

AN ORDINANCE AMENDING THE CITY OF EUREKA SPRINGS,  
ARKANSAS, PERSONNEL POLICY HANDBOOK

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS THAT:

WHEREAS, it has been determined by the Eureka Springs, Arkansas City Council that amendments to the Personnel Policy Manual must be made to clarify certain sub-sections of the Handbook, and;

WHEREAS, the amendments are as follows:

(Employment Categories, Page 5, adding two sub-sections)

SEASONAL employees are hired for tourist season employment. Transit drivers, traffic control personnel and other support personnel are examples of seasonal employees. While they receive all legally mandated benefits (such as Social Security and workers, compensation insurance), they are ineligible for any of the City's other benefit programs, except if a Holiday is worked by the employee he/she receives double time and if a seasonal employee works 1000 hours or more he or she may participate in the city sponsored retirement plan.

COMMISSION employees are hired by the respective commission(s) and are considered City Employees. Generally, they are eligible for the City's benefit package, subject to the terms, conditions and limitations of each benefit program. These employees are eligible for sick leave and vacation benefits pro-rated with the percentage of 2080 hours per year. These employees are also eligible for Holiday compensation provided they are working a 40 hour per week schedule during a Holiday period. Employees who work less than 40 hours per week are paid at a pro-rated rate based on the number of hours worked.

(Policies for the Use of City Equipment and Vehicles, amending subsection 4 and 5, page 22)

4. Police Officers operating police vehicles shall not permit passengers to ride unless authorized by the Chief of Police or the Mayor's Office. This does not include persons who have been arrested or is a witness who requires transportation to the police department or the County Detention Facility.

5. Only commissioned Police Department personnel are authorized to drive police vehicles. Non-commissioned personnel may ride with commissioned personnel only with specific authorization from the Chief of Police or Mayor's Office or when performing a department related detail as authorized by the Chief of Police.

(Adding a new sub-section, page 29)

**City Charge Accounts, Procedure**

Whenever a purchase is made with a local merchant, a purchase order must accompany the purchase. Under no circumstances will any employee charge any item to a city charge account that is not intended for city use. Avoiding any tax or obtaining a discount one is not entitled to is a criminal offense. Any employee or other person committing this offense will be prosecuted in a criminal court of law.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THAT:

**Section one:**

The City of Eureka Springs, Arkansas, Personnel Policy Handbook thereto is hereby amended as set out above.

**Section two: Repeal Clause**

All Ordinances and Resolutions in conflict thereof, are hereby repealed to the extent of such conflict.

PASSED AND ORDAINED BY THE CITY COUNCIL OF THE CITY OF EUREKA SPRINGS, ARKANSAS, THIS 3<sup>RD</sup> DAY OF February 1997.

APPROVED:

Barbara A. O'Harris  
Barbara A. O'Harris, Mayor

ATTEST:

## Employment Categories

It is the intent of the City to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, **the right to terminate the employment relationship at will at any time is retained by both the employee and the City.**

Each employee is designated as either **NONEXEMPT** or **EXEMPT** from the federal and state wage and hour laws. **NONEXEMPT** employees are entitled to overtime pay under the specific provisions of federal and state laws. **EXEMPT** employees are excluded from specific provisions of federal and state wage and hour laws. An employee's **EXEMPT** or **NONEXEMPT** classification may be changed only upon written notification by City management.

In addition to the above categories, each employee will belong to one other employment category:

**REGULAR** employees are those who are not in a temporary or introductory status and who are regularly scheduled to work for the City's regular schedule. Generally, they are eligible for the City's benefit package, subject to the terms, conditions, and limitations of each benefit program. Employees who are classified as regular employees, but work between 30 and 40 hours a week are generally eligible for the City's benefit package.

**TEMPORARY** employees are those who are hired as interim replacements to temporarily supplement the work force or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified in writing of a change.

**PART-TIME** employees are those who are not assigned to a temporary or introductory status and who are regularly scheduled to work less than 30 hours per week. While they do receive all legally mandated benefits (such as Social Security and workers' compensation insurance), they are ineligible for all of the City's other benefit programs.

**INTRODUCTORY** employees are those whose performance is being evaluated to determine whether further employment in a specific position or with the City is appropriate. Employees who satisfactorily complete the introductory period will be notified of their new employment classification in writing. For additional information on this status, see section titled Introductory Period.

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COMMISSION employees are hired by the respective commission(s) and are considered City Employees. Generally, they are eligible for the City's benefit package, subject to the terms, conditions and limitations of each benefit program. These employees are eligible for sick leave and vacation benefits pro-rated with the percentage of 2080 hours per year. These employees are also eligible for Holiday compensation provided they are working a 40 hour per week schedule during Holiday period. Employees who work less than 40 hours per week are paid at a pro-rated rate based on the number of hours worked. (Ordinance 1745, January 14, 1997)

### Introductory Period

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets their expectations. The City uses this period to evaluate employee capabilities, work habits, and overall performance. **Either the employee or the City may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.**

All new and rehired employees work on an introductory basis for the first 90 calendar days after their date of hire. Employees who are promoted or transferred within the City must complete a secondary introductory period of the same length with each reassignment to a new position.

Employees who plan to retire are urged to provide the City with a minimum of a two-month notice. This will allow ample time for the processing of appropriate pension forms and ensuring that retirement benefits will commence on time.

As mentioned elsewhere in this Handbook, **all employment relationships with the City of Eureka Springs are on an at-will basis. Thus, although the City desires mutually rewarding long-term employment relationships with employees, the City reserves the right to terminate the employment relationship of any employee at any time without cause.**

### **Policies for the Use of City Equipment and Vehicles**

City equipment and vehicles will not be used for unauthorized purposes. City employees (full- and part-time) are the only persons who can be authorized to drive, operate, or ride in/on City equipment and vehicles. Employees who operate City equipment and vehicles must have appropriate, valid operator's licenses. Any change in the status of such licenses must be reported to the appropriate Department Head immediately.

The following exceptions and rules will be enforced:

1. The Public Works Director may use a City vehicle to transport consultants, engineers, etc., while conducting City business.
2. Emergency Services Department personnel may transport Volunteer Firefighters to emergency sites, training sessions, etc.; and Volunteer Firefighters may drive City vehicles during emergency and training situations as directed by the Chief of Emergency Services.
3. Police Officers may transport Auxiliary Police Officers in the line of duty, and Auxiliary Police Officers may drive city vehicles as directed by the Chief of Police.
4. Police Officers operating police vehicles shall not permit passengers to ride unless authorized by the Chief of Police or the Mayor's Office. This does not include persons who have been arrested or is a witness who requires transportation to the police department or the County Detention Facility.
5. Only commissioned Police Department personnel are authorized to drive police vehicles. Non-commissioned personnel may ride with commissioned personnel only with specific authorization from the Chief of Police or Mayor's Office or when performing a department related detail as authorized by the Chief of Police.  
(Ordinance No. 1745, January 14, 1997)

### **Accidents With or In City Vehicles**

In the event that a City owned or leased vehicle or a piece of City owned or leased equipment, such as backhoes, loaders or other mechanical vehicles is involved in an accident, the employee will notify the Police Department immediately and an accident report will be taken. The employee will also submit to the Department Head a written report as to the particulars of the accident, giving location, listing all witnesses, other drivers and passengers and a description of all equipment or motor vehicles involved. The Department Head will forward a copy to the director of Finance.

### **Change of Address, Telephone Number or Marital Status**

When an employee changes his or her home address or telephone number, the Department Head and Payroll Clerk should be notified immediately so that personnel files may be kept up to date. This is important in case the City must contact the employee or mail information to the employee, such as withholding statements for the employee's income tax reports. Also, if there is any change in the employee's marital status, this information should be reported to the Department Head and Payroll Clerk.

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