

**CITY OF LAKE OZARK**  
A Missouri Municipality of the 4th Class

**BILL NO.: 2024-24**

**ORDINANCE NO.: 2024-24**

**AN ORDINANCE AMENDING SECTIONS 100-109, 100-106, 500-502, 500-503 AND  
1011-1013 OF THE PERSONNEL POLICIES AND PROCEDURES MANUAL – 2<sup>nd</sup>  
EDITION OF THE CITY OF LAKE OZARK, MISSOURI**

**WHEREAS**, § 120.030 of the Municipal Code of the City of Lake Ozark, Missouri provides for the adoption of a Personnel Policies and Procedures Manual to establish a guide to administrative action concerning various personnel expectations, rights, activities and transactions; and

**WHEREAS**, § 120.030 of the Municipal Code of the City of Lake Ozark, Missouri provides that the Personnel Policies and Procedures Manual for the City of Lake Ozark will be updated on a regular basis; and

**WHEREAS**, § 120.030 of the Municipal Code of the City of Lake Ozark, Missouri provides that the Personnel Policies and Procedures Manual for the City of Lake Ozark may be changed or modified from time to time with the approval of the City Administrator and the majority of the Board of Aldermen of the City of Lake Ozark; and

**WHEREAS**, the Board of Aldermen desire to amend Sections 100-109, 100-106, 500-502, 500-503, and 1011-1013 of the City’s Personnel Policies and Procedures Manual to provide as follows:

**100-109 L- Email and Internet Scam Policy**

01. Employees should exercise extreme caution when receiving emails or online communications that request personal, financial, or login information, or that encourage clicking on links or opening attachments. Many malicious emails and websites are designed to appear legitimate but can lead to identity theft, financial fraud, or installation of malware on the City's systems.

- A. It is the responsibility of each employee to carefully verify the authenticity of any suspicious email or online request before providing any information or downloading anything. Even if an email appears to come from a trusted source, employees should independently verify its legitimacy before taking any actions.
- B. The City will never request employees to provide passwords, financial account numbers, or other sensitive data via email. Any such requests should be considered illegitimate phishing attempts and must be reported immediately to IT security personnel.
- C. Under no circumstances should employees conduct financial transactions or provide financial account credentials, credit card numbers, tax information, or

other sensitive personal data in response to emails or online solicitations, even if they appear authentic.

- D. The City is not responsible for any personal or financial losses employees may incur if they fall victim to phishing, internet, or email scams after failing to properly vet the legitimacy of the communication. The City reserves the right to take disciplinary action against employees who knowingly compromise City systems through negligent online behavior.

### *Existing L (Miscellaneous, Computer Use) to become 100-109 M*

#### **100-106.02 – Recruitment**

The City will recruit qualified candidates by posting every full-time regular status job opening in City offices. These openings, except for emergency positions, will generally be posted for at least one week prior to a final hiring decision being made. **All positions will be advertised through the City’s website and social media channels.**

- A. Department head positions will also be advertised through the Missouri Municipal League and other relevant professional network job boards. These should be advertised for a period of at least 30 days.
- B. Those positions that directly report to the Board of Aldermen and/or exist as a Department Head requiring appointment by the Mayor (Municipal Judge, City Attorney/Prosecutor, Treasurer, City Clerk, City Administrator, Police Chief, Director of Public Works) should have application materials reviewed by a committee consisting of, generally, the Mayor, 1-2 Aldermen, City Administrator, and 1-2 other identified relevant parties who may have a level of expertise or familiarity with the subject matter handled by the role being filled.

#### **500-502 – Vacations**

Vacation leave is intended to provide each full-time regular employee who has successfully completed ~~one year of service~~ **their probationary period** with ~~a~~ paid vacation ~~leave each year~~. Such leave should be planned and requested as far in advance as practical, in order to allow the supervisor to plan for operations of the department. Vacations must be requested in writing. In case of conflicting requests, the Department Head will decide as to which employee will be granted vacation, considering factors such as seniority, length of time since the last vacation, when the request was made, the employee’s work record, family concerns, and other similar factors.

- 01.** Employees hired on or before the fifteenth of the month will accrue vacation for that month. Employees hired on or after the sixteenth of the month receive no credit for that month.

02. Employees absent from work for authorized leave without pay for over 15 days of a given month, unless due to a work-related injury, will not accrue vacation at the regularly prescribed rate during such absences. Vacation can only be paid from time accrued.
03. Vacation leave will be granted on the basis of the number of regularly scheduled hours in the standard work week or duty week to which the employee is assigned at the time of his vacation.
04. Vacation taken for a fraction or part of a day will be charged proportionally.

**05. Vacation Accrual/Carryover**

1. Full-time regular employees are eligible for ~~two weeks-one week~~, or ~~80~~ 40 hours of vacation after the completion of ~~one year of continuous service with the City~~ their probationary period. Vacation will be accrued at the rate of 6.66 hours per month.
2. After five years of continuous employment, an employee will earn 120 hours of vacation, accrued at the rate of 10 hours per month.
3. After ten years of continuous employment an employee shall earn 160 hours per year, accrued at the rate of 13.33 hours per month.
4. A credit for vacation leave will accrue, but may not be used, for the first year that an employee works for the City. Upon completion of one year of service, employees are eligible to use accrued vacation.
5. In no case may an employee accrue more than 200 vacation hours, unless there is a work-related reason that is approved by the City Administrator, that the vacation could not be used before the maximum 200 hours accrued.

Employees who have accrued vacation hours close to or in excess of 200 hours and were not able to take the vacation due to a work-related reason must submit a plan in writing that includes the reason for the excess vacation accrual, and the specific timeframe the vacation in excess of 200 hours will be used. The plan of action must be approved by the department head and the City Administrator or the excess above 200 hours of accrued time will be lost.

- a. Upon retirement, resignation or dismissal, employees leaving the City after having been employed at least 1 year, will be reimbursed for accrued vacation. The maximum number of days of accrued vacation for which the employee will be reimbursed will not exceed 200 hours. X-Ref 705.02.
- b. If an employee has accrued vacation, his or her accrued leave bank must be exhausted before leave without pay can be granted.

01. **Sick Leave Defined:** Sick leave will be granted to **regular, non-probationary** full-time employees only when unable to perform their duties due to personal sickness or injury, for medical, optical, or dental appointments, or for the care of a child, spouse or parent, stepchildren, step parent, or for the birth or adoption of a child. Employees should notify their department head as soon as the need for sick leave is known, but at minimum within one hour of the beginning of their scheduled shift. Any such sick leave granted may not exceed the actual time necessary for the examination or treatment and reasonable travel time. Any other request not fitting the above criteria should be for vacation leave.
02. **Sick Leave Accrual:** **Regular, non-probationary** full-time employees earn sick leave at the rate of eight hours per month.

**1011-1013. Progressive Discipline:**

Discipline will normally be awarded in a progressive manner, which might include counseling, oral reprimand, written reprimand, suspension, demotion or reassignment, disciplinary probation, and discharge. However, discipline is not always progressive. Each situation where discipline must be issued is unique and must be addressed on a case-by-case basis. Accordingly, the City will issue the degree of discipline depending on the circumstances.

01. The following items may be considered as cause for termination when identified, regardless of any previous disciplinary record of the employee.
  - a. **Gross misconduct:** This includes actions such as theft, fraud, embezzlement, or other criminal activities related to the job. This may also include extreme violations of policies including workplace violence or sexual harassment.
  - b. **Substance abuse or impairment on the job:** As identified in 1000-1010 Alcohol, Illegal Drugs, or Controlled Substances, employees found to be in violation of this policy are subject to termination. As identified in 1000-1009 Mandatory Drug Testing, employees who fail or refuse to submit to testing will be terminated.
  - c. **Gross insubordination:** Blatant refusal to follow lawful and reasonable instructions from supervisors, in safety-critical situations or when it compromises business operations, can warrant immediate termination.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF LAKE OZARK, MISSOURI AS FOLLOWS:**

**Section 1 of this Ordinance.** Sections 100-109, 100-106, 500-502, 500-503, and 1011-1013 of the 2<sup>nd</sup> Edition of the City's Personnel Policies and Procedures Manual be amended as follows:

**100-109 L- Email and Internet Scam Policy**

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- c. Gross insubordination: Blatant refusal to follow lawful and reasonable instructions from supervisors, in safety-critical situations or when it compromises business operations, can warrant immediate termination.

All other provisions of the 2<sup>nd</sup> Edition of the City's Personnel Policies and Procedures Manual for the City of Lake Ozark not amended or modified by this Ordinance shall continue in force and effect.

**Section 2 of this Ordinance.** This Ordinance shall take effect and be in full force from and after its passage by the Board of Aldermen of the City of Lake Ozark.

**First Reading:**        May 28, 2024

**Second Reading:**    June 11, 2024

**DULY READ AND APPROVED THIS 11TH DAY OF JUNE 2024.**

Alderman Watts	Aye
Alderman Franzeskos	Aye
Alderman Thompson	Aye
Alderman Neels	Aye
Alderman Ridgely	Aye
Alderman Denny	Aye

**APPROVE:**

**ATTEST:**

**MAYOR:**

**ACTING CITY CLERK:**

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**Dennis Newberry**

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**Kim Stevens**