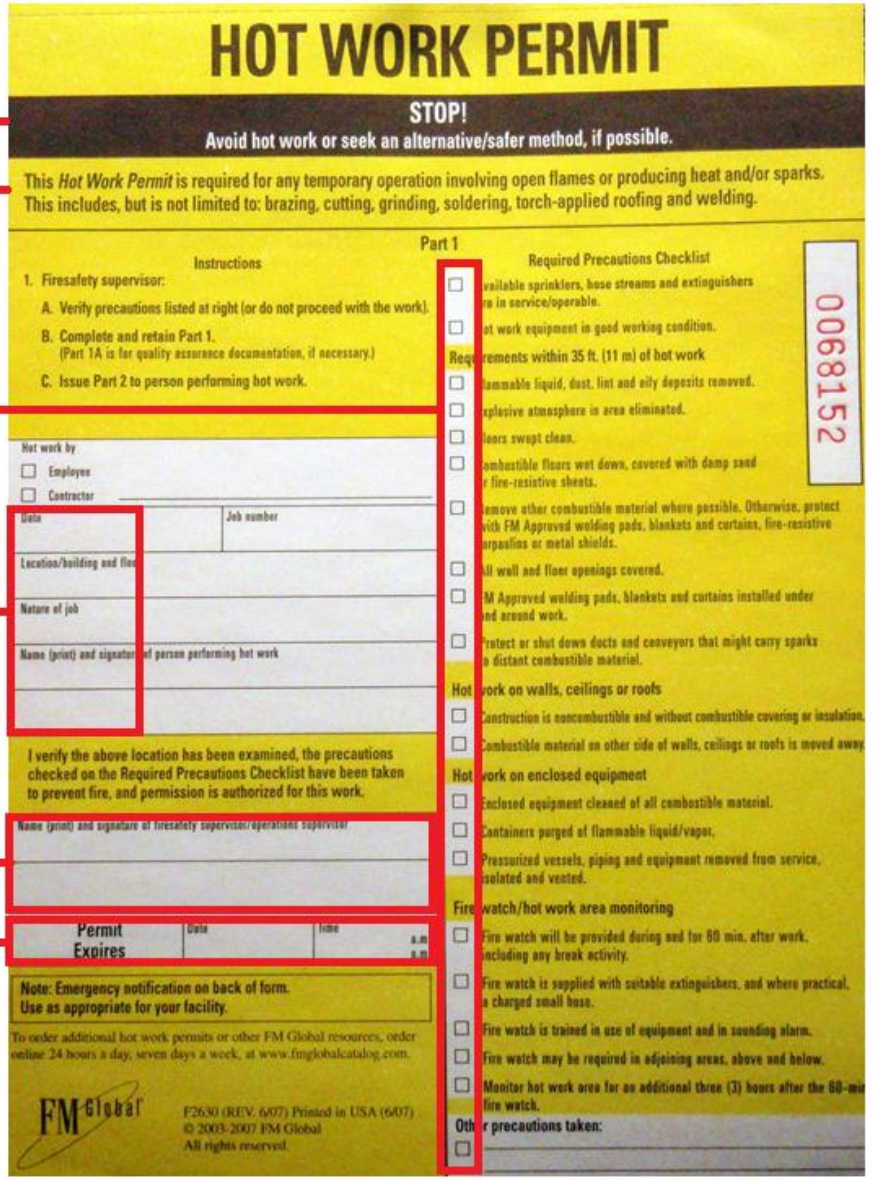
What is hot work?

What precautions are required before the start of the hot work?

What are the details of the job?

Who authorized the work? (Supervisor who assigned the work)

When does the permit expire?



HOT WORK PERMIT

STOP!
Avoid hot work or seek an alternative/safer method, if possible.

This *Hot Work Permit* is required for any temporary operation involving open flames or producing heat and/or sparks. This includes, but is not limited to: brazing, cutting, grinding, soldering, torch-applied roofing and welding.

Part 1

Instructions

1. Firesafety supervisor:
   A. Verify precautions listed at right (or do not proceed with the work).
   B. Complete and retain Part 1. (Part 1A is for quality assurance documentation, if necessary.)
   C. Issue Part 2 to person performing hot work.

Hot work by
☐ Employee
☐ Contractor

Date | Job number

Location/building and floo

Nature of job

Name (print) and signatur of person performing hot work

I verify the above location has been examined, the precautions checked on the Required Precautions Checklist have been taken to prevent fire, and permission is authorized for this work.

Name (print) and signature of firesafety supervisor/operations supervisor

Permit Expires | Date | Time a.m. a.m.

Note: Emergency notification on back of form.
Use as appropriate for your facility.

To order additional hot work permits or other FM Global resources, order online 24 hours a day, seven days a week, at www.fmglobalcatalog.com.

FM Global

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Required Precautions Checklist

0068152

☐ vailable sprinklers, hose streams and extinguishers re in service/operable.
☐ ot work equipment in good working condition.

Req rements within 35 ft. (11 m) of hot work

☐ ammable liquid, dust, lint and oily deposits removed.
☐ xplosive atmosphere in area eliminated.
☐ loors swept clean.
☐ ombustible floors wet down, covered with damp sand r fire-resistive sheets.
☐ emove other combustible material where possible. Otherwise, protect vith FM Approved welding pads, blankets and curtains, fire-resistive rpaulins or metal shields.
☐ ll wall and floor openings covered.
☐ M Approved welding pads, blankets and curtains installed under nd around work.
☐ rotect or shut down ducts and conveyors that might carry sparks distant combustible material.

Hot ork on walls, ceilings or roofs

☐ Construction is noncombustible and without combustible covering or insulation.
☐ Combustible material on other side of walls, ceilings or roofs is moved away

Hot ork on enclosed equipment

☐ Enclosed equipment cleaned of all combustible material.
☐ Containers purged of flammable liquid/vapor.
☐ Pressurized vessels, piping and equipment removed from service, solated and vented.

Fire watch/hot work area monitoring

☐ Fire watch will be provided during and for 60 min. after work, including any break activity.
☐ Fire watch is supplied with suitable extinguishers, and where practical, a charged small hose.
☐ Fire watch is trained in use of equipment and in sounding alarm.
☐ Fire watch may be required in adjoining areas, above and below.
☐ Monitor hot work area for an additional three (3) hours after the 60-mi fire watch.

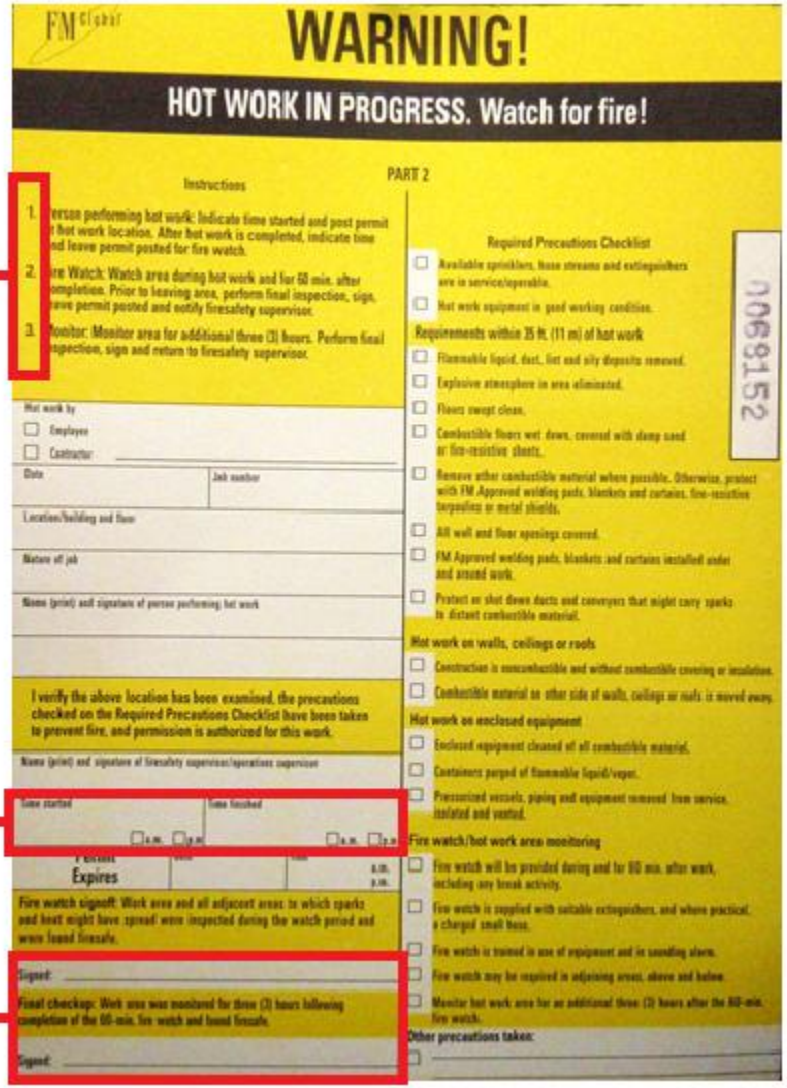
Oth r precautions taken:
☐

Hot Work Permit, Part 1 of 2

Instructions for the person completeing the hot work. Part 2 is hung in the area where the hot work is being performed. Emergency contact information (9-1-1) is filled out on the back.

After approval for the hot work is given by the Firesafety Supervisor, the employee performing the work marks the time the hot work started and the time the hot work was completed.

Place signature of person completing the signoff and checkup in the alocated space.



Hot Work Permit, Part 2 of 2

Document Type:	Exhibit
Number:	6.01iii
Effective:	10-28-13
Revised:	
Legal References:	

RED TAG PERMIT
For Fire Protection System Impairments

The purpose of the Red Tag Permit System is to manage the fire alarm and sprinkler systems during impairments.

General information

When planning an impairment and before initiating the permit, follow these steps

- Plan to use temporary protection such as extra fire extinguishers.
- During the impairment shut down hazardous processes and prohibit all hot work operations.

Using the Wall Kit (can be obtained from Risk and Safety Services)

- A wall kit containing the red tag permits should be posted in plain view in the sprinkler control room.
- Affix the red and white decals to all fire protection equipment to alert everyone that authorization is necessary prior to shutting off fire protection equipment.
- Fill in vital information to display on the wall kit. Provide telephone numbers for the fire department, Alarm Company and water department.
- Inform employees that the red tag permit system is in effect.

Work Instructions

Before Impairment - Part 1 (see Fig. 1)

- Check the boxes indicating all the precautions taken.
- Fill-in the information boxes for Part 1
    - Index Number **(will be different for each facility, contact Risk and Safety Services for your facility's Index Number)**
    -
    - **INSURED NAME – City of Boise**
    - **LOCATION – physical address of your facility**
    - Sprinkler Valve Location/Number
    - Check type of system
    - Name the area with the impaired system
    - Reason for the impairment
    - Planned date/time to be closed
    - Planned date/time to be opened

- The Firesafety Supervisor must notify FM Global (property insurer) by phone (**888-201-8943**) about the impairment. Alternatively, a copy of the red tag permit can be faxed (**800-736-5564**) to FM Global or reported online at http://www.fmglobal.com/redetag/default.aspx.
- The Firesafety Supervisor should notify the alarm monitoring company for the facility.
- The Firesafety Supervisor then signs the tag to document the impairment and removes Part 1 for his/her records.

During Impairment - Part 2 (see Fig. 2)

- Record the date, time and the number of turns needed to close the valve on Part 2.
- Attach Part 3 to the shut valve.
- Remove and place Part 2 in the During Impairment (center) pocket of the wall kit as a reminder of the impairment.

After the Impairment - Part 3 (see Fig. 3)

- Record the date, time, and the number of turns needed to open the valve on Part 3.
- Promptly restore fire protection equipment to automatic service.
- If sprinkler protection was impaired, conduct a 2-inch drain test at the sprinkler riser and compare the results to previous 2-inch drain tests to ensure the results are satisfactory.
- Lock sprinkler control valves in the wide-open position.
- Reset the alarm system immediately and notify the alarm monitoring company.
- Notify the local fire department that the fire protection is restored.
- Notify FM Global that the fire protection is restored.
- Collect Parts 2 and 3, staple them together and place them in the After Impairment (right) pocket of the wall kit.

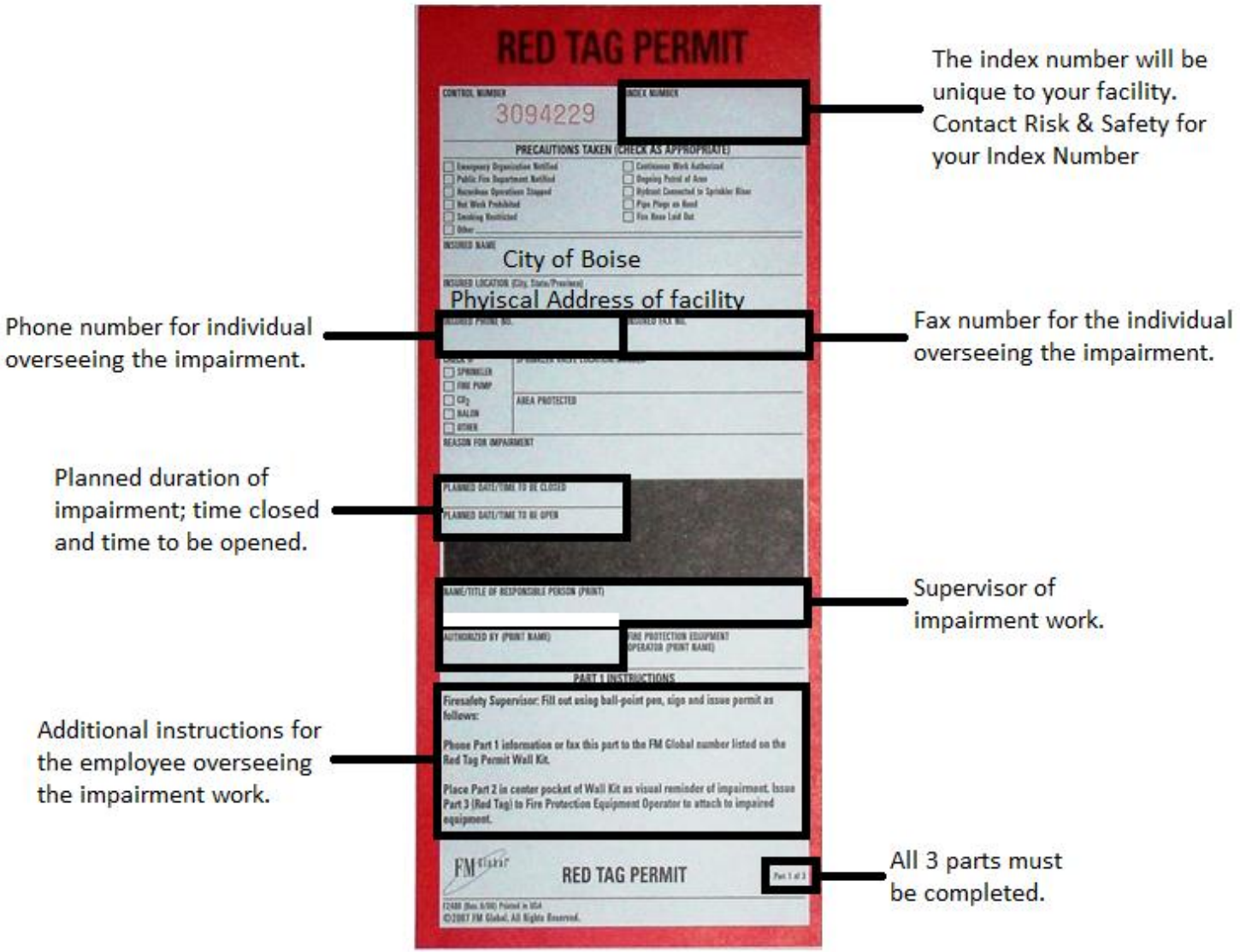


FIGURE 1 - Red Tag Permit, Part 1 of 3

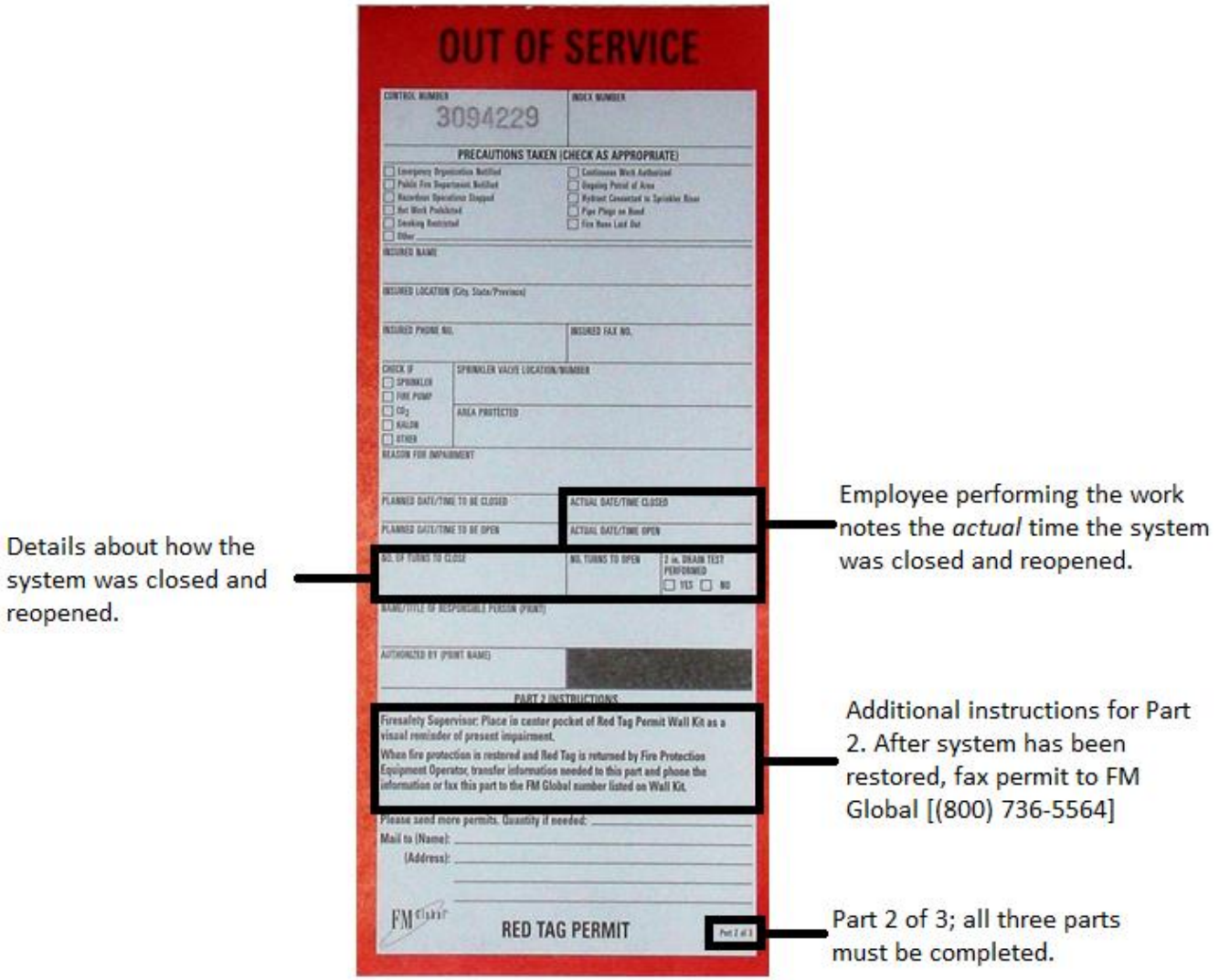


FIGURE 2 - Red Tag Permit, Part 2 of 3

Part 3 is hung on the control mechanism for the system.

Additional instructions for completion of the permit.

Front

Back

FIGURE 3 - Red Tag Permit, Part 3 of 3

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Effective:	10-28-13
Revised:	
Legal References:	I.C. 5-337

FIRST AID AND AUTOMATED EXTERNAL DEFIBRILLATOR (AED)

I. INTRODUCTION

First aid is emergency care provided for injury or sudden illness before emergency medical treatment is available. Prompt, knowledgeable treatment of injuries may prevent minor injuries from becoming major ones.

II. FIRST AID PROVIDERS

All employees are responsible for immediately reporting all workplace injuries and illnesses to their supervisor (See Employee Incident/Injury Reporting and Workers' Compensation Regulation for additional details). When it is questionable as to whether onsite first-aid or professional medical attention is needed, call 911. No employee should attempt to rescue any other person unless properly trained and qualified or required to do so as a part of their job duties. Employees may administer first aid in an emergency situation on a voluntary basis. Anyone providing first aid shall follow the Communicable Disease Exposure Control regulation.

A. Required Certification
Anyone who is required to perform first aid as a part of their assigned job duties shall maintain a nationally recognized certification, e.g. American Heart Association, or American Red Cross.

B. Emergency Transport
In life-threatening conditions, when serious injuries are sustained, or if the victim is suffering chest pain, immediately call 911. Under no conditions should an employee in need of emergency medical treatment be permitted to drive themselves to the emergency room or preferred medical provider.

C. Non-Emergency Transport
There may be non-emergency cases in which an injured/ill employee needing professional medical attention could be transported to the hospital by another City employee in a City vehicle. Non-City employees shall NOT be transported in City vehicles for medical care other than by employees of the Police or Fire departments when it is the most efficient means of transport and the employee and/or public safety will not be compromised.

III. FIRST AID SUPPLIES

Each department shall ensure that First Aid Kits are readily available for employees to use. Upon request, Risk and Safety Services is available to provide recommendations on the number and locations of kits that a department wishes to supply. All kits should have at a minimum the identified contents found in Exhibit 6.01jj. Kits may be augmented to provide supplies for the typical nature of injuries

which the employees may encounter for their department or division. Each City Vehicle should be supplied with a first aid kit.

First aid kits shall be restocked as necessary. Departments may choose to designate employees or a vendor to monitor and restock first aid kit supplies.

Where the eyes or body of any person may be exposed to injurious or corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided within the work area for immediate emergency use.

IV. AUTOMATIC EXTERNAL DEFIBRILLATORS (AED)

Expected AED users, i.e. certified first aid providers, shall be trained to deploy AED. Departments shall arrange for inspection and maintenance of the AED unit(s) within their facilities. The department shall notify Risk and Safety Services in order to coordinate training on the AEDs and the City's AED database.

A. Inspection and Maintenance

Employees shall refer to the manufacturer's recommendations for inspection and maintenance and document inspections (Exhibit 6.01jjj).

B. Notifying EMS

Any person who renders emergency care or treatment to a person in cardiac arrest by using an AED must call 911 as soon as possible.

C. Post Use Protocol

Deployed AEDs shall be delivered to Risk and Safety Services immediately or as soon as possible so the unit can be promptly replaced. The employee who deployed the AED shall complete an AED Deployment Event Summary (Exhibit 6.01jjjj) with their supervisor. One copy of the form is to be sent to Risk and Safety Services, who will forward it to the oversight health care professional.

Risk and Safety Services will review post-event reports in consultation with the oversight health care professional, evaluate the effectiveness of the internal response procedures, and provide feedback to the rescuers. Areas to be evaluated will include response times and intervals for each activity done during the incident.

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Legal References: I.C. 5-337

RECOMMENDED FIRST AID KIT CONTENTS

Content Description	Quantity
Multipurpose scissors	1
Tweezers	1
Disposable gloves (large or extra-large)	4 pairs
Safety glasses or goggles	1
Bandage strips	20
Medical tape	1 roll
Sterile eye pads	2
Sterile gauze pads (4”x4”)	6
Sterile trauma pads (5”x9”)	2
Sterile trauma pads (8”x10”)	1
Roll of gauze (2” wide)	2 rolls
Roll of gauze (4.5” wide)	2 rolls
Elastic roller bandage 4” wide	1 roll
Elastic roller bandage 6” wide	1 roll
Sealed moist antibiotic towelettes (hand wipes)	12
Emergency Mylar blanket	1
CPR mask or face shield	1
Triangular bandages	2
Disposable instant-activating cold packs	2
Biohazard waste bag (3.5 gallon capacity)	2
Emergency eye wash bottle (4oz or larger)	1
List of important local emergency telephone numbers, including police, fire department, EMS, and poison center.	1
Optional recommended supplies:	
Flashlight with extra batteries	1
Resealable plastic quart size bags (for ice, storage, etc.)	2

Note:
Individual work groups may need to customize the contents of the first aid kit to be prepared for emergencies that may be specific to their work activities. For assistance with customization contact Risk & Safety Services.

Document Type: Exhibit
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Effective: 10-28-13
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Legal References:

AUTOMATED EXTERNAL DEFIBRILLATOR (AED) MAINTENANCE CHECKLIST

Date _____ Location _____

Inspection Performed by (Print) _____

CRITERIA	STATUS	CORRECTIVE ACTION/COMMENTS
Self-check system indicates unit OK for user (green light is flashing)		
Adult electrode pad in date (in AED unit)		
Battery date		
Extra adult electrode pad in date		
Child electrode pad in date		
First Aid Kit (available & stocked with supplies in date and replace all expired items as needed, band aids, solutions, creams etc.)		
AED cabinet re-secured (batteries/alarm functional)		
Items present and accounted for: CPR mask, 3 pair of gloves, razor, scissors, adsorbent cloth, event form		

Additional Notes:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Document Type: Exhibit
Number: 6.01jjjj
Effective: 10-28-13
Revised:
Legal References:

AUTOMATED EXTERNAL DEFIBRILLATOR (AED) DEPLOYMENT EVENT SUMMARY

Any time an Automated External Defibrillator (AED) unit is deployed complete this summary and forward it to **Risk and Safety Services.**

Location of event: _____ Date: _____ Time:_____

Describe event:_____

_____(use back of page if necessary)

Victim's name: _____

Was event witnessed? _____

Witness' name & contact information: _____

_____

Witness statement: _____

_____

_____

Was 9-1-1 called? _____ If yes, who called (name)? _____

Was pulse taken at initial assessment? _____

CPR given before the AED arrived? _____ If yes, list names of rescuer(s):

_____

Were shocks given? _____ Total number of shocks? _____

Did victim…
Regain a pulse? _____
Resume breathing? _____
Regain consciousness? _____
Name of trained AED rescuer(s): _____

Was the procedure for transferring patient care to the local EMS agency executed?
YES__ NO__ If no, please explain: _____

_____

Name and contact information of person completing form: _____

_____

Document Type:	Regulation
Number:	6.01k
Effective:	10-28-13
Revised:	
Legal References:	I.G.S.H.S. 50, 150 29 C.F.R. 1910.147

HAZARDOUS ENERGY CONTROL

I. INTRODUCTION

Employees must use lockout/tagout procedures to lock out hazardous energy to equipment when maintenance or servicing is required. These procedures are designed to prevent the unexpected startup and/or release of energy from machinery, both of which can cause serious injury to employees and damage to property. The purpose of this regulation is to specify the minimum steps necessary to render machinery, equipment, and processes in a safe condition for maintenance or service work to be performed.

This regulation applies to "authorized employees," employees who are authorized to perform service or maintenance on equipment, systems or machines, and "affected employees," employees whose job requires them to operate or use a machine or equipment on which servicing, maintenance, or set-up is being performed under lockout or tag-out.

II. LOCKOUT AND TAGOUT

On the job accidents sometime involve electrical shock, burns, or exposure to hazardous materials or moving machinery. These accidents share one thing in common—the uncontrolled release of energy, no matter what type.

A lockout is a locking device, such as a padlock, placed on an energy control point—such as a switch, lever, or valve—to prevent the release of hazardous energy that could set a machine in motion or otherwise endanger an employee working on the machine. In many instances, a padlock is used to hold an energy control point in an "off" position, making it impossible to operate.

A tagout is a written warning to employees and others not to operate a switch or valve that could release hazardous energy or set a machine in motion. The tagout is placed prominently on the switch, lever, or other energy control point.

Tagout devices are used as a method for energy isolation ***ONLY*** when the equipment or machine cannot accept a lockout device. In this instance a supervisor shall review, verify and authorize the use of tagout procedures as the energy isolation method.

III. LOCKOUT TAGOUT PROCEDURES

To safely perform service or maintenance on equipment, employees shall use specific procedures to secure the different energy sources a piece of equipment may have. These procedures shall be used when:

A. Repairs are conducted;
B. Employees are working alone or out of visual contact of the controlling switch;
C. A danger of injury from an unexpected release of energy exists; or
D. A situation threatens an employee's safety.

Departments should document the steps used to place the equipment into a safe condition to work on. Where specific step-by-step procedures have not been documented, employees shall use an Energy Source Determination Worksheet (Exhibit 6.01kk). However, if ALL of the following conditions exist, then a documented procedure or the worksheet does not have to be completed:

A. The equipment or system has **ONLY ONE** source of energy and a single lockout device will keep the equipment in a locked-out condition;
B. The lockout performed can completely de-engergize and deactivate the equipment/system and there is no potential for residual, accumulation or stored energy to release after the equipment/system is shut down;
C. The person performing the work can maintain exclusive control of the energy source;
D. The work to be performed doesn't create hazards for other employees; and
E. There have been no accidents involving the accidental re-energization of the equipment during service or maintenance.

The lockout/tagout procedures outlined below are intended to ensure the safe operation, calibration, maintenance, and repair of equipment and processes. Employees setting up a lockout/tagout shall follow the steps outlined below:

A. **Identify the energy sources in the equipment.** Review your department's documented procedures (where available), or use the Energy Source Determination Worksheet to identify all the sources that you will need to secure before beginning the work.

B. **Notification.** Notify all affected areas and employees of the impending lockout, the reason for it, and estimated start and duration times.

C. **Shutdown equipment and place your lockout device(s) on the equipment.** Place your lockout devices on the various energy sources you identified earlier in the checklist to hold the switches, valves, etc. in the "off" position. Lockout devices items such as chains, covers, padlocks, or blocks. The lockout of a single piece of equipment might involve several locks.

D. **Release residual energy.** Shutting down equipment does not mean that equipment is now safe to work on. It may still be necessary to release pressurized hydraulic, air, steam, gas, or water lines or spring loaded systems. Rotating, swinging or elevated parts may need to be blocked and electrical capacitors may need to be discharged.

E. **Double check that you have completed all of the steps.** Take nothing for granted. Check to see that all points of control are locked out or tagged out as appropriate. The lockout of a single piece of equipment might involve several locks. Verify that the locked-out switch or control cannot be

overridden. Test the equipment to be certain that the locked-out switch is de-energized and not simply malfunctioning. Press all start buttons or turn valves to see if the equipment starts.

F. **Perform the scheduled maintenance or repair.** Perform the scheduled maintenance or repair and be careful that such work does not bypass the lockout and reactivate the equipment or system. Try to anticipate possible hazards that can be created by the work you plan to do.

G. **Remove your lockout devices and restart equipment.** All locks and tags are to be left in place until work is completely finished. This is especially true when more than one employee is working on the equipment. Except for emergencies, a lockout can only be removed by the person who placed it. Make sure that other employees in the area are aware that you are returning the equipment or system to operation. Double check that you have removed tools and nonessential items from inside the equipment/system.

IV. GENERAL PRACTICES

All employees shall observe the following general practices governing the use of lockout/tagout devices:

A. Each lock shall be removed by the employee who applied the device. In emergency situations, the immediate supervisor may remove the lock only under the following conditions:
   1. No conditions exist that may impact the safe removal of the lockout device; and
   2. It can be verified that the employee is not at the facility and the employee has been contacted to notify them that their lockout device has been removed.
   3. When the employee returns to the facility, they must be advised that their lockout device has been removed before they begin work.

B. Each department is responsible for providing employees who perform servicing or maintenance with the appropriate lockout/tagout hardware:

   1. Locks and other hardware must be durable and capable of withstanding the environment they will be used in, and not be removable without the use of excessive force (i.e. bolt cutters);
   2. Locks may be of combination type or key type. If key types are provided, duplicate keys must be destroyed. Combination locks shall be assigned to one person and the combination shall not be shared or marked on the lock;
   3. Lockout devices shall not be used for any purpose, such as security, other than for the use of energy isolation when performing servicing and maintenance; and
   4. Lockout devices shall be standardized within a department using color, shape or size as the standard.

V. SPECIAL CONDITIONS

The intent of this section is to provide continuity of lock-out protection when unusual or uncommon circumstances exist.

A. Group Lock-out
If more than one individual is working on the same equipment, all employees are still required to lock out equipment and one employee shall be designated to be in-charge. If any member of the group lockout identifies a step that has been missed or is incomplete, they shall notify the in-charge employee and has the right to stop the progression until the situation has been corrected. The designated in-charge employee shall be responsible for:

1. Ensuring the continuity of energy control measures for the group (e.g. obtaining an appropriate group lockout device) and that each authorized employee assigned to perform work for the group maintenance activity has applied a personal lock;
2. Continually monitoring the work to ensure the crew/group employees are not exposed to hazards associated with energized equipment; and
3. Verifying that all procedures for returning the equipment back to service are completed before taking off the hasp.

B. Shift Changes
If a group of employees initiates a lockout procedure for a piece of equipment and another shift of employees must continue the work, it shall be the responsibility of the off-going in-charge employee and the on-coming in-charge employee to ensure that the continuity of the energy control procedure is maintained and each step has been verified for the on-coming employees.

C. Shutdown of Equipment for Extended Periods of Time
Lockout devices shall not be used as a means to remove equipment from service. When extended shutdown is necessary or the equipment needs to be removed from service, tags marked “OUT OF SERVICE” should be used and the equipment should be disabled.

VI. TRAINING

Supervisors overseeing the servicing or maintenance of equipment shall be responsible for informing employees of the specific step-by-step procedures for the equipment managed by their employees. Employees must be able to recognize hazardous energy sources, the magnitude of the energy available, and the methods or means necessary for energy isolation and control before performing the servicing or maintenance to a particular piece of equipment.

Employees who do not perform the servicing or maintenance of equipment but may be affected by the shutdown shall be informed of the purpose and use of the energy control procedure and to never remove or tamper with energy control devices.

Document Type: Exhibit
Number: 6.01kk
Effective: 10-28-13
Revised:
Legal References:

ENERGY SOURCE DETERMINATION WORKSHEET

INSTRUCTIONS: This worksheet shall be used when documented procedures have not been established for the piece of equipment to be serviced/maintained. In order to determine all energy sources for each piece of equipment, **ALL** questions must be answered. Mark "YES," "NO," or fill in the blank. If a question does not apply, write N/A. After service/maintenance is performed, retain this worksheet and use it as a reference the next time service/maintenance is performed on the equipment. All employees performing service/maintenance to the equipment shall complete the worksheet together. Please print clearly.

SECTION 1 – Equipment Identification

EQUIPMENT NAME:	LOCATION:
MODEL #:	SERIAL OR ID#:

SECTION 2 – Employee Identification

Employee In-Charge:	
Authorized Employees:	Affected Employees:
1)	1)
2)	2)
3)	3)
4)	4)
5)	5)

SECTION 3 – Energy Identification

ENERGY SOURCE	YES/ NO	COMMENTS
1) **Electric Power?**		If YES, list the Motor Control Center (MCC) or power panel and breaker number: A. Power Panel:_____ B. Breaker#:
a. Lockout device for electric power?		
b. Battery power?		If YES, list location:
2) **Engine driven?**		If YES, list switch or key location:
a. Lockout device for engine?		If NO, list method of preventing operation (i.e. remove spark plug, battery terminal, etc.):
3) **Spring Loaded?**		
a. Is there a method of preventing spring activation?		If NO, how can spring tension be safely released or secured?
4) **Counter weight(s)?**		
a. Can counter weights be prevented from moving?		
b. Can counter weights be locked out?		If NO, how can they be secured?
5) **Flywheel?**		
a. Does flywheel have a method of preventing movement?		
b. Can flywheel be locked?		If NO, how can it be secured?

6) **Hydraulic power?**		If YES, identify location of main control/shutoff:
a. Can control or shutoff for hydraulic be locked in OFF position?		If NO, location of closest manual shutoff valve
b. Does manual shutoff valve have lockout device?		If NO, what is needed to lock valve closed?
c. Is there a bleed or drain valve to reduce pressure to zero?		If NO, what will be required to bleed off pressure?
7) **Pneumatic energy?**		If YES, location of main control/shut off valve
a. Can control/shutoff valve be locked in "OFF" position?		If NO, location of closest manual shutoff valve
b. Does manual shutoff valve have lockout device?		If NO, what is needed to lock valve closed?
c. Is there a bleed or drain valve to reduce pressure to zero?		If NO, what will be required to bleed off pressure?
8) **Chemical system?**		If YES, list the location of the main control/shutoff valve:
a. Can control/shutoff valve be locked ?		If NO, location of manual shutoff
b. Does manual shutoff valve have lockout device?		If NO, what is needed to lock valve closed?
c. Is there a bleed or drain valve to safely reduce system pressure and drain system of chemicals?		If NO, how can system be drained and neutralized? What PPE will be needed for this procedure?
9) **Thermal energy?**		If YES, location of closest manual shutoff valve
a. Can control/shutoff valve be locked in OFF or closed position?		If NO, location of closest manual shutoff valve.
b. Does manual shutoff valve have lockout device?		If NO, what is needed to lock valve closed?
c. Is there a bleed or drain valve to safely reduce system pressure and temperature and drain system?		If NO, how can system pressure and temperature be reduced and drained? What PPE or equipment is needed?
Are there any special precautions not mentioned in this table?		If YES, list them (i.e. fire hazards, chemical reactions, required cool down periods, etc.)

Notes: _____

_____

_____

Group Lock Box Lockout/Tagout Sign-In Sheet

Document Type: Exhibit
Number: 6.01kk1
Effective: 01-25-22
Legal Reference: N/A

Location / Area			Date		
INFOR Equipment ID#			Equipment Isolated EX: VLV, MTR, PMP, ACT		
Work Order No.		Lock Box No.	LOTO Procedure In-Charge Employee(s)		
Installed By:	Date Installed:	Energy Isolated/location	Lock #	Removed By:	Date Removed:

Installed By:	Date Installed:	Energy Isolated/location	Lock #	Removed By:	Date Removed:
NOTES:					
Maintenance Completed By:			DATE:		

Document Type:	Regulation
Number:	6.01l
Effective:	10-28-13
Revised:	
Legal References:	I.G.S.H.S. 050 29 C.F.R. 1910.95

HEARING CONSERVATION

I. INTRODUCTION

Some City employees may be exposed to excessive noise levels at work because of the duties they perform. These excessive noise levels may cause permanent hearing loss if engineering controls and/or personal protective equipment are not used. The intent of this regulation is to protect City employees from occupational exposure to excessive noise levels through the use of various control methods described below.

The loudness of noise is measured in decibels (dB). "Excessive noise" for the purpose of this regulation refers to 85 decibels and above for eight hours or the equivalent (Exhibit 6.01ll). This regulation applies to employees who are exposed to excessive noise in the workplace.

II. NOISE LEVEL MONITORING

If an employee suspects they are being exposed to excessive noise at work they should notify their supervisor, who should contact Risk and Safety Services to arrange on-site monitoring to evaluate the noise levels in their workplace. After monitoring is performed, some employees may be required to wear hearing protection to perform specific tasks.

III. HEARING PROTECTION

Employees, identified through the monitoring process, who are exposed to excessive noise, shall wear hearing protection at all times when exposed to excessive noise levels. Alternatively, supervisors may require the use of hearing protection during any activity or in any area they suspect exposes employees to excessive levels of noise.

Departments shall make hearing protection available for employees use. Departments should consult with Risk and Safety Services to determine the best options for reducing noise levels in their workplace and to evaluate the adequacy of the hearing protection.

Employees shall be responsible for using and caring for their hearing protection in accordance with manufacturer's guidelines. If the employee has questions they should consult their supervisor or Risk and Safety Services.

The use of headphones, for purposes other than communication (i.e. to listen to music), in lieu of hearing protection shall be prohibited. Cotton and other unconventional materials shall not be used as hearing protection. All hearing protection provided must be marked with a noise reduction rating (NRR).

IV. AUDIOMETRIC TESTING

Each department shall provide the opportunity for employees who are exposed to excessive noise to have their hearing tested on an annual basis. Risk and Safety Services will facilitate and coordinate annual on-site audiometric testing for effected departments. When an employee experiences a significant change in their ability to hear, known as Standard Threshold Shift, they will have the opportunity to schedule an additional audiogram to confirm the previous results. Employees who experience a Standard Threshold Shift will be required to wear hearing protection.

V. TRAINING

Training is available in a variety of delivery methods for employees required to wear hearing protection or who are exposed to noise levels. Risk and Safety Services is a resource for hearing conservation questions and issues.

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Number:	6.01ll
Effective:	10-28-13
Revised:	
Legal References:	I.G.S.H.S. 050 29 C.F.R. 1910.95

EXCESSIVE NOISE LEVELS

Unit	Duration per Day	Sound Level dBA
Hours	24	80
	16	82
	8	85
	4	88
	2	91
	1	94
Minutes	30	97
	15	100
	7.5	103
	3.75	106

Document Type:	Regulation
Number:	6.01m
Effective:	10-28-13
Revised:	
Legal References:	I.G.S.H.S. 050 29 C.F.R. 1910.132

MACHINE GUARDS AND TOOL SAFETY

I. INTRODUCTION

Injuries can be caused by the misuse of tools and equipment. This regulation is designed to ensure that equipment and machines are operated safely. This regulation applies to all employees who work with, or adjacent to, equipment and machines that may pose a safety hazard.

II. STATIONARY MACHINES OR EQUIPMENT GUARDING

Machines and equipment may include, but are not limited to, compressors, bench grinders, fuel pumps, compactors, table saws, etc. Any machine part, function, or process that may cause injury must be safeguarded. When the operation of a machine or accidental contact with it can injure the operator or others in the vicinity, the hazards must be either controlled or eliminated.

A machine hazard occurs at the point of operation where the actual work is performed and the hazard can be created by components which transmit energy such as pulleys, belts, chains, gears, couplings, or flywheels, or other parts which move while the machine is working, including reciprocating, rotating, and transverse parts. Machines and equipment shall be guarded to protect the operator from these hazards and various methods may be used. The preferred method shall be to secure a physical guard to the machine or equipment itself. When a physical barrier guard is infeasible, methods such as two-hand trips and guarding by location may be implemented. A guard shall not create a hazard in itself. Upon request, Risk and Safety Services is available to evaluate and consult on the appropriate methods for machine guarding.

Employees shall not by-pass sensors or remove guards unless they have been designated to perform servicing or maintenance to the equipment, and have completed the necessary energy-isolating procedures.

For specific rules on various types of equipment see Exhibit 6.01mm.

III. EMPLOYEE TRAINING

Employees shall not operate equipment without being trained on its proper and safe operation and maintenance.

Document Type:	Exhibit
Number:	6.01mm
Effective:	10-28-13
Revised:	
Legal References:	

MACHINE GUARDS AND PORTABLE TOOL SAFETY

PORTABLE TOOLS

All portable tools shall be used according to the manufacturer's instruction, with the guards provided upon purchase, and for its intended purpose (i.e. a screwdriver shall not be used as a chisel). Never use damaged tools. Tools that have become damaged shall be taken out of service and replaced or repaired. Report damaged tools to your supervisor or designee. The following requirements apply to the specific type of tool.

A. Hand Tools
Hand tools are tools that are powered manually by physical exertion and include equipment such as axes and wrenches. Employees are expected to observe the following precautions:
1. Iron or steel hand tools may produce sparks that can be an ignition source around flammable substances. Where this hazard exists, spark-resistant tools made of non-ferrous materials should be used.

B. Power Tools
Power tools are extremely hazardous when used improperly and must be fitted with guards and safety switches where appropriate. The types of power tools are determined by their power source: electric, pneumatic, liquid fuel, and hydraulic.

1. General precautions for all power tools:
   a. Never carry a tool by the cord or hose;
   b. Never jerk the electrical cord or the hose to disconnect it from the receptacle;
   c. Keep cords and hoses away from heat, oil and sharp edges;
   d. Disconnect tools when not in use, before servicing and cleaning them and when changing accessories such as blades, bits, and cutters;
   e. Keep all employees not involved with the work at a safe distance from the work area;
   f. Secure work with clamps or a vise where possible, freeing both hands to operate the tool;
   g. Avoid accidental starting. Do not hold fingers on the switch button while carrying a plugged-in tool. Before plugging or unplugging tools, be sure power switch is turned to "off"; and
   h. Follow the manufacturer's guidelines for operation and maintenance. Remove all damaged portable electric tools from use and tag them, "Do Not Use."

2. Electric Tools
   All portable electrical tools shall be grounded or labeled by the manufacturer as double insulated. Ground prongs shall never be removed from portable electrical tools in order to plug into a receptacle. Do not use electric tools in damp or wet locations unless they are approved for that purpose and can be plugged into a circuit that is ground-fault protected.

3. Pneumatic Tools
   Pneumatic tools must be fastened securely to the air hose to prevent them from becoming disconnected. A short wire or positive locking device attaching the air hose to the tool must also be used to keep the tool from being ejected. Water hose clamps shall not be installed on compressed air lines or equipment. Compressed air shall not be used for cleaning unless the pressure is reduced to 30 psi or less. All nozzles shall be equipped with a blow-back feature.

4. Hydraulic Tools
   A jack shall never be used to support a lifted load. Once the load has been lifted it must immediately be blocked up. Place block under the base of the jack when the foundation is not firm, and place a block between the jack cap and load if the cap might slip.

C. Portable and Stationary Abrasive Wheel Tools
   Abrasive wheel tools must be equipped with guards that: (1) cover the spindle end, nut and flange projections; (2) maintain proper alignment with the wheel; and (3) do not exceed the strength of the fastenings.

1. Abrasive Wheel Inspection
   All stone wheels on portable tools and stationary tools shall be inspected and ring tested before being mounted to the tool. To test, wheels should be tapped gently with a light, non-metallic instrument. If the wheels sound cracked or dead, they must not be used because they could fly apart in operation. A stable and undamaged wheel, when tapped, will give a clear metallic tone or "ring."

2. Soft metals (such as aluminum) should not be used on stone wheels. When soft metal is found in the stone wheel, a dressing tool shall be used to remove the metal in the pores of the stone.

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Number:	6.01n
Effective:	10-28-13
Revised:	
Legal References:	I.G.S.H.S. 050 29 C.F.R. 1910.132

PERSONAL PROTECTIVE EQUIPMENT

I. INTRODUCTION

The City recognizes that not all hazards may be eliminated from an employee's job duties and therefore, at times they must wear personal protective equipment in order to reduce the potential of injury or illness. Personal protective equipment (PPE) is also worn to reduce potential exposure to hazards. Examples of PPE include hard hats, goggles, gloves, respirators, and earplugs. This regulation will help identify when eye and face, head, foot, hand and other PPE is necessary for protection.

II. PROVISIONS AND USE

When hazards in the workplace are present that cannot be mitigated, PPE that adequately protects and appropriately fits will be provided to employees by their department. Employees are responsible for maintaining their assigned PPE in a clean, sanitary and reliable condition, and for reporting to their supervisor the need to replace damaged PPE or PPE that has reached the end of its useful life.

III. HAZARD ASSESSMENT AND SELECTION OF EQUIPMENT

In order to select the most appropriate PPE, supervisors are encouraged to perform a job hazard assessment of the duties they supervise. A Job Hazard Assessment form can be found in Exhibit 6.01nn. Supervisors should retain a copy of the completed job hazard assessment to share with employees. During the course of the assessment supervisors should identify the hazards that are present or likely to be present, which necessitate the use of PPE. This includes identifying hazard sources such as flying debris, high temperatures that might cause burns, intense light radiation, hazardous chemicals, and electrical hazards. Job hazard assessments should be reviewed collaboratively with supervisors and employees on an annual basis, and updated regularly to reflect any necessary changes such as new equipment, chemicals, or processes.

PPE shall be provided to employees by the department. Supervisors will determine the appropriate PPE depending on the task. The following are examples of PPE that may be provided. :

A. Eye and Face Protection – should be worn when employees are exposed to hazards from flying particles, molten metal, liquid chemicals acids or caustics, chemical gasses or vapors, and harmful light radiation. For employees who wear prescription lenses, eye protectors must fit properly over the prescription lenses. Eye and Face protection must be ANSI Z87.1 approved.

B. Head Protection – Protective hats should be worn when employees perform work in areas where there is a potential for side impact to the head or falling objects. Head protection must meet the requirements of ANSI Z89.1.

C. Foot and leg protection – Protective footwear or legwear, such as steel toed shoes and chaps, should be worn when employees are working in areas where there is a danger of foot injuries due to falling or rolling objects or sharp objects piercing the sole.

D. Hand protection – Gloves should be worn when it is possible for the skin to absorb harmful substances, become cut or lacerated, abraded, punctured or when chemical or thermal burns are possible.

For information on respiratory and hearing protection please refer to those specific regulations. When requested, Risk and Safety Services will consult, evaluate and provide recommendations on the appropriate PPE for departments.

IV. TRAINING

Because PPE is dependent on the job duties performed, the supervisor is responsible for informing employees:

A. When and what PPE is necessary to safely perform the job;
B. How to properly put on, take off, adjust, and wear PPE;
C. Any limitations the PPE may have; and
D. Proper care, maintenance, useful life, and disposal.

If the supervisor is unsure if PPE is required for a particular job duty they may contact Safety Services for assistance.

Retraining should occur when a new PPE is introduced, or changes in the workplace render the previous training ineffective.

Document Type: Exhibit
Number: 6.01nn
Effective: 10-28-13
Revised:
Legal References:

JOB HAZARD ANALYSIS

Department:		Developed By:	
Division:		Reviewed By:	
Workgroup:		Division Mgr:	
JSA#:		Supervisor:	
Date:		Employee:	

JOB ACTIVITY

TASKS List the tasks (steps) required to perform the activity.	**HAZARDS** List the hazards that could cause injury when each task is performed.	**RISK CONTROL MEASURES** List the specific risk control measures that will be utilized, working through the Hierarchy of Safety and Health Controls from most effective to least effective. 1) Elimination or Substitution 2) Engineering Controls 3) Warnings 4) Administrative Controls including training 5) Personal Protective Equipment

Document Type:	Regulation
Number:	6.01o
Effective:	10-28-13
Revised:	
Legal References:	I.G.S.H.S. 280, 281 29 C.F.R. 1910.178

POWERED MATERIAL-LIFTING EQUIPMENT
Forklift, Crane & Hoist

I. INTRODUCTION

The purpose of this regulation is to provide operators with proper procedures for use of all types of powered material-lifting equipment, including industrial lift trucks such as forklift trucks, motorized hand trucks, all-terrain and telescoping lifts and various hoist and crane equipment. This regulation applies to all City employees who operate such equipment.

II. LIFT TRUCK OPERATOR TRAINING

A. Initial Training

Before being permitted to operate a powered industrial truck employees shall complete training. Initial training shall consist of a combination of formal instruction, practical training on the equipment they will be operating, and an evaluation of the operators performance in the workplace. The formal training may be provided to the operator through a variety of delivery methods such as online training or instructor led courses. Upon request, Risk and Safety Services will coordinate and arrange training for lift truck operators.

B. Refresher Training

Refresher training on relevant topics should be provided to the operator when the supervisor or their designee observes:

1. The employee operating the equipment in an unsafe manner (i.e. driving too fast or without a seatbelt, not using the horn, etc.);
2. The employee has been involved in an accident or near-miss incident;
3. The employee is assigned to drive a different type of powered industrial truck (such as electric vs. propane, stand-up vs. sit down operator position, vertical boom vs. extensible boom); or
4. A condition in the workplace changes in a manner that could affect safe operation of the truck.

Every three years following an employee's initial training, the supervisor or their designee shall review their operation of their assigned lift truck using a skill assessment form (Exhibit 6.01oo). If deficiencies are noted, the supervisor or their designee shall ensure that the employee receives refresher training on the relevant topics at a minimum. All operator skill assessment

forms shall be sent to Risk and Safety Services for documentation. Operator evaluations are not required to be announced in advance.

III. RULES FOR LIFT TRUCK USE

A. Accidents

All accidents, regardless of fault or severity shall be reported to the employees' supervisor and Risk and Safety Services using an SD-1A form within 48 hrs.

B. Inspections

Each operator shall perform a pre-use or pre-shift inspection of the lift truck and any attachments they will be operating. Operators may use the Inspection form provided by the manufacturer or a pre-use checklist (Exhibit 6.01ooo) for the various types of lift trucks to document their inspection. If any defect is found the operator may not use the lift truck until the appropriate repair has been made. If the operator believes that the lift truck is unsafe to drive or operate, it should be immediately reported to the supervisor or designated individual and removed from service.

C. General Loading Practices

Operators shall determine the weight of the load prior to moving the load and verify that the rated capacity will not be exceeded. The rated capacity shall never be exceeded. Standing on a lift truck or adding counterweights is prohibited. Only stable or safely arranged loads should be handled. Operators must exercise additional caution when handling off-center loads that cannot be centered.

Lift trucks equipped with attachments shall be operated as partially loaded trucks when not handling a load.

The forks of lift trucks shall be placed under the load as far as possible; the mast shall be carefully tilted backward to stabilize the load.

D. Rules for General Operation

The operator shall not:

1. Drive lift trucks up to anyone standing in front of a bench or other fixed object;
2. Allow others to stand or pass under the elevated portion of any forklift, whether loaded or empty;
3. Allow any person to ride on a lift truck except the operator, unless the forklift has provisions (additional seating authorized by the manufacturer) for passengers;
4. Place arms or legs between the uprights of the mast or outside the running lines of the forklift;
5. Use the lift truck for opening or closing doors;

6. Block fire aisles, access to stairways, or fire equipment with the lift truck or the load being handled;
7. Pass other forklifts traveling in the same direction at intersections, blind spots, or other dangerous locations;
8. Participate in stunt driving or horseplay; or
9. Push or tow other forklifts.

The operator shall:

1. Maintain a safe distance (recommended 3-to-5 feet) from the edge of ramps or platforms while on any elevated dock, or platform or freight car;
2. Assure sufficient clearance for load, mast, and roll cage (ROPS) under overhead installations, lights, pipes, sprinkler system, etc.;
3. Observe all traffic safety rules; the lift truck shall be operated no faster than the travel conditions permit and shall not exceed any facility speed limits;
4. Yield the right-of-way to pedestrians;
5. Avoid loose objects on the roadway surface;
6. Slow down and sound the horn at cross aisles and other locations where vision is obstructed;
7. Travel with the load trailing if the load being carried obstructs forward view; look in the direction of, and keep a clear view of, the path of travel;
8. Cross railroad tracks diagonally wherever possible; and
9. Ascend or descend grades slowly:
    a. When ascending or descending grades in excess of 10%, loaded trucks shall be driven with the load upgrade.
    b. On all grades the load and load engaging means shall be tilted back if applicable, and raised only as far as necessary to clear the road surface.

E. Precautions for Unattended Lift Trucks

When a lift truck will be left unattended the operator is expected to:

1. Fully lower the load engaging means;
2. Neutralize controls;
3. Shut off power to the equipment;
4. Set the brakes; and
5. Block wheels if the lift truck is parked on an incline.

F. Refueling or Recharging Operations

1. Battery operated lifts:
    a. Battery charging areas shall be located in areas with adequate ventilation;
    b. Employees should examine flexible cords used to charge batteries and vent caps for damage. If damage is found, employees shall

remove the damaged equipment from service and report the damage to their supervisor or designee;

c. No smoking or open flames shall be permitted in areas that are used for charging or refueling lift trucks. Post signs where necessary; and

d. Operators shall not add water or electrolyte to batteries. This service is commonly conducted by Fleet Services.

2. Petroleum Powered Trucks:

a. Operators shall turn off the lift truck before fueling.

IV. CRANE AND HOIST SAFETY

Supervisors with employees who will use cranes or hoists shall ensure that those employees have the knowledge and experience necessary to safely operate each crane or hoist they will be expected to use. Each crane or hoist operator shall be responsible for utilizing all equipment according to each manufacturer's instructions. For the purposes of this regulation, a crane shall be a piece of equipment capable of hoisting or lowering a load and can move that suspended load horizontally.

A. Requirements for Crane and Hoist Equipment

In-house manufactured cranes shall not be made or used. Crane bridges and hoist monorails shall be labeled on both sides with the maximum capacity. Directional signs indicating North, South, East, West travel shall be displayed on the bridge underside, and a corresponding directional label shall be placed on the pendant.

B. Crane and Hoist Inspections

All tests and inspections shall be conducted in accordance with the manufacturer's instructions. All cranes or hoists shall be visually inspected for apparent deficiencies prior to use or shift. This same visual inspection shall be documented once per month with the form (or manufacturer's equivalent) in Exhibit 6.01oooo. If a department has more than one operator for a crane, the operators shall collaborate and coordinate monthly inspections of their crane. Exhibit 6.01oooo contains separate inspection forms for cranes, hoists, and hooks. A documented comprehensive inspection should be conducted on an annual basis by an outside contractor qualified to inspect the unit. Departments will maintain documentation of the inspection for the life of the equipment.

C. Crane and Hoist Operation Rules

Operators shall comply with the following general rules while operating cranes or hoists:

1. Do not engage in any practice that will divert your attention while operating the crane. Cell phones shall not be used while operating a crane or hoist unless it is use for signaling;

2. Respond to signals only from the person who is directing the lift, or any appointed signal person. EXCEPTION: Obey a stop signal at all times, no matter who gives the signal;
3. Never move a load over people. People shall not be placed in jeopardy by being under a suspended load. Never work under a suspended load unless the load is supported by blocks, jacks, or a solid footing that will safely support the entire weight. Have a crane or hoist operator remain at the controls or lock open and tag the main electrical disconnect switch;
4. Ensure that the rated load capacity of a crane's bridge, individual hoist, or any sling or fitting is not exceeded. Know the weight of the object being lifted or use a dynamometer or load cell to determine the weight;
5. Avoid side pulls; and
6. To prevent shock loading, avoid sudden stops or starts. Shock loading can occur when a suspended load is accelerated or decelerated, and can overload the crane or hoist. When completing an upward or downward motion, ease the load slowly to a stop.

Before operating a crane or hoist, operators should complete the following steps:

1. Test the upper-limit switch. Slowly raise the unloaded hook block until the limit switch trips;
2. Visually inspect the hook, load lines, trolley, and bridge as much as possible from the operator's station;
3. If provided, test the lower-limit switches;
4. Test all direction and speed controls for both bridge and trolley travel;
5. Test all bridge and trolley limit switches, where provided, if operation will bring the equipment in close proximity to the limit switches;
6. Test the pendant emergency stop;
7. Test the hoist brake to verify there is no drift without a load; and
8. If provided, test the bridge movement alarm.

Remove the crane or hoist from service if it fails any of the above tests.

When moving a load:

1. Center the hook over the load to keep the cables from slipping out of the drum grooves and overlapping, and to prevent the load from swinging when it is lifted. Inspect the drum to verify that the cable is in the grooves;
2. Use a tag line when loads must traverse long distances or must otherwise be controlled. Manila rope may be used for tag lines;
3. Plan and check the travel path to avoid other employees and obstructions;
4. Lift the load only high enough to clear the tallest obstruction in the travel path;
5. Start and stop slowly; and
6. Land the load when the move is finished. Choose a safe landing.

Never leave suspended loads unattended. In an emergency where the crane or hoist has become inoperative, if a load must be left suspended barricade and post signs in the surrounding area, under the load, and on all four sides. Lock open the crane or hoist's main electrical disconnect switch.

Crane or hoists shall not be loaded beyond their rated capacity for normal operations. Any crane or hoist suspected of having been overloaded shall be removed from service by locking open the main disconnect switch. Additionally, overloaded cranes shall be inspected, repaired, load tested, and approved for use before being returned to service.

D. Rigging

All rigging equipment shall be used and inspected in accordance with the manufacturer's instructions. Inspections shall be conducted annually and documented by a department or division-designated individual. This documentation shall be made available to all employees involved with crane operation. Prior to use, employees shall perform a visual inspection of rigging equipment as well. Damaged or defective equipment shall be removed from service and destroyed to prevent inadvertent reuse. All crane and hoist hooks shall have safety latches. Hooks shall not be painted (or re-painted) if the paint previously applied by the manufacturer is worn. Each hoist and hook block shall be labeled with the maximum capacity.

1. Nylon slings shall be checked for abnormal wear, torn stitching, broken or cut fibers, and discoloration or deterioration;
2. Wire-rope slings shall be checked for kinking, crushing, bird-caging or other distortions; evidence of heat damage, cracks, deformation, or worn end attachments; six (6) randomly broken wires in a single rope lay; or three (3) broken wires in one strand of rope;
3. Hooks shall be checked for throats open more than 15%, cracks, and more than 10 degrees of sideway twist from the plane of an unbent hook; and
4. Alloy steel chain slings shall be checked for cracked, bent, or elongated links or components.

When rigging a load, those involved shall:

1. Never guess or estimate the weight of the load; always determine the weight of the load prior to rigging or lifting;
2. Determine the proper size for slings and components;
3. Never use manila rope for rigging;
4. Verify that ordinary eye bolts are threaded in at least 1.5 times the bolt diameter and safety hoist rings are used as a preferred substitute for eye bolts where possible;
5. Pad sharp edges to protect slings. Wood, tire rubber, or other pliable materials may be suitable for padding;
6. Do not use slings, eye bolts, shackles, or hooks that have been cut, welded, or brazed;

7. Install wire-rope clips with the base only on the live end and the U-bolt only on the dead end; (Follow the manufacturer's recommendations for the spacing for each specific wire size.);
8. Determine the center of gravity and balance the load before moving it; and
9. Initially lift the load only a few inches to test the rigging and balance.

E. Operating Cranes near Power Lines

Mobile cranes should not be used within 20ft of power lines. If it is possible that mobile cranes could come within 20ft of a power line the operator shall make arrangements with the utility to de-energize and ground the power lines before initiating work. To prevent encroachment, crane operators shall organize a planning meeting for the crew using the mobile crane and the utility. If tag lines are used they must be nonconductive. Elevated warning lines, barricades, or signs shall be used to warn the operator of encroachment within 20ft of a power line, in addition to a proximity alarm, spotter, warning device, range limiter, or insulating link.

Document Type: Exhibit
Number: 6.01oo
Effective: 10-28-13
Revised:
Legal References:

SKILLS ASSESSMENT FOR FORKLIFT OPERATORS

EMPLOYEE NAME:_____ DATE:_____

- ❑ 1. Shows familiarity with truck controls
- ❑ 2. Gave proper signals when turning
- ❑ 3. Slowed down at intersections
- ❑ 4. Sounded horn at intersections
- ❑ 5. Obeyed signs
- ❑ 6. Kept a clear view of direction of travel
- ❑ 7. Turned corners correctly - was aware of rear end swing
- ❑ 8. Yielded to pedestrians
- ❑ 9. Drove under control and within proper traffic aisles
- ❑ 10. Approached load properly
- ❑ 11. Lifted load properly
- ❑ 12. Maneuvered properly
- ❑ 13. Traveled with load at proper height
- ❑ 14. Lowered load smoothly/slowly
- ❑ 15. Stops smoothly/completely
- ❑ 16. Load balanced properly
- ❑ 17. Forks under load all the way
- ❑ 18. Carried parts/stock in approved containers
- ❑ 19. Checked bridgeplates/ramps
- ❑ 20. Placed loads within marked area
- ❑ 21. Stacked loads evenly and neatly
- ❑ 22. Drove backward when required
- ❑ 23. Checked load weights
- ❑ 24. Placed forks on the floor when parked, controls neutralized, brake on set, power off
- ❑ 25. Followed proper instructions for maintenance; checked both at beginning and end

PASS / FAIL **Evaluator:** _____

Document Type: Exhibit
Number: 6.01ooo
Effective: 10-28-13
Revised:
Legal References:

OPERATOR PRE-USE CHECKLIST - Gas/LPG/Diesel Fuel Truck

Date		Operator		Fuel	
Truck#		Model#		Engine Oil	
Department		Serial#		Radiator Coolant	
Shift		Hour Meter		Hydraulic Oil	

SAFETY & OPERATIONAL CHECKS (Prior to each shift) - Have a **qualified** mechanic correct all problems.

Engine Off Checks	OK	Maintenance
Leaks – Fuel, Hydraulic Oil, Engine Oil or Radiator Coolant		
Tires – Condition and Pressure		
Forks, Top Clip Retaining Pin and Heel – Check Condition		
Load Backrest Extension – Attached		
Hydraulic Hoses, Mast Chains, Cables and Stops – Check Visually		
Overhead Guard – Attached		
Finger Guards – Attached		
Propane Tank (LP Gas Truck) – Rust Corrosion, Damage		
Safety Warnings – Attached (Refer to Parts Manual for Location)		
Battery – Check Water/Electrolyte Level and Charge		
All Engine Belts – Check Visually		
Hydraulic Fluid Level – Check Dipstick		
Engine Oil Level – Dipstick		
Transmission Fluid Level – Check Dipstick		
Engine Air Cleaner – Squeeze Rubber Dirt Trap or Check the Restriction Alarm (if equipped)		
Fuel Sedimentor (Diesel)		
Radiator Coolant – Check Dipstick		
Operator's Manual – In Container		
Capacity plate – Attached and Information Matches Model, Serial Number and Attachments		
Seat Belt – Functioning Smoothly		
Hood Latch – Adjusted and Securely Fastened		
Brake Fluid – Check Level		
Engine On Checks – investigate unusual noises immediately	OK	Maintenance
Accelerator or Direction Control Pedal – Functioning Smoothly		
Service Brake – Functioning Smoothly		
Parking Brake – Functioning Smoothly		
Steering Operation – Functioning Smoothly		
Drive Control – Forward/Reverse – Functioning Smoothly		
Tilt Control – Forward and Back – Functioning Smoothly		
Hoist and Lowering Control – Functioning Smoothly		
Attachment Control – Operation		
Horn - Functioning		
Lights and Alarms - Functioning		
Cab (if equipped) – Heater, Defroster, Wipers - Functioning		
Gauges: Ammeter, Engine Oil Pressure, Hour Meter Functioning		
Gauges: Fuel Level, Temperature, Instrument Monitors – Functioning		

OPERATOR'S PRE-USE CHECKLIST – Electric Industrial Truck

Date		Operator		Battery Water	
Truck#		Model#		Hydraulic Oil	
Department		Serial#			
Shift		Hour Meter		Hoist Hour Meter Reading	

SAFETY AND OPERATIONAL CHECKS (PRIOR TO EACH SHIFT)

Have a **qualified** mechanic correct all problems.

Motor Off Checks	OK	Maintenance
Leaks – Hydraulic Oil, Battery		
Tires – Condition and Pressure		
Forks, Top Clip Retaining Pin and Heel -- Condition		
Load Backrest Extension – Attached		
Hydraulic Hoses, Mast Chains, Cables & Stops – Check Visually		
Finger Guards – Attached		
Overhead Guard – Attached		
Safety Warnings – Attached (Refer to Parts Manual for Location)		
Battery – Check Water/Electrolyte Level and Charge		
Hydraulic Fluid Level – Check Dipstick		
Transmission Fluid Level – Check Dipstick		
Operator's Manual in Container		
Capacity Plate Attached – Information Matches Model, Serial Number and Attachments		
Battery Restraint System – Adjust and Fasten		
Operator Protection Sitdown Truck - Seat Belt – Functioning Smoothly Man-up Truck – Fall protection/Restraining means - Functioning		
Brake Fluid – Check level		
Motor On Checks (investigate unusual noises immediately)	OK	Maintenance
Accelerator Linkage – Functioning Smoothly		
Parking Brake – Functioning Smoothly		
Service Brake – Functioning Smoothly		
Steering Operation – Functioning Smoothly		
Drive Control – Forward/Reverse – Functioning Smoothly		
Tilt Control – Forward and Back – Functioning Smoothly		
Hoist and Lowering Control – Functioning Smoothly		
Attachment Control – Operation		
Horn – Functioning		
Lights & Alarms (where present) – Functioning		
Hour Meter – Functioning		
Battery Discharge Indicator – Functioning		
Instrument Monitors – Functioning		

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OPERATOR'S PRE-USE CHECKLIST – Electric Industrial Truck

Date		Operator		Battery Water	
Truck#		Model#		Hydraulic Oil	
Department		Serial#			
Shift		Hour Meter		Hoist Hour Meter Reading	

SAFETY & OPERATIONAL CHECKS (Prior to each shift) - Have a **qualified** mechanic correct all problems.

Motor Off Checks	**OK**	**Maintenance**
Leaks – Hydraulic Oil, Battery		
Tires – Condition and Pressure		
Forks, Top Clip Retaining Pin and Heel -- Condition		
Load Backrest Extension – Attached		
Hydraulic Hoses, Mast Chains, Cables & Stops – Check Visually		
Finger Guards – Attached		
Overhead Guard – Attached		
Safety Warnings – Attached (Refer to Parts Manual for Location)		
Battery – Check Water/Electrolyte Level and Charge		
Hydraulic Fluid Level – Check Dipstick		
Transmission Fluid Level – Check Dipstick		
Operator's Manual in Container		
Capacity Plate Attached – Information Matches Model, Serial Number and Attachments		
Battery Restraint System – Adjust and Fasten		
Operator Protection Sitdown Truck - Seat Belt – Functioning Smoothly Man-up Truck – Fall protection/Restraining means - Functioning		
Brake Fluid – Check level		
Motor On Checks (investigate unusual noises immediately)	**OK**	**Maintenance**
Accelerator Linkage – Functioning Smoothly		
Parking Brake – Functioning Smoothly		
Service Brake – Functioning Smoothly		
Steering Operation – Functioning Smoothly		
Drive Control – Forward/Reverse – Functioning Smoothly		
Tilt Control – Forward and Back – Functioning Smoothly		
Hoist and Lowering Control – Functioning Smoothly		
Attachment Control – Operation		
Horn – Functioning		
Lights & Alarms (where present) – Functioning		
Hour Meter – Functioning		
Battery Discharge Indicator – Functioning		
Instrument Monitors – Functioning		

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Legal References:

CRANE INSPECTION AND MAINTENANCE

LOCATION: _____ DATE: _____

CAPACITY: _____ SPAN: _____ TYPE: _____

MFG. SER. NO.: _____ PLANT ID NO.: _____

	COMPONENT & LOCATION			CONDITION						CORRECTIVE NOTES
LOCATION	COMPONENT	FREQUENT	PERIODIC	OKAY	ADJUST	REPAIR	REPLACE	LUBRICATE	CLEAN	DESCRIBE, INITIAL, AND DATE WHEN CORRECTED
BRIDGE/MONORAIL	MOTOR		O							
	BRAKE & HYDRAULICS	O								
	CONTROL PANELS		O							
	CONTROL OPERATION	O								
	RESISTORS		O							
	LIGHTS	O								
	TROLLEY CONDUCTORS		O							
	RUNWAY COLLECTORS	O								
	REDUCER	O								
	COUPLINGS	O								
	LINE SHAFT BEARINGS	O								
	WHEELS	O								
	WHEEL GEARING	O								
	WHEEL BEARINGS	O								
	GIRDER CONNECTIONS		O							
	ALIGN. & TRACKING		O							
	TROL. RAILS & STOPS		O							
	GUARDS & COVERS	O								
	BUMPERS		O							
	RAIL SWEEPS		O							

NOTE: IF NOT APPLICABLE DRAW A LINE THROUGH THE ITEM.

	COMPONENT & LOCATION			CONDITION						CORRECTIVE NOTES
LOCATION	COMPONENT	FREQUENT	PERIODIC	OKAY	ADJUST	REPAIR	REPLACE	LUBRICATE	CLEAN	DESCRIBE, INITIAL, AND DATE WHEN CORRECTED
CAB	MASTER SWITCHES	O								
	MAINLINE DISCONNECT	O								
	WARNING DEVICE									
	FIRE EXTINGUISHER	O								
MAIN HOIST	MOTOR		O							
	HOLDING BRAKE	O								
	ELEC. CONTROL BRAKE	O								
	CONTROL PANELS		O							
	CONTROL OPERATION	O								
	RESISTORS		O							
	UPPER LIMIT SWITCH	O								
	MECH. LOAD BRAKE	O								
	REDUCER	O								
	COUPLINGS	O								
	UPPER SHEAVES		O							
	ROPE DRUM		O							
	* WIRE ROPE	O								
	BOTTOM BLOCK	O								
	HOOK & LATCH	INSPECT IN ACCORDANCE WITH FORM BELOW								
	* DENOTES: WIRE ROPE MUST HAVE AT LEAST TWO WRAPS OF WIRE ROPE ON THE DRUM.									
AUXILARY HOIST	MOTOR		O							
	HOLDING BRAKE	O								
	ELEC. CONTROL BRAKE	O								
	CONTROL PANELS		O							
	CONTROL OPERATION	O								
	RESISTORS		O							
	UPPER LIMIT SWITCH	O								
	MECH. LOAD BRAKE	O								
	REDUCER	O								

NOTE: IF NOT APPLICABLE DRAW A LINE THROUGH THE ITEM.

	COMPONENT & LOCATION			CONDITION						CORRECTIVE NOTES
LOCATION	COMPONENT	FREQUENY	PERIODIC	OKAY	ADJUST	REPAIR	REPLACE	LUBRICATE	CLEAN	DESCRIBE, INITIAL, AND DATE WHEN CORRECTED
AUXILIRAY HOIST (CONT.)	COUPLINGS	O								
	UPPER SHEAVES		O							
	ROPE DRUM		O							
	* WIRE ROPE	O								
	BOTTOM BLOCK	O								
	HOOK & LATCH	INSPECT IN ACCORDANCE WITH FORM BELOW								
	* DENOTES: WIRE ROPE MUST HAVE AT LEAST TWO WRAPS OF WIRE ROPE ON THE DRUM.									
TROLLEY	MOTOR		O							
	BRAKE	O								
	CONTROL PANELS		O							
	CONTROL OPERATION	O								
	RESISTORS		O							
	TROLLEY COLLECTORS	O								
	REDUCER	O								
	COUPLINGS	O								
	WHEELS	O								
	WHEEL GEARING	O								
	WHEEL BEARINGS	O								
	BUMPERS		O							
	RAIL SWEEPS		O							

NOTE: IF NOT APPLICABLE DRAW A LINE THROUGH THE ITEM.

	COMPONENT & LOCATION			CONDITION						CORRECTIVE NOTES
LOCATION	COMPONENT	FREQUENY	PERIODIC	OKAY	ADJUST	REPAIR	REPLACE	LUBRICATE	CLEAN	DESCRIBE, INITIAL, AND DATE WHEN CORRECTED
MISCELLANEOUS	GEN. COND. & HSKPG.	O								
	RUNWAY RAILS - SPAN		O							
	RUNWAY RAILS - JOINTS		O							
	RUNWAY RAILS - WEAR		O							
	MAIN CONDUCTORS		O							
	PUSH-BUTTON STATION	O								
	CABLE REELS	O								
	GRABS&ATTACHMENTS	O								
	CAP. & WARN. SIGNS	O								
	WIND ANCHORS	O								
	RATED LOAD MARKED/ EACH SIDE	O								
	PUSH BUTTON CLEARLY & LEGIBLY MARKED	O								

REMARKS: Inspect in accordance with manufacturer's recommendations, or in the absence, consult the applicable ANSI Standard for the crane and ANSI B30.10 Standard for Hooks.

INSPECTION FREQUENCY

NORMAL USE	HEAVY USE	SEVERE USE	
FREQUENT	MONTHLY	WEEKLY - MONTHLY	DAILY-WEEKLY
PERIODIC	YEARLY	SEMIANNUALLY	QUARTERLY

COMMENTS:

INSPECTOR/REVIEWER:

ELECTRICAL INSPECTOR: _____

CRANE INSPECTOR: _____

MAINTENANCE FOREMAN: _____

NOTE: IF NOT APPLICABLE DRAW A LINE THROUGH THE ITEM.

HOIST INSPECTION SCHEDULE AND MAINTENANCE REPORT
FOR UNDERHUNG – HAND CHAIN OPERATED

LOCATION: _____ DATE: _____

CAPACITY: _____ TYPE: _____

MFG. SER. NO.: _____ PLANT ID NO.: _____

	COMPONENT & LOCATION			CONDITION						CORRECTIVE NOTES
LOCATION	COMPONENT	FREQUENY	PERIODIC	OKAY	ADJUST	REPAIR	REPLACE	LUBRICATE	CLEAN	DESCRIBE, INITIAL, AND DATE WHEN CORRECTED
OPERATING MECHANISM	VISUAL	O								
	GEARS		O							
	BEARINGS		O							
	ROLLERS		O							
	LOCKING/CLAMPING DEVICES		O							
	PAWLS		O							
	PAWL SPRINGS (BRAKE MECH.)		O							
	FRICTION BRAKE		O							
	FRICTION DISCS		O							
	PINONS		O							
	SHEAVES		O							
	CAM OR RATCHET		O							
	ADJUSTMENTS		O							
	UNUSUAL SOUNDS	O								
	LOAD SPROCKETS		O							
	IDLER SPROCKETS		O							
	HAND CHAIN WHEELS		O							
CHAIN	CLEAN	O								
	LUBRICATED	O								
	DEFECTS	O								
	STRETCHING		O							
	REEVING	O								
	ATTACHMENTS		O							

LOCATION	COMPONENT	FREQUENCY	PERIODIC	OKAY	ADJUST	REPAIR	REPLACE	LUBRICATE	CLEAN	DESCRIBE, INITIAL, AND DATE WHEN CORRECTED
MISCELLANEOUS	LOAD BLOCK		O							
	SUSPENSION HOUSING		O							
	CLEVISES		O							
	YOKES		O							
	SUSPENSION BOLTS		O							
	SUPPORTING STRUCT.		O							
	TROLLEY (IF USED)		O							
	CAP. & WARNING SIGNS		O							
	BOLTS, NUTS & RIVETS		O							
	RATED LOAD MARKED/ EACH SIDE	O								
	PUSH BUTTON CLEARLY & LEGIBLY MARKED	O								
	HOOK & LATCH	INSPECT IN ACCORDANCE WITH ANSI B30.10								

REMARKS:

INSPECTION FREQUENCY

NORMAL USE	HEAVY USE	SEVERE USE	
FREQUENT	MONTHLY	WEEKLY - MONTHLY	DAILY-WEEKLY
PERIODIC	YEARLY	SEMIANNUALLY	QUARTERLY

COMMENTS:

INSPECTOR/REVIEWER:

HOIST INSPECTOR: _____

MAINTENANCE FOREMAN: _____

NOTE: IF NOT APPLICABLE DRAW A LINE THROUGH THE ITEM.

HOIST INSPECTION AND MAINTENANCE FORM
FOR UNDERHUNG -ELECTRIC OR AIR-POWERED HOIST

LOCATION: _____ DATE: _____

CAPACITY: _____ TYPE: _____

MFG. SER. NO.: _____ PLANT ID NO.: _____

	COMPONENT & LOCATION			CONDITION						CORRECTIVE NOTES
LOCATION	COMPONENT	FREQUENY	PERIODIC	OKAY	ADJUST	REPAIR	REPLACE	LUBRICATE	CLEAN	DESCRIBE, INITIAL, AND DATE WHEN CORRECTED
IDLER SPROCKETS	GEARS		O							
	BEARINGS		O							
	LOCKING/CLAMPING DEVICES		O							
	LIMIT DEVICES	O								
	MOTOR WEAR		O							
	LOAD BRAKE		O							
	ELECTRIC APPARATUS (IF ANY)		O							
	CONTROLLER CON-TACTS (IF ANY)		O							
	SHEAVES		O							
	ADJUSTMENTS		O							
	UNUSUAL SOUNDS	O								
	LOAD SPROCKETS		O							
	IDLER SPROCKETS		O							

	COMPONENT & LOCATION			CONDITION						CORRECTIVE NOTES
LOCATION	COMPONENT	FREQUENY	PERIODIC	OKAY	ADJUST	REPAIR	REPLACE	LUBRICATE	CLEAN	DESCRIBE, INITIAL, AND DATE WHEN CORRECTED
CHAIN/WIRE ROPE	CLEAN	O								
	LUBRICATED	O								
	DEFECTS	O								
	STRETCHING		O							
	REEVING	O								
	* ATTACHMENTS		O							
	END CONNECTION		O							
	* DENOTES: IF WIRE ROPE IS USED, MUST HAVE AT LEAST TWO WRAPS OF WIRE ROPE ON THE DRUM.									
MISCELLANEOUS	LOAD BLOCK		O							
	SUSPENSION HOUSING		O							
	CLEVISES		O							
	YOKES		O							
	SUSPENSION BOLTS		O							
	SUPPORTING STRUCT.		O							
	TROLLEY (IF USED)		O							
	CAP. & WARNING SIGNS		O							
	BOLTS, NUTS & RIVETS		O							
	RATED LOAD MARKED/ EACH SIDE	O								
	PUSH BOTTON CLEARLY & LEGIBLY MARKED	O								
	HOOK & LATCH	INSPECT IN ACCORDANCE WITH HOOK FORM								

REMARKS:

INSPECTION FREQUENCY

NORMAL USE	HEAVY USE	SEVERE USE	
FREQUENT	MONTHLY	WEEKLY - MONTHLY	DAILY-WEEKLY
PERIODIC	YEARLY	SEMIANNUALLY	QUARTERLY

COMMENTS:

INSPECTOR/REVIEWER:
HOIST INSPECTOR: _____
ELECTRICAL INSPECTOR: _____
(IF ELECTRIC OPERATED)
MAINTENANCE FOREMAN: _____

NOTE: IF NOT APPLICABLE DRAW A LINE THROUGH THE ITEM.

HOOK INSPECTION SCHEDULE AND MAINTENANCE REPORT FOR HOOKS

CRANE LOCATION: _____ DATE: _____MODEL #: _____

MANUFACTURER: _____ HOIST CAPACITY: _____ SERIAL #:_____

HOOK LOCATION: MAIN: _____ AUXILIARY: _____
(CHECK ONE)

INSPECTION FREQUENCY

	NORMAL USE	HEAVY USE	SEVERE USE
FREQUENT	MONTHLY	WEEKLY-MONTHLY	DAILY-WEEKLY
PERIODIC	YEARLY	SEMIANNUALLY	QUARTERLY

COMPONENT	FREQUENT	PERIODIC	CONDITION						CORRECTIVE NOTES
			OK	ADJUST/REPAIR	REPLACE	LUBRICATE	CLEAN	DESTROY	
BENT OR TWISTED 10 DEGREES FROM THE PLANE	O			NA	NA	NA	NA		
INCREASED THROAT OPENING EXCEEDING 15%	O			NA	NA	NA	NA		
WEAR EXCEEDING 10% OF ORIGINAL DIMENSION	O			NA	NA	NA	NA		
THROAT OPENING EXCEEDING 15% OF ORIGINAL OPENING	O			NA	NA	NA	NA		
LATCH (IF ANY)	O								
HOOKS ARE UNPAINTED	O			NA	NA	NA	NA		
NICKS AND GOUGES	O								
* DISASSEMBLE HOOK		O							
RETAINING NUTS	O								
COLLARS		O							
PINS		O							
WELDS		O							
RIVETS		O							

REMARKS:
* DENOTES: HOOK DISASSEMBLY, INSPECTION AND NONDESTRUCTIVE TEST (IF REQUIRED): HOOK, RETAINING NUT AND BEARINGS, SHALL BE DISASSEMBLED FROM THE BLOCK AND THOROUGHLY INSPECTED. THE HOOK AND RETAINING NUT SHALL BE VISUALLY INSPECTED FOR THREAD WEAR AND CORROSION DAMAGE. CRANE HOOKS SHALL BE DISASSEMBLED AND VISUALLY INSPECTED. IF THE HOOK IS SUBJECTED TO SEVERE SERVICE NONDESTRUCTIVE TEST SHALL BE CONDUCTED AT LEAST ANNUALLY. BLOCK BEARING PLATE SHALL BE VISUALLY INSPECTED FOR CRACKS, WEAR, OR OTHER DAMAGE. BEARINGS SHALL BE INSPECTED FOR UNUSUAL WEAR AND FREE ROTATION. ALL COMPONENTS SHALL BE LUBRICATED AS REQUIRED DURING ASSEMBLY. WHEN A NONDESTRUCTIVE TEST IS PERFORMED THE ENTIRE HOOK AND RETAINING NUT SHALL BE NONDESTRUCTIVELY TESTED FOR STRUCTURAL DEFECTS.

NONDESTRUCTIVE TEST PERFORMED: YES OR NO
(CIRCLE ONE)

TYPE OF NONDESTRUCTIVE TEST PERFORMED (CHECK ONE):

_____ DYE PENETRANT TESTING

_____ MAGNETIC PARTICLE TESTING

_____ RADIOGRAPHY (X-RAY)

_____ ULTRASONIC TESTING

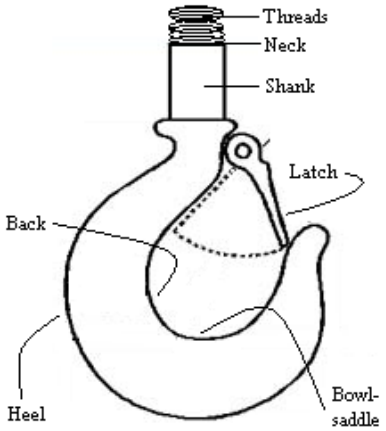
_____ OTHER: _____

NOTE: ATTACH COPY OF NONDESTRUCTIVE TEST IF PERFORMED.

HOOK INSPECTOR: _____

MAINTENANCE FOREMAN: _____

MEASUREMENTS

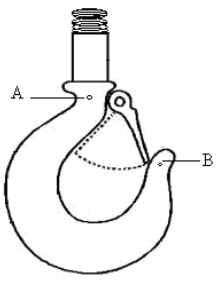


SHANK HOOK

HOOK POSITIONS	SHANK	BACK/HEEL	BOWL-SADDLE	*THROAT
ORIGINAL DIAMETER				
EXISTING DIAMETER				
PERCENT OF CHANGE				

* DENOTES:

MARK HOOK AS NOTED ON THE RIGHT WITH TWO TRAM MARKS. MEASURE BETWEEN THE TWO POINTS TO DETERMINE IF THE THROAT OPENING HAS INCREASED.



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RESPIRATORY PROTECTION

I. INTRODUCTION

Respirators are devices that protect workers from inhaling harmful substances. These substances can be in the form of airborne vapors, gases, dust, fogs, fumes, mists, smokes, or sprays. Some respirators also ensure that workers do not breathe air that contains dangerously low levels of oxygen. Respirators should be used when suitable engineering controls do not reduce employee exposure to air contaminants to safe levels or when they are required by the supervisor. Some employees may request to wear respirators to protect themselves against workplace air contaminants.

This regulation applies to all employees who wear either tight-fitting (half or full-face) respirators or dust-mask respirators in the workplace. Firefighters who use Self-Contained Breathing Apparatus (SCBA) and emergency escape respirators shall refer to their department procedures for proper care and use. Employees, except those designated and trained in emergency rescue services, shall not enter immediately dangerous to life and health atmospheres (see definition below).

All respirators used in the workplace shall be National Institute of Occupational Safety and Health (NIOSH) certified.

II. DEFINITIONS

A. **Tight-fitting facepiece:** a respiratory inlet covering that removes contaminants from the air and forms a complete seal with the face, usually with a molded plastic facepiece. A tight-fitting respirator may be half face or full face and have replaceable cartridges.

B. **Filtering facepiece (dust mask):** a negative pressure particulate respirator with a filter as an integral part of the facepiece or with the entire facepiece composed of the filtering medium.

C. **Immediately Dangerous to Life and Health (IDLH):** means an atmosphere that poses an immediate threat to life, would cause irreversible adverse health effects, or would impair an individual's ability to escape from a dangerous atmosphere.

III. SELECTION OF RESPIRATORS

Supervisors are responsible for evaluating job tasks to determine if and what type of respiratory protection may be necessary. Risk and Safety Services is available, upon request, to assess job tasks and assist Supervisors with the selection of respirators.

Respirators may be necessary if:

A. Employees work in situations where the level of oxygen is insufficient, or potentially insufficient;

B. Employees are potentially exposed to harmful levels of hazardous gases or vapors; or

C. Employees are exposed to other potential respiratory hazards, such as dust, mists, fumes, sprays, and other airborne particulates.

IV. REQUIRED MEDICAL EVALUATIONS

If it is determined that a tight-fitting respirator is necessary for the work performed, each affected employee shall complete the necessary portions of a Respirator Medical Evaluation Questionnaire (Exhibit 6.01pp). The questionnaire is used to determine if the employee is physically able to perform work and use the equipment selected. After completing the questionnaire, the employee shall drop off or mail the questionnaire to the City's preferred provider for review. The employee will notify their supervisor and Risk and Safety Services that they have submitted a medical evaluation questionnaire for review. The preferred provider will evaluate the questionnaire and provide Risk and Safety with a medical opinion on the employees' ability to safely wear a tight-fitting respirator. If an employee initially is not cleared to wear a respirator, a follow-up medical examination will be conducted by a health care professional with the City's preferred provider that includes any tests, consultation, or diagnostic procedures that are deemed necessary to make a final determination of whether or not the employee can safely wear a respirator in the workplace. It will be the employee's responsibility to schedule the follow-up medical examination. The department will cover the cost of the examination.

V. FIT TESTING

Prior to being permitted to wear a tight-fitting respirator in the workplace all employees must be fit-tested to ensure that the employee has been provided a respirator that is the correct size and shape for their face. After the employee has been approved to wear a tight-fitting respirator by a health care professional, their fit test will be performed. Each fit test will expire one year from the date it was performed and each employee should be responsible for rescheduling additional fit tests if they continue to wear a tight-fitting respirator.

VI. USE, MAINTENANCE, AND CARE OF RESPIRATORS

Respirators only provide protection from respiratory hazards when they are used properly. Each employee who wears a respirator in the workplace shall be responsible for reading, understanding, and abiding by the manufacturer's use, maintenance, and care instructions for each respirator, cartridges, and filters they use.

All respirators shall be stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals. When respirators are put away they shall be stored in a sealed container to prevent deformation of the facepiece and exhalation valve.

Anyone who regularly uses a respirator shall inspect their respirator before each use and during cleaning to ensure they are in good working order. Inspection shall include:

A. Check for proper respirator function;
B. Tightness of connections;
C. Condition of the facepiece, head straps, valves, and cartridges;
D. Condition of elastomeric parts; and
E. Ensure proper seal to face.

If a respirator does not pass an inspection it shall be immediately removed from service and replaced or repaired according to the manufacturer's instructions.

VII. TRAINING

Each employee assigned to wear a tight-fitting respirator will be trained during fit testing appointments on:

A. Why the respirator is necessary and how improper fit, usage, or maintenance can compromise the protective effect of the respirator;
B. What the limitation and capabilities of the respirator are;
C. What the procedures are for maintenance and storage of the respirator;
D. How to recognize medical signs and symptoms that may limit or prevent the effective use of respirator; and
E. The contents of this regulation.

The supervisor will provide any necessary training on worksite-specific procedures for the safe use of respiratory protection (i.e. where to store their respirator, where to obtain new cartridges, or respirator cleaning supplies).

VIII. VOLUNTARY USE OF FILTERING FACEPIECE

When filtering facepieces (dust masks) are used voluntarily, the employee is expected to abide by the following precautions to ensure that the respirator itself does not present a hazard:

A. **Read and heed all instructions** provided by the manufacturer on use, maintenance, cleaning and care, and warnings regarding the respirators limitations;
B. **Choose respirators certified for use** to protect against the contaminant of concern. NIOSH certifies respirators. A label or statement of certification should appear on the respirator or respirator packaging. It will tell the employee what the respirator is designed for and how much it will protect them;
C. **Do not wear your respirator** into atmospheres containing contaminants for which the respirator is not designed to protect against. For example, a respirator designed to filter dust particles will not protect a person against gases, vapors, or very small solid particles of fumes or smoke; and
D. **Keep track of your respirator** to ensure no one else mistakenly uses it.

Employees who voluntarily wear filtering facepieces (dust masks) are not subject to the medical evaluation or fit testing provisions of this program.

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Legal References:	

Respirator Medical Evaluation Questionnaire

INSTRUCTIONS: The information in this questionnaire is confidential and will be used to determine your ability to use and wear a tight-fitting respirator in the workplace, so please keep this in mind when answering these questions. Your supervisor must allow you to fill out this questionnaire during normal working hours, at a time and place that is convenient to you. Do not permit anyone to look at or review your answers. **When completed, drop-off or mail the questionnaire to the address below,** and notify City of Boise Risk and Safety Services that you have submitted a *Respirator Medical Evaluation Questionnaire*. If you would like to contact the health care professional who will review your information, please call **St. Luke's Occupational Health 208-706-7500**.

Mail or deliver questionnaire to: **St. Luke's Occupational Health**
703 Americana Blvd, Suite 130
Boise ID 83702

Your Department:	**Your Division:**	**Your Employee ID#:**

SECTION 1 – Please answer all questions

1. **Today's date:**
2. **Your name:** (Last)_____ (First)_____
3. **Your birthday (mo/day/year)**: (____/____/_____) **Your age** (to the nearest year):
4. **Sex** (circle one): MALE / FEMALE
5. **Your height:** _____ ft ____ in
6. **Your weight:** _____ lbs
7. **Your job title:** _____
8. **Phone number where you can be reached by the health care professional who reviews this questionnaire (include area code): (_____) - _____ - _____**
9. **The best time to call you at this number:**
10. **Has your employer told you how to contact the health care professional who will review this questionnaire?** YES / NO
11. **Check the type of respirator you will use** (you can check more than one category):
    a. Disposable Respirator marked ____ N, ____R, or ____ P (Examples: filter-mask, non-cartridge type only), OR
    b. ____ Other type (Examples: half- or full-face-piece type)
12. **Have you worn a respirator before?** YES / NO. If Yes, what type and when?

_____

_____

SECTION 2 - Please answer questions 1-9, and 10-15 if applicable.

1. **Do you *currently* smoke tobacco, or have you smoked tobacco in the last month?** YES / NO

Name:_____ Date: _____

2. Have you *ever had* any of the following conditions:

a. Seizures (fits): YES / NO
b. Diabetes (sugar disease): YES / NO
c. Allergic reactions that interfere with your breathing: YES / NO
d. Claustrophobia (fear of closed in spaces): YES / NO
e. Trouble smelling odors: YES / NO

3. Have you *ever had* any of the following lung problems:

YES	NO	PROBLEM	YES	NO	PROBLEM
		Asbestosis			Tuberculosis
		Asthma			Silicosis
		Chronic bronchitis			Pneumothorax (collapsed lung)
		Emphysema			Lung cancer
		Pneumonia			Broken ribs
		Any chest injuries or surgeries?			
		Any other lung problem that you've been told about?			

4. Do you *currently* have any of the following symptoms of pulmonary lung illness:

Symptom	YES	NO
Shortness of breath		
Shortness of breath when walking fast on level ground or walking up a slight hill/incline		
Shortness of breath when walking with other people at an ordinary pace on level ground		
Have to stop for breath when walking at your own pace on level ground		
Shortness of breath when washing or dressing yourself		
Shortness of breath that interferes with your job		
Coughing that produces phlegm (thick sputum)		
Coughing that wakes you early in the morning		
Coughing that occurs mostly when you are lying down		
Coughing up blood in the last month		
Wheezing		
Wheezing that interferes with your job		
Chest pain when you breathe deeply		
Any other symptoms that you think may be related to lung problems		

5. Have you *ever had* any of the following cardiovascular or heart problems:

Problem	YES	NO
Heart problem		
Heart attack		
Stroke		
Angina		
Heart failure		
Swelling in your legs or feet (not caused by walking)		
Heart arrhythmia (heart beating irregularly)		
High blood pressure		
Any other heart problem that you've been told about		

6. Have you *ever had* any of the following cardiovascular or heart symptoms:

Symptom	YES	NO
Frequent pain or tightness in your chest		
Pain or tightness in your chest during physical activity		
Pain or tightness in your chest that interferes with your job		
In the past two years, have you noticed your heart skipping or missing a beat		
Heartburn or indigestion that is not related to eating		
Any other symptoms that you think may be related to heart or circulation problems		

7. Do you *currently* take medication for any of the following problems:

Problem	YES	NO
Breathing or lung problems		
Heart trouble		
Blood pressure		
Seizures		

Name:_____ Date: _____

8. If you've used a respirator, have you *ever had* any of the following problems?

Problem	YES	NO
Eye irritation		
Skin allergies or rashes		
Anxiety		
General weakness or fatigue		
Any other problem that interferes with your use of a respirator		

9. Would you like to talk to the health care professional who will review this questionnaire about your answers? YES / NO

If you are going to wear FULL FACE-PIECE RESPIRATORS or SCBAs, please answer questions 10-15. If not, please skip to Section 3.

10. Have you *ever* lost vision in either eye, temporarily or permanently? YES / NO

11. Do you *currently* have any of the following vision problems:

Problem	YES	NO
Wear contact lenses		
Wear glasses		
Color blind		
Any other eye or vision problems		

12. Have you *ever had* an injury to your ears, including a broken eardrum? YES / NO

13. Do you *currently* have any of the following hearing problems:

Problem	YES	NO
Difficulty hearing		
Wear a hearing aid		
Any other hearing or ear problem		

14. Have you *ever had* a back injury? YES / NO

15. Do you *currently* have any of the following musculoskeletal problems:

Problem	YES	NO
Weakness in any of your arms, hands, legs, or feet		
Back pain		
Difficulty fully moving your arms and legs		
Pain or stiffness when you lean forward or backward at the waist		
Difficulty fully moving your head up or down		
Difficulty fully moving your head side to side		
Difficulty bending at your knees		
Difficulty squatting to the ground		
Climbing a flight of stairs or ladder carrying more than 25 lbs.		
Any other muscle or skeletal problem that interferes with using a respirator		

SECTION 3 – Please answer all questions

1. In your present job, are you working at high altitudes (over 5,000ft) or in a place that has lower than normal amounts of oxygen? YES / NO

If YES, do you *ever have* feelings of dizziness, shortness of breath, pounding in your chest or other symptoms when you are working under these conditions? YES / NO

2. At work or at home, have you *ever been* exposed to hazardous solvents, hazardous airborne chemicals (e.g. gases, fumes, or dust) or have you come into skin contact with hazardous chemicals? YES / NO

If YES, name the chemicals if you know them:

_____

_____

Name:_____ Date: _____

3. Have you *ever* worked with any of the materials, or under the conditions, listed below:

Material/Condition	YES	NO
Asbestos		
Silica (e.g. in sandblasting)		
Tungsten/cobalt (e.g. grinding or welding on this material)		
Beryllium		
Aluminum		
Coal (for example, mining)		
Iron		
Tin		
Dusty environments		
Any other hazardous exposures		

If YES, please describe these exposures:

_____

_____

_____

4. Please list any second jobs or side businesses you have:

_____

_____

_____

5. Please list your previous occupations:

_____

_____

_____

6. Please list your current and previous hobbies:

_____

_____

_____

7. Have you *ever* been in the military services? YES / NO

If YES, were you exposed to biological or chemical agents, either in training or combat? YES / NO

8. Have you *ever* worked on a HAZMAT team? YES / NO

9. Other than medications for breathing/lung problems, heart trouble, blood pressure, and seizures mentioned earlier in this questionnaire, are you taking any other medications for any reason (including over-the-counter medications)? YES / NO

If YES, name the medications if you know them:

_____

_____

_____

10. Will you be using any of the following items with your respirator(s):

Item	YES	NO
HEPA Filters		
Canisters		
Cartridges		

11. How often are you expected to use the respirator(s) (mark all answers that apply):

Frequency	Yes	No	Frequency	Yes	No
Escape only (no rescue)			Emergency rescue only		
Less than 2 hours per week			Less than 5 hours per week		
2-4 hours per day			Over 4 hours per day		

Name:_____ Date: _____

12. During the period you are using the respirator(s), your work effort is (please circle the letter):

a. **LIGHT** - less than 200 kcal/hour; sitting while writing, typing, drafting, or performing light assembly work, or standing while operating a drill press or controlling machines)
b. **MODERATE** – 200 – 350 kcal/hour; sitting while nailing or filing; driving a truck or bus in urban traffic; standing while drilling, nailing, performing assembly work, or transferring a moderate load (~35lbs) at truck level; walking on a level surface about 2 mph or down a 5-degree grade about 3 mph; or pushing a wheelbarrow with a heavy load (~100lbs) on a level surface.
c. **HEAVY** – 350kcal/hour; lifting a heavy load (~50lbs) from the floor to your waist or shoulder; working on a loading dock; shoveling; standing while bricklaying or chipping castings; walking up an 8-degree grade about 2 mph; climbing stairs with a heavy load (~50lbs).

13. Will you be wearing protective clothing and/or equipment (other than respirator) when using your respirator? YES / NO **If YES**, please describe this protective clothing and/or equipment:

_____

_____

_____

14. Will you be working under hot conditions (temperature exceeding 77°F)? YES / NO

15. Will you be working under humid conditions? YES / NO

16. Describe the work you will be doing while you're using your respirator(s):

_____

_____

_____

17. Describe any special or hazardous conditions you might encounter when you're using your respirator(s), such as wearing the respirator in a confined space, or in life-threatening gases:

_____

_____

_____

18. Provide the following information, if you know it, for each toxic substance that you'll be exposed to when you're using your respirator(s):

Name of toxic substance	Est. max. exposure level/shift	Duration of exposure/shift

Please list any other toxic substances that you'll be exposed to while using your respirator:

_____

_____

_____

19. Describe any special responsibilities you'll have while using your respirator(s) that may affect the safety and well-being of others (for example rescue, security):

_____

_____

_____

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Legal References:	I.G.S.H.S. 44, 171 I.D.A.P.A. 55-2402 29 C.F.R. 1926.650-652

WORKSITE AND CONSTRUCTION SAFETY

I. INTRODUCTION

The purpose of this regulation is to identify minimum safeguarding practices for pedestrians, motorists, and City employees who may enter work areas, where trenching and excavations or any other construction is occurring. It is not intended to provide guidance or instruction to contractors or vendors working for the City.

Proper work area protection shall be planned to ensure safety of the public, the worker(s), and the equipment. Safeguarding practices may include the use of equipment such as barriers, warning signs, lights, flags, traffic cones, barricade rope, flaggers, or any other necessary control measures to minimize hazards on approaches to work areas, excavations, open holes or equipment in the work area.

II. GENERAL REQUIREMENTS

Each supervisor shall designate at least one employee as the Responsible Person for each work site where construction activities are performed. The Responsible Person shall:

A. Have the technical knowledge and experience necessary to complete the job satisfactorily and safely;
B. Be the person monitoring the construction activity;
C. Be responsible for identifying existing and potential hazards at the work site;
D. Have the authority to take prompt corrective actions, i.e. can stop work until the hazardous situation is corrected; and,
E. Obtain any required permits from appropriate agencies for road or lane closures including trenching and excavation operations.

All employees at the work site are to immediately report existing and potential hazards that they identify to the Responsible Person on-site for correction. The supervisor may designate as many Responsible Persons as they deem necessary for a work site.

III. WORKING IN OR NEAR TRAFFIC

When work must be performed in or near vehicle traffic, employees shall follow applicable temporary traffic control laws. All employees working within a roadway right-of-way shall wear high-visibility safety apparel and other safety related equipment. To determine the appropriate high-visibility apparel, departments are encouraged to contact Risk and Safety Services. Employees designated to control

traffic through flagging shall be trained and certified as necessary to perform flagging operations in Idaho. Supervisors with employees who perform flagging operations should contact Risk and Safety Services to arrange for training.

IV. OVERHEAD LINES

No work shall take place within ten (10) feet of overhead lines until:

A. The utility operating the line near where the work will be performed has been notified; and
B. Safety precautions for the work have been identified and implemented by the Responsible Person and the utility company. Safety precautions shall consider:
    1. Coordination of work schedules;
    2. Identification of temporary mechanical barriers to prevent contact with the lines;
    3. Temporary de-energizing and grounding of the lines; and
    4. Temporary raising or moving of lines.

To prevent accidental contact when work is not anticipated to occur within ten (10) feet of overhead lines, but due to location equipment could potentially contact overhead lines; equipment operators shall use other employees to guide the movement of equipment with hand signals or radio communication.

Metal ladders shall not be used when electric utilities are present.

IV. TRENCHING AND EXCAVATION

An excavation Responsible Person shall be on site for all trenching and excavating. The Responsible Person shall ensure all excavations or trenches are adequately protected against accidental and unauthorized entry. Employees shall not enter any excavation or trench five (5) feet deep or greater until it is appropriately protected from cave-in. If excavations or trenches are anticipated to be twenty (20) feet or greater in depth, the protective system shall be designed by a registered professional engineer. Excavations less than five (5) feet shall still be examined by the Responsible Person to ensure that there are no indications of a potential cave-in, and a protective system shall be used when there is any indication of a potential cave-in. See Exhibit 6.01qq for approved safe methods for protective systems.

A. Underground Utilities
   Regardless of depth, prior to opening an excavation the Responsible Person for the project or their designee shall call Digline at least two (2) business days in advance, to request the locations of underground utilities. If an emergency utility locate situation is necessary, the Responsible Person or designee shall notify Digline as soon as possible to request an emergency locate service. If underground utilities are encountered during the excavation, hand digging shall be performed within two (2) feet of either side of the utility. Utilities left in place during an excavation shall be protected by barricades, shoring, suspension or other means as necessary to protect employees and avoid damage to the utilities. PLEASE NOTE: Location services expire 14 days from the date of the original locate service.

B. Open Trenches and Excavations

Trenches and excavations shall be isolated from public access by a substantial physical barrier (such as guardrails, fences or barricades) and installed prior to the start of the excavation. The public shall be detoured as necessary to prevent accidental entry into the trenching and excavation operation area. When excavations are not backfilled at the end of the work day they shall be appropriately barricaded or covered with trench covers or sheeting. If traffic is anticipated the trench cover shall be strong enough to support the anticipated traffic.

C. Surface Encumbrances
All equipment, materials, supplies, buildings, roadways, trees, utility vaults, boulders, etc. shall be removed or supported as necessary to protect employees working in the excavation.

D. Access and Egress
Each trench or excavation that employees must enter shall be provided with a means of egress, either a ramp or a ladder, for employees to safely enter and exit the excavation. Ramps used for access of employees and equipment shall be designed and installed for the anticipated traffic and loads. Ladders shall:
1. Be located so that workers do not have to travel more than 25 feet laterally to get out of the excavation;
2. Extend 36” above the surface of the excavation; and
3. Be secured to prevent accidental falls.

Metal ladders shall not be used when electric utilities are present. Employees shall never jump or cross over excavations.

E. Other Required Safety Practices
1. Falling Loads: Employees shall not work or walk under raised loads at any time. Employees shall be protected from loads or objects falling from lifting or digging equipment.
2. Mobile Equipment: To prevent vehicles or mobile equipment from falling into an open excavation:
    a. Barricades shall be installed where necessary
    b. If the edge is obstructed from view employees shall use hand or mechanical signals: and
    c. Stop logs should be installed and soil graded away from the excavation.
3. Confined Spaces: A trench may meet the definition of a confined space. Work in a designated confined space shall be performed in accordance with the Confined Space Entry and Operations Regulation.
4. Inspections: The Responsible Person shall conduct and document inspections of excavations, adjacent areas, and protective systems (Exhibit 6.01qq):
    a. When employees can reasonably be anticipated to enter the excavation;
    b. Prior to the start of work *and* as needed throughout the shift;
    c. After every rainstorm or other naturally occurring events that could increase hazards (i.e. snowstorms, windstorms, thaw, earthquakes, any dramatic change in weather, etc.); and
    d. When fissures, tension cracks, sloughing, undercutting, water seepage, bulging at the bottom or other similar conditions are present in or around the excavation.

5. Lifelines: Retractable lifelines shall be worn when employees enter bell-bottom pier holes, deep confined spaces, or other similar hazards.
6. Personal Protective Equipment: At a minimum, employees working on construction sites shall don a hard hat, eye protection and sturdy work boots. See the Personal Protective Equipment regulation for additional details.
7. Controlling Water: If employees are to work in excavations with standing or accumulating water the additional requirements shall be followed:
    a. Special support or shield systems approved by a registered professional engineer are used;
    b. Water removal equipment, such as well pointing, is used and monitored by the Responsible Person;
    c. Safety harnesses and lifelines are worn by employees who enter the excavation;
    d. Employees are immediately removed from the excavation during rainstorms; and
    e. Trenches are inspected by the Responsible Person after each rain and before employees are permitted to re-enter the trench.

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SOIL ANALYSIS, TESTING AND PROTECTIVE SYSTEMS

Because most excavations done by City employees will be conducted in order to repair/replace utilities or equipment (i.e. the soil has been previously disturbed), excavations shall be made to meet the requirements for Type B or Type C soils only, as appropriate.

Type A - Most stable: Clay, silty clay, and hardpan (resists penetration) No soil is Type A if it is fissured, is subject to fissures or vibrations of any type, has previously been disturbed, or has seeping water.

Type B - Medium stability: Silt, sandy loam, medium clay and unstable dry rock, previously disturbed soils unless otherwise classified as Type C; soils that meet the requirements of Type A soil but are fissured or subject to vibration.

Type C - Least stable: Gravel, loamy sand, soft clay, submerged soil or dense, heavy unstable rock, and soil from which water is freely seeping.

Layered geological strata (where soils are configured in layers): The soil must be classified on the basis of the soil classification of the weakest soil layer. Each layer may be classified individually if a more stable layer lies below a less stable layer, i.e. where a Type C soil rests on top of stable rock.

TESTING METHODS

The Responsible Person in charge of the excavation shall be responsible for determining whether the soil is Type B or C. The Responsible Person shall use a visual test and one or more manual tests.

Visual Test

1. In a visual test, the entire excavation site is observed, including the soil adjacent to the site and the soil being excavated. The Responsible Person also checks for any signs of vibration;

2. During the visual test, the Responsible Person should check for crack-line openings along the failure zone indicating tension cracks, look for existing utilities indicating the soil has been previously disturbed, and observe the open side of the excavation for indications of layered geologic structuring;

3. The Responsible Person should also look for signs of bulging, boiling, or sloughing, as well as signs of surface water seeping from the sides of the excavation or from the water table; and

4. The area adjacent to the excavation should be checked for signs of foundations or other intrusions into the failure zone, and the evaluator should check for surcharging and the spoil distance from the edge of the excavation.

Manual Tests

1. Thumb Penetration Test
   Attempt to press the thumb firmly into the soil in question. If the thumb penetrates no further than the length of the nail, it is probably Type B soil. If the thumb penetrates the full length of the thumb, it Type C. It should be noted that the thumb penetration test is the least accurate testing method.

2. Dry Strength Test
   Take a sample of dry soil. If it crumbles freely or with moderate pressure into individual grains it is considered granular (Type C). Dry soil that falls into clumps that subsequently break into smaller clumps (and the smaller clumps can only be broken with difficulty) it is probably clay in combination with gravel, sand, or silt (Type B).

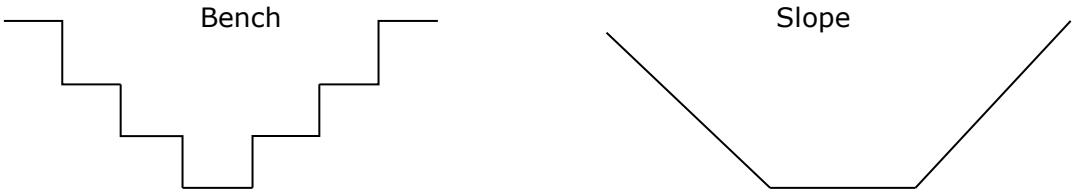
3. Plasticity or Wet Thread Test
   Take a moist sample of the soil. Mold it into a ball and then attempt to roll it into a thin tread approximately 1/8 inch in diameter by two inches in length. If the soil sample does not break when held by one end, it may be considered Type B.

PROTECTIVE SYSTEMS

1. Benching and Sloping
   Excavations shall not be sloped greater than the following angles or rise/run ratios:

Soil Type	Rise/Run Ratio	Slope Angle
Type B	1:1	45 degrees
Type C	1 ½:1	34 degrees

   All benched excavations 20 ft or less in depth shall have a maximum allowable slope of 1:1. Benching in NOT allowed in Type C soil.



2. Shielding or Trench Boxes
   Trench boxes are intended primarily to protect workers from cave-ins and similar incidents. All rented or purchased protective systems shall be used according to the manufacturer's instructions. The Responsible Person shall have the manufactures' tabulated data on site during use. The excavated area between the outside of the trench box and the face of the trench should be as small as possible to prevent the box from shifting if the soil were to slough. The space between the trench boxes and the excavation side shall be backfilled to prevent lateral movement of the box. Shields may not be subjected to loads exceeding those the system was designed to withstand.

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TRENCHING/EXCAVATION DAILY INSPECTION CHECKLIST

RESPONSIBLE PERSON:_____ DATE: _____

USE ONE OR MORE OF THE FOLLOWING: a "check mark" to indicate yes, comment codes listed below, or fill in blank with applicable information or description.

COMMENT CODES

SOIL TYPE:	ROCK, STABLE ROCK, "A" "B" "C"
HYDROSTATIC CONDITIONS:	(M) MOIST (D) DRY (R) RAINSTORM (SA) SATURATED (PS) PARTIAL SATURATION

JOB SITE DESCRIPTION

Location: _____ Area Congested: _____
Right-Of-Way and Clearance OK: _____
Trench/Excavation Depth: _____ Length: _____
Location Of Underground Utilities Verified: _____ Date: _____
Location Of Underground Utilities Marked: _____ Date: _____
Crossing Trench/Excavation: Lines: _____ Road/ Alley: _____
Parallel to Trench/ Lines: _____ Road / Alley: _____ Building(s): _____
Excavation:
Pole Bracing: _____ Overhead Lines: _____ Structural Bracing: _____
Open Date/Time: _____ Job #: _____
Registered Professional Engineer: _____ Reason: _____

TRENCH/EXCAVATION INSPECTION COMMENTS

Soil Type: _____ Times Inspected: _____ _____ _____ _____
Describe any changing conditions, plans, or shoring equipment damage in space below:

_____
_____
_____
_____

EMPLOYEE & PUBLIC SAFETY INSPECTIONS

Ladders:_____ Ramp for Employees:_____ Ramp For Equipment:_____
Emergency Equipment:_____ Air Quality Testing:_____ Water Removal:_____
Lighted Barricades: _____ Barricade Tape: _____ Cones: _____ Fencing: _____
Flaggers: _____ Weekend Protection: _____ Steel Plating: _____
Spoil Pile/Other Material Effectively Removed: _____

PROTECTION SYSTEM SELECTED

Hydraulic Shores (Size): _____ Sheeting Thickness: _____ No.: _____
Horizontal Walers (Size): _____ Timber Shores: _____
Slope: ½:1 _____ ¾:1 _____ 1:1 _____ 1 ½:1 _____
Benching: _____ Unsupported Wall Height: _____

SOIL CONDITION - SOIL TYPE

NOTE: If one manual and visual test for each excavation is not done, soil must be classified as Type "C".

MANUAL TESTS:

COHESIVE SOILS - RECORD RESULTS: _____
_____
_____

GRANULAR SOILS - RECORD RESULTS: _____
_____
_____

VISUAL TESTS:

FISSURES -TRENCH SIDE (CRACKS OR SPALLS): ..... _____
FISSURES -TOP OF TRENCH (CRACKS OR OPENINGS): ..... _____
SOIL LAYERS SLOPE INTO TRENCH 4:1 OR STEEPER: ..... _____
ROCK LAYER ABOVE SOIL LAYER ..... _____
SEEPAGE INTO TRENCH FROM SIDES _____, SURFACE _____, BOTTOM ..... _____
VIBRATION SOURCES THAT MAY EFFECT TRENCH STABILITY. ..... _____
PRIOR OF EXISTING EXCAVATION CROSSING TRENCH: _____ PARALLEL ..... _____

ADDITIONAL COMMENTS/NOTES:

_____
_____
_____
_____
_____
_____
_____
_____
_____
_____

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Revised:	
Legal References:	29 C.F.R. 1910.1000

WORKPLACE HYGIENE AND MANAGEMENT

I. INTRODUCTION

During the course and scope of work, some employees may come into contact with hazardous substances. The purpose of this regulation is to minimize and where possible, prevent occupational exposure to those hazardous substances through the anticipation, recognition, evaluation and control of potential health hazards employees may be exposed to. This regulation will also identify means to manage hazardous substances and hazardous wastes that departments may create or encounter. Employees should also refer to other applicable safety regulations.

II. EXPOSURE ASSESSMENT

Risk and Safety Services is available upon request to assist departments with anticipating, identifying, and evaluating hazardous substances in the workplace. When hazardous substances such as asbestos, heavy metals, formaldehyde, etc. are present in the workplace, supervisors shall notify Risk and Safety Services for evaluation of exposure. Risk and Safety Services will perform and coordinate employee exposure assessments to hazardous substances in the work place, when necessary.

Following the results of an exposure assessment, Risk and Safety Services will consult with departments, supervisors, and employees on the outcome of the evaluation and work with departments to identify appropriate control measures to minimize employee exposure to hazardous substances. For some hazardous substances used in the workplace, additional programs may be necessary.

III. GOOD HYGIENE PRACTICES

To prevent unintentional contamination or exposure to hazardous substances employees are expected to:

A. Never touch, smell or taste chemicals;
B. Avoid eating, drinking, gum chewing, applying cosmetics, and handling contact lenses in laboratories or where hazardous substances are located;
C. Avoid storing, handling, preparing, or consuming food or beverages in areas that could be contaminated with hazardous substances (e.g. a specimen refrigerator);
D. Clean areas of skin (hands, arms, etc.) that are exposed to harmful substances or soiled from routine work;
E. Never use mouth suctioning for pipetting or starting a siphon;
F. Confine loose hair and clothing and wear closed-toed shoes;
G. Maintain good housekeeping of their work areas; and
H. Avoid wearing contaminated personal protective equipment (PPE) outside of where the work that necessitates its use is being performed (e.g. remove

lab coats before sitting down to write a report, or remove nitrile gloves used to protect a worker at a parts washer before opening a door). Remove significantly contaminated PPE immediately and don new PPE.

Risk and Safety Services is available to consult with departments on hygiene practices specific to the business they conduct.

IV. ASBESTOS

Immediately contact Public Works Environmental and Risk and Safety Services after any accidental, suspected, or known asbestos release episode. This may include presence of debris on the floor, water or physical damage to asbestos-containing material or any other evidence of possible fiber release.

IV. HAZARDOUS MATERIAL STORAGE AND DISPOSAL

This section is meant to provide guidelines to assist City departments and facilities manage their hazardous materials and hazardous waste safely and properly.

A hazardous material can be any item or agent (biological, chemical, and physical) which has the potential to cause harm to humans, animals or the environment, either by itself or through interaction with other factors. A hazardous waste is any hazardous material that has reached the end of its useful life, it will not be used or it will be discarded. Examples of hazardous waste include most paint products; solvents; aerosols; batteries (except alkaline); many cleaning products; lawn care products; pesticides; fluorescent light bulbs; petroleum products; old thermometers; and old computer monitors or televisions.

All City departments are responsible for collecting any hazardous wastes they produce and arranging for their proper disposal. Hazardous wastes shall not be thrown in the garbage, washed down the drain or released into the environment. Hazardous wastes shall not be stockpiled; arrangements for proper disposal should be made within two weeks from the time the waste was generated. Each facility should limit the creation of hazardous waste by purchasing bio-degradable or non-hazardous products, and avoid using products containing extremely hazardous chemicals, when possible.

A. Hazardous Material or Waste Storage

Facility managers or supervisors should ensure that all hazardous materials and wastes are stored in their original containers if possible, and when possible in containers not larger than five gallons. All containers, including secondary containers, shall be labeled properly (See the Chemical Hazard Communication Regulation for additional details and requirements). Waste containers should be labeled with the date and a description of the waste. Facilities should keep an inventory of the waste and never accumulate more than 220 pounds at any given time. Containers that are used for storage should be in good condition, sturdy, and stored with their lids closed. Facilities should designate specific locations for storage of hazardous material or waste. Ideal locations are low traffic areas, away from heat/ignition sources, away from storm drains or bodies of water, and inside or under a shelter of some type. These locations should not allow the material or waste to spoil or freeze. For containers that are 55 gallons or

more, secondary containment should be utilized. Facilities should avoid overstocking hazardous material.

B. Items Containing Mercury, i.e. Fluorescent Light Bulbs
Many City facilities use light bulbs (compact and tubes) and other items which contain a small amount of mercury. These bulbs are a Universal Hazardous Waste and a warning sign shall be posted where they are stored. If a fluorescent bulb breaks, leave the area, do not let others enter, and contact the Public Works Environmental immediately for proper clean up procedures.

Departments should refer to manufacturer's recommendations for proper disposal of light bulbs.

C. Hazardous Material or Waste Spills
To prepare for workplace spills of hazards materials or wastes, have a properly stocked spill kit available. The type of spill kit a facility needs depends on the amount and type of hazardous materials located at the facility. Contact Public Works Environmental for assistance with selection of a spill kit. Employees should only respond to spills such as used oil or other petroleum products, coolants or solvents. Spills of hazardous material beyond the training and capabilities of the employee should not be cleaned up by employees. Employees should contact 9-1-1 under these circumstances.

D. Disposal of Hazardous Materials or Waste
Most wastes can be taken to the hazardous Waste Facility at the Ada County Landfill for proper disposal or recycling. Upon request, Public Works Environmental is available to assist departments with disposal of any hazardous waste from their facilities. If a supervisor chooses to have an employee transport the waste to the Hazardous Waste Facility, the employee shall ensure that the waste is secure in the vehicle and cannot spill. Prior to transporting the waste, notify Public Works Environmental of the inventory to be disposed of. Employees should not transport hazardous waste or materials if they feel it is not safe to do so.

E. Structure Renovation and Demolition
Building renovation and demolition can create hazardous wastes such as asbestos, lead-based paint, and PCB light ballasts, which need to be removed prior to commencing work. Employees shall contact Public Works Environmental prior to building demolition or renovation.

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INTERNAL HAZARDOUS WASTE MANAGEMENT STANDARD OPERATING PROCEDURES (SOP)

I. INTRODUCTION

This standard operating procedure (SOP) supports the City of Boise's Workplace Hygiene and Management Regulation 6.01r, section IV titled Hazardous Material Storage and Disposal. It is intended to provide clear step-by-step guidance to facilitate compliance with all applicable federal, state, and local regulations.

All waste that meets the definition in the Resource Conservation and Recovery Act (RCRA) of hazardous waste, universal waste, or is regulated under the Toxic Substances Control Act (TSCA) (excluding asbestos and lead-based paint which are addressed in separate management plans) shall be collected, processed, and disposed of in accordance with the procedures outlined in this document. However, this SOP does not replace federal and state hazardous waste regulations and those actual regulations should be consulted when needed. The disposal of hazardous waste including universal waste is regulated by the Idaho Department of Environmental Quality. Management of TSCA waste is regulated by Region 10 of the Environmental Protection Agency.

This procedure applies to all waste disposal activities by staff in all city departments and facilities of the City of Boise. Regardless of whether a department utilizes the services of the Public Works Hazardous Materials Coordinator or not, all hazardous/universal and TSCA wastes generated at city facilities must be managed in compliance with all local, state, and federal regulations pertaining to hazardous/universal/TSCA waste management. Fire department personnel shall refer to their internal procedures for the handling and disposal of hazardous waste.

II. RESPONSIBILITIES

Improper handling and disposal of regulated waste can have significant environmental and regulatory impacts. Staff should work to minimize the generation of waste to the greatest extent practical and ensure compliance with applicable local, state, and federal regulations for proper waste management/disposal.

A. Facility/Department

Each city facility/department is responsible for ensuring all hazardous materials/wastes and nonhazardous materials/wastes are managed and disposed of in a manner which minimizes the risk to health, safety, and the environment.

Each city facility/department is responsible for determining whether the materials used at their facility/facilities are considered hazardous waste(s)and/or a TSCA waste when identified for disposal. Safety Data Sheets (SDSs) can be used to assist in determining whether a material would be considered a hazardous waste. The city facility/department can also contact the Public Works Hazardous Materials Coordinator and request assistance in identifying materials in use at their facility/facilities that will require management as a hazardous and/or TSCA waste.

B. Managers and Supervisors

Facility/department managers and supervisors are responsible for ensuring their staff's compliance with this procedure and that wastes are disposed properly in accordance with all applicable local, state, and federal regulations. Facility management shall ensure their personnel are trained in the proper storage and handling of materials identified as hazardous and provide training on how unwanted materials and/or disposal of hazardous wastes are to be handled. Facility management can request training assistance from the Hazardous Materials Coordinator in Public Works, or Risk and Safety in Human Resources. Managers and supervisor should work with staff to designate an indoor area (protected from weather and in compliance with regulations) for hazardous waste awaiting collection for proper disposal and designate a staff member as Waste Management Point-of-Contact (POC) for interaction with the Public Works Hazardous Materials Coordinator for disposal of wastes from the facility.

C. Facility/Department Staff

Facility/department staff are expected to follow correct procedures for hazardous waste management and disposal in accordance with this SOP. Staff are responsible for determining the type of waste that requires disposal or requesting assistance from the Hazardous Materials Coordinator in making this determination. Staff are responsible for following this policy to ensure wastes are disposed properly and in accordance with all applicable local, state, and federal regulations. Staff shall ensure materials are in transportation-worthy containers that will not result in spills during transport. Staff are also responsible for reporting instances of leakage or other container conditions that would require special handling for transportation to disposal facility. Each facility/department staff should have a documented Discontinued In-Process

Chemical procedure to ensure unused containers of discontinued in-process chemicals are tracked onsite prior to return to distributor. For example, Public Works Operations staff should follow the procedures outlined in the **Public Works Operations Asset Management Policy**.

It is the responsibility of the facility staff, working in conjunction with supervisors and facility management, to determine whether a product or chemical housed/used at their facility is no longer needed (e.g., discontinued use, unusable, change in process etc...). Using facility/staff knowledge, the appropriate Safety Data Sheet (SDS) would be found on the city's SDS management system, internet or requested from the appropriate distributor. Using the SDS as well as working with the Public Works Hazardous Materials Coordinator, staff will ensure that wastes are disposed properly and in compliance with regulations.

D. Public Works Hazardous Materials Coordinator

The Public Works Hazardous Materials Coordinator is responsible for assisting facility staff that request support with the proper disposal of hazardous wastes in accordance with this procedure as well as providing support with hazardous materials management at city facilities, as requested. The Public Works Hazardous Materials Coordinator is responsible for tracking city facility hazardous waste generation information and generator status, and staying current with all pertinent federal, state, and local regulations pertaining to hazardous waste. The Public Works Hazardous Materials Coordinator is also responsible for working with Staff to keep this policy up to date and revised as needed.

III. DEFINITIONS

A. Resource Conservation Recovery Act (RCRA)

The term RCRA is often used interchangeably to refer to the law, regulations and EPA policy and guidance. The law describes the waste management program mandated by Congress that gave EPA authority to develop the RCRA program. EPA regulations carry out the congressional intent by providing explicit, legally enforceable requirements for waste management. Hazardous waste is regulated under Subtitle C of RCRA. EPA has developed a comprehensive program to ensure that hazardous waste is managed safely from the moment it is generated to its final disposal (cradle-to-grave). Under Subtitle C, EPA may authorize states to implement key provisions of hazardous waste requirements in lieu of the federal government. Idaho Department of Environmental Quality has petitioned for, and received, primacy for RCRA oversight in the State of Idaho. If a state program does not exist, EPA directly implements the hazardous waste requirements in that state. Subtitle C regulations set criteria for hazardous waste generators, transporters,

and treatment, storage and disposal facilities. This includes permitting requirements, enforcement and corrective action or cleanup.

1. Hazardous Waste

   Hazardous waste is defined within RCRA as a federal solid waste that is either (1) from specific sources listed by EPA within RCRA (the F-list, K-list, P-list, U-list); (2) exhibits one or more of the four hazardous waste characteristics (ignitability, corrosivity, reactivity, or toxicity) defined within RCRA; or (3) is mixed with or derived-from certain listed or characteristic hazardous waste. Hazardous wastes can be liquids, solids, or contained gases. They can be the by-products of manufacturing processes, discarded used materials, or discarded unused commercial products.

2. RCRA Generator Status

   a. Very Small Quantity Generators (VSQGs) [formerly known as Conditionally Exempt Small Quantity Generator] generate 100 kilograms (220 pounds) or less per month of hazardous waste or one kilogram (2.2 pounds) or less per month of acutely hazardous waste. Requirements include the following: must identify all the hazardous waste generated; may not accumulate more than 1,000 kilograms (2200 pounds) of hazardous waste at any time; and must ensure that hazardous waste is delivered to a person or facility who is authorized to manage it.
   b. Small Quantity Generators (SQGs) generate more than 100 kilograms (220 pounds), but less than 1,000 kilograms (2200 pounds) of hazardous waste per month. SQGs may accumulate hazardous waste on-site for 180 days without a permit (or 270 days if shipping a distance greater than 200 miles). The quantity of hazardous on-site waste must never exceed 6,000 kilograms. SQGs must comply with the hazardous waste manifest requirements at 40 CFR part 262, subpart B and the pre-transport requirements at 40 CFR §§262.30 through 262.33. SQGs must manage hazardous waste in tanks or containers subject to the requirements found at 40 CFR §§262.16(b)(2) and (3). SQGs must comply with the preparedness and prevention requirements at 40 CFR §§262.16(b)(8) and (9), and the land disposal restriction requirements at 40 CFR part 268. There must always be at least one employee available to respond to an emergency. This employee is the emergency coordinator responsible for coordinating all emergency response measures. SQGs are not required to have detailed, written contingency plans.
   c. Large Quantity Generators (LQGs) generate more than 1,000 kilograms (2200 pounds) of hazardous waste per month and may only accumulate waste onsite for 90 days. Certain exceptions apply. LQGs do not have a limit on the amount of hazardous waste accumulated

onsite. Hazardous waste generated must be managed in tanks, containers, drip pads or containment buildings subject to the requirements found at 40 CFR §§ 262.17(a)(1)-(4) and, specifically for drip pads and containment buildings, 40 CFR part 265, subparts W and DD, respectively. LQGs must comply with the hazardous waste manifest requirements at 40 CFR part 262 subpart B and the pre-transport requirements at 40 CFR §§262.30 through 262.33. LQGs must comply with the preparedness, prevention and emergency procedure requirements at 40 CFR part 262 subpart M and the land disposal restriction requirements at 40 CFR part 268. LQGs must submit a biennial hazardous waste report.

B. Universal Waste Rule. This rule streamlines the hazardous waste management standards for certain categories of hazardous waste that are commonly generated by a wide variety of establishments.

1. Universal Wastes

Universal wastes are hazardous wastes that are widely produced by households and many different types of businesses. Universal wastes include televisions, computers and other electronic devices as well as batteries, fluorescent lamps, mercury thermostats, and other mercury containing equipment, among others. Universal waste quantities are counted separate from hazardous waste quantities.

2. Universal Waste Handler Status

a. Small Quantity Universal Waste Handler (SQUWH) accumulates no more than 5000 kilograms (11000 pounds) of all universal waste categories combined at their location at any time. SQUWHs can store universal waste for up to one (1) year.

b. Large Quantity Universal Waste Handler (LQUWH) accumulates more than 5000 kilograms (11000 pounds) of all universal waste categories combined at their location at any time. LQUWHs can store universal waste for up to one (1) year.

C. Toxic Substance Control Act (TSCA) provides EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon and lead-based paint. NOTE: Asbestos and lead-based paint are addressed in separate management plans which can be found at http://publicworks.boise.local/forms-and-documents/. When these materials are identified at city facilities, the appropriate referenced management plan must be adhered to.

IV. WASTE TYPES AND MANAGEMENT PROCEDURES

Provided are examples of common wastes generated at city facilities, but these examples are not inclusive. Each city facility must determine the proper status of each waste generated to facilitate proper management for disposal.

A. RCRA – Regulated Hazardous Waste

1. Paint
   a. Oil-based
      Oil-based paint is regulated and when no longer useful, must beplaced in the designated management area for pick up by the Hazardous Materials Coordinator. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis. However, containers with residue (usually in the form of a "rubbery" puck at the bottom of the container) must be managed as a hazardous waste and cannot be thrown into the trash. Completely empty oil-based paint containers can be placed in the trash.

   b. Paint-related Materials
      Miscellaneous paint-related products such as two-part epoxies, mineral spirits, paint thinner etc. are regulated and when no longer useful, must be placed in the designated management area for pick up by the Hazardous Materials Coordinator. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis.

   c. Latex
      Latex paint is not regulated as a hazardous waste. However, latex paint is managed through the Business Program of the Household Hazardous Waste Collection Program. Through the Business Program, unwanted latex is sent to a paint reformulator where the paint is reprocessed into a retail product. Since this program is available to City of Boise facilities, the city prefers to handle unwanted latex through the Business Program. When facility staff identify latex paint that is no longer useful, it must be placed in the designated management area for pick up by the Hazardous Materials Coordinator. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis. If latex paint containers are empty or contain dried remnants (no free liquids), they can be placed in the trash.

NOTE: latex paint quantities do not count toward a facility's generator status.

d. Aerosols
Except for pesticide/herbicide aerosol containers, empty aerosols should be placed in the facility's metals recycling container. Check with the recycling company to confirm they will take empty aerosols. If the recycler does not, empty aerosols not including pesticide/herbicide aerosols can be placed in the trash Pesticide/herbicide aerosols (empty or with product) and aerosols with product or residual product must be placed in the designated management area for pick up by the Hazardous Materials Coordinator. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis.

e. Used or Obsolete Chemicals
Used or obsolete chemicals such as industrial cleaners, degreasers, curing agents, solvents etc. are regulated and when no longer useful, must be placed in the designated management area for pick up by the Hazardous Materials Coordinator. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis.

f. Pesticides/Herbicides
Use of pesticides/herbicides is regulated under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) and when no longer useful, the disposal of these materials is covered by RCRA. When deemed no longer useful, pesticides/Herbicides must be placed in the designated management area for pick up by the Hazardous Materials Coordinator. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis.

g. Solvent-based Parts Washers
Spent solvent from facility parts washers is a regulated waste. Facilities with solvent-based parts washers must have the washers maintained by a qualified service company to ensure that waste solvent is managed appropriately and in compliance with regulations. By law, waste manifests generated by the service company and signed by a facility representative must be kept onsite for at least three (3) years. However, it is the City of Boise's policy to retain these documents for perpetuity. Waste manifests are legal documents and are important in providing

documentation that the facility is managing this waste stream in compliance with regulations.

Note: the amount of spent solvent generated when the washer is serviced does count toward the monthly total amount allowed under the facility's generator status.

h. Unknowns and other wastes
Unmarked/unlabeled containers of materials will have to be characterized to determine appropriate management. There are two ways an unknown and/or waste can be characterized:

1. Through facility/staff knowledge of materials historically used or currently used at the facility. Using facility/staff knowledge, the appropriate Safety Data Sheet (SDS) would be found on the city's SDS management system, internet or requested from the appropriate distributor. SDS will be used to assist in determination of disposal options; and

2. Through sampling and chemical analysis outlined in RCRA. Based on operations at facility, some analyses could be determined to be unnecessary. If laboratory testing is necessary to characterize the unknown, it is the responsibility of the Hazardous Materials Coordinator to gather the appropriate sampling containers, etc. and coordinate the onsite sampling of the unknown with the Facility POC. The Hazardous Materials Coordinator will be responsible for shipping the samples to the testing laboratory and coordinating communication with them. Unknowns should be stored in an appropriate container in the designated facility management area until characterization results are available. Management of the unknown will proceed accordingly based on analytical results. If the analytical results indicate the waste exceeds any of the characteristic threshold limits for ignitability, corrosivity, reactivity, and toxicity that are outlined in RCRA, the waste must be managed as a hazardous waste.

B. Universal Hazardous Waste – Regulated Universal Waste

1. Batteries
Rechargeable and specialty batteries (i.e., button and/or wafer-type) are regulated and when no longer useful, must be placed in the designated management area for pick up by the Hazardous Materials Coordinator. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis.

2. Lead-acid Batteries
   Sealed and unsealed lead-acid batteries are regulated and when no longer useful, must be placed in the designated management area for pick up by the Hazardous Materials Coordinator. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis.

3. Fluorescent Bulbs and Compact Fluorescent Lights (CFLs)
   Fluorescent bulbs and CFLs contain mercury, are regulated and when no longer useful, must be placed in the designated management area for pick up by the Hazardous Materials Coordinator. Bulbs should be stored in an indoor location in such a way as to minimize breakage. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis. However, these items can only be stored for up to one (1) year and therefore require management at least once in a 12-month period.

4. Ultraviolet (UV) Bulbs
   UV disinfection bulbs contain mercury, are regulated and when no longer useful, must be placed in the designated management area for pick up by the Hazardous Materials Coordinator. Bulbs should be stored in an indoor location in such a way as to minimize breakage. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis. However, these items can only be stored for up to one (1) year and therefore require management at least once in a 12-month period.

5. High Intensity Discharge (HID) Lamps
   HID lamps include mercury vapor, metal halide, and high-pressure sodium. These lamps contain mercury, are regulated and when no longer useful, must be placed in the designated management area for pick up by the Hazardous Materials Coordinator. Lamps should be stored in an indoor location in such a way as to minimize breakage. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis. However, these items can only be stored for up to one (1) year and therefore require management at least once in a 12-month period.

6. Mercury-containing Equipment (i.e., Thermostats and Electrical Switches)
   Mercury-containing equipment such as thermostats or electrical switches are regulated and when no longer useful, must be placed in the designated management area for pick up by the Hazardous Materials

Coordinator. Mercury-containing equipment should be stored in an indoor location in such a way as to minimize breakage. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis. However, these items can only be stored for up to one (1) year and therefore require management at least once in a 12-month period.

7. Electronics/Cathode Ray Tubes (CRTs)
   There are no known CRT televisions and/or computer monitors remaining within city facilities. However, if a CRT were to be found, it must be placed in a designated management area for pick up by the Hazardous Materials Coordinator. Electronic equipment that is taken out of service will be evaluated by City IT Staff and designated either for surplus (reuse) or unusable and tagged for electronics recycling. Electronic items tagged for recycling must be placed in a designated waste management area for pick up by the Hazardous Materials Coordinator. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis.

   Abandoned electronics including CRT televisions that are found on city property can be taken by city staff to the electronics recycling area at the Ada County Landfill. Electronics recycling at the landfill is provided free of charge to Ada County residents and businesses.

C. TSCA-regulated Wastes

1. Light Ballasts and Miscellaneous Electrical Equipment
   Fluorescent light ballasts that are intact and non-leaking with a Polychlorinated Biphenyl (PCB) -level of less than 50 ppm (generally, typical fluorescent light ballasts fall below this level) are considered a solid waste (not a hazardous waste) and not regulated under TSCA. However, the City of Boise prefers to handle these as a TSCA waste; and regardless of PCB-levels, leaking ballasts must be managed as a TSCA waste. The following criteria are provided to identify fluorescent light ballasts that may contain PCBs:
   - Ballasts manufactured before July 1, 1979 may contain PCBs – and for management purposes, should be considered to contain PCBs
   - Ballasts manufactured between July 1, 1979 and July 1, 1998 that do not contain PCBs must be labeled "No PCBs"
   - If a ballast is not labeled "No PCBs," and was manufactured before 1998, it is best to assume it contains PCBs
   - Ballasts manufactured after 1998 are not required to be labeled. If there is not a clear date stamp indicating 1998 or later, for management purposes, the ballast should be considered to contain PCBs.

Light ballasts that are no longer functioning or are unwanted should be inspected using the above criteria. Ballasts that are clearly marked "No PCBs" can be recycled through each city facility's metals recycler. Ballasts that are date stamped 1998 or later do not contain PCBs and do not have to be marked "NO PCBs." These ballasts can also be recycled through each city facility's metals recycler. Ballasts that are not clearly marked, date stamped, or have a manufacture date before July 1, 1979 must be placed in the designated management area for pick up by the Hazardous Materials Coordinator. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis. However, these items can only be stored for up to one (1) year and therefore require management at least once in a 12-month period.

D. Miscellaneous Wastes

1. Used Oil, Lubricants, Greases
   Used oil, lubricants, and greases are regulated and should be managed through a used oil recycler/fuels blender contractor. Any products that are not accepted by the oil recycling/fuels blending company must be placed in the designated management area for pick up by the Hazardous Materials Coordinator. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis.

   Note: When used oil, lubricants, and greases are managed through a fuels blender contractor who reuses the materials for their BTU value, the materials do not count against the facility's generator status. If a fuels blender contractor is not utilized for the management of these types of materials, the materials should be placed in the designated management area for pick up by the Hazardous Materials Coordinator. In the latter case, quantities of these materials would count toward the monthly total amount allowed under the facility's generator status.

E. Facility-specific Waste Generation

1. Water Quality Lab
   The Water Quality Lab at the West Boise Water Renewal facility provides a unique function for the City of Boise. Wastes generated at this facility are regulated and vary depending on the types of analyses performed. When waste is generated, staff should place it in the appropriate storage container and place it in the designated management area for pick up. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will

notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis.

2. Boise Police Department (BPD) Crime Lab
   The BPD Crime Lab at City Hall West provides a unique function for the City of Boise. Wastes generated at this facility are regulated and vary depending on the types of analyses performed. When waste is generated, staff should place it in the appropriate storage container and place it in the designated management area for pick up. Staff should inform their designated Waste Management POC when they have placed an item in the management area for pick up. The POC will notify and schedule pick up with the Hazardous Materials Coordinator on an as needed basis.

3. Water Renewal Facilities
   Water Renewal Facilities staff utilize abrasives chambers for cleaning and paint removal on the outer surface of equipment and parts. When the abrasive media is replaced, a sample of the used media must be collected for laboratory testing to determine whether the media characterizes as a hazardous waste (i.e., lead-containing waste). At least two (2) weeks prior to removing the media, the facility POC should contact the Hazardous Materials Coordinator and inform them of the event. It is the responsibility of the Public Works Hazardous Materials Coordinator to gather the appropriate sampling containers, etc. and coordinate the onsite sampling of the media with the Facility POC. The Public Works Hazardous Materials Coordinator will be responsible for shipping/transporting the samples to the testing laboratory and coordinating communication with them. Spent media should be stored in an appropriate container in the designated facility management area until characterization results are available. Management of the spent media will proceed accordingly based on analytical results.

4. In-process Chemicals
   Chemicals purchased for in-process uses should be completely used up. If in-process chemical changes are under consideration, facility management and other appropriate staff (e.g., Public Works Engineering for Public Works facilities) should adhere to their department's procedures (e.g., For Public Works, this is outlined in the **Public Works Operations Asset Management Policy** and inform the Hazardous Materials Coordinator who can assist with identifying possible waste management implications. To avoid waste management of large quantities of in-process chemicals, water renewal facility chemical supply contracts should include a distributor take-back clause for unused containers.

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	24 CFR §35
	29 CFR §1910
	29 CFR §1926

LEAD SAFETY

Acronyms:

HCD:	Boise City Housing and Community Development
PDS:	Boise City Planning and Development Services
AHP:	Boise City Affordable Home Ownership Program
HUD:	U.S. Department of Housing and Urban Development
EPA:	U.S. Environmental Protection Agency
OSHA:	U.S. Department of Labor Occupational Safety and Health Administration
CFR:	Code of Federal Regulations
FR:	Federal Registry
XRF:	X-Ray Fluorescence Analyzer
Pb:	Lead
LBP:	Lead Based Paint
RRP:	EPA, Renovate, Repair and Paint Program
LSHR:	HUD, Lead Safe Housing Rule
NLLAP:	National Lead Laboratory Accreditation Program
CDBG:	Community Development Block Grant Program
HOME:	Home Investment Partnerships Program

Definitions:

Pre-1978 Housing is housing constructed prior to January 1st, 1978. It can be single family homes, apartments or other buildings used for living quarters. Certain exclusions apply including, zero-bedroom dwellings and housing for elderly or disabled persons (unless a child under 6 lives there).

Child-occupied facility means a building, or portion of a building, constructed prior to 1978, visited regularly by the same child, under 6 years of age, on at least two different days within any week (Sunday through Saturday period), provided that each day's visit lasts at least 3 hours and the combined weekly visits last at least 6 hours, and the combined annual visits last at least 60 hours. Child-occupied facilities may include, but are not limited to, day care centers, preschools and kindergarten classrooms. Child-occupied facilities may be located in target housing or in public or commercial buildings. With respect to common areas in public or

commercial buildings that contain child-occupied facilities, the child-occupied facility encompasses only those common areas that are routinely used by children under age 6, such as restrooms and cafeterias. Common areas that children under age 6 only pass through, such as hallways, stairways, and garages are not included. In addition, with respect to exteriors of public or commercial buildings that contain child-occupied facilities, the child-occupied facility encompasses only the exterior sides of the building that are immediately adjacent to the child-occupied facility or the common areas routinely used by children under age six (6).

Lead-based paint (LBP) is any paint or surface coating that contains lead equal to or exceeding one milligram per square centimeter (1.0 mg/cm2) or 0.5% by weight.

Residential property means a dwelling unit, common areas, building exterior surfaces, and any surrounding land, including outbuildings, fences and play equipment affixed to the land, belonging to an owner and available for use by residents, but not including land used for agricultural, commercial, industrial or other non-residential purposes, and not including paint on the pavement of parking lots, garages, or roadways.

Zero-bedroom dwelling means any residential dwelling in which the living areas are not separated from the sleeping area. The term includes efficiencies, studio apartments, dormitory or single room occupancy housing, military barracks, and rentals of individual rooms in residential dwellings (see Single room occupancy (SRO)).

Background

The use of Lead-Based Paint (LBP) in residential buildings was banned in the United States by 1978 because of its known health hazards. This law effectively stopped it's use in commercial buildings also, but it was still used in some industrial applications such as bridges. Homes and other buildings built prior to 1978 are likely to contain some LBP unless it has already been removed. Similar to asbestos, LBP is not a hazard unless it is deteriorating or it's disturbed. Children under six and pregnant women are the most susceptible to the effects of lead poisoning, but regular healthy adults can also be affected.

Regulation Statement

The City of Boise is committed to complying with all applicable federal legislation and regulations pertaining to the hazards of lead-based paint. This regulation covers commercial and residential buildings owned by the City of Boise. The reason for this regulation is to prevent exposure to lead-based paint hazards and ensure compliance with existing federal regulations. The requirements for compliance with LBP regulations in city owned properties are based on the properties use and age; they can be broken down into three main categories, each regulated by separate rules.

Category 1. Work performed by contractors or trained Housing and Community development staff in Pre-1978 housing and child occupied facilities with HUD funding (Lead Safe Housing Rule-HUD)

Category 2. Work performed by contractors in Pre-1978 housing and child-occupied facilities (Renovation, Repair and Painting Rule- EPA)

Category 3. Work performed by City of Boise personnel or contractors in all other commercial/public facilities (City of Boise Regulation and OSHA)

Category 1: Work performed on Pre-1978 Housing or Child occupied facilities with HUD funding (HUD's Lead Safe Housing Rule requirements)

City personnel without the required EPA and/or HUD training shall not perform work which will disturb painted surfaces in these buildings, unless the paint has been tested and shown not to be LBP.

The U.S. Department of Housing and Urban Development's Lead Safe Housing Rule that is found in the HUD's regulations at 24 CFR Part 35, Subparts B through M, generally applies to work performed in housing units receiving HUD financial assistance, (such as rehabilitation or acquisition). Under the Lead Safe Housing Rule (LSHR), program participants (governmental jurisdiction, non-profit, community organization or the property owner who accepts HUD funds) becomes responsible for compliance with the LSHR.

The level of HUD's specific LSHR requirements for repair and renovation projects depend on the amount of federal assistance. The information listed below and/or found in the following tables will help explain the basic requirements of HUD's Lead Safe Housing Rule 24 CFR Part 35. If the project will disturb less than 2 sq. ft. interior or 20 sq. ft. exterior it is considered a "de Minimis" project and the HUD rule does not apply.

Up to $5,000 per unit:

Do no harm approach. Lead safety requirements cover only the surfaces being disturbed. Program participants can either test these surfaces to determine if they contain lead-based paint or presume they contain lead-based paint. Work which disturbs painted surfaces known or presumed to contain lead-based paint is done using lead safe work practices, and clearance of the worksite is performed at the end of the job (unless it is a very small "de Minimis" scale project). This ensures that no lead dust hazards remain in the work area.

- Training that meets the EPA's RRP Rule requirements is sufficient for this work.

Greater than $5,000 and up to $25,000 per unit:

Identify and control lead hazards. Identify all lead hazards in the affected units and common areas by performing a lead-based paint risk assessment. Control the hazards using interim controls. Participants may skip the risk assessment and presume that all potential lead hazards are present, and then must use standard treatments to address them. In addition to training that meets the EPA's RRP Rule requirements, HUD-approved interim control training (such as the HUD- EPA RRP curriculum) is required for renovators and workers.

Greater than $25,000 per unit:

Identify and abate lead hazards. Identify all lead hazards at the property by performing a risk assessment and abate all the hazards. Participants may skip the risk assessment and presume all potential lead hazards are present and abate them. This approach requires certified abatement contractors perform the abatement part of the job.

See **Exhibit A** for a more detailed overview of LSHR requirements.

Category 2: Work performed on Pre-1978 Housing or child-occupied facilities Non-HUD Funded (EPA RRP requirements)

Contractors or City of Boise personnel without the required EPA training shall not perform work which will disturb painted surfaces in these buildings, unless the paint has been tested and shown not to be LBP.

For all city owned housing or child-occupied facilities which are not receiving any HUD funding, the EPA Renovation, Repair and Painting Rule or RRP Rule (40 CFR 745 Subpart E) applies. Under the rule, firms performing renovation, repair and painting projects that disturb lead-based paint in homes, child care facilities, and kindergartens built before 1978 must be EPA- or state-certified and must use certified renovators who follow specific work practices to prevent lead contamination. This includes in-house maintenance staff and many types of outside contractors. In order to become certified renovators, individuals must take training from an EPA-accredited training provider. For firms to be certified, they must submit an application and fee to EPA online. **The City of Boise shall hire only EPA certified firms to do work which may disturb paint in these property types.** You must contact Public Works Environmental prior to planning renovations in these types of properties. A compliance guide to the RRP Rule is available at: https://www.epa.gov/lead/small-entity-compliance-guide-renovate-right-epas-lead-based-paint-renovation-repair-and

Category 3: Work performed by City of Boise personnel or contractors on all other city owned structures, including commercial and public buildings.

A. General Requirements

Prior to removing or disturbing materials within a commercial or public facility, residential structures, and child-occupied facilities, each department shall identify if these structures contain or are constructed with lead-containing materials. To do this, departments may use lead sampling records maintained by Public Works Environmental, manufacturer's information, laboratory analysis of bulk samples, or records indicating the age and composition of building materials. In addition, Public Works Environmental, the HCD Department, or Risk and Safety Services is available upon request to assist departments with sampling for lead. Building materials can be assessed through sampling and laboratory analysis, or through the use of the City's X-Ray Fluorescence Analyzer (XRF). Results of testing should be made available to Public Works Environmental, Risk and Safety Services, and all departments/personnel involved in the project.

B. Working with Lead

Where the potential for personal exposure to lead particulate and/or fume during repair work exists (reference section C.2. of this regulation for examples of repair work), prior to commencing work, City employees shall verify that no lead-containing materials are present in the building by the means of testing. If test results are positive for lead, commencement of work is prohibited until consulting with Public Works Environmental and/or Risk and Safety Services. Departments shall contract with appropriate vendors or contractors to perform lead abatement.

Project managers who oversee projects for City property shall ensure all contracted lead-based paint renovation, repair or abatement work complies with the appropriate Federal and State Regulations and City Code. They shall also ensure that the appropriate demolition permits and EPA notification forms have been completed.

Employees of the City shall only perform minor repair and maintenance operations of lead-containing material that will not be disturbed. Examples of this type of work include, but are not limited to repainting a lead-based painted surface in good condition. If the scope of work will be more than a minor repair and maintenance to lead-containing material, the department shall request consultation from Public Works Environmental or Risk and Safety Services to determine what additional controls and precautions are necessary. **No employee may perform lead-based paint abatement (intentional removal) of any type.**

If a department suspects a facility may contain lead-containing material:

1. Supervisors or their designee shall coordinate with Risk and Safety Services for the necessary training.
2. Employees shall notify their Supervisors prior to disturbing any surfaces coated in lead-based paint or disturbing any other lead-containing material.
3. Supervisors or their designee shall contact ~~the~~ Public Works Environmental and complete the necessary testing and forms prior to disturbing any lead.
4. Immediately contact the Public Works Environmental and Risk and Safety Services after any accidental, suspected, or known lead release episode.

C. Training Requirements

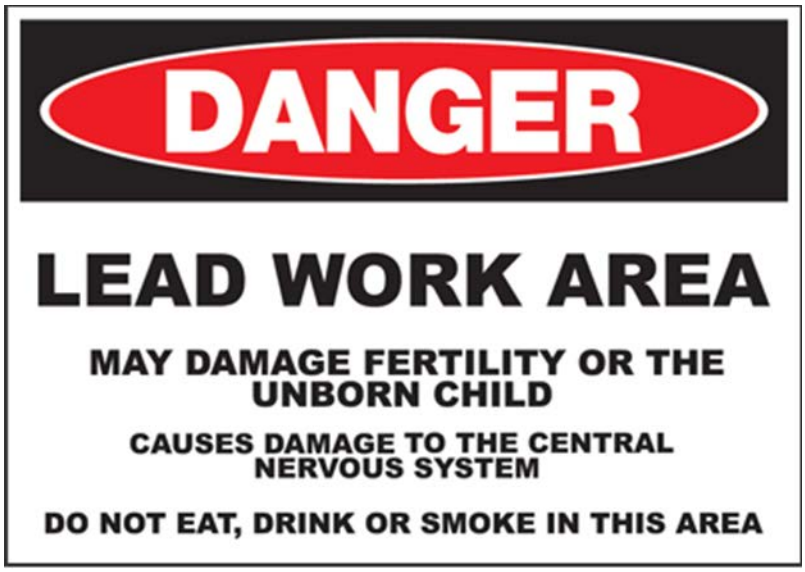
Employees who perform maintenance and custodial work or repair work where lead is present shall participate in training prior to performing duties with potential exposure.

1. **Maintenance and Custodial Work** – Facility employees who perform maintenance and custodial work where they may come in contact with but will not disturb lead shall participate in a Lead Awareness Training on an annual basis including the review of the City's Lead Safety Regulation. Examples of this type of work include painting over lead-based painted wallboard, removal of a lead pipe and/or fitting by the means of unbolting or unscrewing that would not create any airborne lead particulate and/or aerosols.
2. **Repair Work** – Facility employees who may perform repair or renovation work on lead-containing materials shall participate in an 8-hour Renovation, Repair, and Painting Course (Lead Certified Renovator). This training should be conducted by a vendor who is an EPA approved training provider. This training certification is required prior to completing any work involving lead renovation. To remain certified, a renovator must complete a refresher training course before their current certification expires.
    - The expiration date is based on when the course was taken.
    - For recertification, renovators must take a 4-hour refresher training that includes hands-on learning every other time they take the refresher course.
    - Renovators who take the online refresher training will be certified for three years; renovators who take the hands-on training in the refresher course will be certified for five years.
    - If certification expires, the 8-hour course must be taken again to regain certification.

Examples of repair and/or renovation work include any intentional cutting, breaking, scraping, drilling or sanding of lead-coated material, soldering of pipes, ceramic work, welding, cutting, and burning on steel structures where lead-containing coatings or paint are present. Supervisors shall notify and consult with Risk and Safety Services if they will have employees performing repair work on lead-containing material to ensure that they have been provided other necessary training and personal protective equipment (i.e. Respiratory Protection, Hazard Communication). Training for employees can be coordinated through Risk and Safety Services and/or Training and Development.

D. Warning Signs

Departments shall post the following sign in each work area where lead repair and/or renovation is being completed in order to warn others.



E. Personal Protective Equipment and Required Work Procedures

All employees shall wear appropriate personal protective equipment (PPE) when repairing and/or disturbing any lead-containing material. Supervisors shall verify with Risk and Safety Services the PPE provided is adequate for the work being performed.

Any employee repairing and/or disturbing lead containing material:

1. Shall use EPA approved vacuum cleaners with HEPA filters to collect lead-containing debris and dust,
2. Shall use wet methods or wetting agents during all maintenance and clean-up procedures (unless infeasible or creates a greater hazard),

3. Shall promptly clean-up and dispose of wastes and debris contaminated with lead in leak-tight containers,
4. Shall not perform dry sweeping, dusting, shoveling or normal vacuuming of lead-containing material, debris, waste, or dust,
5. Shall not use compressed air to clean surfaces contaminated with lead unless it is used with a EPA approved HEPA ventilation system that can capture the dust cloud, and
6. Shall not sand lead-containing material.
7. Shall follow all applicable EPA Renovation, Repair and Painting (RRP) work practices.

OTHER RELAVANT LEAD BASED PAINT REGULATIONS AND EXEMPTIONS

A. Disposal of LBP Debris

1. Residential Structures – (Household Hazardous Waste Exemption) In order to facilitate the removal of LBP from residential structures, where it may pose a significant health threat to children, on June 18, 2003 the USEPA published a rule under solid waste regulations that streamlines disposal of LBP debris from residential structures. Under the rule LBP debris from households, whether generated by a do-it-yourselfer or a contractor, may be disposed of at a municipal waste landfill or a construction & demolition (C&D) waste landfill, as defined in 40 CFR §257.2.

2. Commercial Building Demolition – Commercial buildings built before 1978 must be sampled for LBP prior to demolition. If asbestos sampling is needed it should be done at the same time to reduce costs. If LBP is present in the building a determination of whether or not the entire waste stream (the entire building) could be classified as a hazardous waste is required. This can be done by having a consultant sample the painted surfaces and determining if the waste could potentially classify as a hazardous waste.

3. Commercial Building Renovation/Abatement - Small-scale debris that is generated during renovation, maintenance, or abatement activities such as paint chips, vacuum debris and dust, waste wash water and sludge from chemical paint stripping is more likely to exceed the lead toxicity characteristic. Individual wastes such as those described above should either be sampled/analyzed by Toxicity Characteristic Leaching Procedure and then handled/disposed accordingly, or segregated from other large-scale debris and then managed as hazardous waste. Records of sampling procedures and analytical results must be kept for at least 3 years**. This type of waste would only be generated by a contractor because city employees are not trained or authorized to scrape/disturb LBP.**

B. Pre-1978 housing which is leased or sold:

Federal law requires per (24 CFR part 35 and 40 CFR par 745) that sellers and lessors of residential units constructed prior to 1978, except housing for the elderly or persons with disabilities **(unless any child who is less than six year of age resides or is expected to reside in such housing)** or any zero-bedroom dwelling to disclose the presence of known LBP, coated surfaces and/or possible LBP hazards to new purchasers or lessees before they become obligated under a lease or sales contract. Property owners and sellers are also required to distribute the United States Environmental Protection Agency's educational pamphlet *Protect Your Family from Lead in Your Home* and include standard warning language in leases or sales contracts to ensure that parents have the information they need to protect children from lead-based paint hazards.

The City of Boise will make available, for review, any LBP inspection/risk assessment report and/or Environmental Hazards documents on file for the property in question at time of sale and/or lease signing.

The City of Boise will provide a copy of the *Protect Your Family from Lead,* the EPA *Renovate Right* pamphlet and disclose any/all known Environmental Hazards associated to the property at time of lease signing and/or sale.

The City of Boise requires that all new lessees sign for, and acknowledge receipt of the provided LBP documents and/or information provided

C. Emergency Exceptions

For emergency actions immediately necessary to safeguard against imminent danger to human life, health or safety, or to protect property from further structural damage (such as when a property has been damaged by a natural disaster, fire, or structural collapse), occupants shall be protected from exposure to lead in dust and debris generated by such emergency actions to the extent practicable, and certain EPA requirements shall not apply. This exemption applies only to repairs necessary to respond to the emergency. All EPA requirements shall apply to any work undertaken subsequent to, or above and beyond, such emergency actions.

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Revised:
Legal References:

Lead Safe Housing Rule (LSHR) Requirements Overview – Sub-Parts A thru M

Sub-part	Type of Program	Construction Period	Requirements[1, 2, 3]
A	Disclosure of Known Lead-Based Paint and/or Lead-Based Paint Hazards	Pre-1978	• See www.hud.gov/offices/lead for Lead Disclosure Rule requirements for sale or lease of residential property.
B	General Lead-Based Paint Requirements and Definitions	Pre-1978	• All properties covered by the Lead Safe Housing Rule.[4]
C	Disposition by Federal Agency Other Than HUD	Pre-1960	• LBP inspection and risk assessment. • Abatement of LBP hazards. • Notice to occupants.
		1960-1977	• LBP inspection and risk assessment. • Notice to occupants of results.
D	Project-Based Assistance by Federal Agency Other Than HUD	Pre-1978	• Provision of pamphlet. • Risk assessment. • Interim controls. • Notice to occupants. • Response to child with EIBLL.[5]
F	HUD-Owned Single Family Sold With a HUD-Insured Mortgage	Pre-1978	• Visual assessment. • Paint stabilization. • Notice to occupants of clearance.
G	Multifamily Mortgage Insurance:		
	1. For properties that are currently residential	Pre-1960	• Provision of pamphlet. • Risk assessment. • Interim controls. • Notice to occupants. • Ongoing LBP maintenance.
		1960-1977	• Provision of pamphlet. • Ongoing LBP maintenance.
	2. For conversions and major renovations.	Pre-1978	• Provision of pamphlet. • LBP inspection. • Abatement of LBP. • Notice to occupants.

H	Project-Based Assistance by HUD		
	For all properties	Pre-1978	• Provision of pamphlet. • Notice to occupants. • Ongoing LBP maintenance and reevaluation. • Response to child with EIBLL.[5]
	1. Multifamily property receiving more than $5,000 per unit per year	Pre-1978	• Risk assessment. • Interim controls.
	2. Multifamily property receiving less than or equal to $5,000 per unit per year, **and** single family properties	Pre-1978	• Visual assessment. • Paint stabilization.
I	HUD-Owned Multifamily Property	Pre-1978	• Provision of pamphlet. • LBP inspection and risk assessment. • Interim controls. • Notice to occupants. • Ongoing LBP maintenance and reevaluation. • Response to child with EIBLL.[5]
J	Rehabilitation Assistance:		
	For all Properties	Pre-1978	• Provision of pamphlet. • Paint testing of surfaces to be disturbed, or presume LBP. • Notice to occupants. • Ongoing LBP maintenance if HOME rental.
	1. Property receiving less than or equal to $5,000 per unit	Pre-1978	• Safe work practices in rehab. • Repair disturbed paint. • Clearance of the worksite.
	2. Property receiving more than $5,000 and up to $25,000	Pre-1978	• Risk assessment. • Interim controls.
	3. Property receiving more than $25,000 per unit	Pre-1978	• Risk assessment. • Abatement of LBP hazards. • Interim controls allowed for exterior.
K	Acquisition, Leasing, Support Services, or Operation	Pre-1978	• Provision of pamphlet. • Visual assessment. • Paint stabilization. • Notice to occupants. • Ongoing LBP maintenance

L	Public Housing	Pre-1978	• Provision of pamphlet. • LBP inspection. • Risk assessment if LBP not yet abated. • Interim controls if LBP not yet abated. • Abatement of LBP during modernization. • Notice to occupants. • Ongoing LBP maintenance and reevaluation. • Response to child with EIBLL.[5]
M	Tenant-Based Rental Assistance for units to be occupied by children under 6 years of age	Pre-1978	• Provision of pamphlet. • Visual assessment. • Paint stabilization. • Notice to occupants. • Ongoing LBP maintenance. • Response to child with EIBLL.[5]

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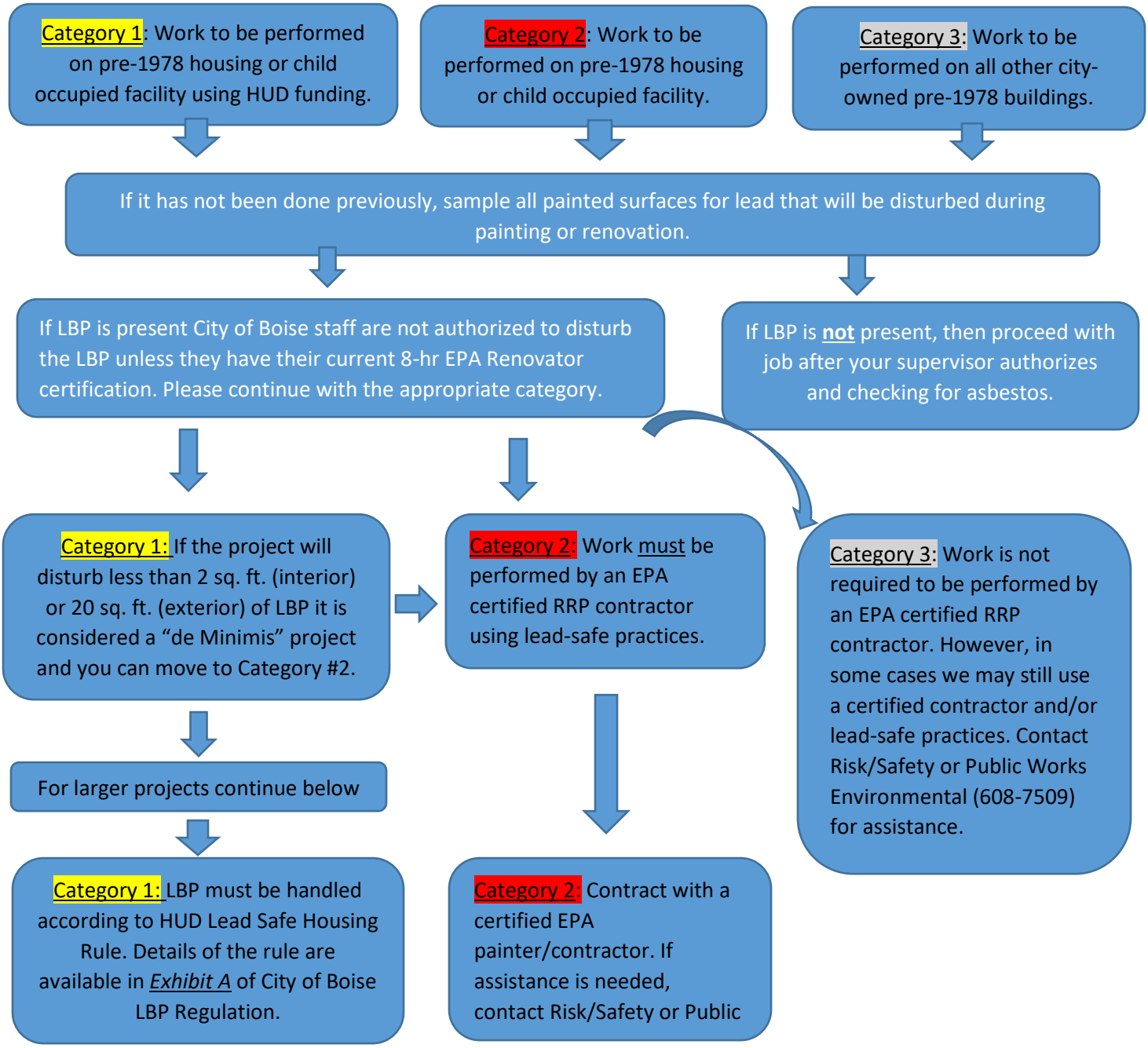
LEAD BASED PAINT DESCISION FLOWCHART-EXHIBIT B



LBP- Lead Based Paint (0.5% by weight or 1.0 mg/cm2)
EPA RRP Regulation – EPA's Lead Based Paint Renovation, Repair and Painting Rule (40 CFR 745, Subpart E)
Child occupied Facility - A building, or portion of a building, constructed prior to 1978, visited regularly by the same child, under 6 years of age, on at least two different days within any week (Sunday through Saturday period), provided that each day's visit lasts at least 3 hours and the combined weekly visits last at least 6 hours, and the combined annual visits last at least 60 hours.
NOTE: Separate OSHA regulations apply for working with Lead materials other than paint.

Document Type: Regulation
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Effective: 4-26-21
Revised:
Legal References: 29 C.F.R 1910.401

COMMERCIAL DIVING OPERATIONS

I. INTRODUCTION

Parks and Recreation employees may have to conduct underwater diving operations to perform assigned work. This regulation will establish the minimum requirements to safely perform such assigned work.

This regulation applies to all employees who are assigned to complete SCUBA diving Mode I and Mode II SCUBA operations.

II. SCOPE AND APPLICATION

This regulation will identify general methods for eliminating or controlling hazards, safeguarding divers, and for regulating diving and related support operations. Surface Supplied Air diving operations are prohibited by city employees. City SCUBA diving operations shall not exceed depths of 35 feet. For other SCUBA Operation limitations see section **X. Scuba Diving Procedures**. Fire Department personnel shall refer to their internal procedures for dive operations.

III. DEFINITIONS

A. *Bottom Time:* The total elapsed time measured in minutes from the time when the diver leaves the surface in descent to the time that the diver begins ascent.
B. *Decompression Chamber:* A pressure vessel for human occupancy such as a surface decompression chamber, closed bell, or deep diving system used to decompress divers and to treat decompression sickness.
C. *Decompression Sickness:* A condition with a variety of symptoms which may result from gas or bubbles in the tissues of divers after pressure reduction.
D. *Decompression Table:* A profile or set of profiles of depth-time relationships or ascent rates and breathing mixtures to be followed after a specific depth time exposure or exposures.
E. *Dive Team:* Divers and support employees involved in a diving operation, including the designated person-in-charge.
F. Diver*:* An employee working in water using underwater apparatus which supplies compressed breathing gas at the ambient pressure.
G. *Diving Mode:* A type of diving requiring specific equipment, procedures and techniques (SCUBA, surface-supplied air, or mixed gas). Mode I – untethered buddy diving; Mode II- tethered, buddy diving; Mode II- tethered, single diver.
H. *Hyperbaric Conditions:* Pressure conditions in excess of surface pressure.
I. *Liveboating:* The practice of supporting a surfaced-supplied air or mixed gas diver from a vessel which is underway.

J. *No-decompression Limits:* The depth-time of the "no-decompression limits and repetitive dive group designation table for no-decompression air dives", U.S. Navy Diving Manual or equivalent limits which the employer can demonstrate to be equally effective.

K. *Treatment Table:* A depth-time and breathing gas profile designed to treat de-compression sickness.

L. *Umbilical:* The composite hose bundle between a dive location and a diver, which supplies the diver with breathing gas, communications, power, or heat as appropriate to the diving mode or conditions and includes safety line between the diver and the dive location.

IV. GENERAL REQUIREMENTS

A. Each diver must:

1. Be at least 18 years of age.
   As part of the initial diver certification, complete a divers medical questionnaire to determine individual's fitness to dive.

2. Complete an annual test of diver physical fitness as defined by city requirements (see section IX. Training).

3. Complete and maintain diving training and certifications as defined by city requirements (see section IX. Training).

B. Safe Practices Manual

Any department involved in diving operations shall develop and maintain a Safe Practices Manual. The Safe Practices Manual shall be made available at the dive location to each dive team member. The Safe Practices Manual shall contain a copy of this regulation and a copy of the OSHA Commercial Diving Operations Standard, Subpart T. For SCUBA Diving Mode, the safe practices manual shall include the following:

- Safety procedures and checklists for diving operations.
- Assignments and responsibilities of the dive team members.
- Equipment procedures and checklists; and
- Emergency procedures for fire, equipment failure, adverse environmental conditions, and medical illness and injury.

V. REQUIRED MEDICAL EVALUATIONS

Diving activities can place a physiological strain on the human body that varies with the type and duration of underwater work being completed. Prior to engaging in diving operations, the employee shall complete the necessary portions of the Divers Medical Evaluation Questionnaire (Exhibit A). The questionnaire is used to determine if the employee is physically able to perform work and use the equipment selected. After completing the questionnaire, the employee shall drop off or mail the questionnaire to the city's preferred provider or personal physician for review. The chosen provider will evaluate the questionnaire and provide Risk and Safety with a medical opinion on the employee's ability to participate in dive operations. If an employee initially is not cleared to participate in dive operations, a follow-up medical examination will be conducted by a health care professional with the City's preferred provider or employee's personal physician that includes any tests, consultation, or diagnostic procedures that are deemed necessary to make a final determination whether or not the employee can safely participate in dive operations. It will be the employee's responsibility to schedule the follow-up medical examination. The department will cover the cost of the initial examination and follow-up medical examination (if required) only if the employee uses the city's preferred medical provider. Risk and Safety will forward results of the medical questionnaire to the employee and the dive team leader in accordance with on-site record keeping requirements.

Divers will have to complete the Divers Medical Evaluation Questionnaire at the following intervals:

- Initially, prior to participating in dive training and/or dive operations.
- At one-year intervals (annually) thereafter; and
- After any injuries, hyperbaric treatments, or any episode of unconsciousness related to diving activities. Medical removal or suspension from diving should be based on a physician written report whether the diver is medically fit or unfit for diving.

VI. DIVE TEAM RESPONSIBILITIES

Each dive team member should be assigned tasks in accordance with the employee's experience or training. Employees undergoing training should be assigned limited duties under the direct supervision of an experienced dive team member. Dive operation specific duties shall be outlined in the diving operation pre-job brief of the scuba diving checklist and dive hazard analysis form.

A. **Diver**

A qualified diver performing underwater activities relating to the dive operation. Diver responsibilities are as follows:

- Completing dive operations in accordance with the city's safe practice manual.
- Reporting to the dive team leader any issues or safety concerns related to the diving operation including report of any injuries.
- Conducting pre and post diving inspections of diving equipment.
- Conducting dive operations within his or her scope of experience and training.

B. **Dive Team Leader**
An appropriately qualified diver designated by the dive team as the dive team leader for each dive or series of dives. Dive team leader responsibilities are as follows:

- The dive team leader shall be at the dive location during the diving operation and shall not be stationed at another dive location.
- Managing the diving operation of the team.
- Ensuring all divers are qualified and all certifications and training are up to date for each member of the dive team.
- Preparing and reviewing the safety practices manual and pre-dive briefing and hazard analysis with the dive team.
- Ensuring the safety of the dive team and reporting any diving related injuries.
- Maintaining dive logs for the dive team.

C. **Standby Diver**
An appropriately qualified diver, who is part of the dive team and has the level of experience and training with the assigned diving operation. The standby diver shall have their diving gear at the dive location, setup and ready for use.

D. **Dive Tender**
A surface support person responsible for:

- Handling a single diver's umbilical and for maintaining voice and/or standard line signal communications.
- Monitoring surface conditions, such as weather, current, river flow, recreational vessel traffic, the public, and any other potential hazards that might disrupt or jeopardize the dive operation.

Note: Commercial SCUBA air diving with one (1) diver in the water requires a minimum of three (3) dive team members:

1. A designated person-in-charge/Dive Team Leader
2. A Standby Diver
3. Line-tended Diver

A dive tender who is a qualified diver can be the standby diver; for a three-person dive-team, the Dive Team Leader would assume tending duties when the standby diver is in the water. A Dive Team Leader also can be the standby diver, provided that: (1) he/she is a qualified diver, and (2) another dive-team member at the dive location is trained and capable of performing necessary Dive Team Leader functions while the Dive Team Leader is in the water as the standby diver.

Commercial SCUBA air diving with two (2) divers in the water requires a minimum of four (4) dive team members:

1. A designated person-in-charge/Dive Team Leader
2. A Standby Diver
3. Two Divers*

*The two (2) divers must be in continuous visual contact with each other or line-tended from the surface. Each diver requires a tending line to the surface if they are required to work against a current exceeding 1 knot.

VII. RESCUE AND EMERGENCY SERVICES

For Decompression Sickness

In case of Emergency call 911	
St. Luke's Clinic – Wound and Hyperbaric 600 N. Robbins Rd. Boise, ID 83702 (208) 489-5800	St. Luke's Clinic – Wound and Hyperbaric 3277 E. Louise Dr. Meridian, ID 83642 (208) 489-5800
St. Al's Clinic – Wound and Hyperbaric Medicine 1055 N. Curtis Road Boise, ID 83706 (208) 302-0800	St. Al's Clinic – Wound and Hyperbaric Medicine 4400 E. Flamingo Ave. #120 Nampa, Idaho 83687 (208) 302-0860
United States Coast Guard, District 13, Seattle, WA National Response Center (800) 424-8802	

VIII. USE, MAINTENANCE, AND CARE OF DIVE GEAR

Dive team members are required to use city provided dive equipment, use of personal dive equipment is not permitted. In addition to pre-dive and post-dive inspections, all diving equipment used by a diver must be professionally inspected by a qualified technician on an annual basis according to OSHA and dive industry standards and/or manufacturers' requirements. The dive team leader or designee

should use the city's current computerized maintenance management/work order system (i.e. VueWorks) to track and store preventative maintenance documentation, equipment inspection documentation, oxygen cylinder refill air sample results etc. Each item of diving life support equipment must have a unique identity (number or designation) so the results of servicing or inspection can be documented.

All dive equipment shall be stored in a manner that will prevent damage. Oxygen cylinders shall be stored in a ventilated area which is protected from excessive heat. Cylinders shall be stored in an upright position and secured to prevent accidental tip-over.

Oxygen Cylinders (Tanks)

The following maintenance is required on all cylinders:

- Rinse tanks and valves after each dive
- Hydrostatic test every five (5) years by a certified facility. Cylinder must be stamped with the date of the last hydro.
- Have an internal visual inspection at intervals not to exceed 12 months.
- Aluminum cylinders shall be visually checked for cracks in the threaded neck area annually.
- Tank valves and manifolds must be inspected and functionally tested annually and overhauled every five (5) years or more often as indicated by inspection, failure, or function test. "J" valves should be function tested annually.
- Whenever a valve is installed on a cylinder, ensure the burst disk is rated for that cylinder pressure.
- Never lubricate or allow oil or grease to get on oxygen connections. Lubricants, cleaning solvents, sealants, threading compounds, etc. shall be oxygen compatible. Refer to the city's compressed gas cylinder safety regulation (Compressed Gas 6.01e) on working with oxygen tanks.

Submersible Pressure Gauges and Consoles

Each depth gauge shall be tested or calibrated against a master reference gauge every 12 months and whenever there is a discrepancy greater than two percent (2%) of full scale between any two equivalent gauges.

IX. TRAINING

A. Each diver must:

1. While employed with the city, complete a dive course and be certified by a nationally recognized dive program and/or agency (i.e. PADI, NAUI). If an

employee has a previous dive certification; the employee must complete a dive course or have an official PADI audit completed. The Dive Team Leader will establish additional training requirements (i.e. Lock Out Tag Out) as necessary to ensure that divers are qualified to safely perform their assignment.

2. Complete a cardiopulmonary resuscitation (CPR/AED) course, comparable to American Red Cross or American Heart Association Adult CPR, and a nationally recognized first aid course. Certifications must be current at the time of dive. Additional emergency medical service training in oxygen administration is required.

3. Complete a minimum of four (4) logged dives in a twelve (12) month period with at least one dive in a six-month period. The dive must be in the mode(s) of diving for which he or she is qualified. At least one dive shall be done under the supervision of the dive team leader or designee every twelve (12) months.

4. Complete a minimum of 40 hours of diving-related training over any two year period.

5. Have the experience and/or training necessary to perform assigned tasks in a safe and healthful manner including the use of tools, equipment and systems relevant to assigned tasks.

6. One member of the dive team shall have dive rescue training and certification and it must be kept current with recommended periodic refresher training every two years. The dive team member with the rescue training and certification shall serve as the standby diver during a dive operation.

7. One member of the dive team shall have swift water rescue training and it must be kept current with any required refresher training. The dive team member with the swift water rescue training shall serve as the standby diver during a dive operation. This training is required only for diving operations in flowing water and not required for diving operations in ponds or swimming pools.

8. Have the experience and/or training regarding the assigned diving mode, diving operations and emergency procedures.

X. SCUBA DIVING PROCEDURES

Because a SCUBA diver has a limited breathing supply, does not usually have voice communication, and often is not monitored or controlled by surface-support personnel, the limits of this mode of diving are more stringent than for other diving modes. Diving procedures shall be created and covered in the Diving Safety Manual Checklist by the Dive Team Leader.

A. **Limitations**

1. SCUBA diving shall not be conducted:
    - The cleaning (dredging) or repair beneath the wave shapers air bladders, hydraulic panels, and associated underwater machinery is strictly prohibited. This work shall be completed by a contractor.
    - One hour before sunset and one hour before sunrise.
    - At depths greater than 35 feet
    - Against currents exceeding one (1) knot unless line tended
    - Ice covered water
    - Water temperatures less than 40degrees
    - In Confined Spaces

B. Dive Procedures

1. A diver-carrier reserved breathing gas supply for each diver is not required as dives will not be greater than 35 feet.
2. A standby diver shall be available while a diver is in the water
3. A diver shall be line-tended from the surface, or accompanied by another diver in the water in continuous visual contact during the diving operation.

C. Pre-dive procedures should include and cover the following:

1. Emergency Aid
2. First Aid Kit
3. Planning and Assessment
4. Hazardous Activities
5. Employee Briefing
6. Equipment Inspection
7. Warning Signal

D. Procedures During Dive should include and cover the following:

1. Water Entry and Exit
2. Communications
3. Decompression Tables
4. Dive Profiles
5. Hand-Held Power Tools and Equipment
6. Welding and Burning

7. Explosives
8. Termination of Dive

E. Post Dive Procedures should include and cover the following:
1. Precautions
2. Recompression Capability
3. Record of Dive
4. Decompression Procedure Assessment

XI. AIR DECOMPRESSION

It is the city's policy not to plan or perform decompression diving. In the event of an emergency scenario where the no-decompression limit is exceeded due to entrapment, entanglement, or any other unforeseen events, in-water decompression is permitted in order to avoid injury to the diver(s). The U.S. Navy based Standard Decompression Table shall be used to calculate decompression depths and times. **NOTE:** Because of the reduced atmospheric pressure at altitude, the no-decompression limits be adjusted for dives above 1000 feet elevation.

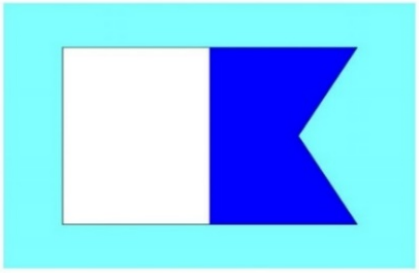
XII. REPETITIVE DIVING

Repetitive diving is a routine procedure in SCUBA. Tables shall be followed to determine a diver's repetitive group. Repetitive dives are those dives made after 10 minutes and less than 12 hours after a diver reaches surface. The diver and the dive team leader must know a diver's repetitive group at all times. When planning repetitive dives, every effort shall be made to dive deep first, then make subsequently shallower repetitive dives. United State Navy based tables should be used.

XIII. WARNING SIGNAL

When diving from surfaces other than vessels such as docks, dikes, and dams, a required warning signal shall be deployed. The warning signal shall be a ridged replica of the international code Flag A and must be at least three (3) feet in height.

International Code Flag "A": Alfa;
Diver below (when stationary);
Keep clear.



XIV. SPECIAL PRECAUTIONS

A. Physically Confined Space Diving

Confined space dives shall not be permitted.

B. Water Conditions

Dive Team Leader should verify water conditions are appropriate prior to commencing a dive operation.

C. Drift Diving

Drift diving shall not be permitted.

XV. CONTRACTOR SERVICES

If a department hires a contractor to perform work that involves a diving operation, the contractor must adhere to all local, state, and federal Commercial Diving Operation requirements. The Parks and Recreation Dive Team shall not participate in joint contractor dive operations.

XVI. RECORDS RETENTION

Record or Document	Retention Period
Safe Practices Manual	Current Document in digital Employee Policy Handbook
Depth-time profile	Until completion of the dive record; or if decompression sickness occurs during the dive, until completion of decompression procedure assessment
Dive Record	1 year; 5 years for records involving decompression sickness
Decompression procedure assessment evaluations	5 years
Equipment inspection and testing records	Current entry or tag, unless the equipment is withdrawn from service (then no retention requirement)
Hospitalization records	5 years

APPENDICES

Appendix A: Pre and Post Dive Checklist

Appendix B: Pre-Dive Equipment Checklist

Appendix C: Pre-Dive Hazard Analysis

Appendix D: Unlimited/No Decompression Dive Tables and Repetitive Table, US Navy Table

Appendix E: Diver Hand Signal Communication

Appendix F: Altitude Correction, US Navy Sea Level Equivalent Depth

Appendix G: First Aid Kit Content Requirements

Appendix H: SCUBA Emergency Procedures

Appendix A

DIVE TEAM LEADER PRE-DIVE CHECKLIST	YES	NO	COMMENTS
Pre-dive medical checks on all divers completed? (i.e. current state of physical fitness, recent injuries or illnesses)			
Emergency procedures in place and discussed?			
First Aid Kit/AED on scene of dive operation?			
Pre-dive brief completed including the scope of dive?			
Ensure all dive equipment maintenance has been completed and up to date.			
Verify all dive tables, logs, and dive records are available for use.			
Verify all divers have all the required dive equipment and gear.			
Verify required dive flags and signals are displayed.			
Verify diving platform is stable and ready for diving.			
Verify start-up operating procedures have been completed.			
Verify Dive Tender is dressed properly.			
Verify bailout is connected properly.			
Verify Standby Diver ready.			
Verify computer time.			
Diver enter the water. Verify diver completes final in-water checks, leak check, fins, mask seal, and buoyancy.			

DIVE TEAM LEADER POST-DIVE CHECKLIST	YES	NO	COMMENTS
Diver check after exiting water.			
Divers undressed dive gear/equipment removed?			
Post Dive Briefing.			
All dive logs/records have been completed?			
Remarks:			

Dive Team Leader Signature Date

Appendix B

PRE-DIVE EQUIPMENT CHECKLIST (Approved by Dive Leader)				
Buoyancy Control device (BCD)	YES	NO	COMMMENTS	
Check adjustment/fitment				
Low pressure inflator hose				
Air cylinder firmly attached				
Partially inflate				
Surface marker present?				
Weight	YES		NO	COMMENTS
Correct amount of weight for dive				
Proper distribution of weight				
Check weight releases. (removed in single motion)				
Releases	YES		NO	COMMENTS
Check releases are secure				
All divers inspect others releases				
Familiarize divers with all other divers' releases				
Air	YES		NO	COMMENTS
Test breathe (2-3 breaths) Reg and alternate				
Check air pressure				
Familiarize all divers with all alternate air sources				
Final Check	YES		NO	COMMENTS
Inspect buddy diver's equipment				

Dive Team Leader Signature _____ Date

Dive Team Signatures _____ Date

Appendix C

Pre-Dive Hazard Analysis

Feature: _____ Date: _____ (Haz. Analysis)

Dive Location: _____ Date: _____ (Examination)

DivePurpose:_____

Dive Area: Lake _____ River _____ Ocean _____ Dam _____ Canal _____ Other

Previous Diving in Area:

ITEM	NOTE	OKAY	REMARKS
Access			
Exit			
Depth Actual			
Altitude			
Depth Corrected			
Non Decom Limit			
Temperature			
Maximum BT			
Bottom Condition			
Entanglement			
Weather			
Currents			
Vertical Ascent			
Visibility Water			
Lights Required			
Video Recommended			
Camera Recommended			
Surface Support			
Special Equipment			
Team Coordination			
Dive Plan			
Emergency Equipment			
Hospital			
Physician			
Recom. Chamber			
Ambulance			
Radio/Telephone			
Diver's Experience			

Conditions:	
Satisfactory:	
Unsatisfactory:	
Dive Team Leader	Date
RDAC Regional Safety Officer	Date
RDAC Member	Date
Dive Master	Date
Personnel:	
Hazardous Energy Control:	
Dive Plan:	

Appendix D

U.S. Navy Dive Tables (Unlimited/No Decompression)

From U.S. Navy Diving Manual, Rev. 4

Depth (feet/meters)		No-Decompression Limits (min)	Group Designation														
			A	B	C	D	E	F	G	H	I	J	K	L	M	N	O
10	3.0	unlimited	60	120	210	300	797	*									
15	4.6	unlimited	35	70	110	160	225	350	452	*							
20	6.1	unlimited	25	50	75	100	135	180	240	325	390	917	*				
25	7.6	595	20	35	55	75	100	125	160	195	245	315	361	540	595		
30	9.1	405	15	30	45	60	75	95	120	145	170	205	250	310	344	405	
35	10.7	310	5	15	25	40	50	60	80	100	120	140	160	190	220	270	310
40	12.2	200	5	15	25	30	40	50	70	80	100	110	130	150	170	200	
50	15.2	100		10	15	25	30	40	50	60	70	80	90	100			
60	18.2	60		10	15	20	25	30	40	50	55	60					
70	21.3	50		5	10	15	20	30	35	40	45	50					
80	24.4	40		5	10	15	20	25	30	35	40						
90	27.4	30		5	10	12	15	20	25	30							
100	30.5	25		5	7	10	15	20	22	25							
110	33.5	20			5	10	13	15	20								
120	36.6	15			5	10	12	15									
130	39.6	10			5	8	10										
140	42.7	10			5	7	10										
150	45.7	5			5												
160	48.8	5				5											
170	51.8	5				5											
180	54.8	5				5											
190	59.9	5				5											

* Highest repetitive group that can be achieved at this depth regardless of bottom time.

Table 9-7. *No-Decompression Limits and Repetitive Group Designators for No-Decompression Air Dives.*

Depth (fsw)	No-Stop Limit	Repetitive Group Designation															
		A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	Z
10	Unlimited	57	101	158	245	426	*										
15	Unlimited	36	60	88	121	163	217	297	449	*							
20	Unlimited	26	43	61	82	106	133	165	205	256	330	461	*				
25	1102	20	33	47	62	78	97	117	140	166	198	236	285	354	469	992	1102
30	371	17	27	38	50	62	76	91	107	125	145	167	193	223	260	307	371
35	232	14	23	32	42	52	63	74	87	100	115	131	148	168	190	215	232
40	163	12	20	27	36	44	53	63	73	84	95	108	121	135	151	163	
45	125	11	17	24	31	39	46	55	63	72	82	92	102	114	125		
50	92	9	15	21	28	34	41	48	56	63	71	80	89	92			
55	74	8	14	19	25	31	37	43	50	56	63	71	74				
60	63	7	12	17	22	28	33	39	45	51	57	63					
70	48	6	10	14	19	23	28	32	37	42	47	48					
80	39	5	9	12	16	20	24	28	32	36	39						
90	33	4	7	11	14	17	21	24	28	31	33						
100	25	4	6	9	12	15	18	21	25								
110	20	3	6	8	11	14	16	19	20								
120	15	3	5	7	10	12	15										
130	12	2	4	6	9	11	12										
140	10	2	4	6	8	10											
150	8		3	5	7	8											
160	7		3	5	6	7											
170	6			4	6												
180	6			4	5	6											
190	5			3	5												

* Highest repetitive group that can be achieved at this depth regardless of bottom time.

Table 9-8. *Residual Nitrogen Time Table for Repetitive Air Dives.*

Locate the diver's repetitive group designation from his previous dive along the diagonal line above the table. Read horizontally to the interval in which the diver's surface interval lies.

Next, read vertically downward to the new repetitive group designation. Continue downward in this same column to the row that represents the depth of the repetitive dive. The time given at the intersection is residual nitrogen time, in minutes, to be applied to the repetitive dive.

* Dives following surface intervals longer than this are not repetitive dives. Use actual bottom times in the Air Decompression Tables to compute decompression for such dives.

Repetitive Group at Beginning of Surface Interval

Z	O	N	M	L	K	J	I	H	G	F	E	D	C	B	A
:10	:10	:10	:10	:10	:10	:10	:10	:10	:10	:10	:10	:10	:10	:10	:10
:52	:52	:52	:52	:52	:52	:52	:52	:52	:52	:52	:52	:52	:55	1:16	2:20 *
:53	:53	:53	:53	:53	:53	:53	:53	:53	:53	:53	:53	:53	:56	1:17	
1:45	1:45	1:45	1:45	1:45	1:45	1:45	1:45	1:45	1:45	1:45	1:45	1:47	2:11	3:36 *	
2:38	2:38	2:38	2:38	2:38	2:38	2:38	2:38	2:38	2:38	2:38	2:40	3:03	4:31 *		
3:30	3:30	3:30	3:30	3:30	3:30	3:30	3:30	3:30	3:30	3:32	3:56	5:23 *			
4:22	4:22	4:22	4:22	4:22	4:22	4:22	4:22	4:22	4:24	4:48	6:15 *				
5:14	5:14	5:14	5:14	5:14	5:14	5:14	5:14	5:17	5:41	7:08 *					
6:07	6:07	6:07	6:07	6:07	6:07	6:07	6:09	6:33	8:00 *						
6:59	6:59	6:59	6:59	6:59	6:59	7:01	7:25	8:52 *							
7:51	7:51	7:51	7:51	7:51	7:53	8:17	9:44 *								
8:43	8:43	8:43	8:43	8:45	9:10	10:36 *									
9:35	9:35	9:35	9:37	10:02	11:29 *										
10:28	10:28	10:29	10:53	12:21 *											
11:20	11:21	11:45	13:13 *												
12:13	12:37	14:05 *													
13:30	14:58 *														
15:50 *															

Repetitive Group at the End of the Surface Interval

Dive Depth	Z	O	N	M	L	K	J	I	H	G	F	E	D	C	B	A
10	**	**	**	**	**	**	**	**	**	**	**	427	246	159	101	58
15	**	**	**	**	**	**	**	**	450	298	218	164	122	89	61	37
20	**	**	**	**	**	462	331	257	206	166	134	106	83	62	44	27
25	†	†	470	354	286	237	198	167	141	118	98	79	63	48	34	21
30	372	308	261	224	194	168	146	126	108	92	77	63	51	39	28	18
35	245	216	191	169	149	132	116	101	88	75	64	53	43	33	24	15
40	188	169	152	136	122	109	97	85	74	64	55	45	37	29	21	13
45	154	140	127	115	104	93	83	73	64	56	48	40	32	25	18	12
50	131	120	109	99	90	81	73	65	57	49	42	35	29	23	17	11
55	114	105	96	88	80	72	65	58	51	44	38	32	26	20	15	10
60	101	93	86	79	72	65	58	52	46	40	35	29	24	19	14	9
70	83	77	71	65	59	54	49	44	39	34	29	25	20	16	12	8
80	70	65	60	55	51	46	42	38	33	29	25	22	18	14	10	7
90	61	57	52	48	44	41	37	33	29	26	22	19	16	12	9	6
100	54	50	47	43	40	36	33	30	26	23	20	17	14	11	8	5
110	48	45	42	39	36	33	30	27	24	21	18	16	13	10	8	5
120	44	41	38	35	32	30	27	24	22	19	17	14	12	9	7	5
130	40	37	35	32	30	27	25	22	20	18	15	13	11	9	6	4
140	37	34	32	30	27	25	23	21	19	16	14	12	10	8	6	4
150	34	32	30	28	26	23	21	19	17	15	13	11	9	8	6	4
160	32	30	28	26	24	22	20	18	16	14	13	11	9	7	5	4
170	30	28	26	24	22	21	19	17	15	14	12	10	8	7	5	3
180	28	26	25	23	21	19	18	16	14	13	11	10	8	6	5	3
190	26	25	23	22	20	18	17	15	14	12	11	9	8	6	5	3

Residual Nitrogen Times (Minutes)

** Residual Nitrogen Time cannot be determined using this table (see paragraph 9-9.1 subparagraph 8 for instructions).

† Read vertically downward to the 30 fsw repetitive dive depth. Use the corresponding residual nitrogen times to compute the equivalent single dive time. Decompress using the 30 fsw air decompression table.

Repetitive Dive Worksheet

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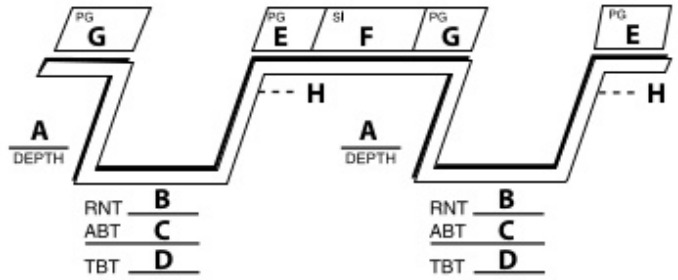
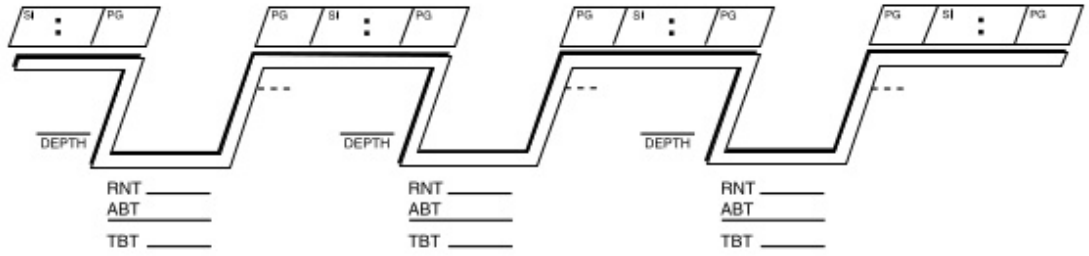
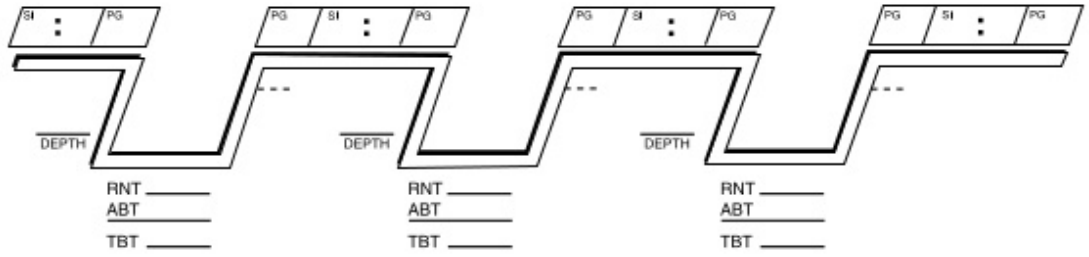


A = Depth
B = Residual Nitrogen Time
C = Actual Bottom Time
D = Total Bottom Time
E = Pressure Group Designation, Start of Surface Interval
F = Surface Interval Time
G = Pressure Group Designation, End of Surface Interval
H = Safety or Emergency Decompression Stop





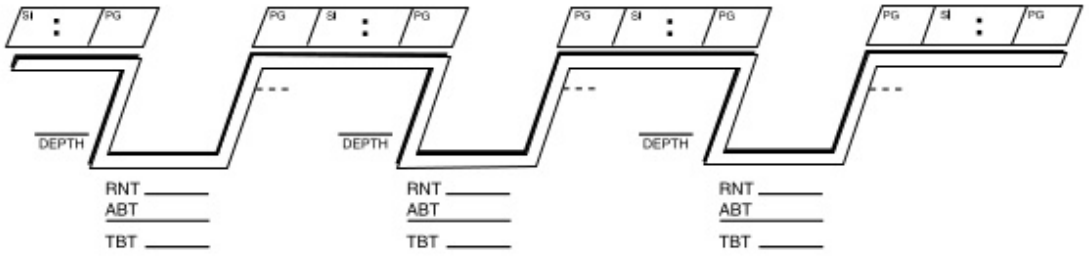


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Table 9-9. *Air Decompression Table.*
(DESCENT RATE 75 FPM—ASCENT RATE 30 FPM)

Bottom Time (min)	Time to First Stop (M:S)	Gas Mix	DECOMPRESSION STOPS (FSW) Stop times (min) include travel time, except first air and first O_2 stop 100	90	80	70	60	50	40	30	20	Total Ascent Time (M:S)	Chamber O_2 Periods	Repet Group
30 FSW														
371	1:00	AIR									0	1:00	0	Z
		AIR/O_2									**0**	1:00		
380	0:20	AIR									5	6:00	0.5	Z
		AIR/O_2									**1**	2:00		
In-Water Air/O_2 Decompression or $SurDO_2$ Recommended														
420	0:20	AIR									22	23:00	0.5	Z
		AIR/O_2									**5**	6:00		
480	0:20	AIR									42	43:00	0.5	
		AIR/O_2									**9**	10:00		
540	0:20	AIR									71	72:00	1	
		AIR/O_2									**14**	15:00		
Exceptional Exposure: In-Water Air Decompression ---------- In-Water Air/O_2 Decompression or $SurDO_2$ Required														
600	0:20	AIR									92	93:00	1	
		AIR/O_2									**19**	20:00		
660	0:20	AIR									120	121:00	1	
		AIR/O_2									**22**	23:00		
720	0:20	AIR									158	159:00	1	
		AIR/O_2									**27**	28:00		
35 FSW														
232	1:10	AIR									0	1:10	0	Z
		AIR/O_2									**0**	1:10		
240	0:30	AIR									4	5:10	0.5	Z
		AIR/O_2									**2**	3:10		
In-Water Air/O_2 Decompression or $SurDO_2$ Recommended														
270	0:30	AIR									28	29:10	0.5	Z
		AIR/O_2									**7**	8:10		
300	0:30	AIR									53	54:10	0.5	Z
		AIR/O_2									**13**	14:10		
330	0:30	AIR									71	72:10	1	Z
		AIR/O_2									**18**	19:10		
360	0:30	AIR									88	89:10	1	
		AIR/O_2									**22**	23:10		
Exceptional Exposure: In-Water Air Decompression ---------- In-Water Air/O_2 Decompression or $SurDO_2$ Required														
420	0:30	AIR									134	135:10	1.5	
		AIR/O_2									**29**	30:10		
480	0:30	AIR									173	174:10	1.5	
		AIR/O_2									**38**	44:10		
540	0:30	AIR									228	229:10	2	
		AIR/O_2									**45**	51:10		
600	0:30	AIR									277	278:10	2	
		AIR/O_2									**53**	59:10		
660	0:30	AIR									314	315:10	2.5	
		AIR/O_2									**63**	69:10		
720	0:30	AIR									342	343:10	3	
		AIR/O_2									**71**	82:10		

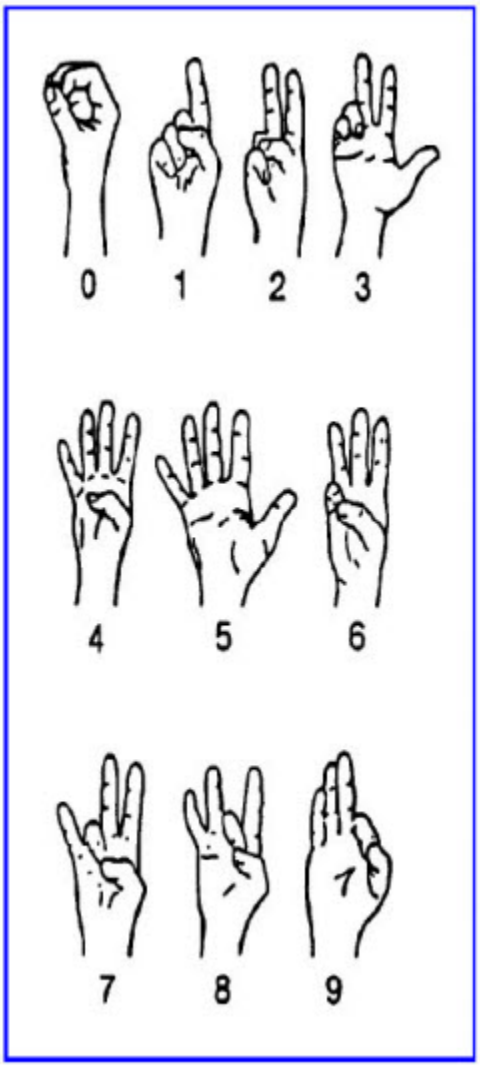
Appendix E

Diver Hand Signal Communication

From US Navy Dive Manual, Rev 4

	Meaning/Signal	Comment
	STOP Clenched fist.	
	SOMETHING IS WRONG Hand flat, fingers together, palm out, thumb down then hand rocking back and forth on axis of forearm.	This is the opposite of Okay. The signal does not indicate an emergency.
	I AM OKAY or ARE YOU OKAY? Thumb and forefinger making a circle with three remaining fingers extended (if possible).	Divers wearing mittens may not be able to extend three remaining fingers distinctly. Short range use.
	OKAY ON THE SURFACE (CLOSE) Right hand raised overhead giving Okay signal with fingers. **OKAY ON THE SURFACE (DISTANT)** Both hands touching overhead with both arms bent at 45° angle.	Given when diver is close to pickup boat. Given when diver is at a distance from the pickup boat.
	DISTRESS or HELP or PICK ME UP Hand waving overhead (diver may also thrash hand in water).	Indicates immediate aid is required.
	WHAT TIME? or WHAT DEPTH? Diver points to either watch or depth gauge.	When indicating time, this signal is commonly used for bottom time remaining.
	GO DOWN or GOING DOWN Two fingers up, two fingers and thumb against palm.	
	GO UP or GOING UP Four fingers pointing up, thumb against palm.	
	I'M OUT OF AIR. Hand slashing or chopping at throat. **I NEED TO BUDDY BREATHE** Fingers pointing to mouth or regulator.	Indicates signaler is out of air. Signaler's regulator may be in or out of mouth.

	Meaning/Signal	Comment
	COME HERE Hand to chest, repeated.	
	ME or WATCH ME Finger to chest, repeated.	
	OVER, UNDER, or AROUND Fingers together and arm moving in and over, under, or around movement.	Diver signals intention to move over, under, or around an object.
	LEVEL OFF or HOW DEEP? Fingers and thumb spread out and hand moving back and forth in a level position.	
	GO THAT WAY Fist clenched with thumb pointing up, down, right, or left.	Indicates which direction to swim.
	WHICH DIRECTION? Fingers clenched, thumb and hand rotating right and left.	
	EAR TROUBLE Diver pointing to either ear.	Divers should ascend a few feet. If problem continues, both divers must surface.
	I'M COLD Both arms crossed over chest.	
	TAKE IT EASY OR SLOW DOWN Hand extended, palm down, in short up-and-down motion.	
	YOU LEAD, I'LL FOLLOW Index fingers extended, one hand forward of the other.	



NIGHT DIVING SIGNALS
(Buddy at Distance)

When buddy is near, use regular hand signals in front of light.

Something is wrong.
I require assistance.
(Large, rapid up-and-down motions with arm extended.)

I am Okay.
Are you Okay?
(Large, slow circles with light.)

From US Navy Dive Manual, Rev.4

Line-Pull signals

	From Tender to Diver		Searching Signals (Without Circling Line)
1 Pull	"Are you all right?" When diver is descending, one pull means "Stop."	7 Pulls	"Go on (or off) searching signals."
2 Pulls	"Going Down." During ascent, two pulls mean "You have come up too far; go back down until we stop you."	1 Pull	"Stop and search where you are."
3 Pulls	"Stand by to come up."	2 Pulls	"Move directly away from the tender if given slack; move toward the tender if strain is taken on the life line."
4 Pulls	"Come up."	3 Pulls	"Face your umbilical, take a strain, move right."
2-1 Pulls	"I understand" or "Talk to me."	4 Pulls	"Face your umbilical, take a strain, move left."
3-2 Pulls	"Ventilate."		
4-3 Pulls	"Circulate."		
	From Diver to Tender		**Searching Signals (With Circling Line)**
1 Pull	"I am all right." When descending, one pull means "Stop" or "I am on the bottom."	7 Pulls	"Go on (or off) searching signals."
2 Pulls	"Lower" or "Give me slack."	1 Pull	"Stop and search where you are."
3 Pulls	"Take up my slack."	2 Pulls	"Move away from the weight."
4 Pulls	"Haul me up."	3 Pulls	"Face the weight and go right."
2-1 Pulls	"I understand" or "Talk to me."	4 Pulls	"Face the weight and go left."
3-2 Pulls	"More air."		
4-3 Pulls	"Less air."		
	Special Signals From the Diver		**Emergency Signals From the Diver**
1-2-3 Pulls	"Send me a square mark."	2-2-2 Pulls	"I am fouled and need the assistance of another diver."
5 Pulls	"Send me a line."	3-3-3 Pulls	"I am fouled but can clear myself."
2-1-2 Pulls	"Send me a slate."	4-4-4 Pulls	"Haul me up immediately."

ALL EMERGENCY SIGNALS SHALL BE ANSWERED AS GIVEN EXCEPT 4-4-4

Altitude Correction, US Navy Sea Level Equivalent Depth

Table 9-4. *Sea Level Equivalent Depth (fsw).*

Actual Depth (fsw)	Altitude (feet)									
	1000	2000	3000	4000	5000	6000	7000	8000	9000	10000
10	10	15	15	15	15	15	15	15	15	15
15	15	20	20	20	20	20	20	25	25	25
20	20	25	25	25	25	25	30	30	30	30
25	25	30	30	30	35	35	35	35	35	40
30	30	35	35	35	40	40	40	45	45	45
35	35	40	40	45	45	45	50	50	50	60
40	40	45	45	50	50	50	55	55	60	60
45	45	50	55	55	55	60	60	70	70	70
50	50	55	60	60	70	70	70	70	70	80
55	55	60	70	70	70	70	80	80	80	80
60	60	70	70	70	80	80	80	90	90	90
65	65	70	80	80	80	90	90	90	100	100
70	70	80	80	90	90	90	100	100	100	110
75	75	90	90	90	100	100	100	110	110	110
80	80	90	90	100	100	100	110	110	120	120
85	85	100	100	100	110	110	120	120	120	130
90	90	100	110	110	110	120	120	130	130	140
95	95	110	110	110	120	120	130	130	140	140
100	100	110	120	120	130	130	130	140	140	150
105	105	120	120	130	130	140	140	150	150	160
110	110	120	130	130	140	140	150	150	160	160
115	115	130	130	140	140	150	150	160	170	170
120	120	130	140	140	150	150	160	170	170	180
125	125	140	140	150	160	160	170	170	180	190
130	130	140	150	160	160	170	170	180	190	190
135	135	150	160	160	170	170	180	190	190	200
140	140	160	160	170	170	180	190	190	200	210
145	145	160	170	170	180	190	190	200	210	
150	160	170	170	180	190	190	200	210		
155	170	170	180	180	190	200	210			
160	170	180	180	190	200	200				
165	180	180	190	200	200					
170	180	190	190	200						
175	190	190	200							
180	190	200	210							
185	200	200								
190	200									
Table Water Stops	**Equivalent Stop Depths (fsw)**									
10	10	9	9	9	8	8	8	7	7	7
20	19	19	18	17	17	16	15	15	14	14
30	29	28	27	26	25	24	23	22	21	21
40	39	37	36	35	33	32	31	30	29	28
50	48	47	45	43	42	40	39	37	36	34
60	58	56	54	52	50	48	46	45	43	41

Note: ▬ = Exceptional Exposure Limit

Penalty Group Upon Arrival at Altitude, US Navy Table

Table 9-5. *Repetitive Groups Associated with Initial Ascent to Altitude.*

Altitude (feet)	Repetitive Group
1000	A
2000	A
3000	B
4000	C
5000	D
6000	E
7000	F
8000	G
9000	H
10000	I

Note: When travelling from a lower to a higher elevation there will be a reduction of the ambient pressure. Prior to diving at altitude, the diver needs to equilibrate, which can take up to twelve (12) hours. As it may be impractical to wait twelve (12) hours before diving in some situations, the diver will need to correct for Equilibration.

Required Surface Interval Before Ascent to Altitude After Diving, US Navy Table

Table 9-6. *Required Surface Interval Before Ascent to Altitude After Diving.*

Repetitive Group Designator	Increase in Altitude (feet)									
	1000	2000	3000	4000	5000	6000	7000	8000	9000	10000
A	0:00	0:00	0:00	0:00	0:00	0:00	0:00	**0:00**	0:00	0:00
B	0:00	0:00	0:00	0:00	0:00	0:00	0:00	**0:00**	0:00	1:42
C	0:00	0:00	0:00	0:00	0:00	0:00	0:00	**0:00**	1:48	6:23
D	0:00	0:00	0:00	0:00	0:00	0:00	0:00	**1:45**	5:24	9:59
E	0:00	0:00	0:00	0:00	0:00	0:00	1:37	**4:39**	8:18	12:54
F	0:00	0:00	0:00	0:00	0:00	1:32	4:04	**7:06**	10:45	15:20
G	0:00	0:00	0:00	0:00	1:19	3:38	6:10	**9:13**	12:52	17:27
H	0:00	0:00	0:00	1:06	3:10	5:29	8:02	**11:04**	14:43	19:18
I	0:00	0:00	0:56	2:45	4:50	7:09	9:41	**12:44**	16:22	20:58
J	0:00	0:41	2:25	4:15	6:19	8:39	11:11	**14:13**	17:52	22:27
K	0:30	2:03	3:47	5:37	7:41	10:00	12:33	**15:35**	19:14	23:49
L	1:45	3:18	5:02	6:52	8:56	11:15	13:48	**16:50**	20:29	25:04
M	2:54	4:28	6:12	8:01	10:06	12:25	14:57	**18:00**	21:38	26:14
N	3:59	5:32	7:16	9:06	11:10	13:29	16:02	**19:04**	22:43	27:18
O	4:59	6:33	8:17	10:06	12:11	14:30	17:02	**20:05**	23:43	28:19
Z	5:56	7:29	9:13	11:03	13:07	15:26	17:59	**21:01**	24:40	29:15
Exceptional Exposure					Wait 48 hours before ascent					

NOTE 1 When using Table 9-6, use the highest repetitive group designator obtained in the previous 24-hour period.

NOTE 2 Table 9-6 may only be used when the maximum altitude achieved is 10,000 feet or less. For ascents above 10,000 feet, consult NAVSEA 00C for guidance.

NOTE 3 The cabin pressure in commercial aircraft is maintained at a constant value regardless of the actual altitude of the flight. Though cabin pressure varies somewhat with aircraft type, the nominal value is 8,000 feet. For commercial flights, use a final altitude of 8,000 feet to compute the required surface interval before flying.

NOTE 4 No surface interval is required before taking a commercial flight if the dive site is at 8,000 feet or higher. In this case, flying results in an increase in atmospheric pressure rather than a decrease.

NOTE 5 For ascent to altitude following a non-saturation helium-oxygen dive, wait 12 hours if the dive was a no-decompression dive. Wait 24 hours if the dive was a decompression dive.

Appendix G

First Aid Kit (Diving) Recommended Items (Table)

AIRWAY MANAGEMENT ITEMS			
QTY	**UOI**	**ITEM**	**APPLICATION**
2	EA	Oxygen Cylinders (Jumbo D)	Oxygen Administration
1	EA	Resuscitator w/ Elder Valve (or LSP type)	Diver resuscitation
1	EA	Ambu Bag w/reservoir & full face mask	Diver resuscitation
1	EA	Pocket mask (or equivalent)	Rescue Breathing

* adequate for open circuit use from the dive site to the chamber location. Calculate the quantity per diver required is 50 cubic feet per hour of travel to the chamber.

BASIC FIRST AID ITEMS			
QTY	**UOI**	**ITEM**	**APPLICATION**
2	EA	Triangular bandages	Splint / Dressings
2	EA	Splints Moldable (non-pneumatic) 2 sizes	Splinting
12	EA	4x4 Gauze pads, Sterile	Dressing wounds
6	EA	2x2 Gauze pads, Sterile	Dressing wounds / Eye patch
4	EA	Telfa Pads – Non-Stick Gauze	Dressing wounds
2	RL	Roller Gauze (Kling or Elastic) 2" or 3"	Wound pressure bandage
2	RL	Roller Gauze (Kling or Elastic) 3" or 4"	Wound pressure bandage
1	EA	Ace bandage, 4 inches wide	Wound pressure bandage
Various	BX	Band-Aids, assorted & large size	Cuts
12	EA	Butterfly bandages	Cuts
1	BT	Betadine, iodine, (or other disinfecting solution)	Wound cleaning
4	EA	Gel burn dressings	Burn care
2	EA	ABD pads, 5" x 9"	Wound / Burn
1	EA	Tourniquet	Bleeding control
3	RL	Adhesive Tape ½",1" & 2" -Waterproof	Wound Bandage
10	EA	Swabs, Cotton Tip 6" wooden (Q-tips)	Wound Cleaning

MEDICATION ITEMS			
QTY	**UOI**	**ITEM**	**APPLICATION**
50	TABS	Tylenol 325 mg Tabs	Mild Pain
50	TABS	Aspirin, 325 mg Tabs (not aspirin substitute)	Mild Pain, DCS, Swelling
2	EA	Ammonia Inhalants	Dizziness
1	BT	Hydrogen Peroxide .03%	Minor wound cleaning
2	TU	Triple Antibiotic Ointment	Wound Dressing Antiseptic
1	EA	Hot Pack	Scorpion fish, ray, etc. Stings/ punctures

EQUIPMENT ITEMS			
QTY	**UOI**	**ITEM**	**APPLICATION**
1	EA	Bandage Scissors	Wound Dressing
1	EA	Forceps (i.e. Kelly, etc.)	Wound Dressing
1	EA	Tweezers (or 22 ga needle)	Foreign body / Splinter removal
1	EA	Flashlight (or Otoscope)	Examination
6	PR	Examination latex gloves	Victim handling
ALTERNATE ITEMS TO CONSIDER			
QTY	**UOI**	**ITEM**	**APPLICATION**
1	EA	Ice Pack	Sprains, injury
1	EA	Stethoscope	Examination
1	EA	BP Cuff	Examination
1	BT	Sunscreen	U/V Protection
6	PR	Examination latex gloves*	Victim handling
2	EA	Oral Airways – Adult sizes #4 & #5	Diver resuscitation, airway management

Appendix H

SCUBA Emergency Procedures

Lost Diver Emergency Situation

If a pair of divers become separated, divers should perform a 360-degree visual search from current position. Divers should note max depth and bottom time. Both divers should make a controlled ascent while tapping in 4 tap intervals on tanks with a knife or use other underwater signaling device. The first diver to reach the surface shall alert the dive team leader of the separation. The dive team leader will fix the position of the lost diver's bubbles. If the lost diver has not surfaced within two (2) minutes, the standby diver will buddy up with the primary diver on the surface and attempt to follow the lost divers bubble trail. If there is no bubble trail from the lost diver, the search team will immediately return to the last known location of the lost diver and begin a search. If the initial search is unsuccessful, notify authorities of a possible recovery situation and continue search.

Trapped/Fouled Diver Emergency Situation

The diver shall remain calm, analyze the situation, and carefully try to work free. The diver should obtain help through line pull signals or the buddy diver if the situation cannot be resolved. The buddy diver should attempt to free the entrapped diver as long as it is safe to do so. If a hazard or danger exists or if the buddy diver is unable to free the trapped diver, the buddy diver should signal the trapped diver he is going to surface for help. Once the buddy diver surfaces, the buddy diver shall advise the dive team leader of the situation and take the appropriate actions to free the trapped diver. The dive team leader may launch the standby diver to provide required assistance. For example, standby diver may deliver a new apparatus and assist cutting the trapped diver free.

Loss of Air

If a diver experiences a loss of air, the diver shall immediately check that the bottle valve is fully opened. Abort the dive. Switch to the alternate air supply and signal to the dive buddy to surface. If the alternate supply does not restore breathing air, signal the dive buddy that you are out of air and utilize their alternate air supply. Face one another and make a controlled ascent. If no alternate air supply is available, make an emergency ascent to the surface, remembering to continually blow out to avoid over expansion injury to the lungs.

Unconscious Diver

Approach with caution. The buddy diver will assist the unconscious diver to the surface as quickly as possible, within the ascent rate (30 feet per minute). If the regulator is out of mouth, do not insert. If the regulator is in mouth, leave it in. Surface with the victim in an upright position. Upon reaching the surface, immediately notify the dive team leader and standby diver for assistance, call 911. Once on shore, assess the victim's condition and take appropriate first aid measures.

MEDICAL STATEMENT

Participant Record (Confidential Information)

Please read carefully before signing.

This is a statement in which you are informed of some potential risks involved in scuba diving and of the conduct required of you during the scuba training program. Your signature on this statement is required for you to participate in the scuba training program offered

by_____and
Instructor

_____located in the
Facility

city of_____, state/province of _____.

Read this statement prior to signing it. You must complete this Medical Statement, which includes the medical questionnaire section, to enroll in the scuba training program. If you are a minor, you must have this Statement signed by a parent or guardian.

Diving is an exciting and demanding activity. When performed correctly, applying correct techniques, it is relatively safe. When established safety procedures are not followed, however, there are increased risks.

To scuba dive safely, you should not be extremely overweight or out of condition. Diving can be strenuous under certain conditions. Your respiratory and circulatory systems must be in good health. All body air spaces must be normal and healthy. A person with coronary disease, a current cold or congestion, epilepsy, a severe medical problem or who is under the influence of alcohol or drugs should not dive. If you have asthma, heart disease, other chronic medical conditions or you are taking medications on a regular basis, you should consult your doctor and the instructor before participating in this program, and on a regular basis thereafter upon completion. You will also learn from the instructor the important safety rules regarding breathing and equalization while scuba diving. Improper use of scuba equipment can result in serious injury. You must be thoroughly instructed in its use under direct supervision of a qualified instructor to use it safely.

If you have any additional questions regarding this Medical Statement or the Medical Questionnaire section, review them with your instructor before signing.

Divers Medical Questionnaire

To the Participant:

The purpose of this Medical Questionnaire is to find out if you should be examined by your doctor before participating in recreational diver training. A positive response to a question does not necessarily disqualify you from diving. A positive response means that there is a preexisting condition that may affect your safety while diving and you must seek the advice of your physician prior to engaging in dive activities.

Please answer the following questions on your past or present medical history with a **YES** or **NO**. If you are not sure, answer **YES**. If any of these items apply to you, we must request that you consult with a physician prior to participating in scuba diving. Your instructor will supply you with an RSTC Medical Statement and Guidelines for Recreational Scuba Diver's Physical Examination to take to your physician.

_____ Could you be pregnant, or are you attempting to become pregnant?

_____ Are you presently taking prescription medications? (with the exception of birth control or anti-malarial)

_____ Are you over 45 years of age and can answer YES to one or more of the following?
- currently smoke a pipe, cigars or cigarettes
- have a high cholesterol level
- have a family history of heart attack or stroke
- are currently receiving medical care
- high blood pressure
- diabetes mellitus, even if controlled by diet alone

Have you ever had or do you currently have...

_____ Asthma, or wheezing with breathing, or wheezing with exercise?

_____ Frequent or severe attacks of hayfever or allergy?

_____ Frequent colds, sinusitis or bronchitis?

_____ Any form of lung disease?

_____ Pneumothorax (collapsed lung)?

_____ Other chest disease or chest surgery?

_____ Behavioral health, mental or psychological problems (Panic attack, fear of closed or open spaces)?

_____ Epilepsy, seizures, convulsions or take medications to prevent them?

_____ Recurring complicated migraine headaches or take medications to prevent them?

_____ Blackouts or fainting (full/partial loss of consciousness)?

_____ Frequent or severe suffering from motion sickness (seasick, carsick, etc.)?

_____ Dysentery or dehydration requiring medical intervention?

_____ Any dive accidents or decompression sickness?

_____ Inability to perform moderate exercise (example: walk 1.6 km/one mile within 12 mins.)?

_____ Head injury with loss of consciousness in the past five years?

_____ Recurrent back problems?

_____ Back or spinal surgery?

_____ Diabetes?

_____ Back, arm or leg problems following surgery, injury or fracture?

_____ High blood pressure or take medicine to control blood pressure?

_____ Heart disease?

_____ Heart attack?

_____ Angina, heart surgery or blood vessel surgery?

_____ Sinus surgery?

_____ Ear disease or surgery, hearing loss or problems with balance?

_____ Recurrent ear problems?

_____ Bleeding or other blood disorders?

_____ Hernia?

_____ Ulcers or ulcer surgery ?

_____ A colostomy or ileostomy?

_____ Recreational drug use or treatment for, or alcoholism in the past five years?

The information I have provided about my medical history is accurate to the best of my knowledge. ***I agree to accept responsibility for omissions regarding my failure to disclose any existing or past health condition.***

Signature	Date	Signature of Parent or Guardian	Date

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STUDENT

Please print legibly.

Name_____ Birth Date _____ Age _____
First Initial Last Day/Month/Year

Mailing Address _____

City_____ State/Province/Region _____

Country _____ Zip/Postal Code _____

Home Phone ( )_____ Business Phone ( )_____

Email _____ FAX_____

Name and address of your family physician

Physician _____ Clinic/Hospital _____

Address_____

Date of last physical examination _____

Name of examiner_____ Clinic/Hospital_____

Address _____

Phone ( )_____ Email _____

Were you ever required to have a physical for diving? ☐ Yes ☐ No If so, when?_____

PHYSICIAN

This person applying for training or is presently certified to engage in scuba (self-contained underwater breathing apparatus) diving. Your opinion of the applicant's medical fitness for scuba diving is requested. There are guidelines attached for your information and reference.

Physician's Impression

☐ I find no medical conditions that I consider incompatible with diving.

☐ I am unable to recommend this individual for diving.

Remarks _____

_____

_____

_____ Date _____
Physician's Signature or Legal Representative of Medical Practitioner Day/Month/Year

Physician_____ Clinic/Hospital_____

Address_____

Phone ( )_____ Email _____

Guidelines for Recreational Scuba Diver's Physical Examination

Instructions to the Physician:

Recreational **SCUBA** (Self-Contained Underwater Breathing Apparatus) can provide recreational divers with an enjoyable sport safer than many other activities. The risk of diving is increased by certain physical conditions, which the relationship to diving may not be readily obvious. Thus, it is important to screen divers for such conditions.

The **RECREATIONAL SCUBA DIVER'S PHYSICAL EXAMINATION** focuses on conditions that may put a diver at increased risk for decompression sickness, pulmonary overinflation syndrome with subsequent arterial gas embolization and other conditions such as loss of consciousness, which could lead to drowning. Additionally, the diver must be able to withstand some degree of cold stress, the physiological effects of immersion and the optical effects of water and have sufficient physical and mental reserves to deal with possible emergencies.

The history, review of systems and physical examination should include as a minimum the points listed below. The list of conditions that might adversely affect the diver is not all-inclusive, but contains the most commonly encountered medical problems. The brief introductions should serve as an alert to the nature of the risk posed by each medical problem.

The potential diver and his or her physician must weigh the pleasures to be had by diving against an increased risk of death or injury due to the individual's medical condition. As with any recreational activity, there are no data for diving enabling the calculation of an accurate mathematical probability of injury. Experience and physiological principles only permit a qualitative assessment of relative risk.

For the purposes of this document, **Severe Risk** implies that an individual is believed to be at substantially elevated risk of decompression sickness, pulmonary or otic barotrauma or altered consciousness with subsequent drowning, compared with the general population. The consultants involved in drafting this document would generally discourage a student with such medical problems from diving. **Relative Risk** refers to a moderate increase in risk, which in some instances may be acceptable. To make a decision as to whether diving is contraindicated for this category of medical problems, physicians must base their judgement on an assessment of the individual patient. Some medical problems which may preclude diving are **temporary** in nature or responsive to treatment, allowing the student to dive safely after they have resolved.

Diagnostic studies and specialty consultations should be obtained as indicated to determine the diver's status. A list of references is included to aid in clarifying issues that arise. Physicians and other medical professionals of the Divers Alert Network (DAN) associated with Duke University Health System are available for consultation by phone +1 919 684 2948 during normal business hours. For emergency calls, 24 hours 7 days a week, call +1 919 684 8111 or +1 919 684 4DAN (collect). Related organizations exist in other parts of the world – DAN Europe in Italy +39 039 605 7858, DAN S.E.A.P. in Australia +61 3 9886 9166 and Divers Emergency Service (DES) in Australia +61 8 8212 9242, DAN Japan +81 33590 6501 and DAN Southern Africa +27 11 242 0380. There are also a number of informative websites offering similar advice.

NEUROLOGICAL

Neurological abnormalities affecting a diver's ability to perform exercise should be assessed according to the degree of compromise. Some diving physicians feel that conditions in which there can be a waxing and waning of neurological symptoms and signs, such as migraine or demyelinating disease, contraindicate diving because an exacerbation or attack of the preexisting disease (e.g.: a migraine with aura) may be difficult to distinguish from neurological decompression sickness. A history of head injury resulting in unconsciousness should be evaluated for risk of seizure.

Relative Risk Conditions

- **Complicated Migraine Headaches whose symptoms or severity impair motor or cognitive function, neurologic manifestations**
- **History of Head Injury with sequelae other than seizure**
- **Herniated Nucleus Pulposus**
- **Intracranial Tumor or Aneurysm**
- **Peripheral Neuropathy**
- **Multiple Sclerosis**
- **Trigeminal Neuralgia**
- **History of spinal cord or brain injury**

Temporary Risk Condition

History of cerebral gas embolism without residual where pulmonary air trapping has been excluded and for which there is a satisfactory explanation and some reason to believe that the probability of recurrence is low.

Severe Risk Conditions

Any abnormalities where there is a significant probability of unconsciousness, hence putting the diver at increased risk of drowning. Divers with spinal cord or brain abnormalities where perfusion is impaired may be at increased risk of decompression sickness.

Some conditions are as follows:

- **History of seizures other than childhood febrile seizures**
- **History of Transient Ischemic Attack (TIA) or Cerebrovascular Accident (CVA)**
- **History of Serious (Central Nervous System, Cerebral or Inner Ear) Decompression Sickness with residual deficits**

CARDIOVASCULAR SYSTEMS

Relative Risk Conditions

The diagnoses listed below potentially render the diver unable to meet the exertional performance requirements likely to be encountered in recreational diving. These conditions may lead the diver to experience cardiac ischemia and its consequences. Formalized stress testing is encouraged if there is any doubt regarding physical performance capability. The suggested minimum criteria for stress testing in such cases is at least 13 METS.* Failure to meet the exercise criteria would be of significant concern. Conditioning and retesting may make later qualification possible. Immersion in water causes a redistribution of blood from the periphery into the central compartment, an effect that is greatest in cold water. The marked increase in cardiac preload during immersion can precipitate pulmonary edema in patients with impaired left ventricular function or significant valvular disease. The effects of immersion can mostly be gauged by an assessment of the diver's performance while swimming on the surface. A large proportion of scuba diving deaths in North America are due to coronary artery disease. Before being approved to scuba dive, individuals older than 40 years are recommended to undergo risk assessment for coronary artery disease. Formal exercise testing may be needed to assess the risk.

* METS is a term used to describe the metabolic cost. The MET at rest is one, two METS is two times the resting level, three METS is three times the resting level, and so on. The resting energy cost (net oxygen requirement) is thus standardized. (Exercise Physiology; Clark, Prentice Hall, 1975.)

Relative Risk Conditions

- **History of Coronary Artery Bypass Grafting (CABG)**
- **Percutaneous Balloon Angioplasty (PCTA) or Coronary Artery Disease (CAD)**
- **History of Myocardial Infarction**
- **Congestive Heart Failure**
- **Hypertension**
- **History of dysrythmias requiring medication for suppression**
- **Valvular Regurgitation**

Pacemakers

The pathologic process that necessitated should be addressed regarding the diver's fitness to dive. In those instances where the problem necessitating pacing does not preclude diving, will the diver be able to meet the performance criteria?

*** NOTE: Pacemakers must be certified by the manufacturer as able to withstand the pressure changes involved in recreational diving.**

Severe Risks

Venous emboli, commonly produced during decompression, may cross major intracardiac right-to-left shunts and enter the cerebral or spinal cord circulations causing neurological decompression illness. Hypertrophic cardiomyopathy and valvular stenosis may lead to the sudden onset of unconsciousness during exercise.

PULMONARY

Any process or lesion that impedes airflow from the lungs places the diver at risk for pulmonary overinflation with alveolar rupture and the possibility of cerebral air embolization. Many interstitial diseases predispose to spontaneous pneumothorax: Asthma (reactive airway disease), Chronic Obstructive Pulmonary Disease (COPD), cystic or cavitating lung diseases may all cause air trapping. The 1996 Undersea and Hyperbaric Medical Society (UHMS) consensus on diving and asthma indicates that for the risk of pulmonary barotrauma and decompression illness to be acceptably low, the asthmatic diver should be asymptomatic and have normal spirometry before and after an exercise test. Inhalation challenge tests (e.g.: using histamine, hypertonic saline or methacholine) are not sufficiently standardized to be interpreted in the context of scuba diving.

A pneumothorax that occurs or reoccurs while diving may be catastrophic. As the diver ascends, air trapped in the cavity expands and could produce a tension pneumothorax.

In addition to the risk of pulmonary barotrauma, respiratory disease due to either structural disorders of the lung or chest wall or neuromuscular disease may impair exercise performance. Structural disorders of the chest or abdominal wall (e.g.: prune belly), or neuromuscular disorders, may impair cough, which could be life threatening if water is aspirated. Respiratory limitation due to disease is compounded by the combined effects of immersion (causing a restrictive deficit) and the increase in gas density, which increases in proportion to the ambient pressure (causing increased airway resistance). Formal exercise testing may be helpful.

Relative Risk Conditions

- **History of Asthma or Reactive Airway Disease (RAD)***
- **History of Exercise Induced Bronchospasm (EIB)***
- **History of solid, cystic or cavitating lesion***
- **Pneumothorax secondary to:**
  - **-Thoracic Surgery**
  - **-Trauma or Pleural Penetration***
  - **-Previous Overinflation Injury***
- **Obesity**
- **History of Immersion Pulmonary Edema Restrictive Disease***
- **Interstitial lung disease: May increase the risk of pneumothorax**

* Spirometry should be normal before and after exercise

Active Reactive Airway Disease, Active Asthma, Exercise Induced Bronchospasm, Chronic Obstructive Pulmonary Disease or history of same with abnormal PFTs or a positive exercise challenge are concerns for diving.

Severe Risk Conditions

- **History of spontaneous pneumothorax.** Individuals who have experienced spontaneous pneumothorax should avoid diving, even after a surgical procedure designed to prevent recurrence (such as pleurodesis). Surgical procedures either do not correct the underlying lung abnormality (e.g.: pleurodesis, apical pleurectomy) or may not totally correct it (e.g.: resection of blebs or bullae).
- **Impaired exercise performance due to respiratory disease.**

GASTROINTESTINAL

Temporary Risks

As with other organ systems and disease states, a process which chronically debilitates the diver may impair exercise performance. Additionally, dive activities may take place in areas remote from medical care. The possibility of acute recurrences of disability or lethal symptoms must be considered.

Temporary Risk Conditions

- **Peptic Ulcer Disease associated with pyloric obstruction or severe reflux**
- **Unrepaired hernias of the abdominal wall large enough to contain bowel within the hernia sac could incarcerate.**

Relative Risk Conditions

- **Inflammatory Bowel Disease**
- **Functional Bowel Disorders**

Severe Risks

Altered anatomical relationships secondary to surgery or malformations that lead to gas trapping may cause serious problems. Gas trapped in a hollow viscous expands as the divers surfaces and can lead to rupture or, in the case of the upper GI tract, emesis. Emesis underwater may lead to drowning.

Severe Risk Conditions

- **Gastric outlet obstruction of a degree sufficient to produce recurrent vomiting**
- **Chronic or recurrent small bowel obstruction**
- **Severe gastroesophageal reflux**
- **Achalasia**
- **Paraesophageal Hernia**

ORTHOPAEDIC

Relative impairment of mobility, particularly in a boat or ashore with equipment weighing up to 18 kgs/40 pounds must be assessed. Orthopaedic conditions of a degree sufficient to impair exercise performance may increase the risk.

Relative Risk Conditions

- **Amputation**
- **Scoliosis must also assess impact on respiratory function and exercise performance.**
- **Aseptic Necrosis possible risk of progression due to effects of decompression (evaluate the underlying medical**

cause of decompression may accelerate/escalate the progression).

Temporary Risk Conditions

- **Back pain**

HEMATOLOGICAL

Abnormalities resulting in altered rheological properties may theoretically increase the risk of decompression sickness. Bleeding disorders could worsen the effects of otic or sinus barotrauma, and exacerbate the injury associated with inner ear or spinal cord decompression sickness. Spontaneous bleeding into the joints (e.g.: in hemophilia) may be difficult to distinguish from decompression illness.

Relative Risk Conditions

- **Sickle Cell Disease**
- **Polycythemia Vera**
- **Leukemia**
- **Hemophilia/Impaired Coagulation**

METABOLIC AND ENDOCRINOLOGICAL

With the exception of diabetes mellitus, states of altered hormonal or metabolic function should be assessed according to their impact on the individual's ability to tolerate the moderate exercise requirement and environmental stress of sport diving. Obesity may predispose the individual to decompression sickness, can impair exercise tolerance and is a risk factor for coronary artery disease.

Relative Risk Conditions

- **Hormonal Excess or Deficiency**
- **Obesity**
- **Renal Insufficiency**

Severe Risk Conditions

The potentially rapid change in level of consciousness associated with hypoglycemia in diabetics on insulin therapy or certain oral hypoglycemic medications can result in drowning. Diving is therefore generally contraindicated, unless associated with a specialized program that addresses these issues. [See "Guidelines for Recreational Diving with Diabetes" at www/wrstc.com and www.diversalertnetwork.org.]

Pregnancy: The effect of venous emboli formed during decompression on the fetus has not been thoroughly investigated. Diving is therefore not recommended during any stage of pregnancy or for women actively seeking to become pregnant.

BEHAVIORAL HEALTH

Behavioral: The diver's mental capacity and emotional make-up are important to safe diving. The student diver must have sufficient learning abilities to grasp information presented to him by his instructors, be able to safely plan and execute his own dives and react to changes around him in the underwater environment. The student's motivation to learn and his ability to deal with potentially dangerous situations are also crucial to safe scuba diving.

Relative Risk Conditions

- **Developmental delay**
- **History of drug or alcohol abuse**
- **History of previous psychotic episodes**
- **Use of psychotropic medications**

Severe Risk Conditions

- **Inappropriate motivation to dive – solely to please spouse, partner or family member, to prove oneself in the face of personal fears**
- **Claustrophobia and agoraphobia**
- **Active psychosis**
- **History of untreated panic disorder**
- **Drug or alcohol abuse**

OTOLARYNGOLOGICAL

Equalisation of pressure must take place during ascent and descent between ambient water pressure and the external auditory canal, middle ear and paranasal sinuses. Failure of this to occur results at least in pain and in the worst case rupture of the occluded space with disabling and possible lethal consequences.

The inner ear is fluid filled and therefore noncompressible. The flexible interfaces between the middle and inner ear, the round and oval windows are, however, subject to pressure changes. Previously ruptured but healed round or oval window membranes are at increased risk of rupture due to failure to equalise pressure or due to marked overpressurisation during vigorous or explosive Valsalva manoeuvres.

The larynx and pharynx must be free of an obstruction to airflow. The laryngeal and epiglotic structure must function normally to prevent aspiration.

Mandibular and maxillary function must be capable of allowing the patient to hold a scuba mouthpiece. Individuals who have had mid-face fractures may be prone to barotrauma and rupture of the air filled cavities involved.

Relative Risk Conditions

- **Recurrent otitis externa**
- **Significant obstruction of external auditory canal**
- **History of significant cold injury to pinna**
- **Eustachian tube dysfunction**
- **Recurrent otitis media or sinusitis**
- **History of TM perforation**
- **History of tympanoplasty**
- **History of mastoidectomy**
- **Significant conductive or sensorineural hearing impairment**
- **Facial nerve paralysis not associated with barotrauma**
- **Full prosthedontic devices**
- **History of mid-face fracture**
- **Unhealed oral surgery sites**
- **History of head and/or neck therapeutic radiation**
- **History of temperomandibular joint dysfunction**
- **History of round window rupture**

Severe Risk Conditions

- **Monomeric TM**
- **Open TM perforation**
- **Tube myringotomy**
- **History of stapedectomy**
- **History of ossicular chain surgery**
- **History of inner ear surgery**
- **Facial nerve paralysis secondary to barotrauma**
- **Inner ear disease other than presbycusis**
- **Uncorrected upper airway obstruction**
- **Laryngectomy or status post partial laryngectomy**
- **Tracheostomy**
- **Uncorrected laryngocele**
- **History of vestibular decompression sickness**

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14. Divers Emergency Service, Australia, www.rah.sa.gov.au/hyperbaric, telephone 61-8-8212-9242
15. South Pacific Underwater Medicine Society (SPUMS), P.O. Box 190, Red Hill South, Victoria, Australia, www.spums.org.au
16. European Underwater and Baromedical Society, www.eubs.org

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Methamphetamine Clean-Up Regulation

Definitions:

Certified Industrial Hygienist – an individual who is certified in comprehensive practice by the American Board of Industrial Hygiene for assessing and preventing unhealthy workplace exposures.

Clandestine Laboratory (clan labs, meth labs) - a property or area used to manufacture or 'cook' meth or other illicit drugs. These can generate high levels of persistent, invisible drug and chemical residues throughout a house and pose a substantial health risk, but are far less common than properties where drugs are smoked.

Meth smoke houses – a smoke house is typically a home used to smoke meth or other illicit drugs, but not manufacture them. The resulting house contamination may still be significant where heavy usage has occurred, but current evidence suggests the levels will be significantly lower than from a meth lab.

Qualified contractor – professional with hazardous waste expertise who has completed the minimum 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training.

Residential units - any residential dwelling where tenants rent space from the City of Boise.

Suspected units – units with unusual odors, covered windows, excessive or unusual trash, high volumes of visitors, etc. See: Recognizing a Meth House or Structure (nv.gov)

µg/^{cm2} - *microgram per square centimeter; this is a surface density measurement unit. The microgram per square centimeter surface density measurement unit is used to measure area in square centimeters in order to estimate weight or mass in micrograms. The surface density is used to measure the thickness of paper, fabric and other thin materials.*

Background

The City of Boise is committed to complying with all applicable federal and state laws and regulations pertaining to the hazards of smoked methamphetamine residue contamination and contamination of residential properties used as clandestine drug laboratories.

Currently no federal legislation or regulations govern required clean-up standards for properties contaminated by residue from smoked, or use-based methamphetamine. The Environmental Protection Agency (EPA) has published voluntary cleanup guidelines for meth lab contamination which does include reference to use-based contamination. States vary in their application of these guidelines and several have conducted research studies to establish updated regulatory standards. Many states, tribes, and other government entities utilize existing laws regulating lab contamination to regulate use or smoke-related contamination. This has resulted in inconsistencies across the United States.

Two primary research-based studies out of California and Colorado support a residential methamphetamine clean-up limit of 1.5 µg/100cm^2 Many states follow this standard including Washington, Kansas, Montana, Virginia, and Wisconsin.

Idaho has a standard for cleanup of residential properties used as clandestine drug laboratories, but not for residential properties used as a smoke house. Properties must meet this standard in order to be removed from Idaho Department of Health and Welfare's (IDHW) Clandestine Drug Laboratory Site Property List. The Idaho meth lab cleanup level is point one microgram per one hundred square centimeters (0.1 µg/100cm²).

California's 1.5 µg/100 cm^2 standard limit is health-based, meaning it is supported by toxicological data and scientific research. Supportive research shows contamination levels at or below 1.5 µg/100 cm^2 effectively limit both the risk of harmful reaction and the detrimental health effects associated with meth exposure.

Colorado's 1.5 µg/100 cm^2 standard limit is a technology-based standard supported by EPA processes and exposure models. Supportive research showed this limit to be sufficiently conservative, accounting for scientific uncertainty while remaining health-protective. Requiring contamination level to remain at or below 1.5 µg/100 cm^2 was determined to effectively limit public and environmental harm.

Children under six are the most susceptible to the effects of methamphetamine residue, but regular, healthy adults can also be affected.

Regulation Purpose

In an effort to protect the public health, safety, and welfare of current tenants and maintenance employees, industrial hygiene sampling for methamphetamine

contamination levels is to be conducted as necessary at suspect units owned by City of Boise.

For safety and health, staff guidance, and to minimize continued risk and liability, the City has adopted research-based safety guidelines and clean-up standards for all city-owned and managed properties found to be contaminated with methamphetamine.

This regulation covers city-owned and managed properties. The purpose of this regulation is to prevent exposure to methamphetamine-related hazards and to ensure compliance with existing state law and federal guidelines. Requirements for compliance with methamphetamine clean-up regulations in city-owned properties are based on hazardous contamination levels detected through methamphetamine contamination sampling.

Contamination Tiers

Requirements for performing work in city facilities are broken down into three main tiers defining contamination levels, who can perform the work in those tiers, and other requirements, including clearance sampling.

Tier I: City property identified as being used as a clandestine drug laboratory.

When a meth lab is discovered on City property employees shall immediately leave the premises, contact Boise Police, and cooperate fully with the police investigation.

When the police have released the property back to the department for additional mitigation, the department shall ensure the property is secured until any remaining hazards are mitigated. The City will follow the IDHW's "Guidelines for Cleaning Up Former Methamphetamine Labs" and use the meth lab cleanup standard of $0.1\mu g/100cm^2$. Idaho Department of Health and Welfare Guidelines can be found at this website: https://healthandwelfare.idaho.gov/health-wellness/environmental-health/clandestine-labs

The City will contract with a qualified contractor for any remaining hazard mitigation work. Clearance sampling must then be conducted by a qualified industrial hygienist to ensure that the property has been cleaned according to the standard. The city department will provide IDHW with an original or certified copy of the qualified industrial hygienist's final report verifying that the property has been cleaned up according to the established standard, or documentation that the property has been demolished.

When properties are identified with contamination above the health and safety standard the department will notify the occupants/tenants of the potential hazard. The department will follow all required federal, state, and local rules, along with

department procedures, leases, and agreements where necessary to facilitate the relocation of occupants/tenants while contamination is mitigated. A careful assessment of multiple dwelling units, such as apartments and motels, must be done to determine how much of the structure should be evacuated or cleaned. Adjacent rooms and common areas of multiple dwelling are presumed contaminated and must be cleaned or sampled to rule out the need for cleaning.

Until the contamination is mitigated, the department will place hazard warning signs throughout the building and units and secure the property.

Tier II: City property with methamphetamine contamination testing above 1.5µg/100cm^2.

Properties testing above 1.5µg/100cm^2 are considered above the health and safety standard of 1.5µg/100cm^2 adopted by the City, Contamination will be mitigated to acceptable levels by qualified contractors. Clearance testing will then be completed to verify the property has been cleaned according to the established standard.

When properties are identified with contamination above the City's health and safety standard the department will notify the occupants/tenants of the potential hazard. The department will follow required federal, state, and local rules, along with department procedures, leases, and agreements where necessary to facilitate the relocation of occupants/tenants while contamination is mitigated. A careful assessment of multiple dwelling units, such as apartments and motels, must be done to determine how much of the structure should be evacuated or cleaned. Adjacent rooms and common areas of multiple dwelling are presumed contaminated and must be cleaned or sampled to rule out the need for cleaning.

Until the contamination is mitigated, the department will place hazard warning signs throughout the building and units and secure the property.

Note: City staff without the required qualification shall not perform work in city owned or managed property contaminated with methamphetamine above 1.5µg/100cm^2.

Tier III: City properties with methamphetamine contamination levels testing 1.5µg/100cm^2 or less.

Properties testing at or below 1.5µg/100cm^2 are considered within the health and safety standard of 1.5µg/100cm^2. City staff can continue to work and complete maintenance and cleaning activities in these locations.

General Requirements

Employees who perform repair and maintenance operations in residential units shall be trained prior to performing duties with potential exposure to methamphetamine. This training shall include:

A. Employees shall read the city methamphetamine regulation.
B. Supervisors shall provide general meth lab awareness training applicable to the work environment.
C. Supervisors shall explain expectations and requirements for reporting suspicious activity and advise when to call Boise Police.
D. Supervisors shall explain work procedures required in the department to reduce potential exposures to methamphetamine.
E. Employees shall complete all assigned city hazard communications training(s).
F. Employees shall complete all assigned PPE training(s).
G. Employees shall complete all assigned Bloodborne Pathogen training(s)

If employees suspect a unit or facility may contain methamphetamine contamination:

A. Employees shall notify their supervisor(s) prior to entering a suspected unit.
B. Supervisors or their designee shall notify Risk and Safety Services and document the findings in sufficient detail.
C. The department shall coordinate industrial hygiene sampling as necessary to determine the level of contamination of a suspect unit.
D. Employees must not perform cleaning or maintenance activities in suspect units until industrial hygiene sampling results are confirmed at or below 1.5µg/100cm^2.

Personal Protective Equipment and Required Work Procedures

All employees shall wear appropriate personal protective equipment (PPE) when entering any unit for any reason, including:

A. Disposable shoe covers;
B. Nitrile or rubber gloves (depending on the work being conducted); and
C. Disposable overalls are provided and recommended for use anytime work tasks require bodily contact with surfaces. Alternatively, and when appropriate, employees shall remove and thoroughly launder all potentially exposed clothing and/or footwear prior to leaving the department. Note: workplace utilities are provided and recommended for use.

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INJURY/ILLNESS ON THE JOB AND WORKER'S COMPENSATION

The City of Boise is committed to providing a safe and healthy workplace for all of its employees and to meeting all applicable federal, state, and local laws or regulations pertaining to occupational injuries or illnesses.

The responsibility for the success of workplace safety is shared by management and all employees working for the City of Boise. The objective is to reduce or eliminate disabling injuries, illnesses, and occupational diseases. The City expects employees to exercise all precautions necessary to protect employees from all accidents. The City of Boise firmly believes that all accidents are preventable and employees are expected to take an active role in promoting workplace safety. Compliance with this policy and associated regulations is required of all employees as a condition of employment.

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INJURY/ILLNESS ON THE JOB AND WORKER'S COMPENSATION

I. INTRODUCTION

These regulations have been prepared to protect the safety and health of employees. Employees are to follow these regulations, review them often, and use common sense in carrying out their assigned duties. This regulation expresses the City's commitment to and involvement in providing all employees a safe and healthy workplace.

II. INJURY, ILLNESS OR DISEASE REPORTING

Responsibilities for injury, illness, or occupational disease reporting are as follows:

A. Employees are expected to immediately report all work-related illnesses, injuries, or occupational disease exposures to their supervisor. Immediate reporting of injuries and illnesses can be important in establishing that injuries are covered by workers' compensation. Failure to report an injury or illness as required by state law and City procedures could result in loss of compensation benefits and possibly lead to corrective action up to and including termination. The exhibit to this regulation provides a flow chart when an incident occurs.

B. Supervisors are responsible for ensuring that employees receive necessary first aid and that they receive information about workers' compensation including the name and location of the City's preferred medical provider. The employee in conjunction with the supervisor shall prepare a Supervisor Investigation Report of Employee Injury (SD-1) and First Report of Injury or Illness (IC-1). Employees working for the Fire Department need to complete the Boise Fire Department On-Duty Injury/Occupational Illness Report (FS02). These shall be filed with the Workers' Compensation Administrator as soon as possible, but in any case no later than 48 hours after an injury occurs.

III. WORKER'S COMPENSATION

Workers' Compensation is a no-fault insurance that provides medical treatment and partial salary replacement for eligible workers who are injured or become ill as a result of circumstances arising out of and in the course of their work.

The Workers' Compensation Administrator is responsible for coordinating claims. Once the Administrator receives the SD-1 and IC-1 a claim number will be assigned. This claim number is important to employees. Without it, employees may be

expected to pay for prescriptions or treatment and submit a receipt for reimbursement.

IV. TREATMENT FACILITIES

When an employee is injured on the job, immediate treatment should be sought at the City's preferred provider facility. The City's current preferred provider may be found on the City's Intranet site under Safety Services.

An appointment is not required for an employee to be seen at the City's preferred provider facility.

Once an injured employee sees a physician, that physician becomes the attending physician of record. At that point, the City of Boise cannot simply choose a new physician. The injured employee is able to obtain any additional medical care that is recommended by the attending physician, including referral to any other medical provider, such as a specialist.

If an employee is dissatisfied with the medical care provider designated by the City, he/she can contact the Claims Examiner or the City of Boise's Workers' Compensation Administrator to discuss the issue. A decision regarding a change in physician will be based on the facts and status of the case. A change in physician may not always be allowed.

When an employee sustains an injury or illness falling under this policy and regulation, that employee may also be subject to completing a screening for the presence of drugs and/or alcohol in accordance with applicable City policies.

V. COMPENSABLE INJURIES AND INCOME BENEFITS

The City of Boise bears the full cost of providing workers' compensation benefits. Intermountain Claims is responsible for an initial review of whether an employee's injury or illness claim is compensable under Idaho's Workers' Compensation law and making benefit payments.

Employees are eligible for worker's compensation when they have a compensable injury. A "compensable injury" is defined as a "personal injury caused by an accident arising out of and in the course of any employment."

A unique circumstance that periodically arises is whether an employee who is injured while traveling to or from work is entitled to workers compensation. When an employee is injured traveling to or from work, that injury is typically non-compensable absent specific and exceptional circumstances. The Worker's Compensation Administrator and the City's third party administrator will make the determination in accordance with applicable laws whether this type of injury is compensable.

Workers' compensation is the employees' exclusive remedy for workplace injuries or illnesses.

A. Total Temporary Disability (TTD):

Benefits are paid when the physician determines the employee is temporarily totally unable to return to work. Income benefits are calculated according to the Idaho Workers' Compensation Statute. Most injured workers will be paid 67% of their gross wage. However, the benefit level cannot be higher than 90% of the State Average Weekly Wage or lower than 45% of the State Average Weekly Wage, which is an amount determined each year by the Idaho Department of Labor.

Benefits cease when the employee returns to work, is released to return to work, or the physician determines the employee's medical condition to be stable, whichever occurs first.

Benefits may be stopped if the employee fails to comply with prescribed therapies or physician's orders or fails to work at a physician-approved modified job that the City has made available or if suitable employment is available in the open labor market.

B. Temporary Partial Disability (TPD):

Benefits are paid when an employee is temporarily partially disabled, but able to resume work in a different capacity, or on a part-time basis at a reduced rate of pay. Benefits cannot exceed the income benefits payable for total temporary disability. Documentation of rate of pay and actual hours worked are needed before payment is made.

C. Permanent Partial Impairment (PPI):

Benefits are paid when an employee has suffered a permanent partial loss of function of a body part. Determination of impairment is based partially on a medical assessment by a physician.

D. Permanent Partial Disability (PPD):

If an employee suffers a permanent partial impairment and also suffers a decrease in wage-earning capacity or access to labor market, the employee may be entitled to a permanent partial disability. The percentage of disability is determined by the Industrial Commission based on the facts of the case.

E. Death:

If an employee dies as the result of a compensable accident or disease, Workers' Compensation provides for certain scheduled benefits to the surviving spouse and dependents.

VI. CLAIM DISPUTE

Most claims are processed without incident. If an employee disagrees with a decision that has been made regarding his/her claim, he/she should contact the City of Boise's Workers' Compensation Administrator or Claims Examiner to see how the issue can be resolved. If the dispute is not resolved to the employee's satisfaction after working with the Workers' Comp Administrator, the employee can elect to go

through a dispute resolution process by filing a complaint through the Idaho Industrial Commission.

VII. COORDINATION WITH OTHER LEAVE POLICIES

When an employee is injured, he or she may become eligible to receive weekly workers' compensation wage-replacement benefits after a five-day waiting period mandated by Idaho's Workers' Compensation Law. The following rules govern how workers' compensation wage-replacement benefits are coordinated with the City's other leave programs:

A. During the five-day waiting period, an employee can elect to cover his or her absence by using accrued sick leave.

B. If the injury results in a disability of more than 14 days, the employee is paid workers' compensation benefits from the date when the employee was injured. In such cases, for employees who used their paid sick leave to cover their absence during the waiting period, both paid leave and the workers' compensation benefits for the waiting period are restored.

C. Once the employee is receiving workers' compensation benefits, the injured employee may be eligible to continue to receive his/her regular net pay, rather than be limited to the statutorily calculated workers compensation amount. This benefit is referred to as the “wage loss recovery process.”

   The City provides a long-term disability benefit for all eligible employees as a component of the benefits program. After the five-day waiting period the injured employee will continue to receive enough of his/her regular net pay to keep the employee whole. Regular net pay does not include overtime or pay premiums or additions to pay that are not part of the employee’s regular base salary or hourly wage. Unless required under applicable laws, an injured employee shall not receive pay which is more than their regular net pay.

   The City will stop paying an additional amount to keep the employee whole when the employee begins receiving long-term disability payments or six months from when the employee began receiving the additional payments from the City, whichever comes first. When this occurs the employee will receive the compensation he/she is entitled to under the workers’ compensation laws and the long-term disability program.

   Injured employees who are not eligible for the benefit outlined in this section receive the statutorily defined amount under applicable workers compensation laws.

D. An employee who is receiving worker’s compensation benefits, but is not in pay status through the City’s payroll, is not eligible to accrue vacation or sick leave, or receive a paid holiday unless otherwise specified by City policy, regulation, or law. Employees receiving their regular net pay, as outlined in section C, continue to receive these leave benefits. Please refer to the individual regulations for more information.

E. The City of Boise evaluates and where applicable counts an employee's leave due to a work-related injury or illness toward the employee's 12-week leave entitlement under the Family and Medical Leave Law. If workers' compensation leave is designated as FMLA leave, continuation of health benefits is governed by the applicable FMLA provisions.

F. An employee's paid leave is not charged for time lost from work on the day of the injury. However, employees are expected to return to work, unless the treating physician gives the employee a written statement that he or she is not fit to return to work.

G. An employee who returns to a light-duty position while receiving workers' compensation wage-replacement benefits is not permitted to supplement those benefits with paid sick, personal, or vacation leave.

VIII. FRAUD

Filing a fraudulent workers' compensation claim or engaging in fraudulent representations with respect to workers' compensation claims or benefits are serious offenses. Employees found to have engaged in fraudulent activities are subject to disciplinary action, up to and including termination of employment.

Employees that file fraudulent claims also can be criminally prosecuted and subject to imprisonment and/or fines.

The City regularly reviews and audits medical claims for indications of fraud. Suspected fraudulent claims are reported to the Idaho State Insurance Fund. In addition, the City orders investigations or surveillance of employees where fraud is suspected.

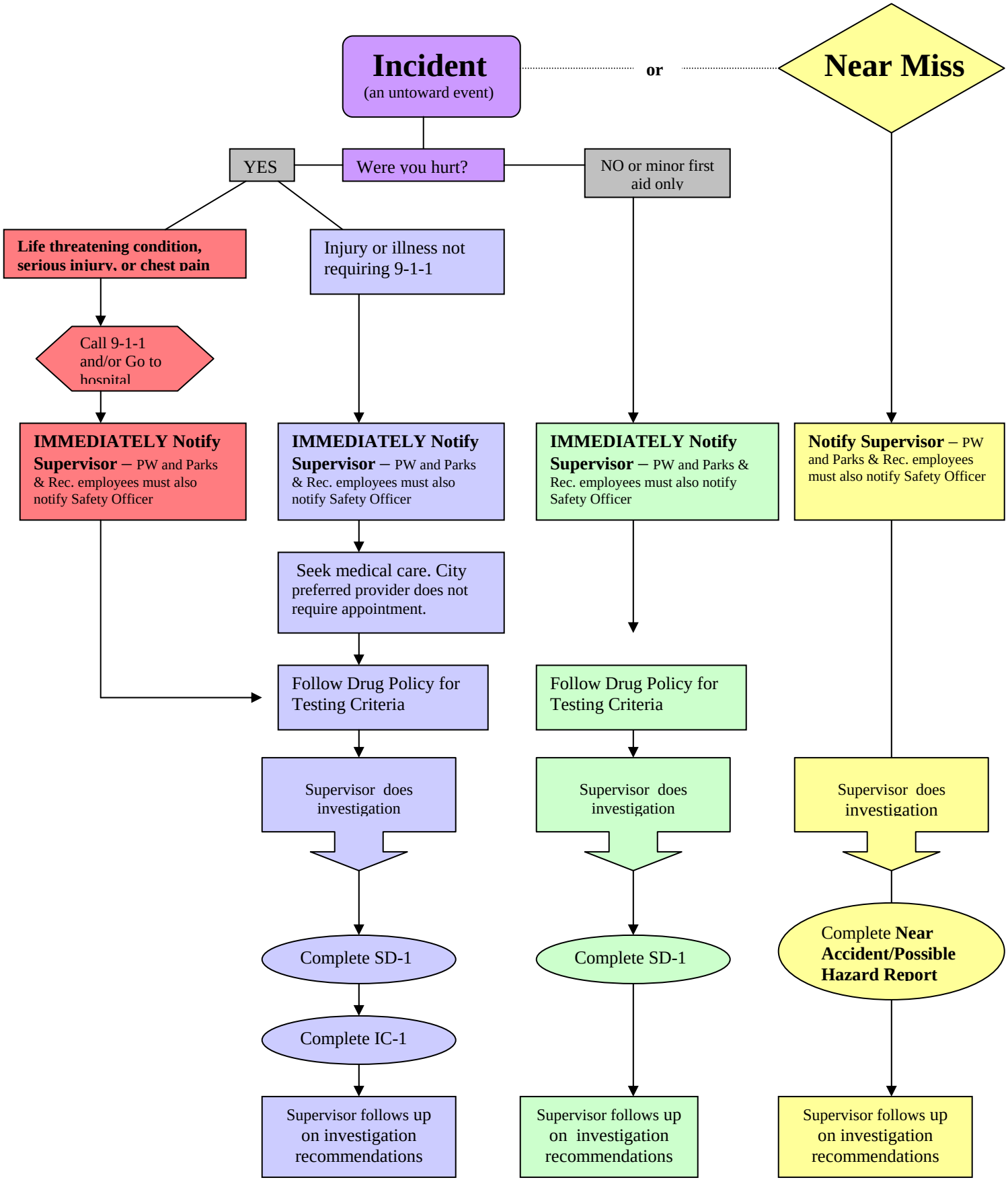
IX. RETALIATION

The City of Boise does not discriminate or retaliate against employees who have filed legitimate workers' compensation claims. Managers and supervisors may not take or threaten any action to compel or persuade employees not to file a workers' compensation claim.

X. COMPLIANCE

Compliance with these regulations is required of all employees as a condition of employment. Failure to comply may result in discipline up to and including termination.

Incident Flow Chart



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Legal References:	

PHOTO IDENTIFICATION AND ACCESS CARD

Every employee of the City of Boise will be issued a City of Boise Photo Identification card to wear while on City business. In addition to identifying the wearer as an employee of the City of Boise, the Photo Identification/Access Card may also serve as an access card for employees into designated areas.

Any exemptions from wearing identifications during certain situations require Departmental and Security Services approval.

Document Type:	Regulation
Number:	6.05a
Effective:	05-01-06
Revised:	02-08-21
Legal References:	

PHOTO IDENTIFICATION AND ACCESS CARD

I. INTRODUCTION

The purpose of issuing city photo identification and access badge is to enhance personal security for city employees through positive photo identification and to restrict access to city facilities, property, records, etc. to only those authorized by the City of Boise to have access.

Security Services oversees city's Photo Identification and Access Control System and maintains records of all Photo Identification/Access Cards ("Access Card") issued to personnel and corresponding access rights and associated records.

II. DISPLAYING CITY OF BOISE PHOTO IDENTIFICATION CARD

Access Cards are issued to all employees, commission/board members, elected officials, some volunteers and contractors, and other people as deemed necessary by Security Services, collectively referred to as Users. Users will be granted access rights as deemed necessary by their job responsibilities.

During the course of business, Users are always expected to visibly display their Access Card. Certain Users may be exempt from continuously displaying their Access Card if it is deemed unsafe or inappropriate (e.g. undercover police officers and firefighters in turn outs); however, they are still expected to have their Access Card available for identification purposes. All exemptions require department and Security Services approval.

III. USE OF PHOTO IDENTIFICATION/ACCESS CARD

Users shall not lend or permit use of their City of Boise access card to non-Users. A User whose Access Card is used to gain access to a city facility or property may have their access revoked and be subject to discipline.

When entering areas requiring their Access Card, Users should not allow others to piggyback with them into the secured area or through a secured entry.

Piggybacking is when a person unknown to the User, follows the User into a secured area.

IV. SURRENDER OF PHOTO IDENTIFICATION/ACCESS CARD

Upon termination of employment, or receipt of replacement card, the old Access Card shall be surrendered to the User's supervisor who shall immediately return the card to Security Services. If a User fails to return the card upon separation of employment, the supervisor shall immediately notify Security Services to deactivate the card.

Regardless if the Access Card is lost or surrendered, the supervisor or User shall immediately notify Security Services to deactivate the card.

All Access Cards are considered property of the City of Boise and shall be surrendered upon request of the User's supervisor, management, Security Services or Human Resources and returned to Security Services.

The User's first Access Card will be issued at the City's expense, as will replacement cards due to normal wear and tear, substantial change in employee image, department, or title change, etc. Replacement of a lost card or intentionally neglected/damaged card may be at the employee's expense

Document Type:	Policy
Number:	6.10
Effective:	05-01-06
Revised:	
Legal References:	I.C. § 18-3302 B.M.C. 6-04

VIOLENCE-FREE WORKPLACE

The safety and security of all employees is of primary importance at the City of Boise. Threats, whether direct or indirect, threatening and abusive behavior, or acts of violence against employees, visitors, customers, the public, or other individuals by employees or by anyone engaged in City business will not be tolerated. Violations of this policy will lead to corrective action up to and including termination and/or referral to appropriate law enforcement agencies. The City of Boise reserves the right to take any necessary legal action to protect its employees.

Document Type:	Regulation
Number:	6.10a
Effective:	05-01-06
Revised:	
Legal References:	I.C. § 18-3302 B.M.C. 6-04

VIOLENCE-FREE WORKPLACE

I. INTRODUCTION

The City of Boise does not tolerate acts of workplace violence committed by or against employees. The City strictly prohibits employees from making threats, whether direct or indirect, or engaging in violent acts.

II. PROHIBITED CONDUCT

Prohibited conduct includes, but is not limited to, the following:

A. Injuring another person physically;
B. Engaging in behavior that intimidates or creates a reasonable fear in another person;
C. Engaging in behavior that subjects another individual to emotional distress;
D. Damaging property intentionally;
E. Threatening to injure an individual or damage property; suggesting, condoning or otherwise inferring that an act to injure persons or property is acceptable conduct;
F. Committing injurious acts motivated by, or related to, domestic violence or sexual harassment; and
G. Possessing, brandishing, or using a weapon while on a City of Boise premises, while representing the City, or while engaged in City business, except as designated within this regulation.

Activities of police personnel adhering to appropriate standards of practice are excluded as examples of prohibited conduct.

III. POSSESSING WEAPONS

The City prohibits all individuals from possessing weapons of any type on City property and at any City-sponsored event, unless the individual falls within one of the exceptions described below. This prohibition applies to visible and concealed weapons, even those for which the owner has obtained the necessary permits. While this list is not all inclusive, “weapons” include firearms, knives with a blade longer than four inches, any explosive materials, and any other objects that could be used to intimidate or injure another individual.

Some City employees may be required, as a condition of their work assignment, to possess firearms or other weapons on City property and at City-sponsored events. These employees are to possess and use these weapons in accordance with the department’s operating procedures and all applicable state and federal laws.

Exceptions to this section may only be made with written authorization from the Mayor or designee in consultation with the Legal Department. Any exception should be documented and, if involving an employee, placed in the employee's official personnel file. The Mayor or designee in consultation with the Legal Department may revoke any exceptions at any time without prior notice.

IV. DUTY TO REPORT POTENTIAL PROBLEMS

All employees are responsible for notifying their supervisor and/or Human Resources of any threats that they witness or receive or that they are told another person witnessed or received. Even without a specific threat, all employees should report any behavior they have witnessed that they regard as potentially threatening or violent or which could endanger the health or safety of an employee.

Some City offices are equipped with panic buttons that signal police for help when activated. In the case of an emergency situation, employees in offices equipped with these buttons should activate them and call 911.

V. SUPPORT FOR VICTIMS OF VIOLENCE

Victims of violent incidents in the workplace might have to contend with a variety of medical, psychological, and legal consequences. The City assists victims of workplace violence by:

A. Referring victims to appropriate community resources, such as medical centers, EAP counseling services, victim advocacy groups, legal aid, and domestic violence shelters.
B. Providing flexible work hours or short-term or extended leave.
C. Cooperating with law enforcement personnel in the investigation of the crime and the prosecution of the offender.
D. Providing a debriefing for employees 24 to 48 hours after a serious violent occurrence to explain what happened and what steps are being taken by the City to support affected employees.

Document Type:	Policy
Number:	7.01
Effective:	05-01-06
Revised:	
Legal References:	I.C. §§ 45-606

SEPARATION FROM EMPLOYMENT

Separation of employment from an organization can occur for several different reasons. In order to ensure uniform and consistent procedures for employee separations, the City of Boise has established rules applicable to all such separations. The City of Boise makes every effort to ensure that all separations from employment are conducted in accordance with all provisions and requirements of applicable laws.

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	07-13-09
	02-22-10
	03-23-12
	06-10-14
Legal References:	I.C. §§ 45-606

SEPARATION FROM EMPLOYMENT

I. INTRODUCTION

Separation of employment from the City of Boise can occur for several different reasons. In order to ensure uniform and consistent procedures for employee separations, the City of Boise has established rules applicable to all such separations.

II. SEPARATION NOTICE REQUIREMENTS

Based on the type of separation the following rules shall apply:

A. Resignation

In order to resign in good standing employees shall give their supervisor written notice at least fourteen (14) calendar days prior to the employee's last workday. The notice shall then be forwarded to Human Resources. An employee's supervisor may choose to waive the fourteen (14) day notice requirement if he or she believes individual circumstances warrant it. If the fourteen (14) day requirement is waived, a written resignation letter is still required. The City of Boise may deny any request by an employee to rescind a resignation.

B. Termination

Employees who are terminated are given notice in accordance with the Corrective Action and/or Performance Management policies and regulations.

C. Layoff

If it becomes necessary to reduce the workforce, employees affected by the reduction in force are given notice in accordance with the layoff policy and regulation.

D. Retirement

The City offers various benefits to retiring employees. The requirements to receive these benefits are outlined in the City's policies, regulations, or plan documents. Employees who plan to retire from the City shall notify Human

Resources and their supervisor in writing at least 45 calendar days before their planned retirement date. Failure to do so could result in payment delays. Employees who separate from the City prior to attaining PERSI retirement eligibility, but are later approved by PERSI for a Disability Retirement, may be considered an eligible PERSI retiree by the City for up to one (1) year after separation.

E. Eligibility for Rehire

Former employees who were terminated, resigned in lieu of termination, had poor performance records, quit without proper notice, or were not in good standing with the City are not eligible for rehire.

III. RETURN OF CITY PROPERTY

All City property shall be returned at or before the time of separation, including but not limited to:

A. City credit or purchasing cards
B. City uniforms or clothing
C. Mobile devices and/or pagers
D. Employee identification badge
E. Keys to City vehicles and buildings
F. Computers, laptops, PDA's etc.
G. Tools or other equipment
H. City issued parking permit
I. Any other City property in possession of the employee
J. In-home City phone service shall be terminated and City equipment returned

Failure to return items may result in criminal charges.

IV. EXIT SURVEYS

Regular employees separating employment are asked to complete the City's electronic exit survey. The survey is not required, but strongly encouraged. The purpose of the survey is to get a departing employee's opinions about working at the City of Boise, including what the City does well and what needs improvement. Employees are encouraged to be honest, candid, and forthright in completing the survey and providing feedback to the City. Human Resources will compile the information and send it to the employee's Department Director. Personal exit interviews are also available to employees by contacting Human Resources.

V. FINAL PAYCHECK

On or prior to the last day of employment, employees shall return all company property to their supervisor. Final paychecks will be issued on the next regular payday or in ten days (excluding weekends/holidays) whichever is sooner. If the employee gives the HR Payroll office a written request for earlier payment, the employee will be paid within 48 hours (excluding weekends/holidays) of receipt of the request or the last day worked, whichever is later.

VI. EMPLOYEE'S RESPONSIBILITIES

Employees are also responsible to:

A. Submit a timely written letter of resignation or retirement, when applicable.
B. Complete an electronic exit survey or contact Human Resources to schedule a personal interview (optional).
C. Ensure that all City property is returned no later than the last day worked.
D. Provide Human Resources with a current forwarding address to ensure that benefits and tax information are received in a timely manner.

VII. SUPERVISOR'S RESPONSIBILITIES

When an employee separates from the City of Boise, the department supervisor is responsible for the following:

A. Complete a Status Form and forward it to Human Resources along with the written resignation. This should occur upon receiving the employee's written notice of separation.
B. Encourage the employee to complete an exit survey.
C. On the employee's last day of work, notify IT and Security to remove network passwords and access codes.
D. Ensure that all City property is returned prior to the last day of employment.
E. Ensure all City purchasing and credit cards are returned to Purchasing prior to the last day of employment.
F. Immediately notify the HR Payroll office of the employee's final date in pay status and ensure all time, unused vacation leave, and/or compensatory time (non-exempt employees only) is recorded in Sum Total.
G. Ensure that any money owed to the City by the employee (payroll loans, telephone bills etc.) is paid back either by payroll deduction authorized by the employee or that other arrangements are made with the City's accounting office to repay the money.
H. Ensure that any money owed to the employee by the City (mileage reimbursement etc.) is paid back either by payroll or that other arrangements are made with the City's accounting office to repay the money.
I. Complete a Separation Checklist Form (see exhibit 7.01b) for all regular employees and send it to Human Resources for inclusion in the employee's personnel file.

VIII. INSURANCE AND BENEFITS

For employees with insurance benefits, the medical, dental, and vision insurance coverage will continue through the end of the month in which the employee separates employment. Upon separation, workers are provided with information about their rights to continue participation in the City's group health plan.

Employees resigning or retiring from employment may not use accrued leave for the purpose of extending their resignation or retirement date. The separation date for employees who call in sick on their final day(s) of work may be moved back to the last day the employee actually worked.

In the event of a negotiated separation, accrued vacation leave may be substituted for proper notice or to extend the employment benefits of an exempt or non-exempt employee with the approval of the Mayor or designee and in coordination with Human Resources. Accrued compensatory time may be substituted under these circumstances for non-exempt employees only.

Document Type:	Exhibit
Number:	7.01b
Effective:	05-01-06
Revised:	09-05-08
	07-13-09
	01-12-10
	02-22-10
Legal References:	I.C. §§ 45-606

SEPARATION CHECKLIST

To Be Completed By Supervisor

EMPLOYEE NAME: _____

EMPLOYEE ID #: _____DATE OF SEPARATION: _____

DEPARTMENT: _____

When a regular employee separates from the City of Boise, the department supervisor is responsible for the following. Please check off each item that was completed, sign and return form to Human Resources for inclusion in the employee's official personnel file.

- O Complete a Status Form and forward it to Human Resources. This should occur upon receiving the employee's notice of separation.
- O If the employee is resigning or retiring, forward the written resignation or retirement letter to Human Resources.
- O Encourage the employee to complete an exit survey.
- O Ensure that all City property is returned prior to the last day of employment.
- O Ensure all City purchasing and credit cards are returned to Purchasing.
- O Notify the central Payroll office of the employee's final regular time, overtime, unused vacation leave, and/or compensatory time hours (non-exempt employees only) to be included in the final paycheck.
- O Ensure that any money owed to the City by the employee (payroll loans, telephone bills etc.) is paid back either by payroll deduction authorized by the employee or that other arrangements are made with the City's accounting office to repay the money.
- O Ensure that any money owed to the employee by the City (mileage reimbursement etc.) is paid either by payroll or that other arrangements are made with the City's accounting office to ensure payment is made.

RETURN OF CITY PROPERTY

The supervisor shall collect all City property at or before the time of separation, including but not limited to the following. Please check each item that was returned and the date it was returned.

- O City credit or purchasing cards Date returned:_____
- O City uniforms or clothing Date returned:_____
- O Cell phones and/or pagers Date returned:_____
- O Employee identification badge Date returned:_____
- O Employee SIDA badge (Airport) Date returned:_____
- O Keys to City vehicles and buildings Date returned:_____
- O Laptops, Thumb Drives, PDA's etc. Date returned:_____
- O Tools or other equipment Date returned:_____
- O City issued parking permit Date returned:_____
- O Citrix key fob Date returned:_____

All in-home City services were terminated and City equipment returned on what date? _____

Supervisor verified that the employee's personal smart phone, PDA, thumb drives, etc. were cleaned of City information by IT on what date? _____

List all other City property in possession of the employee and date returned:

_____

Once you have completed this checklist please print and sign your name and <u>submit to Human Resources</u> for inclusion in the employee personnel file.

Supervisor's Printed Name: _____

Supervisor's Signature: _____

Date completed: _____

cc. Employee Personnel File

Document Type:	Policy
Number:	7.05
Effective:	05-01-06
Revised:	
Legal References:	I.R.C. § 4980B(a)-(g), 29 U.S.C. §§ 1161-1168

HEALTH INSURANCE CONTINUATION (COBRA)

The City of Boise is required by the federal Consolidated Omnibus Budget Reconciliation Act (COBRA) to offer extended health insurance coverage to qualified beneficiaries who experience certain events. COBRA essentially requires that employees and their family members be allowed to purchase health care coverage at premiums based on the City's group rates for specified periods of time after termination, divorce, death of the covered employee, or another event that would result in the loss of employer-provided coverage. In order to fully comply with COBRA, the City of Boise offers continued health care coverage that is identical to the City's group coverage with regard to deductibles, coinsurance and benefit limits.

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Number:	7.05a
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Revised:	11-05-07 03-15-11 10-01-13 06-11-14
Legal References:	I.R.C. § 4980B (a)-(g), 29 U.S.C. §§ 1161-1168

HEALTH INSURANCE CONTINUATION (COBRA)

I. INTRODUCTION

In the event of an employee's voluntary or involuntary termination of employment (except for gross misconduct) or reduction of hours below 20 hours a week, the employee, spouse, and eligible dependent children may be entitled by law to purchase continuing health care coverage with the Boise Municipal Health Trust group plan (the Plan) for up to 18months und the Consolidated Omnibus Budget Reconciliation Act [COBRA]. If the employee or any family member is disabled, the disabled individual and non-disabled family members may be entitled to an additional 11 months of continuation coverage for a total of 29 months of coverage.

In the event of an employee's death, divorce, or legal separation, or a retiree losing coverage under the group plan because of enrollment in Medicare, the spouse and eligible dependent children of the employee or retiree have the option of purchasing continuing coverage under the group health plan for up to 36 months. If a dependent child loses coverage under the health plan because he or she has reached 26 years of age, the child can purchase continuing health care coverage under the group plan for up to 36 months.

II. COST TO EMPLOYEE

Employees or qualified beneficiaries electing COBRA coverage are responsible for paying the cost of the extended health care coverage. The purchase price of continuing coverage is the full cost of the premium for similarly situated active employees, plus 2 percent to help pay for administrative costs. During the 11 months of extended coverage for disabled employees or family members, the cost is 102 percent of the medical and/or dental premium rate.

Note, there may be other coverage options for employees and their families through the Health Insurance Marketplace, Medicaid, or other group health plan coverage options (such as a spouse's plan) through what is called a "special enrollment period." Some of these options may cost less than COBRA continuation coverage.

III. POST COBRA HEALTH CARE

After exhausting COBRA benefits, retired employees may be eligible for the Boise Municipal Health Trust's retiree medical and/or dental plans at the higher retiree stand

alone rates. To be eligible for this benefit the employee must have retired under the Public Employees Retirement System of Idaho (PERSI) and elected the continued coverage within 30 calendar days of COBRA exhaustion.

For eligible employees, the City will contribute $100 per month toward the total contribution of the medical and/or dental option chosen until age 65 or Medicare eligibility. Upon reaching age 65 or Medicare eligibility, the employee may enroll in a City sponsored Medicare Advantage plan and the City will contribute $50 per month toward the total premium. After age 65 or Medicare eligibility, a retiree who had previously declined coverage may opt back into a City sponsored Medicare Advantage plan and the City will contribute $50 per month toward the premium.

Retiring non-contract Police and Fire command staff may elect to enroll in COBRA coverage according to the terms outlined by the Boise Fire/Police Trust.

The City of Boise reserves the right to require, reduce, or eliminate this benefit at any time and for any reason for all current or retired employees receiving this benefit or who may be eligible to receive this benefit.

IV. COVERAGE

By enrolling in the Health Care Continuation Plan, employees and their family members receive the benefit of purchasing the same extensive coverage provided to active employees at favorable group rates. There is no waiting period, no exclusion for preexisting conditions, and no physical examination. Any amounts already paid toward deductibles and coinsurance during the current year count under the continuation policy.

Continuing coverage terminates before the expiration of the 18-, 29-, or 36-month under the following circumstances:

A. The employer no longer provides group health coverage to any of its employees.
B. The beneficiary fails to make timely payments of COBRA premiums. The City will provide appropriate notice to employees regarding their COBRA obligations.
C. A qualified beneficiary becomes covered under another group health plan, provided that other plan has no restrictions on coverage of preexisting conditions.
D. A qualified beneficiary enrolls in the Medicare program.
E. A beneficiary who was disabled at the start of COBRA continuation coverage is deemed no longer disabled during the 11-month extension period.

V. DEPENDENT CHILDREN

In order for the Plan to meet its legal obligations in providing continuing health care coverage, all employees shall inform the Human Resource Department within 60 days of a divorce or legal separation or when a dependent child reaches 26 years of age.

It also is essential that employees provide Human Resources with a current address for themselves and family members.

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Effective:	05-01-06
Revised:	
Legal References:	I.C. § 65-503

LAYOFF

The City of Boise will provide employees with an equitable and fair method to lay off one or more employees when deemed necessary. Layoffs may occur as a result of a shortage of funds, a shortage of work and/or due to a material change in duties or organizational/department needs that require the elimination of one or more positions. The City of Boise will comply with all applicable laws when conducting layoffs.

Document Type:	Regulation
Number:	7.10a
Effective:	05-01-06
Revised:	07-01-06
	01-16-09
	08-21-20
Legal References:	I.C. § 65-502
	I.C. § 65-503
	I.C. § 65-505

LAYOFF

I. INTRODUCTION

Layoffs occur when changing priorities, budgetary constraints, or other business needs require the city to eliminate positions. Whenever practical and consistent with its business needs, the city will consider ways to lessen the impact or need to lay off employees. Voluntary severance incentives may be analyzed and pursued where appropriate.

This regulation applies to all regular city of Boise employees except for bargaining unit employees whose collective labor agreement includes layoff provisions. The regulation does not apply to temporary employees, department directors, or other office heads who were appointed by the mayor or city council under the provisions of the Boise City Code, or any employee in an "at will" position.

II. LAYOFF DETERMINATION

When layoffs are necessary, the city evaluates the positions needed to conduct the ongoing or future work of a division, department, and/or the organization, as well as the relative value of work performed by individual employees. Length of service and other factors may be considered but receive less weight in the determination. If length of service is considered, the seniority date used would be the employee's current hire date.

When determining the order of layoffs, the city will comply with its obligations under Idaho's Veterans Preference statute. Departments are expected to abide by the following guidelines when determining the order of layoffs:

A. Employees in temporary positions performing the same work as regular employees should be considered for termination before any regular employees, provided a regular employee can perform the temporary employee's tasks.
B. Layoffs of regular employees will be based on the following factors:

a. Positions most critical to the division, department, or organization in the delivery of services;
b. Relative skills, knowledge and productivity of individual employees.
c. Protected class status

C. Length of employment, or other relevant factors.

Prior to finalizing the list of employees to be laid off, Human Resources shall evaluate equal employment factors to ensure employees in protected classes are not disparately impacted by the layoffs.

III. NOTICE

Employees being laid off shall be given a minimum of fifteen (15) calendar days advance written notice of the layoff. Human Resources will provide the applicable department(s) with the required written notice to be given to employees being laid off.

IV. RECALL

After a layoff, the city can determine, at its discretion, the occasion and the advisability of recalling some or all the laid-off employees. If this occurs, the city will restore the recalled employee's sick leave balance as of the employee's last day of employment, provided the balances were not swept into the employee's HRA VEBA account, or are otherwise not available. Employees who are reinstated within one year of the effective date of the employee's layoff may have their vacation accrual rates restored.

V. CONTINUATION OF HEALTH INSURANCE

Employees who are laid off may be eligible to continue their health insurance benefits under the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA), as outlined in the applicable City policy and regulation.

VI. LAYOFF APPEAL

A layoff is not appealable.

Document Type:	Policy
Number:	7.15
Effective:	05-01-06
Revised:	
Legal References:	

EMPLOYMENT REFERENCES

When requested by a prospective employer, the City of Boise may provide employment reference information relating to a current or former employee. If a response is given, the City will communicate personnel data confirming work location, position held, dates of employment, status, gross salary, salary history, classification, pay grade, and step. The City, at its discretion, may require that the current or former employee provide an authorization to release information as a condition for providing employment reference information or may decline to provide this type of employment reference information.

With written authorization from the employee, the City may provide substantiated qualitative information.

No City of Boise employee will provide a written or oral recommendation to assist in the employment of a person whom the employee knows to be unqualified or unfit to hold the position sought.

Authority to provide verbal or written employment reference information on behalf of the City is limited to a Department Director, Division Head, and/or Human Resources, unless specifically authorized by the Department Director or Division Head.

Employees, including elected officials, may give personal letters of recommendation in their individual capacity as long as they do not represent that they speak on behalf of the City. Use of City letterhead or stationary in this regard is prohibited.