

Standards of Conduct for:
Non-Bargaining Unit
City Employees
Brackets 1 - 21



Bureau of Employee Relations
City of Rochester

STANDARDS OF CONDUCT
FOR NON-BARGAINING UNIT EMPLOYEES
(BRACKETS 1-21)

NOVEMBER, 1988

As a City of Rochester employee, it is your responsibility to provide the public with services of the highest quality. Regardless of position, employees play a large role in the City's programs to serve the needs of the community.

As an employer, the City of Rochester will strive to offer you good working conditions, fair pay, and opportunities for advancement. In return, employees are expected to be valuable and conscientious members of a team whose mission is to provide quality service.

The City of Rochester has established standards of conduct governing employees in the workplace. These standards are designed to maintain a proper work atmosphere for the mutual benefit of the City and its employees, and to insure a high quality of service for the public. This manual contains work standards of general applicability which may be supplemented by standards established by individual department.

All City of Rochester employees are also subject to the provisions of the City Code of Ethics, copies of which are available from the Bureau of Human Resource Management, City Hall.

Table of Contents

Standards of Conduct for Non-Bargaining Unit Employees (Brackets 1 – 21)

I. Responsibility of Supervisors & Department Heads.....	4
II. Disciplinary Action	4
III. General Employment Rules.....	4-9
A. Discipline and Conduct on the Job.....	4-6
B. Security of Office Buildings, Desk & Files	7
C. Telephone Use/Answering Procedures.....	7
D. Receiving Complaints from the Public.....	8
E. News Media Inquiries	8
F. Personnel Information	8
G. Authorization to Purchase Goods.....	8
H. Employee Appearance	9
I. Conduct with the Public	9
J. Moonlighting	9
IV. Employment Rules Regarding Attendance	9-11
A. Tardiness	9
B. Unreported Absences	9
C. Reported Sick Leave	10-11
D. Excessive Use of Sick Leave	11
V. Work Scheduling	11-12
A. Overtime	11
B. Overtime and Lunch Periods	11
C. Stand By Pay.....	11
D. Holidays	12
E. Vacations	12
VI. General Safety Rules	12-16
A. Prevention.....	12
B. Safety Incident Reporting Procedure	13-16

I. RESPONSIBILITY OF SUPERVISORS & DEPARTMENT HEADS

When employees violate City rules, either written herein or implied, it is the responsibility of the supervisor or department head to take appropriate action as indicated by the type, degree and frequency of the offense.

II. DISCIPLINARY ACTION

The City has the right to discipline employees for just cause. For most offenses, a system of progressive discipline will be used.

When progressive discipline is used, employees are warned in writing or given disciplinary suspensions, demotions, or fines, not to exceed \$100 for related offenses, before being given the penalty of discharge.

In cases of more serious offenses, the City is not bound to use progressive discipline. Some offenses are regarded as so serious that no specific warning or prior disciplinary action is needed before suspension or discharge. Employees should be aware that serious offenses will lead to suspension, demotion, fines, or discharge.

III. GENERAL EMPLOYMENT RULES

The following sections contain general employment policies. Included are practices and actions that violate City employment rules and are therefore prohibited. This list is not intended to be complete; any form of misconduct, whether or not it is covered by this list, may result in appropriate disciplinary action.

A. Discipline and Conduct on the Job

Participation in any of these activities may result in disciplinary action, including discharge.

1. Refusal to obey the order of a supervisor or any other representative of management.
2. Use of profane, obscene or abusive language on the job.

3. Fighting on City property or threats of physical violence to others.
4. Deliberate or negligent destruction or abuse of City or private property.
5. Carrying weapons on City property or during work hours.
6. Disorderly conduct or horseplay that is dangerous or disruptive to others.
7. Sleeping or loafing during work hours.
8. Personal work on City time.
9. Faulty work after attention has been called to same.
10. Stealing private or City property.
11. Gambling on City property.
12. Unauthorized possession or consumption of alcoholic beverages on City property.
13. At work while under the influence of alcohol or other controlled substances.
14. Possession, consumption or solicitation of illicit drugs on City property.
15. Solicitation or distribution of non-work related written or printed material during worktime without authorization.
16. Knowingly and without authorization, registering time on another employee's attendance record or time card.
17. Falsification of work, attendance, personnel or other records.
18. Permitting an unauthorized employee to register time on your attendance record or time card.
19. Unauthorized use of City property, including vehicles, for private business or any personal gain.

20. Divulging confidential data or information relating to City business and operations to unauthorized personnel.
21. Allowing any other person to use one's identification card.
22. Refusing to produce one's identification card when required to do so by authorized personnel.
23. Entering City facilities without authorization or assisting unauthorized persons to enter any City facility.
24. Refusing to permit a guard to inspect any package, briefcase or purse when the employee is leaving the workplace and the guard has reason to believe or suspect that City property may be contained therein.
25. Removing from City premises any records or property belonging to the City or another employee without authorization.
26. Unauthorized posting or removal of notices, signs or writing in any form on bulletin boards or City property at any time.
27. Being absent from the worksite without the authorization of a supervisor.
28. Rudeness toward any member of the public.
29. Overstaying lunch or break periods.
30. Failure to provide the City with correct home address and telephone number.
31. Violating City safety rules, policies or practices.
32. Dishonesty to supervisors.
33. Solicitation for any non work-related goods and services during worktime without authorization.

B. Security of Office Buildings, Desks, and Files

All files containing confidential departmental records and documents should be kept locked before and after normal working hours to prevent theft and/or destruction.

Keys to desks and files should be accessible only to authorized personnel.

C. Telephone Use/Answering Procedure

Telephones should be answered promptly and courteously. Employees should identify themselves or the office.

Telephones should not be left unattended or unanswered.

When possible, answer any telephone inquiries immediately. Keep transfer of calls to a minimum. If a caller's question cannot be answered, obtain the name, address and telephone number of the caller; then attempt to find out who may be able to handle the question. Return the call and provide the information to the caller.

Telephones are provided by the City for the conduct of official business. Use of City telephones for personal calls should be strictly limited.

Long distance personal calls may be made only in emergencies. A record must be kept of such calls so that the City is reimbursed. A record of all such calls should be submitted to the designated person in the department, division or bureau who handles telephone bills.

D. Receiving Complaints from the Public

When you receive a complaint or observe a problem regarding a City Service, it is important that the citizen receive a concerned, courteous response. If the complaint is outside of your department's jurisdiction, refer the complaint to the appropriate City office or person. If you do not know what office or person is appropriate, or if the citizen indicates that this is a repeat of a prior complaint or problem which remains unresolved, either refer or transfer the complainant to the Mayor's Service Office at 428-7065. The staff of the Service Office is trained in problem resolution, and will follow through with the citizen.

The Service Office also serves as a central source of information about City services and programs.

E. News Media Inquiries

From time to time, reporters may call offices to verify information or to receive explanations about departmental activities. Employees should indicate that the call will have to be returned, and the supervisor, and in most instances the department head, should be informed of the inquiry, so that they may take the appropriate action.

F. Personnel Information

All requests for personnel information about past or present employees must be referred to the Bureau of Employee Relations, Centrex 7243. Only authorized employees are permitted to release personnel information.

G. Authorization to Purchase Goods

Employees may not purchase goods or services without authorization in anticipation of being reimbursed by the City. City purchasing procedures must be followed.

H. Employee Appearance

Uniforms, insignias, or special protective clothing designated for specific jobs or work situations shall be worn as required. In keeping with the City's professional standards, employees should dress appropriately when conducting City business.

I. Conduct with the Public

In keeping with the City Code of Ethics, Section C (6), "no City officer or employee shall solicit any gift, nor shall any City officer or employee accept or receive any gift having a value of \$25.00 or more, regardless of the form of the gift, from any person who has an interest in any matter proposed or pending before any City agency. The provisions of the subsection shall not apply to contributions solicited or received in accordance with the Election Law of the State of New York."

J. Moonlighting

Employees of the City of Rochester are prohibited from engaging in outside employment, either by working for an employer other than the City, or by self-employment, if the hours of such employment conflict with the assigned hours of work for the City.

IV. EMPLOYMENT RULES REGARDING ATTENDANCE

Employees must report to the worksite at the proper time. If for any reason employees cannot report for work, employees must inform the supervisor or if employees must leave work at any time, they must obtain their supervisor's permission. Failure to properly inform the supervisor about any absence from work and obtain approval will be regarded as unauthorized absence and will result in disciplinary action.

A. Tardiness

Employees reporting after their regularly scheduled starting time are tardy.

If employees will be late for work, they should notify their supervisor or a designated telephone number as soon as possible before the regularly scheduled starting time.

Excessive and consistent tardiness interferes with employee's responsibility to serve the public.

Employees will be disciplined for what is deemed to be excessive tardiness.

B. Unreported Absences

All absences from work must be reported to the City by the employee's scheduled starting time. To properly report an absence, employees must call their supervisor or a designated phone number.

Unreported absence is a very serious offense which will be dealt with strictly.

Employees may be disciplined for any incidents of unreported absence.

C. Reporting Sick Leave

Employees requesting a sick day must report their absence, nature of the illness, and their expected date of return to their supervisor or to a designated phone number by their scheduled starting time.

If employees do not provide an expected date of return when requesting sick leave, their sick leave request will be granted for one day only.

Employees who do not report back to work on their expected date of return or who were unable to state a return date must again notify their supervisor or a designated number to remain on sick leave.

Employees may be required by their supervisor to present a doctor's certificate upon returning to work. In the instance of employees returning to work from an injury or illness of more than 30 days or from any Workers' Compensation illness or injury, employees must give their supervisor a physician's statement confirming their physical ability to return to all regular job duties. Employees who fail to present a physician's statement will not be permitted to resume work until such statement is submitted.

D. Excessive Use of Sick Leave

Excessive sick leave can impair City operations. Employees should avoid unnecessary use of such leave.

Excessive use of sick leave may lead to disciplinary action.

V. WORK SCHEDULING

A. Overtime

All overtime work must be authorized.

Overtime work is subject to attendance rules (See Part IV.)

B. Overtime and Lunch Periods

Employees will not be entitled to overtime pay for working through lunch periods, unless they have worked through a lunch period at a supervisor's request.

C. Stand By Pay

Employees who are instructed to stand by and cannot be contacted, or employees who fail to report for work after being contacted, will not be paid any stand by pay and will be subject to disciplinary action.

Employees on stand by for work must remain at home, or if they must leave home, must notify their supervisor of their whereabouts during the time they are on stand by.

D. Holidays

Employees must work the entire day preceding and following a holiday unless they are on authorized sick day, vacation day, or an authorized emergency personal leave day in order to be paid for the holiday.

E. Vacations

Employees who wish to request vacation must give at least two weeks notice in writing unless the vacation is for five working days or less, in which case 5 working days advance notice in writing must be given.

VI. GENERAL SAFETY RULES

A. Prevention

1. All employees are expected to perform their job duties in a safe manner.
2. Employees shall not be allowed to pose a safety threat to themselves or to fellow employees.
3. Employees shall report to their supervisor immediately any unsafe conditions. A procedure for reporting potential health and safety violations, or conditions that may not meet State health and safety standards, is available for employees' use. Employees may obtain appropriate forms from their supervisor.
4. Employees who are issued safety equipment by the City are expected to maintain such equipment in good order and to wear the equipment on the job at all necessary times. Failure to wear and maintain such safety equipment shall subject employees to disciplinary action.
5. Drivers of City vehicles shall obey all posted speed limits and traffic rules.
6. Any vehicle maintenance failure found before or during work shall be reported to the supervisor.

B. Safety Incident Reporting Procedures

Employees shall report immediately to their supervisor any safety-related incident regardless of whether injury to an employee or damage to City-owned equipment has occurred.

Supervisors shall be responsible for making an investigation of the incident and for submitting an immediate written account of same as directed on the report form.

1. Reporting Accidents Involving Personal Injury to Employee
 - a. Injured employees shall, whenever physically possible, report any accident experienced on the job to their supervisor. Such accident shall be investigated by the employees' supervisor immediately.
 - b. The supervisor shall be responsible for compiling a written account of the accident which shall be submitted as directed on the report form. The supervisor shall also submit a New York State Workers' Compensation form C-2 to the Employee Safety Office, 103A, City Hall.
 - c. Employees absent from work due to a compensable injury or illness shall keep their supervisor informed of the anticipated duration of the absence.

2. Motor Vehicle Accidents

a. Reporting Accidents

Employees, other than those in the Police and Fire Departments*, involved in motor vehicle accidents with City equipment, shall immediately contact the Police and their supervisor. Upon notification, the supervisor shall insure that the accident is thoroughly investigated and that the results of the investigation are recorded in a written report. In the Department of Environmental Services, Parks Recreation and Human Services and Public Library, the employee's bureau/division shall be responsible for completing the Gallagher-Bassett Accident Report Form, and forwarding the completed form to the Employee Safety Office, Room 103-A, City Hall, within two working days of the accident. Employees in all other departments shall report to the Employee Safety Office within two working days of the accident, for assistance in completion of the Gallagher-Bassett Accident Report Form.

- (1) Motor vehicle accidents involving non-bargaining unit employees shall be reviewed for cause and preventability by a Committee appointed by the Mayor. The membership of the Committee shall consist of two APT employees and the Coordinator of Employee Safety Activities.
- (2) Preventable motor vehicle accidents shall be defined as follows: A motor vehicle accident wherein the driver failed to do everything reasonably possible to prevent the accident.

Employees involved in preventable motor vehicle accidents will be disciplined in the manner prescribed by law. Penalties for preventable motor vehicle accidents involving City equipment shall be as follows:

- (a) First Offense: A written reprimand.
- (b) Second Offense: A suspension without pay of a minimum of one day and a maximum of three days.
- (c) Third Offense: A suspension without pay of more days than that of the second offense up to a maximum of five days.
- (d) Fourth Offense: Further disciplinary action which may include termination.

In addition to the penalties outlined above, penalties for the second, third and fourth offense may also include demotion.

- (3) Failure to report a motor vehicle accident involving a City vehicle, as outlined in Paragraph 1.a. above, regardless of preventability, shall constitute a separate offense and shall subject the employee to the same progressive discipline system as defined in paragraph II.
- (4) Accidents involving the use of alcohol, gross employee negligence, accidents resulting in damage in excess of \$10,000 or criminal misconduct will result in disciplinary action which may include demotion or termination, regardless of the employee's prior offense levels.

If a period of one year expires from the date of an offense, as defined herein, without the commission of an additional offense, the employee shall be considered to be on the First Offense level in the event of any further offense.

* Employees in the Police and Fire Departments are subject to separate departmental procedures for reporting motor vehicle accidents and for accident review.