

Q4 2020 PPM Updates – Full Details

The following pages include proposed updates to the Sworn Policies and Procedures Manual and the Civilian Policies and Procedures Manual as detailed below (same order as summary document):

POLICY NUMBER/TITLE	Civilian Policy #5 – Personnel Records
Change Requested By: City Attorney's Office	
Description of Change: Updating process for employees to view their personnel records.	
Reason for Change: Making policy clear and easy to follow for employees.	
Markup for Council:	

Policy # 5 **PERSONNEL RECORDS**

Official employee **personnel** records shall be maintained in ~~City of Colorado Springs~~ Human Resources. The employee shall receive a copy of all material that is forwarded for inclusion in the employee's record.

Employees may review their **personnel** records. ~~and upon~~ **By submitting a request to Human Resources employees may** receive a copy of any information in their **personnel** record **at no cost, with charges per page for additional copies at the same rate as Colorado Open Records Act (CORA) requests per the City's CORA Policy.**

Internal Accessibility

~~Unless otherwise directed by court order,~~ **Only** administrative, management, supervisory personnel with a need to know, ~~or person in interest~~ may review an employee's personnel **record file, with Human Resources approval.**

~~Employees who want a copy of their personnel file must submit a request to Human Resources and pay the same charge per page as paid for external requests.~~

External Accessibility

- ~~Open Records Act:~~ **All other requests for personnel records shall** will be released in accordance with the Open Records Act **CORA**.
- ~~Employee References:~~ External release of employment information shall be limited to the dates of employment, classification history, and salary information, unless authorized in a release executed by the employee. Any requests for additional information should be directed to Human Resources and will be handled in accordance with applicable state laws. **Information provided pursuant to a request for an employee reference shall be limited to the dates of employment, classification history, and salary information. Any requests for additional information should be directed to Human Resources.**

Changes in Personal Information

Employees are responsible for notifying their ~~Department Director/Division Manager or Council/Mayoral Appointee and~~ Human Resources within five (5) working days of any change in name, address and/or telephone number. ~~Human Resources will forward information to Payroll.~~ Employees are encouraged to **also** update any changes in their personal information through the Employee Self-Service System.

References: Policy and Procedure # 52, Open Records Act Compliance

Last revised: 4/17

POLICY NUMBER/TITLE

Civilian Policy 11 – Shift Work

Change Requested By: Human Resources

Description of Change: Adding holiday on Christmas Eve for consistency with updated Holidays policy

Reason for Change: The City of Colorado Springs is updating its holiday policy to remain a competitive employer.

Benchmark Data (if any): 62% of benchmarked employers offer Christmas Eve as a paid holiday according to a 2017 SHRM survey.

Markup for Council:

Policy # 11 ***SHIFT WORK***

Certain functions of the City of Colorado Springs require seven day, 24 hours/week operations. Employees who staff those functions are eligible for some or all of the following pay differentials in addition to their base hourly rate.

2080-Hour Shift Workers

Regular, probationary, and special employees are designated as 2080-hour shift workers if they staff seven-day, 24-hour operations and are scheduled to work 2080 hours in a work year. 2080-hour shift workers follow the shift worker holiday schedule, receive shift worker holiday pay and are eligible for shift differential and holiday premium pay.

2000-Hour Shift Workers

Regular, probationary, and special employees are designated as 2000-hour shift workers if they staff a normal (not 24/7) City operation, are scheduled to work 2000 hours in a work year and are regularly scheduled to work hours in Shift 2 or 3. 2000-hour shift workers follow the regular City holiday schedule (subject to operational requirements) and are eligible for pay differential, and holiday premium pay.

Shift Differential and Pay Differential

An employee designated as a 2080-hour shift worker receives shift differential (separate rate for shift 2 and 3) when the majority of their regularly scheduled hours fall in Shift 2 or Shift 3.

An employee designated as a 2000-hour shift worker receives a pay differential (set rate) when the majority of their regularly scheduled hours fall outside of Shift 1.

Regularly scheduled means either permanently scheduled to work a particular shift or scheduled to work a particular shift on a rotating or fixed basis. Shift and schedule changes outside of the permanent schedule (less than a full pay period) do not qualify for shift or pay differential.

The shift or pay differential rate is paid on regularly scheduled hours worked (it is not paid on any paid or unpaid time off or on overtime), however the shift or pay differential is included in the FLSA regular rate for overtime calculations. If the hours in the regular schedule are evenly split between two shifts, the higher rate will be applied.

Following are the established shift periods:

- Shift 1 -- 8:00 a.m. to 4:00 p.m.
- Shift 2 - 4:00 p.m. to midnight
- Shift 3 - midnight to 8:00 a.m.

Shift and pay differential rates are recommended by the Mayor and approved in the annual budget process by City Council.

2080-Hour Shift Worker Holiday Pay

A regular, probationary, or special employee designated as a 2080-hour shift worker shall receive 8 hours of holiday pay for each of the following City holidays.

- New Year's Day - January 1
- Martin Luther King, Jr. Day - 3rd Monday in January
- President's Day -- 3rd Monday in February
- Memorial Day - last Monday in May
- Independence Day - July 4
- Labor Day - 1st Monday in September
- Veteran's Day - November 11
- Thanksgiving Day - 4th Thursday in November
- Friday after Thanksgiving
- **Christmas Eve**
- Christmas Day -December 25

2080-hour shift worker holiday pay is in addition to regular pay and is paid whether or not the holiday is worked. It is the equivalent of the employee's base hourly rate.

2080-hour shift worker holiday pay is in addition to regular pay and is paid whether or not the holiday is worked. It is the equivalent of the employee's base hourly rate. Due to Police Department operations and scheduling demands, Police Services Representatives will be allowed to bank shift worker holiday hours in their personal leave bank in lieu of receiving shift worker holiday pay.

2080-hour shift workers who are scheduled to work on a shift worker holiday, but request the day off, must take paid leave (vacation, personal holiday, or compensatory time off) or if no paid leave time is available, take leave without pay.

2080-Hour Shift Worker Holiday Premium Pay

A regular, probationary, or special employee, who is designated as a 2080-hour shift worker, who works a regularly assigned shift that falls on a shift worker holiday, shall receive holiday premium pay for all hours worked on the holiday. Such pay is in addition to regular pay, shift differential, and holiday pay. It shall be paid at ½ times the base hourly rate for each hour worked on the holiday.

2000-Hour Shift Worker Holiday Pay

A regular, probationary, or special employee who is designated as a 2000-hour shift worker receives holiday pay in accordance with Policy and Procedure #16, Holidays.

Meal Periods

For certain designated shift workers who are required to be available for work during the entire shift, the meal period shall be paid and included in the 40-hour work week schedule.

Last revised 4/17

POLICY NUMBER/TITLE

Civilian Policy # 16 Holidays

Change Requested By: Human Resources

Description of Change: Adding holiday on Christmas Eve for Civilian employees. Also updating personal holiday language for consistency throughout policy.

Reason for Change: These changes are being implemented to make the City more competitive in the employment market.

Markup for Council:

Policy # 16 ***HOLIDAYS***

The City of Colorado Springs will make available employee benefit programs with the goal of attracting and retaining a quality workforce, as well as, programs required by law. The employer contribution toward any authorized employee benefit program is determined annually by City Council.

Holidays

The City recognizes the following holidays:

- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Friday following Thanksgiving Day
- **Christmas Eve (Civilian Employees Only)**
- Christmas Day

All regular, probationary, and special employees are eligible for 8-hour paid holidays on these days. Holidays that fall on Saturday will be observed on the preceding Friday. Holidays that fall on Sunday will be observed on the following Monday (see Policy & Procedures # 11, Shift Work, for shift worker holiday schedule). Non-exempt employees who actually work the holiday shall be provided with additional pay of half time for hours worked.

Division managers may grant an alternative day off in lieu of one of the scheduled holidays, depending on operational needs.

- When Work Schedule Exceeds 8 Hours per Day on Holidays
- If the employee's normal work schedule exceeds 8 hours per day, the additional hours off in excess of the 8-hour holiday shall be charged as vacation, personal holiday, compensatory time off or may be made up on a different day within the same workweek with supervisor approval.
- If, due to operational requirements, management temporarily changes the employee's schedule to five 8-hour days for the week containing a holiday, the employee will not be required to charge time as described above.

Personal Day Holidays

The City of Colorado Springs recognizes that we have a diverse group of employees, many of which celebrate holidays other than those listed above. In addition to the observed holidays listed above, after six months of employment, employees are eligible for one 8-hour personal **holiday** each year. The personal **holiday** must be taken at a time mutually agreeable to the supervisor and the employee. The personal **holiday** may not be carried over to the next year or taken in increments of less than 1 hour.

Part-time Employees

Part-time regular, probationary and special employees shall accrue holiday and personal-**holiday** hours on a pro-rata share of the full-time accrual based on the normally scheduled work hours.

Use of holiday and personal **holiday** upon resignation or retirement

City holidays and personal **holidays** cannot be utilized after the resignation or retirement date. An employee's resignation or retirement date is the actual last day that the employee is physically at work unless previously approved by the ~~Human Resources Director~~ **Chief Human Resources Officer** due to exceptional circumstances. For example, an employee submits their resignation with July 4th as their last day of work. Since the employee was not physically at work on July 4th, a City holiday, their resignation date is July 3rd and the employee will not receive pay for the July 4th holiday in their final paycheck.

Employees are not paid for their unused personal **holiday** upon resignation or retirement. With coordination of the supervisor, employees may take their personal **holiday** prior to the resignation or retirement date; but they may not take the personal **holiday** on or after their resignation or retirement date.

Last revised: 4/17

POLICY NUMBER/TITLE

Civilian Policy #20 Vacation Donation

Change Requested By: Payroll/Finance

Description of Change: Updating to vacation donation pool instead of individual donations.

Reason for Change: This provides a more fair process for employees, and increases chances of vacation donation hours being available when someone needs them.

Markup for Council:

Policy # 20 **VACATION DONATION**

The City allows employees to donate accrued vacation leave to co-workers who are faced with a serious illness or injury to either themselves or an immediate family member and have exhausted their accrued leave. This policy is not intended for an employee who has a common illness or injury, or has incurred an illness or injury covered by Worker's Compensation.

Eligibility

Donors

To be eligible to donate vacation an employee must:

- donate voluntarily to ~~a specific individual~~ **the vacation donation pool**; and
- have accrued vacation leave available.

Recipients

To be eligible to receive donated vacation an employee must:

- be eligible to accrue vacation leave;
- be approved for FMLA, **or ADA** leave;
- must have exhausted all forms of paid leave; i.e., vacation, sick, personal, compensatory time off, or be reasonably close to exhausting all paid leave, and it is clear that such leave will be exhausted;
- must expect to need a minimum of 40 hours of vacation donation; and
- suffer from a serious illness or injury to either themselves or an immediate family member and submit information to substantiate this situation. "Immediate family member" is defined in the PPM under the City Employee Sick Leave Policy.

Use

- Donated vacation can only be applied for after ~~FMLA~~ leave is approved. No advance or retroactive payments will be made.
- Compensation received under the Vacation Donation program is considered to be taxable to the recipient to the extent required by law.
- Donated vacation hours are converted into an equivalent number of sick hours, regardless of differences between participant's pay rates.

Restrictions

- The recipient may use up to ~~4560~~ **360480** days or ~~360480~~ hours in any 12-month period.
- The donor cannot donate more than 80 hours of vacation per calendar year and must donate in whole one-hour increments. The minimum vacation donation allowable under the plan is 4 hours. ~~The donor can donate to multiple recipients.~~
- Leave taken using donated vacation may not be counted in the calculation of unpaid leave balances.
- Donated vacation may not be used to exceed the recipient's normally scheduled work hours per pay period.
- Donated vacation may run concurrently with ~~Family Medical~~ **L-Leave**.
- The recipient is not eligible to simultaneously receive Worker's Compensation while receiving vacation donations.

- ~~Unused vacation donations in the event of employee's return to work, retirement or death will be removed from their sick balance and returned to the donor's vacation balance. In the event that the hours donated were "use it or lose it" vacation hours, the hours can be donated to an alternate recipient or will be forfeited and will not be returned to the donor.~~
- **Unused vacation donations in the event of an employee's return to work, retirement, or death will remain in the vacation donation pool.**
- Application may be made prior to the depletion of an employee's leave, as long as the need for leave is known.
- The recipient is prohibited from soliciting co-workers for vacation leave. Donations must be strictly voluntary.
- Employees must supplement time not covered by short term disability with paid time/paid leave. Under no circumstances will an employee receive a combination of short term disability payments and accrued leave which exceeds 100% of the employee's normal gross base pay. Short-term disability recipients applying for vacation donation must also comply with vacation donation policy requirement to have exhausted, or be reasonably close to exhausting, all forms of paid leave including vacation, sick, personal and compensatory time.

Responsibilities:

Recipients

- ~~Recipient must submit a signed Vacation Donation Recipient Agreement to be able to be eligible for vacation donations.~~
- ~~Recipient must be approved for FMLA leave through the Human Resources department.~~

Donors

- ~~Donors must sign a Vacation Donation Donor Agreement to donate time to a recipient and submit the form to the Payroll Supervisor for processing.~~

Manager of Recipient

- ~~The Manager must meet with the recipient individually to review the guidelines, eligibility, and obtain a signed Vacation Donation Recipient Agreement.~~
- ~~If the request is approved, the Manager will inform co-workers of the need for donations via approved email and/or posted notices. Information about the nature of the illness or injury will remain confidential if the recipient requests it to be so.~~
- ~~The manager will turn in a time card to the payroll department each pay period, reporting all hours not worked due to the illness or injury as sick time (SCK).~~

Human Resources

- ~~Human Resources must verify the Vacation Donation Recipient Agreement and forward it to the Payroll Supervisor.~~

Payroll

- ~~The Payroll Supervisor will collect all Vacation Donation Recipient Agreements.~~
- ~~The Payroll Supervisor will collect all Vacation Donation Donor Agreement forms and deduct donated hours from the donor's vacation leave balance (VDN) and pay out the donated hours as sick leave (SDN) as it is needed to the recipient. Unused donations will be returned to the donor's balance as long as they are not "use it or lose it" vacation hours. If the hours are "use it or lose it", the hours can be donated to an alternate recipient or will be forfeited and will not be returned to the donor.~~
- ~~Payroll will monitor donations to make sure that donations do not exceed the limitations set forth in the policy.~~
- ~~Payroll will use the donated hours in the following manner: "use it or lose it" hours will be given to the recipient first; the remaining donations will be given to the recipient, as they are needed in the order received. Payroll will only fund a maximum of 80 hours of vacation donation per pay period to the recipient in the equivalent number of sick hours.~~

Last revised: 4/17

POLICY NUMBER/TITLE

Civilian Policy # 21 Sick Leave

Change Requested By: Human Resources

Description of Change: Sick leave policy was rewritten to include new rules under the Healthy Families Health Workplaces Act that goes into effect on 1/1/2021

Markup for Council:

Policy #21

SICK LEAVE

The City of Colorado Springs provides sick leave for employees to promote health and wellness. It is important to the organization that employees are able to take the time they need to care for themselves or their families during illness or injury. Employees must use paid sick leave for qualifying reasons prior to taking other leave types or leave without pay unless an exception is made by the

Department Head and Chief Human Resources and Risk Officer (unless State or Federal laws allow or require differently).

Accrual of Sick Leave

Full-time regular, probationary, and special employees shall accrue sick leave for hours worked at the rate of eight hours per month of continuous employment. Part-time regular, probationary, and special employees shall accrue sick leave as a pro-rata share of the full-time accrual, based on actual hours worked within the pay period. Sick leave may be accrued to a maximum of 960 hours plus current year accrual up to a maximum of 1056 hours.

Seasonal and hourly employees shall accrue sick leave at a rate of one hour of sick leave for every 30 hours worked with a maximum carryover of 48 hours.

Healthy Families and Workplaces Act

The first 48 hours of sick leave used per calendar year falls under the Healthy Families and Workplaces Act (HFWA). Under the HFWA, employees may use sick leave for absences caused by illness, injury, temporary disability (including pregnancy), medical exams or medical treatment, certain reasons related to domestic abuse (reference Policy #23 Leave of Absence), or due to a public health emergency in which a public official has ordered closure of the employee's place of business or school or place of care of the employee's child and the employee needs to be absent from work to care for the employee's child.

This leave may be used for the employee or the employee's family member including family members related by blood, marriage, civil union, common law marriage, adoption, a child to whom the employee stands in loco parentis or a person who stood in loco parentis to the employee when the employee was a minor, and any person whom the employee is responsible for providing or arranging health or safety related care.

In the event of a public health emergency as defined in the HFWA, may be granted up to an additional 80 hours of paid sick leave in accordance with and for the purposes stated in the HFWA.

Physician's Statement

During the first 48 hours of sick leave during a calendar year, a physician's statement supporting the use of sick leave and/or the ability to return to work may be required by the employee's immediate supervisor or manager after the employee has been on sick leave for at least four consecutive work days. A physician's statement may be required by Human Resources as permitted by FMLA and is not subject to the four consecutive work days limitation mentioned above.

General Sick Leave Policies

After the first 48 hours of sick leave is used in a calendar year, employees may utilize sick leave for mental or physical illness, injury, serious health condition, temporary disability (including pregnancy), medical exams or medical treatment unless otherwise limited by policy (reference Policy #30 Worker's Compensation and Policy #26 Family Medical Leave/Family Care Act).

Sick Leave for Family Care

After the first 48 hours of sick leave is used annually, employees may only utilize up to 12 weeks of accrued sick leave per calendar year for the care of an immediate family member's illness, injury, serious health condition, temporary disability (including pregnancy), medical exams or medical treatment. Immediate family is defined as spouse, parent, guardian, child, brother, sister, grandparents, or grandchild, as well as these relatives in-law, step or half, or any other family member residing in the employee's household. Employees married under common law rules are required to have an approved common law affidavit on file with Benefits and Wellness in order to utilize sick leave to care for common law family members.

Physician's Statement

An employee's supervisor or manager may request a physician's statement supporting the use of sick leave and/or the ability to return to work any time an employee uses sick leave after their first 48 hours of sick leave in a calendar year. The supervisor should consult with Human Resources prior to requesting a physician's statement for absences to verify use of the first 48 hours of sick leave and to determine whether the absence is FMLA or ADA related.

Options Upon Sick Leave Exhaustion

Employees must use their accrued sick leave for the reasons listed above prior to using any other type of paid leave. When accrued sick leave, accrued vacation, accrued personal holiday time, accrued compensatory time, and award time have been exhausted, the employee may request the following:

- **Sick Leave Advance:** Up to 240 hours of sick leave with pay may be advanced to full-time and part time regular, probationary and special employees upon the approval of the Department Head and Human Resources. Up to 48 hours of sick leave with pay may be advanced to seasonal or hourly employee categories upon approval of the Department Head and Human Resources. Sick leave advance must be repaid by the employee through future sick leave accruals. If an employee separates from City employment prior to completing the repayment, the remaining amount will be deducted from the final paycheck or repaid in accordance with

arrangements made through the Finance Office. Sick leave advance is not available for Worker's Compensation leave.

- **Sick Leave Without Pay:** Sick leave without pay may be granted when illness, injury, or convalescence has exhausted all paid leave. An employee request for such leave must include a physician's prognosis and estimated date of return. Prior to return, an employee must provide Human Resources a physician's statement certifying that the employee is released to resume assigned duties.
- In some circumstances, employees may be eligible for vacation donation upon leave exhaustion. Refer to Policy #20 – Vacation Donation, for more information on this topic.

After considering the specifics of the employee's request and the impact of the employee's continued absence on the operations, the employee's supervisor, in consultation with Human Resources, may approve the request or separate the employee, subject to FMLA or other legal requirements. Managers are required to consult with Human Resources for guidance concerning granting requests for sick leave without pay.

Reassignment After Sick Leave Without Pay

Employees returning from a period of sick leave without pay who cannot perform the essential functions of their position should refer to Policy #34, Americans with Disabilities Act (ADA) and Pregnancy Accommodations, and follow the outlined procedures, if applicable.

Holidays During Sick Leave

For all employees who work an annual schedule of 2080 hours, holidays observed by the City that fall within a period of sick leave shall not be charged as sick leave. In cases where the length of the employee's normal workday exceeds that of the holiday, the hours in excess of the holiday shall be charged to sick leave.

Unused Sick Leave upon Retirement or Death

Employees eligible for sick leave accrual on or before 12/31/10: In the event of retirement, the employer will make a contribution to the Retirement Health Savings (RHS) Plan for half of the accrued sick leave in excess of 480 hours if he or she is eligible to retire on the date of separation. However, the retirement eligible employee may then defer actually taking the retirement until a later date. Employees with full coverage insurance provided by a spouse or other employment will be excluded from the mandatory RHS Plan and will be paid out for half of the accrued sick leave in excess of 480 hours if he or she is eligible to retire on the date of separation

In the event of death, the employee's estate will be paid for half of the accrued sick leave in excess of 480 hours. Contributions will not be made to the RHS Plan for the employee's estate.

Employees hired or rehired after 12/31/10: These employees are not eligible for payout of unused sick leave upon retirement or death.

Employees in the At-Will Senior Manager Benefit Program should refer to Policy #62.

POLICY NUMBER/TITLE

Civilian Policy #23 Leave of Absence (Unpaid)

Change Requested By: Human Resources

Description of Change: Removing Parental Involvement in K-12 Education Leave without Pay from Policy #23 Leave of Absence (unpaid)

Reason for Change: This portion of the policy is related to an outdated Colorado labor law that is no longer in effect. Employees are granted paid time off to participate in personal activities outside of work.

Benchmark Data (if any): This law expired in 2015

Markup for Council:

~~Parental Involvement in K-12 Education Leave Without Pay~~

~~An employee who works a full time schedule may take 18 hours of leave (“parental leave for involvement in K-12 education”) from work in any academic year for the purpose of attending an academic activity for his or her child, so long as the leave is taken in accordance with the criteria outlined in § 8-13.3-101, Colorado Revised Statute (C.R.S.), and the employee meets all other requirements of the statute. An employee who works less than a full time schedule will be eligible for a pro-rata share of the leave as outlined in the statute.~~

~~Nothing prevents the City from invoking any and all limitations of parental leave as outlined in the statute, including but not limited to, requesting that an employee obtain written verification of the activity from the school and limiting leave in cases of emergency or other situations that may endanger a person's health or safety or in a situation where the absence of the employee would result in a halt of service or production.~~

~~Employees who take parental leave will be required to use paid leave time if they otherwise meet the eligibility factors for the particular paid leave of absence. If the employee does not qualify for paid leave of absence or the employee does not accrue paid leave, the leave of absence shall be without pay.~~

POLICY NUMBER/TITLE

Civilian Policy #52 Open Records Act Compliance

Change Requested By: City Attorney's Office

Description of Change: Updating CORA information and deleting outdated information

Reason for Change: CORA Compliance Policy is out of date. The City Attorney's Office has recommended the changes below.

Markup for Council:

Policy # 52 **OPEN RECORDS ACT COMPLIANCE**

The City of Colorado Springs is subject to the Colorado Open Records Act, Colorado Revised Statute § 24-72-201, et seq. (CORA), which grants the right to inspect and copy public records.

~~The City of Colorado Springs is required to follow Colorado law regarding inspection and copying of public records. Any legal questions regarding Open Records Act, CRS 24-72-201, compliance and any requests for information which the Department Director or Council/Mayoral Appointee feels is not clearly covered by this policy should be referred to the City Attorney's Office for consultation prior to release of information.~~

Additional information regarding CORA compliance can be found in the City's CORA Policy. Questions regarding compliance with CORA should be referred to the City Attorney's Office.

Definitions

~~The terms used in this policy shall have the same meaning as those terms are defined in the Colorado Public (Open) Records Act. Several of those definitions are reprinted herein as they apply to the City of Colorado Springs.~~

- ~~● **Custodian:** The official custodian or any authorized person having personal custody and control of the public records in question.~~
- ~~● **Official Custodian:** Any officer or employee of the City who is responsible for the maintenance, care, and keeping of public records, regardless of whether such records are in his or her actual personal custody and control.~~

- ~~**Person:** Any natural person, corporation, limited liability company, partnership, firm, or association.~~
- ~~**Person in Interest:** The person who is the subject of a record and any representative designated by said person; except that, if the subject of the record is under a legal disability, "person in interest" means and includes his or her parent or duly appointed legal representative.~~
- ~~**Personnel Files:** Includes information on home addresses, telephone numbers, financial information, and other information maintained because of the employer-employee relationship, and other documents specifically exempt from disclosure under law. "Personnel files" does not include applications of past or current employees, employment agreements, any amount paid or benefit provided incident to termination of employment, performance ratings, or any compensation, including expense allowances and benefits paid to any person by the City of Colorado Springs.~~
- ~~**Public Records:** All writings made, maintained or kept by the City of Colorado Springs in exercise of functions required or authorized by law or administrative rule or involving a receipt of expenditure of public funds.~~
- ~~**Writings:** All books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials, regardless of physical form or characteristics. "Writings" includes digitally stored data, including electronic mail messages, but does not include computer software.~~

~~For purposes of public records disclosure, each Department Director shall be considered the official custodian of the public records kept or maintained by the group.~~

Under CORA, each Department Director shall be considered the Official Custodian of the public records kept or maintained by their group; thus they are responsible for the maintenance, care, and keeping of the public records maintained by their group and all other duties and obligations of the Official Custodian as outlined in CORA.

Time Requirements

~~Requests for records which are readily available for inspection and copying shall be accommodated as soon as reasonably practical. **Records requested that are not readily available shall be provided to the requestor within three working days, unless the three working day period is extended to a maximum of seven working days based on extenuating circumstances. The custodian of the records requested shall make written findings of the reasons for extenuating circumstances, and the findings shall be provided to the person making the request within the original three-day period. In no event can extenuating circumstances apply to a request that relates to a single specifically identified document.** The date and hour for inspection of records not readily available at the time of the request shall be within a reasonable time after the request. A "reasonable time" shall be three working days or less unless the three working day period is extended to a maximum of seven working days. The custodian shall make written findings of the reasons for the extenuating circumstances, and the findings shall be given to the person making the request within the original three-day period. In no event can extenuating circumstances apply to a request that relates to a single specifically identified document.~~

Extenuating circumstances shall apply only when:

- The request is broadly stated and encompasses all or substantially all of a large category of records and the request is without sufficient specificity to allow the custodian reasonably to prepare or gather records within the three-day period;
- A broadly stated request encompasses all or substantially all of a large category of records and the City group(s) cannot gather the records within the three-day period;
- The City group(s) needs to devote all or substantially all of its resources to meet the records request deadline that is either unique or not expected to recur more than once per month;
and/or
- A request involves such a large volume of records that the custodian cannot reasonably prepare or gather the records within the three-day period without substantially interfering with the custodian's obligation to perform his or her other public service responsibilities.

Denial of Inspection or Copying

Pursuant to the Colorado (Open) Records Act, **CORA permits** the custodian of a public record ~~may~~**to** deny inspection and/or copying of a public record ~~for the following reasons:~~ **in certain circumstances. The City Attorney's Office should be consulted when inspection or copying of public records will be denied.**

~~Such inspection may be disallowed pursuant to procedures under the Colorado Public (Open) Records Act.~~

- ~~• Such inspection would be contrary to any state statute.~~
- ~~• Such inspection would be contrary to any federal statute or regulation issued therein having the force and effect of law.~~
- ~~• Such inspection is prohibited by rules promulgated by the Supreme Court or by order of any court.~~

~~The following is a list of the type of records for which the custodian may deny requests for inspection and/or copying under the Open Records Act:~~

- ~~• Records of investigations conducted by a prosecuting attorney or police department, any records of the intelligence information or security procedures of any prosecuting attorney or police department, or any investigatory files compiled for any law enforcement purpose;~~
- ~~• Test questions, scoring keys, and other examination data pertaining to administration of a licensing examination or examination for employment, except that written promotional examinations and the scores or results shall be available for inspection, but not copying or reproduction, by the person in interest after the grading of any such examination.~~
- ~~• Specific details of a bona fide research project being conducted by the City of Colorado Springs.~~
- ~~• Contents of real estate appraisals made for the City of Colorado Springs relative to the acquisition of property or any interest in property for public use until such time as title to the property or property interest is passed to the City, except as required by CRS §38-1-121.~~

~~Requests for inspection and copying of the following records shall be denied to all persons except "Persons in Interest" (see definitions in section 4.2 above):~~

- Personnel files.
- Letters of reference.
- Trade secrets, privileged information, and confidential commercial, financial, geological, geophysical data furnished by or obtained from any person.
- Records of sexual harassment complaints and investigations. Disclosure of any such records to the person in interest is permissible to the extent that the disclosure can be made without permitting the identification of any individual involved.
- Records protected under the common law governmental or "deliberative process" privilege, if the material is so candid or personal that public disclosure is likely to stifle honest and frank discussion within the government, if it is pre-decisional, and if it is deliberative in nature. If the City withholds a document based upon this privilege, the custodian must provide the applicant with a sworn statement specifically describing each document withheld, explaining why each document is privileged, and why disclosure would cause substantial injury to the public interest. The applicant may request the custodian to apply to the district court for an order permitting him or her to restrict disclosure. The burden of proof shall be upon the City. The court will determine whether disclosure of the records would cause substantial injury to the public interest.

An official custodian has authority, pursuant to CRS § 24-72-204(6), to determine whether disclosure of contents of the public record otherwise not exempt from disclosure would substantially injure the public interest. If records are withheld on this basis, the City must seek a court order prohibiting the disclosure of the records.

In addition to the foregoing, the following documents shall not be disclosed: Attorney/Client Communications and Attorney Work Product: All communications to and from the City Attorney's Office may be privileged and confidential. Such documents shall not be released absent authorization by the City Attorney.

Work Product for Elected Officials: All advisory or deliberative materials assembled for the benefit of elected officials which express an opinion or are deliberative in nature and are communicated for the purpose of assisting elected officials in reaching a decision within the scope of their authority.

Other Confidential Information: All records which are required or allowed to be kept confidential by any statute, law, ordinance or rule may be designated as confidential.

Procedure

All requests **for records or other information** made by the media or by citizens shall be immediately forwarded to Public Communications for response **in accordance with PPM Policy #51**. All other requests shall be delivered to the appropriate Department Director for response. If information is requested from more than one group, the Public Communications Manager shall be immediately notified and will coordinate a response. Requests which raise legal concerns will be coordinated through the Public Communications Manager and all documents forwarded to the City Attorney's **Office** for response.

Charges for Inspection and Copying

Charges for retrieval and copying of public records shall be in accordance with the applicable ResolutionsCity's CORA Policy.

Email and other electronic records

Employees and elected officials should have no expectation of privacy on the City's IT network, equipment, systems including email system, data, and information. Any messages sent or received, documents created, sites visited, and/or other public records created using the City's information technology resources may be subject to inspection and possible production under CORA.

Employees of the City and custodians of records must retain public records in accordance with the Municipal Records Retention Guidelines and may not destroy, modify, redact, or omit any records in their possession, custody, or control which are responsive to a CORA request, except as lawfully directed by the City Attorney's Office.

Last revised: 4/17

POLICY NUMBER/TITLE

Civilian Policy #54 – Tools and Equipment

FINAL APPROVAL DATE

Change Requested By: IT and Human Resources

Description of Change: Remove section from PPM related to long distance calls. Remove other outdated information.

Reason for Change: We, IT, currently pay \$4,000/year for a product called Microcall that provides monthly long distance reports for City extensions. We only charge about 7 departments for their long distance on a monthly basis, and this only offsets the annual cost by about half, so the benefit does not outweigh the cost. Since most people have personal cell phones they use for long distance, I don't know that many departments are reviewing the reports. We would like to remove this section from the PPM.

Markup for Council:

Policy # 54

TOOLS AND EQUIPMENT (PERSONAL USAGE OF CITY-OWNED)

With an exception for the limited use of office equipment and telephones, employees may not use City-owned tools, equipment, or shop facilities for personal, non-City business, use.

Exceptions

Office Equipment

At the discretion of the **immediate supervisor** ~~Department Director/Division Manager or Council/Mayoral Appointee~~, employees may be allowed the **limited** personal use of office equipment such as computers, **mobile devices, fax machines, copiers, or other City equipment**. ~~Employees shall provide their own paper, envelopes, and expendable supplies. City equipment may not be used for purposes related to other employment, employee owned outside businesses, or political activity.~~

Copiers

~~A fee of \$.50 covering the cost per personal copy shall be reimbursed to the City.~~

Portable Computers

~~Employees must receive approval from the immediate supervisor for personal and/or business use of portable computers off-site.~~

Telephones

~~City telephone may be used for short, intermittent personal calls that do not result in charges to the City. Calls that result in charges are long distance; some time, weather, or informational services and local/long distance directory assistance.~~

- ~~• Employees may use City telephones for long distance when personal calling or credit cards, collect calling, or operator assisted billing to a non-City number are used.~~
- ~~• Emergency long distance telephone calls may be placed using City telephones. The City will be reimbursed for the charges based on the monthly statement amount.~~

Fax Machines

~~City owned fax machines and their communication lines should not be used for personal business. If an employee obtains permission from the Supervisor to use the fax machine because of an unusual situation, the employee must reimburse the City for faxes sent out of the Colorado Springs area code.~~

~~Last revised: 4/17~~

POLICY NUMBER/TITLE

Workplace Visitor Policy or Visitor(s) in the Workplace (Civilian and Sworn)

Change Requested By: Human Resources

Description of Change: Adding a policy which addresses visitors in the workplace

Reason for Change: Currently there is not a policy in place which addresses this subject matter

Benchmark Data (if any): CML – Employee Handbook Planning Guide – Visitors / Guests (Revised July 2018); Workable.com – Workplace Visitor Policy (<https://resources.workable.com/workplace-visitor-policy-template>)

Markup for Council:

Visitor(s) in the Workplace

The City of Colorado Springs allows visitors in the workplace on a limited basis. “Visitor(s)” for the purpose of this policy includes family members, friends, students, mentees, and other persons whose visits to City facilities are not for the primary purpose of conducting business with the City. Facility security protocols and department specific policies address visits to City facilities by customers, vendors, and/or job candidates.

When receiving Visitors in the workplace, employees must ensure there will be no negative impact to the workday and no disruption to City operations or to other employees in the performance of their daily job duties. To protect the safety and welfare of employees and guests, Visitors should generally be escorted by a City employee at all times while in City facilities when not in a public area.

Visitors cannot be left alone in City facilities, and cannot be left with employees that they are not there to visit.

Minors that visit the workplace of sworn personnel must be accompanied by an adult Visitor in case the employee is called away suddenly.

The Department Director or Chief may make an exception to this policy in consultation with Human Resources.

This policy does not replace ridealong policies. Employees should refer to internal departmental policies for guidelines on ridealongs and other department specific information.

POLICY NUMBER/TITLE

Sworn Policy 10 – Vacation Donation

Change Requested By: Payroll

Description of Change: Changing vacation donation from donations to individuals, to a vacation donation pool.

Reason for Change: This provides a more fair process for employees, and increases chances of vacation donation hours being available when someone needs them.

Markup for Council:

Vacation Donation

Employees may voluntarily donate their vacation time to **the vacation donation pool. Donated vacation hours will be used for employees who have** non-job related illness or injury of the employee or their immediate family member has exhausted the recipient's paid sick leave, vacation, personal holiday, etc. Sick leave cannot be donated. Vacation Donation is covered in City of Colorado Springs Civilian PPM #20 Vacation Donation.

POLICY NUMBER/TITLE

Sworn Policy #11 Sick Leave

Change Requested By: Human Resources

Description of Change: Sick leave policy was rewritten to include new rules under the Healthy Families Health Workplaces Act that goes into effect on 1/1/2021

Markup for Council:

Sworn Policy #11

SICK LEAVE

The City of Colorado Springs provides sick leave for employees to promote health and wellness. It is important to the organization that employees are able to take the time they need to care for themselves or their families during illness or injury. Employees must use paid sick leave for qualifying reasons prior to taking other leave types or leave without pay unless an exception is made by the Department Head and Chief Human Resources and Risk Officer (unless State or Federal laws allow or require differently).

An employee on personal sick leave shall not perform any activities, including other employment, self-employment, sports, hobbies, etc., which may impede recovery from the injury/illness.

Accrual of Sick Leave

Forty-hour regular and probationary employees shall accrue sick leave at the rate of 9.33 hours per month of continuous employment. Sick leave may be accrued to a maximum of 1056 hours, plus current year accrual.

24-hour regular and probationary employees shall accrue sick leave at the rate of 13.07 hours per month of continuous employment. Sick leave may be accrued to a maximum of 1479 hours plus current year accrual.

Employees transferring from 40-hour to 24-hour status will have their current vacation and sick leave multiplied by 1.4. Vacation and sick leave balance for transfers from 24-hour to 40-hour status will be divided by 1.4.

Healthy Families and Workplaces Act

The first 48 hours of sick leave used per calendar year falls under the Healthy Families and Workplaces Act (HFWA). Under the HFWA, employees may use sick leave for absences caused by illness, injury, temporary disability (including pregnancy), medical exams or medical treatment, certain reasons related to domestic abuse (reference Policy #23 Leave of Absence), or due to a public health emergency in which a public official has ordered closure of the employee's place of business or school or place of care of the employee's child and the employee needs to be absent from work to care for the employee's child.

This leave may be used for the employee or the employee's family member including family members related by blood, marriage, civil union, common law marriage, adoption, a child to whom the employee stands in loco parentis or a person who stood in loco parentis to the employee when the employee was a minor, and any person whom the employee is responsible for providing or arranging health or safety related care.

In the event of a public health emergency as defined in the HFWA, employees may be granted up to an additional 80 hours of paid sick leave in accordance with and for the purposes stated in the HFWA.

Physician's Statement

During the first 48 hours of sick leave during a calendar year, a physician's statement supporting the use of sick leave and/or the ability to return to work may be required by the employee's immediate supervisor or manager after the employee has been on sick leave for at least four consecutive work days. A physician's statement may be required by Human Resources as permitted by FMLA and is not subject to the four consecutive work days limitation mentioned above.

General Sick Leave Policies

After the first 48 hours of sick leave is used in a calendar year, employees may only utilize sick leave for mental or physical illness, injury, serious health condition, temporary disability (including

pregnancy), medical exams or medical treatment unless otherwise limited by policy (reference Policy #30 Worker's Compensation and Policy #26 Family Medical Leave/Family Care Act).

To be eligible for paid sick leave, the intended use of sick leave must be reported to the immediate supervisor a minimum of one hour prior to the start of each scheduled workday or prior to leaving the work site. In the case where treatment, surgery, or other regimen are scheduled in advance, at least 30 days-notice must be given to the supervisor, or as soon as practicable. If the employee is unable to contact the supervisor in the case of an emergency, every effort should be made to have another party contact the supervisor. An employee who fails to give proper notification may be subject to disciplinary action. The Chief, in the case of an extended illness, may grant an exception to this policy.

Sick Leave for Family Care

After the first 48 hours of sick leave is used annually, employees may utilize up to 12 weeks of accrued sick leave per calendar year for the care of an immediate family member's illness, injury, serious health condition, temporary disability (including pregnancy), medical exams or medical treatment. Immediate family is defined as spouse, parent, guardian, child, brother, sister, grandparents, or grandchild, as well as these relatives in-law, step or half, or any other family member residing in the employee's household. Employees married under common law rules are required to have an approved common law affidavit on file with Benefits and Wellness in order to utilize sick leave to care for common law family members.

Physician's Statement

An employee's supervisor or manager may request a physician's statement supporting the use of sick leave and/or the ability to return to work any time an employee uses sick leave after their first 48 hours of sick leave in a calendar year. The supervisor should consult with Human Resources prior to requesting a physician's statement for absences to verify use of the first 48 hours of sick leave and to determine whether the absence is FMLA or ADA related.

Options Upon Sick Leave Exhaustion

Employees must use their accrued sick leave for the reasons listed above prior to using any other type of paid leave. When accrued sick leave, accrued vacation, accrued personal holiday time, accrued compensatory time, and award time have been exhausted, the employee may request the following:

- **Sick Leave Advance:** Up to 240 hours of sick leave with pay may be advanced to full-time and part time regular, probationary and special employees upon the approval of the Department Head and Human Resources. If an employee separates from City employment prior to completing the repayment, the remaining amount will be deducted from the final paycheck or

repaid in accordance with arrangements made through the Finance Office. Sick leave advance is not available for Worker's Compensation leave.

- **Sick Leave Without Pay:** Sick leave without pay may be granted when illness, injury, or convalescence has exhausted all paid leave. An employee request for such leave must include a physician's prognosis and estimated date of return. Prior to return, an employee must provide Human Resources a physician's statement certifying that the employee is released to resume assigned duties.
- In some circumstances, employees may be eligible for vacation donation upon leave exhaustion. Refer to policy 20 – Vacation Donation, for more information on this topic.

After considering the specifics of the employee's request and the impact of the employee's continued absence on the operations, the employee's supervisor, in consultation with Human Resources, may approve the request or separate the employee, subject to FMLA or other legal requirements. Managers are required to consult with Human Resources for guidance concerning granting requests for sick leave without pay.

Reassignment After Sick Leave Without Pay

Employees returning from a period of sick leave without pay who cannot perform the essential functions of their position should refer to Policy #34, Americans with Disabilities Act (ADA) and Pregnancy Accommodations, and follow the outlined procedures, if applicable.

Holidays During Sick Leave

For all employees who work an annual schedule of 2080 hours, holidays observed by the City that fall within a period of sick leave shall not be charged as sick leave. In cases where the length of the employee's normal workday exceeds that of the holiday, the hours in excess of the holiday shall be charged to sick leave.

Payment For Unused Sick Leave Upon Termination, Retirement, or Death

Employees eligible for sick leave accrual on or before 12/31/10: Upon retirement the employer will make a contribution to the Retirement Health Savings Plan (RHS) for accumulated sick leave, not to exceed 720 hours, or 1008 hours for a 24-hour employee. Retirement is separation from employment for reasons of age and service or medical condition for which the employee is eligible to receive an immediate pension benefit from a City pension plan. To be considered retired, the employee must also have made application for retirement prior to the date of separation.

For employees who elect to receive a deferred vested pension and who have at least 20 years of covered service, the following will occur upon termination:

- The employer will make a contribution to the Retirement Health Savings (RHS) plan for accumulated sick leave, not to exceed 720 hours or 1008 hours for a 24-hour employee.
- Employees will be eligible to start using the RHS on the date that they are retirement eligible. Employees with full coverage insurance provided by a spouse or other employment will be excluded from the mandatory RHS plan.
- Cash payments shall be made at the rate of base pay at the date of termination or retirement and shall not include longevity or other extra compensation. No pension fund deductions shall be made.

In the event of death, the employee’s estate will be paid for eligible accrued sick leave. Contributions will not be made to the RHS plan for the employee’s estate.

Employees hired or rehired after 12/31/10: These employees are not eligible for unused sick leave upon termination, retirement or death.

POLICY NUMBER/TITLE

Sworn Policy #15 Leave of Absence (unpaid) – Parental involvement section

Change Requested By: Human Resources

Description of Change: Removing section on parental involvement

Reason for Change: This policy is related to an outdated Colorado labor law that is no longer in effect. The Police and Fire departments are unable to grant this type of leave because of scheduling requirements.

Benchmark Data (if any): This law expired in 2015

Markup for Council:

[Parental Involvement in K-12 Education Leave Without Pay](#)

~~An employee who works a full time schedule may take 18 hours of leave (“parental leave for involvement in K-12 education”) from work in any academic year for the purpose of attending an academic activity for his or her child, so long as the leave is taken in accordance with the criteria outlined in § 8-13.3-101, Colorado Revised Statute (C.R.S.), and the employee meets all other requirements of the statute. An employee who works less than a full time schedule will be eligible for a pro-rata share of the leave as outlined in the statute.~~

~~Nothing prevents the City from invoking any and all limitations of parental leave as outlined in the statute, including but not limited to, requesting that an employee obtain written verification of the activity from the school and limiting leave in cases of emergency or other situations that may endanger a person’s health or safety or in a~~

~~situation where the absence of the employee would result in a halt of service or production.~~

~~Employees who take parental leave will be required to use paid leave time if they otherwise meet the eligibility factors for the particular paid leave of absence. If the employee does not qualify for paid leave of absence or the employee does not accrue paid leave, the leave of absence shall be without pay.~~

POLICY NUMBER/TITLE

Sworn Policy #19 – Workers Compensation

Change Requested By: Human Resources

Description of Change: Clarifying wording from modified duty and light duty being used interchangeably, to only using “Workers Compensation limited duty”. Clarifying work restrictions.

Reason for Change: Restricted Activities section – two paragraphs appear to say opposite information. Clarify wording

Markup for Council:

**POLICY AND PROCEDURE # 19
WORKERS' COMPENSATION**

In accordance with the State of Colorado Workers' Compensation Act, employees may apply for workers' compensation benefits for on-the-job injuries. The degree of liability and the amount of the benefit are determined by the State.

The City pays the entire cost of the Workers' Compensation insurance.

[Administration of Claims](#)

The Workers' Compensation section of the Risk Management Unit is responsible for the intake, review, and administration of employee workers' compensation claims. Employees who are injured on-the-job must report their claims to the Workers' Compensation section in accordance with their department's accident reporting procedures.

[Injury Leave](#)

An employee who is temporarily disabled for more than three regular working days as a result of an injury, which is fully compensable under the Workers' Compensation Act, shall be granted injury leave not to exceed 1220 hours per injury. To be eligible for injury leave, the employee must have physician certification, in writing, that the time off

is related to the injury. The Colorado Workers' Compensation Act provides payment of temporary disability benefits equal to 66⅔% of an employee's average weekly wage, not to exceed a maximum of 91% of the State average weekly wage. The City, however, will provide 100% wage replacement for compensable injuries or illnesses. Injury leave wage replacement will be paid based upon the wage rate at the time of disability. Injury leave benefits are paid in place of, and are credited against, temporary disability benefits due under the Colorado Workers' Compensation Act. There is no double recovery from injury leave and the Colorado Workers' Compensation Act. Injury leave will be considered as part of and administered in accordance with the Family and Medical Leave Act except that employees are not permitted or required to use accrued leave in conjunction with injury leave while on FMLA status. Injury leave shall continue until the first occurrence of any one of the following:

- The authorized treating physician releases the employee to return to **Workers Compensation limited duty** ~~modified duty~~ or full duty.
- The employee reaches maximum medical improvement.
- On the date a ruling of permanent disability is made.

In the event the employee exhausts injury leave and is still unable to return to work, the employee becomes eligible for compensation in accordance with the Colorado Workers' Compensation Act, C.R.S. Section 8-42-105, which governs state-mandated compensation. When injury leave is exhausted, the employee will be required to supplement state mandated compensation with accrued leave up to 12 hours per week.

Benefit Period Computation

In computing the 1220-hour maximum benefit period, the following hours shall be counted:

- Paid holidays occurring during the recovery period
- Paid leaves
- Unpaid leaves taken when the benefit is a reduced benefit

~~Modified Duty~~ **Workers Compensation limited duty**

An employee who is unable to perform the essential functions of their position while recovering from an injury, which is fully compensable under the Workers' Compensation Act, may be granted **Workers Compensation limited duty** ~~modified duty~~ for a period of time not to exceed 2080 hours. The use of **Workers Compensation limited duty** ~~modified duty~~ assignments is governed by the availability of suitable work within the restrictions contained in the physician's release. The employee shall be paid their base wage while working **Workers Compensation limited duty** ~~modified duty~~.

The Chief or designee will make an attempt to find suitable work within the Department. However, assignments may be made to organizations outside of the employee's regularly assigned work group.

Eligibility to work **Workers Compensation limited duty** ~~modified duty~~ ceases when the employee has been released to return to full duty, is approved for a service/disability retirement, is placed at maximum medical improvement by a designated physician, or has been reassigned as a reasonable accommodation under the Americans with Disabilities Act (ADA).

Penalties

If the injury is not fully compensable under the provisions of the State of Colorado Worker's Compensation Act provisions, the City benefit shall be reduced by the same percentage as the State assessed penalty. In such instances, the employee may elect to utilize accrued sick leave and vacation to offset the assessed penalties.

Restricted Activities

An employee on ~~injury leave~~ **Workers Compensation leave, or Workers Compensation limited duty**, ~~or modified light duty~~ assignment shall not perform any activities, including other employment, self-employment, sports, hobbies, etc., which may impede recovery from the injury. The authorized treating physician will make the appropriate determinations. An employee on ~~injury~~ **Workers Compensation limited duty** ~~or leave or modified light duty~~ assignment shall not ~~work overtime~~, be placed on-call or in a stand-by mode. **An employee on Workers Compensation limited duty or light duty may work overtime within their physical restrictions based on the operational needs of the department with approval through chain-of-command and Human Resources.**

~~An employee on injury leave Workers Compensation or limited duty assignment shall not be placed on-call or in a stand-by mode. An employee may work overtime within his/her physical restrictions based on operational need.~~

Inability To Perform Duties

Should the employee be unable to return to the full range of regularly assigned duties following a workers compensation injury leave and/or a **Workers Compensation limited duty** ~~modified duty~~ assignment, the employee may:

- Utilize any remaining FMLA leave if eligible;
- Utilize accrued compensatory time and sick leave if he/she is involved in the Americans with Disabilities Act (ADA) process or pursuing medical retirement;
- Utilize accrued vacation leave subject to supervisor approval;
- Request sick leave without pay upon exhausting other paid leaves subject to approval by the chief or designee;
- Request an accommodation under the ADA; and/or
- Apply for disability retirement if eligible.

The City reserves the right to initiate an involuntary separation from employment in accordance with City Policies and Procedures for an employee who has not reached

Maximum Medical Improvement and prior to the exhaustion of available sick leave if the employee:

- Has exhausted all FMLA leave and,
- Waives consideration under the ADA, is found to be not qualified under the ADA, or cannot be reasonably accommodated through reassignment; and
- Is unable to perform the essential functions of their job with or without reasonable accommodation; and
- Is not otherwise entitled to any other legal protections.

Employees may request an ADA accommodation at any time prior to separation of employment, regardless of whether the employee has previously signed an ADA waiver.

~~Last revised: 9/18~~

POLICY NUMBER/TITLE

Sworn Policy #34 – Employee Records

Change Requested By: City Attorney's Office

Description of Change: Updating process for employees to review their personnel records

Reason for Change: To make the policy clear and easy to follow for employees.

Markup for Council:

POLICY AND PROCEDURE # 34 EMPLOYEE RECORDS

Official employee **personnel** records shall be maintained in ~~City of Colorado Springs~~ Human Resources. The employee shall receive a copy of all material that is forwarded for inclusion in the employee's record.

Employees may review their **personnel** records. ~~and upon~~ **By submitting a request to Human Resources employees may** receive a copy of any information in their **personnel** record **at no cost, with charges per page for additional copies at the same rate as Colorado Open Records Act (CORA) requests per the City's CORA Policy.**

Internal Accessibility

~~Unless otherwise directed by court order,~~ **Only** administrative, management, supervisory personnel with a need to know, ~~or person in interest~~ may review an employee's personnel **record file, with Human Resources approval.**

Employees who want a copy of their personnel file must submit a request to Human Resources and pay the same charge per page as paid for external requests.

External Accessibility

- ~~Open Records Act:~~ **All other requests for personnel records shall** will be released in accordance with the Open Records Act **CORA**.
- ~~Employee References:~~ External release of employment information shall be limited to the dates of employment, classification history, and salary information, unless authorized in a release executed by the employee. Any requests for additional information should be directed to Human Resources and will be handled in accordance with applicable state laws. **Information provide pursuant to a request for an employee reference shall be limited to the dates of employment, classification history, and salary information. Any requests for additional information should be directed to Human Resources.**

Changes in Personal Information

Employees are responsible for notifying their Department Director/Division Manager or Council/Mayoral Appointee and Human Resources within five (5) working days of any change in name, address and/or telephone number. ~~Human Resources will forward information to Payroll.~~ Employees are encouraged to **also** update any changes in their personal information through the Employee Self-Service System.

Service Awards

~~It is the policy of the City to periodically recognize an employee for length of regular service, which includes all periods of City employment in a regular position.~~

Out-Processing

~~Upon separation, an employee must report to their Department's Human Resource Office, at a mutually agreed upon time, for the purpose of out-processing. Out-processing includes final disbursement of salary and benefits information and the completion of necessary forms.~~

Last revised: 4/17

POLICY NUMBER/TITLE	Workplace Visitor Policy or Visitor(s) in the Workplace (Civilian and Sworn)
DEPARTMENTS (OWNERS)	Human Resources

Change Requested By: Human Resources

Description of Change: Adding a policy which addresses visitors in the workplace

Reason for Change: Currently there is not a policy in place which addresses this subject matter

Benchmark Data (if any): CML – Employee Handbook Planning Guide – Visitors / Guests (Revised July 2018); Workable.com – Workplace Visitor Policy (<https://resources.workable.com/workplace-visitor-policy-template>)

Markup for Council:

Visitor(s) in the Workplace

The City of Colorado Springs allows visitors in the workplace on a limited basis. “Visitor(s)” for the purpose of this policy includes family members, friends, students, mentees, and other persons whose visits to City facilities are not for the primary purpose of conducting business with the City. Facility security protocols and department specific policies address visits to City facilities by customers, vendors, and/or job candidates.

When receiving Visitors in the workplace, employees must ensure there will be no negative impact to the workday and no disruption to City operations or to other employees in the performance of their daily job duties. To protect the safety and welfare of employees and guests, Visitors should generally be escorted by a City employee at all times while in City facilities when not in a public area.

Visitors cannot be left alone in City facilities, and cannot be left with employees that they are not there to visit.

Minors that visit the workplace of sworn personnel must be accompanied by an adult Visitor in case the employee is called away suddenly.

The Department Director or Chief may make an exception to this policy in consultation with Human Resources.

This policy does not replace ridealong policies. Employees should refer to internal departmental policies for guidelines on ridealongs and other department specific information.

POLICY NUMBER/TITLE

Sworn Policy xx – Tools and Equipment

Change Requested By: Human Resources

Description of Change: Adding section to Sworn PPM to match Civilian PPM.

Reason for Change: Sworn did not have a policy on tools and equipment.

Markup for Council:

Policy XX Tools and Equipment (Personal Usage of City-Owned)

With an exception for the limited use of office equipment and telephones, employees may not use City-owned tools, equipment, or shop facilities for personal, non-City business, use.

Exceptions

Office Equipment

At the discretion of the immediate supervisor, employees may be allowed the limited personal use of office equipment such as computers, mobile devices, fax machines, copiers, or other City equipment. City equipment may not be used for purposes related to other employment, employee owned outside businesses, or political activity.

Telephones

City telephone may be used for short, intermittent personal calls that do not result in charges to the City.