

## 2025 PPM Updates - Detailed

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### PPM Update

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| <b>POLICY NUMBER/TITLE</b>                | Civilian Policy 26 – Safety<br>Civilian Policy 32 – Formal Internal Complaint Resolution Process<br>Civilian Policy 33 – Unlawful Discrimination/Harassment/Retaliation<br>Civilian Policy 35 – Standards of Conduct<br>Civilian Policy 36 – Workplace Harassment and Violence<br>Civilian Policy 39 – Business Code of Ethics<br>Civilian Policy 43 – General Policies<br>Civilian Policy 44 – Discipline<br>Civilian Policy 45 – Appeal Procedure<br>Civilian Policy 46 – Pre-Deprivation and Pre-Termination Meetings<br>Civilian Policy 51 – Policy and Procedure Manual Modifications<br>Civilian Policy 52 – Tools and Equipment (Personal Usage of City-Owned)<br>Civilian Policy 53 – Information Technology Usage<br>Civilian Policy 55 – Employee Responsibilities for City Owned and Personal Vehicles for Business Use<br>Civilian Policy 59 – Charity Drives and Employee Solicitation<br><br>Sworn Policy 24 – Unlawful Discrimination/Harassment/Retaliation<br>Sworn Policy 26 – Formal Internal Complaint Process<br>Sworn Policy 27 – Standards of Conduct<br>Sworn Policy 29 – Business Code of Ethics<br>Sworn Policy 31 – Workplace Harassment and Violence<br>Sworn Policy 41 – Nepotism<br>Sworn Policy 43 – Visitor(s) in the Workplace |
| <b>DEPARTMENTS (OWNERS)</b>               | Human Resources                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>DEPARTMENT APPROVAL DATE</b>           | 1/24/2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>LEGAL APPROVAL DATE</b>                | 1/24/2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>CHIEF OF STAFF/MAYOR APPROVAL DATE</b> | 8/6/2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>AGENDA DATES</b>                       | 11/24/2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>FINAL APPROVAL DATE</b>                | 12/9/2025                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

**Change Requested By: City Attorney's Office**

**Description of Change:** This update involves multiple changes across various policies to ensure that all language and procedures align with the law's requirements.

**Reason for Change:** Updating the manual will ensure that our organization aligns with legal requirements, avoids potential legal liabilities and provides clear guidance to employees and management on adhering to the law.

**Markup for Council:**

## Civilian Policy # 26

### SAFETY

The City of Colorado Springs recognizes that the safety and health of its employees and the public are paramount concerns in the delivery of its services. Safety shall receive first consideration in the design and performance of any job. The safety and health of employees and the public shall not be compromised to provide expedient service.

### Department/Division Responsibility

Each Department Director/Division Manager or Council/Mayoral Appointee will use best efforts to ensure that an effective safety and health program is developed, implemented, and maintained. The health and safety program of the Department/Division, with its applicable rules and procedures, shall meet or exceed established federal, state, and city laws as well as accepted industry practices.

The Department Director/Division Manager or Council/Mayoral Appointee shall use best efforts to implement an ongoing program to identify and assess occupational safety and health hazards. Employees shall be provided ongoing training and education relating to preventive measures that minimize or eliminate work place hazards. Employees will be provided with appropriate personal protective equipment and shall be trained in its proper use.

For department/division, supervisor, professional safety staff, employee, and Safety Services section responsibilities, see the Safety Program Manual on the Risk Management intranet home page.

### Fitness for Duty Approval Process:

Whenever circumstances indicate that an employee may no longer be able to perform an assigned job-related duty/duties or when safety concerns arise, an employee, upon approval of the Human Resources Director, may be ordered to undergo a fitness for duty examination. Such examination will be coordinated through the Risk Management Office.

### Employee Responsibility

Each employee of the City has a role to play in assuring a safe and healthy work place. The employee's responsibilities include, but are not limited to the following:

- Be safety conscious at all times.
- Follow established safety and health rules, policies, and procedures in performing work assignments.
- Maintain a valid, **and** appropriate Colorado ~~D~~-driver's license, if required for the operation of City vehicles and equipment.
- Request additional information or clarification on assignments that are unclear and for which there may be a hazard.
- Operate all City equipment, tools, machinery, and vehicles in accordance with manufacturer guidelines, safety practices, and operator training instructions.
- Correctly wear and use all appropriate protective equipment.

- Use lap and shoulder belts, where provided, at all times while operating or riding as a passenger in a City vehicle or private vehicle on City business.
- Wear an ANSI-approved helmet and eye protection when operating a motorcycle, trike motorcycle, moped or scooter on City business.
- Wear a bicycle helmet while riding a bicycle on City business.
- Immediately report to the immediate supervisor and co-workers any unsafe working condition, equipment malfunction, or other situations that could endanger employees or the public.
- Report personal injuries to the supervisor and Risk Management office no later than 48 hours after injury.

### Accident/Injury Reporting

Employees shall immediately notify their immediate supervisor, the Risk Management Office and, if appropriate, law enforcement authorities, of any accident causing injury to an employee which requires professional medical attention, damage to a City vehicle or property, or damage and/or injury to private property or citizen.

- **Notification of Family Members:** The Department/Division shall be responsible for implementing procedures for the notification of family members. Employees are responsible for providing and updating the name of the individual to be contacted in the event of an emergency. This information should be provided to the employee's Department/Division and to Human Resources.

### References

Safety Manual; Vehicles (Usage of City-Owned) Policy; Vehicles (Employee Responsibilities for City-Owned) Policy

## Civilian Policy # 32

### FORMAL INTERNAL COMPLAINT RESOLUTION PROCESS

It is the goal of the City of Colorado Springs to provide prompt resolution of employee complaints through its Complaint Resolution Process. The City of Colorado Springs will not tolerate retaliation against any employee for filing a complaint or for providing information related to a complaint.

#### Subject of Complaints

A formal complaint may be filed relating to an act, omission, or situation involving the interpretation and misapplication of written or verbal policy, procedure, or established practice. Complaints alleging illegal discrimination, harassment, and retaliation may not be filed under this policy. (See Unlawful Discrimination/Harassment/Retaliation Policy).

### Who May File

Regular, full-time or part-time employees, except for those in their original probationary period. Employees not included in this policy may use the chain of command to resolve concerns that fall within the scope of this policy.

### Preliminary Requirements

Prior to initiating a formal complaint, the employee should discuss the alleged act or action with their immediate supervisor. If the employee is uncomfortable bringing the issue to their supervisor, he/she should contact the next level of supervision, or consult with the Human Resources Department. The supervisor must respond to the employee's inquiry in writing within a reasonable timeframe. If resolution is not reached, the employee may file a formal complaint. To file a formal complaint, the employee must complete a City of Colorado Springs Complaint Resolution Form and submit it to their immediate supervisor and/or the next highest level of management, along with a copy to the Human Resources Department. The forms can be obtained from the City's Human Resources Office, ~~or on the intranet - Human Resources/Policies & Procedures/Forms & letters.~~

## Timeline Requirement

Formal complaints must be filed no later than 15 working days from the date of the alleged act or action, or the date the employee became aware of the alleged act or action, or from the date the supervisor responded to the employee's inquiry.

## Investigation

Formal complaints will be fully investigated by the Division Manager/Council/Mayoral Appointee or a party designated by the manager or appointee, unless the Division Manager/Council/Mayoral Appointee is involved in, or is the subject of the complaint. Summary results of the investigation will be provided in writing to the complaining employee within 30 working days from receipt of the formal complaint.

## Appeal

If an employee is not satisfied with action taken as a result of the investigation, the employee may appeal the decision one level of management above the decision-maker. The appeal must be in writing and filed within 5 working days of receiving written notification of the decision. Copies of the appeal must be submitted to both the manager who rendered the original decision and the next level of management that will hear the appeal. If the Division Manager made the decision, then the Department Director will hear the appeal. If a Council/Mayoral Appointee made the decision, then the employee may appeal to an alternate Council/Mayoral Appointee. A written response will be provided by the manager hearing the appeal no later than 15 working days from receipt of the appeal.

## General Requirements

- Attorneys are not permitted to appear on behalf of an employee during any phase of the complaint procedure.
- An employee may be accompanied by another ~~regular~~ employee at complaint resolution meetings. The employee will receive their normal compensation and shall not be subject to retaliation.
- Employees may be requested to appear as witnesses at meetings held to resolve complaints. The employees are required to appear and will receive their normal pay. Witnesses shall cooperate with the investigation. The names of employee witnesses must be provided to the manager hearing the complaint in advance in order to arrange for their appearance. The City of Colorado Springs will not tolerate retaliation

against any employee for filing a complaint or for providing information related to a complaint.

- If an employee fails to adhere to the filing deadlines, the complaint shall be considered resolved.
- Complaint resolution deadlines may be extended by the Department/Division Manager or Council/Mayoral Appointee for good cause. A request for extension and the subsequent response must be in writing. The respective parties shall each be allowed one reasonable postponement, not to exceed 45 calendar days.

## Civilian Policy # 33

### UNLAWFUL DISCRIMINATION/HARASSMENT/RETALIATION

The City of Colorado Springs is an Equal Employment Opportunity employer. The City of Colorado Springs will not tolerate any employee engaging in unlawful discrimination, harassment, or retaliation against any employee or applicant because of race, color, national origin, ancestry, sex, age, pregnancy status, religion, creed, disability, sexual orientation, genetic information, spousal or civil union status, veteran status, or any other status protected by applicable law.

The City has zero tolerance for any form of unlawful discrimination, harassment, or retaliation. The City seeks to establish a diverse and inclusive work environment that is free from unlawful discrimination, harassment, and retaliation.

~~It is the responsibility of all City employees, managers, and supervisors to conduct themselves in a manner that fosters inclusion and respect for the individual and maximizes every employee's capability to be productive in his or her job.~~

#### The following conduct is prohibited:

- **Discrimination:** Unlawful employment actions based on an employee's or applicant's race, color, national origin, ancestry, sex, age, pregnancy status, religion, creed, disability, sexual orientation, spousal or civil union status, genetic information, veteran status, or any other status protected by applicable law.
- **Harassment:** Unlawful acts of intimidation, threats, inappropriate comments, or related actions and behaviors which target an employee or applicant because of his or her race, color, national origin, ancestry, sex, age, pregnancy status, religion, creed, disability, sexual orientation, spousal or civil union status, genetic information, veteran status, or any other status protected by applicable law.
- **Sexual Harassment:** Unlawful conduct such as unwelcome sexual advances, requests for sexual favors, verbal or physical conduct of a sexual nature, or any other unwelcome verbal or physical conduct based on a person's sex.

Retaliation: Unlawful conduct against any employee or applicant who opposes acts of unlawful discrimination, harassment, or retaliation or participates in any manner in an investigation, proceeding, or hearing by a federal or state agency charged with enforcement of such laws.

### Complaints

An employee who believes they have been subjected to actions or behaviors that are forms of unlawful discrimination, harassment, or retaliation ~~must~~ **should** discuss the incident(s) with the appropriate level supervisor/manager in their department/division or the Human Resources

Department. If the employee uses an informal resolution process with a supervisor/manager, all complaints must still be reported to the Human Resources Department.

## Discipline

Individuals whose behavior is in violation of this Policy shall be subject to disciplinary action, up to and including termination.

## References

Discipline Policy

## Civilian Policy # 35 STANDARDS OF CONDUCT

Employees are responsible for meeting reasonable and ethical standards of performance and conduct in their work activities. Managers and supervisors are responsible for providing leadership that creates an opportunity for employees to achieve professional standards of performance and conduct and, at the same time, holding employees accountable for their actions.

### Conduct Subject to Disciplinary Action

~~It is expected that the behavior of employees reflects favorably on the employee and the City at all times.~~ The following is a list of offenses for which an employee may receive corrective action up to and including termination. Because it is impossible to list every offense that may occur in the workplace, this list is not all-inclusive. Other conduct may be subject to discipline. The City of Colorado Springs reserves the right to determine the seriousness of an offense at the time the offense occurs and to impose the appropriate level of discipline.

Examples of unacceptable conduct/offenses are listed below.

- ~~Conduct deemed by the City as unbecoming a City employee~~
- **Conduct which disrupts an employee's duties, City operations, or the delivery of public services; breaches legally required confidentiality; or interferes with City's ability to fulfill its obligations to residents.**
- Violation of City or Department/Division written or verbal policies or procedures
- Unsatisfactory work habits to include tardiness, violation of break and lunch policy, departing prior to the designated time, excessive absenteeism, neglecting work duties, or wasting time during work hours
- Smoking anywhere except in a designated smoking area
- ~~Insubordination~~
- **Failure to follow lawful direction**
- Impairment due to the use of alcohol or non-prescribed drugs
- Consumption, possession, or selling of alcohol or non-prescribed drugs, including standby, on City time or in the workplace
- Failure to adhere to City's policies outlined in the Drug/Alcohol Procedures Manual
- Abuse of prescribed or over-the-counter drugs
- Abuse of paid leave

- Participation in activities, including other employment, self-employment, sports, hobbies, etc., which is inconsistent with paid sick leave, limited duty, or injury leave
- Conducting personal business while on City time
- Work disruption or stoppage, strike, or other forms of job action, or withholding of services
- Failure to cooperate in a City investigation and provide truthful information in subsequent testimony, as required
- Failure to report the loss of a ~~Colorado~~ driver's license, other required license or certification within 24 hours
- Fraud, falsification, ~~deceit~~, or departing from the truth
- Unauthorized possession or use of any firearm or prohibited weapon during working hours or in the workplace and/ or in City-owned vehicles. Nothing in this policy prohibits an employee from possessing a weapon in a private vehicle during the workday, so long as, the employee is in compliance with state and local laws. This policy does not prohibit an employee from carrying a concealed firearm in the workplace, except in Colorado Springs Police Department facilities, so long as the employee is in compliance with carry permit requirements and state and local laws.
- Falsification of time sheets, employment application, personnel records, or other organizational records
- Theft, misappropriation, destruction, abuse or waste of public and/or private property, including City tools, equipment, fixtures, facilities, or supplies
- Failing to report criminal charges and/or conviction of criminal charges
- Sexual harassment and other forms of illegal discrimination
- Creating or contributing to an unproductive work environment to include: using one's position to harass another, participating in or allowing horseplay, **and/or** disorderly conduct
- Fighting, encouraging a fight, acts or threats of physical violence, intimidation, or coercion
- **Unprotected A**abusive, offensive, or obscene language or conduct towards the public, City officials, or employees
- Violating safety rules or accepted safety practices
- Failure to report direct or indirect financial interest that could be considered a conflict of interest
- Unsatisfactory job performance
- ~~Unsatisfactory behavior~~

#### References

Vehicles (Employee Responsibility of City-Owned) Policy; Business Code of Ethics Policy

## Civilian Policy # 36

### WORKPLACE HARASSMENT AND VIOLENCE

It is the City Of Colorado Springs' policy to promote a safe environment for its employees and visitors which is free of bullying, harassment, intimidation, threats, or violent behavior.

The City will not tolerate any action which may be interpreted as one of the following behaviors:

- Acts of bullying or intimidation
- Threatening or ~~hostile~~ verbal or physical behaviors
- Stalking

- Physical **abuse** or **unprotected** verbal abuse
- Comments regarding violence
- Harassment or assault
- Vandalism
- Arson
- Sabotage
- Unauthorized possession or use of a firearm or prohibited weapon at the workplace

This list is not all-inclusive, and any other acts deemed inappropriate will also be investigated. ~~This includes inappropriate, unwanted behavior whether intentional or unintentional.~~ Other unacceptable behaviors may include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. The City reserves the right to take action against this type of behavior, up to and including termination.

## Reporting Requirements

~~The prohibited conduct described above~~ Violent, threatening, harassing, intimidating, or other disruptive behavior, including anonymous threats, should not be ignored. Inappropriate humorous comments about violence are also unacceptable. If you observe or experience such behavior by anyone on City property or directed at City employees, whether the person is a City employee or not, you should report it immediately to a supervisor or manager, a Human Resources Manager, Security, or the Risk Management Staff. Supervisors and managers who receive reports should contact Risk Management. If the supervisor is responsible for the behavior, the employee should report to a manager above the supervisor or one of the other contacts listed herein. If the employee believes the situation requires immediate action in order to avert a violent situation, the employee should contact the appropriate law enforcement agency or Security immediately.

## Investigation

Any reported violation of this policy will be thoroughly investigated by the Department Director/Division Manager, Council/Mayoral Appointee, Human Resources, or Risk Management. The Workplace Violence Response Team will immediately review reported acts of violence or potentially violent situations. The Response Team is convened and headed by the Division Manager, Risk Management Division Manager or a designee and shall be comprised of representatives from the following groups:

- City Attorney's Office
- Law enforcement agencies
- Medical Professionals (EAP)
- Employee's Division Manager
- Risk Management
- Human Resources

The role of the participant from the City Attorney's Office is to provide legal advice to the Response Team. The Response Team shall make recommendations to the supervisor/manager on how to proceed in regard to the problem employee and the particular circumstances.

## Action Following Investigation

The City of Colorado Springs will take the appropriate disciplinary action based on the findings of the investigation. An employee whose behavior is determined to be in violation of this policy is subject to disciplinary action, up to and including termination.

## Searches

An employee may be subject to a search involving the work site, a City-assigned piece of equipment or property, and/or other items within their personal possession in certain circumstances while on City-owned or City-leased property to the extent allowed by law. During such a search, City property in the unlawful or unauthorized possession of the employee may be confiscated.

## Restraining/Protective Order

An employee who obtains a protective or restraining order against a City employee or another person, which lists City locations as protected areas, must immediately notify their supervisor or other member of management about the order and its status. A valid restraining order means that the holder must have the physical document in their possession, and the named party must have been served the restraining order. For a supervisor to take action on an employee's restraining order the supervisor must see the physical document and verify the following information:

- Effective dates of the restraining order
- Date of service of individual
- Distance limits from a specific address
- Contact limits; i.e., phone, physical
- Signature of a judge

When an employee has a valid restraining order in place, their supervisor will inform Security of the restraining order. If the restraining order is violated, the authorities will be notified immediately.

If the restraining order does not name another City employee or identify City locations, the City requests and highly recommends notification in order to alert security.

## Civilian Policy # 39 BUSINESS CODE OF ETHICS

The purpose of this policy is to uphold, promote and demand the highest standards of ethical behavior from all employees. This Business Code of Ethics will provide further direction to the City of Colorado Springs Code of Ethics. The policy applies to all employees, appointees and volunteers.

## Policy

The City is committed to complete honesty, utmost integrity, fair dealing and ethical behavior as the basis of its business operations and services to the community. The City is committed to strictly observing all laws, and employees are expected to uphold this commitment to legal compliance. ~~Employees should avoid any conduct creating the appearance of impropriety even if those actions do not violate specific policies, standards, regulations or laws.~~

The City Code of Ethics and this Business Code of Ethics cannot cover all situations where legal or ethical issues may arise and it does not provide all of the information that may be

necessary to make informed legal or ethical decisions. Employees should consult with their immediate supervisor. If the immediate supervisor is not the appropriate source of help, employees should contact the next level manager, the City Attorney's Office or Human Resources.

## Conflict of Interest

~~Employees are expected to conduct their activities with the organization's best interest in mind. Behavior is required that does not bring harm or discredit to themselves or the organization.~~ Employees must abide by the conflict-of-interest provisions in the City Code of Ethics, City Code 1.3.113 through §§1.3.116, and all applicable provisions of the Sworn Policies and Procedures Manual.

Employees must disclose promptly any circumstance that might constitute a conflict of interest ~~or appear to be a conflict of interest~~. For example, an employee must declare to their supervisor any direct or indirect financial interest in the following:

- Any city-wide contract
- Any matter before the City Council or its Boards and Commissions
- Any sale of land to the City
- Any material supplies
- Any services to the City
- Any contractor supplying services to the City

The above list is not all inclusive; the City Code of Ethics, City Code §§1.3.101 through 1.3.119, is the governing document. A philosophical or professional difference of opinion does not constitute a conflict of interest.

## Vendor Relations/Contracting

Employees must conduct the highest ethical practices in source selection, negotiation, determination of awards and administration of all procurement activities. The organization will compete fairly and ethically for all business opportunities. Situations where employees or members of the employee's immediate family have a financial interest are required to reveal their relationship immediately. Employees are committed to meeting all contractual obligations.

## Customer Interaction

Employees will serve customers with integrity and honesty. Customer response will be conducted with a sense of urgency and will ensure that communication with customers is accurate and timely. Employees will avoid any form of unethical activity or discussion with customers that offers false promises or exaggerated guarantees to customers. Our duty is to deal with customers with integrity, diligence and impartiality and with courtesy, consideration, fairness and promptness. Employees will respect the principle of non-discrimination and equal treatment for all customers.

## Political Activity

City employees will not do anything related to their official City capacity or while engaged in their official City duties to influence the outcome of the political process. An employee shall not use or permit to use the authority of their position to actively support either a candidate for City

Council, a City issue, or any other political candidate or issue. Employees shall not make contributions from City funds or property to any political parties or candidates. Further, no employee shall, on behalf of the organization, attempt to influence another employee's decision to make, or refrain from making, a personal political contribution to a candidate or a party.

## Truth and Accuracy in Reporting

Employees are required to be truthful and accurate when communicating and reporting **on or related to official duties** ~~all activities~~. No employee shall engage in fraud, deceit, departure from the truth, or failure to report in any oral or written communication. The organization is committed to financial integrity and proper internal controls. No employee shall falsify any document, record or request, or fail to record proper entries in any book or record for any reason. Organization funds and assets will not be used for any unethical or illegal purpose.

## Confidential information

Employees must safeguard confidential and proprietary information by not transferring, publishing, using or disclosing it unless authorized by the City. Employees must not access or attempt to access systems or physical areas unless properly authorized to do so. Confidential information is any information **protected from disclosure by law**, ~~or knowledge created, acquired, or controlled by the organization that the organization has determined should be safeguarded from improper disclosure.~~

## Use of Resources

Employees must demonstrate concern for proper use of assets including personnel, time, property, equipment and funds. The City provides appropriate office equipment, telephones, computers, vehicles and tools for employees to conduct business. These assets must be used for proper purposes during employment with the City. Equipment and tools may not be sold, loaned, given away, or disposed of without proper authorization.

## Reporting Requirements

- Employees must report any conduct that they believe in good faith to be a violation of this policy or the City Code of Ethics. No action shall be taken against any employee who reports a potential violation which they believe is true and accurate. Employees are encouraged to work with their supervisor in making such reports. If there is a reason that reporting a violation to the immediate supervisor is not appropriate, employees should contact their next-level manager, the City Attorney's Office or Human Resources.
- Employees may file a complaint regarding violations of the City Code of Ethics pursuant to City Code§ 1.3.105.
- Employees may also report any suspected fraud and abuse to the City Auditor directly or through the City Auditor Hotline, 719-385-2387. Examples of fraud and abuse may be any suspected unlawful or wasteful act impacting the City of Colorado Springs operations and enterprises.
- Employees can find more information about reporting suspected fraud or abuse on the [Office of the Auditor's \(OCA\) website](#).

## Disciplinary Rights

The City may take disciplinary or corrective action against an employee, up to and including termination, for violation of this policy, the City Code of Ethics, or any state or federal criminal laws which, in its sole judgment, may render the employee unfit to perform their job, may bring discredit upon, and/or may compromise the integrity of the City.

Nothing in this policy alleviates an employee's responsibilities under other sections of the Policies and Procedures Manual, including "Employment Restrictions" and "Other Employment."

## Civilian Policy # 43 GENERAL POLICIES

### ~~Employee Groups~~

~~An employee may not be prohibited from, or coerced into, joining an employee group. An employee group, or any member thereof, may not solicit membership or conduct business meetings on City time.~~

~~An employee group may, however, with the prior written approval of the Division Manager utilize the following:-~~

- ~~• City buildings or facilities after work hours to conduct business meetings~~
- ~~• Interoffice mail system~~
- ~~• Bulletin boards~~

### Dress Codes

Employees are required to dress in attire suitable to their position in order to maintain a good public image and to assure public safety.

### Personal Hygiene

Employees are expected to maintain good personal hygiene in order to maintain a good public image and foster harmonious working environments.

### Bulletin Boards

**City bulletin boards (including electronic bulletin boards) will be used for communication of City policy, City business and announcements, City-sponsored events, and required legal notices.** ~~Bulletin boards within common areas of public access are designated official City bulletin boards. Information posted on official bulletin boards must pertain to official City business or activities.~~

~~Postings on bulletin boards mounted in non-public areas, such as inside various City divisions, are limited to announcements or notices of community events and activities, as well as official announcements.~~

~~Bulletin boards in areas such as cafeterias and break rooms may include information contained on the above-described bulletin boards and announcements of an upcoming or current event or sale.~~

~~No posted notice or message may promote a political, illegal or offensive agenda or material.~~

### Search and Seizure

An employee may be subject to a search of the work site, assigned City equipment or property, and other items within their personal possession in certain circumstances while on City-owned

or City-leased property. During such a search, City property in the unauthorized possession of the employee may be confiscated.

The decision to conduct such a search is at the sole discretion of the immediate supervisor, security personnel, or other authorized personnel.

## Nepotism

An applicant or employee shall not receive preferential consideration because of a relationship to another employee. No two members of an immediate family (parent, guardian, child, brother, sister, grandparents, and grandchild, including these relatives' in-law, step or half, or any other family member residing in the employee's household), excluding spouses or two people who plan to be married, shall be employed in a direct supervisory relationship.

Nothing prevents spouses or two people who plan to be married from working for the City, or same unit, except in the following circumstances:

- One spouse directly or indirectly exercises supervisory, appointment, or dismissal authority or disciplinary authority over the other spouse.
- One spouse would audit, verify or receive, or be entrusted with monies received or handled by the other spouse.
- One spouse has access to the other spouse's confidential information, including payroll and personnel records.

Should marriage or any other event cause a violation of this policy, either employee must, within 90 days, secure other employment which does not violate this policy or resign.

~~The application of this policy will apply prospectively; therefore, current employees in assignments which violate this policy are exempt from its application in their current positions. If an employee seeks a transfer or promotion, the new assignment cannot put the employee in greater conflict of this policy, than they have in their current position.~~

## 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 **or other purpose protected by law**. 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 ridealongs policies. Employees should refer to internal departmental policies for guidelines on ridealongs and other department specific information.~~

## Visitors to City Work Sites

The City occasionally hosts visitors in the workplace for organized events such as site tours and job shadow. All visitors will be subject to the same responsibilities for workplace safety and conduct as City employees. The City shall enforce the use of such safety practices and equipment to visitors. Employees shall immediately notify their immediate supervisor and the Risk Management ~~Office~~ **Division** of any incident causing injury to a visitor.

## Civilian Policy # 44 DISCIPLINE

It is the policy of the City of Colorado Springs to provide a system of discipline for regular (not at-will) employees which affords an opportunity for the resolution of unsatisfactory employee performance or conduct. The system includes an appeal procedure.

### Coverage

The City of Colorado Springs does not follow a progressive discipline process and reserves the right to determine the seriousness of an offense and the appropriate level of discipline.

### Types of Offenses or Grounds for Discipline

- ~~Inappropriate conduct (see Standards of Conduct Policy; Workplace Harassment Policy; Drugs or Alcohol in the Workplace Policy; Criminal Charges Policy; Business Code of Ethics Policy; Gratuities, Honorariums and Gifts Policy; Smoking and Sale of Tobacco Products Policy; and Political Activity Policy).~~
- Violations of verbal or written City or Department policies and procedures.
- Failure to take corrective action in response to prior discipline or a performance improvement plan.
- Unsatisfactory job performance.

### Role of Supervisors/Management

The appropriate level of supervisor and/or manager, as indicated in the chart below, is responsible for the following actions:

- Informing their HR Business Partner of violations of verbal or written City or Department policies or procedures.
- Determine whether employee actions warrant discipline in consultation with Human Resources.
- Determine the appropriate level of discipline in consultation with Human Resources.
- Notify employees in writing of disciplinary action, including documented verbal reprimands.
- Prepare, in conjunction with the employee, the performance improvement plan, as appropriate.
- Coordinate and conduct disciplinary appeal meetings.
- Conduct the pre-deprivation and pre-termination meetings (Department Heads or Chiefs) in accordance with the Pre-deprivation and Pre-Termination Meetings Policy.

## Role of Human Resources

Human Resources shall provide the following support:

Advise supervisors and managers concerning appropriate investigative methodology and disciplinary alternatives.

- Consulting on items listed above.
- Maintain the record of disciplinary action in the employee's official personnel file.
- Conduct inquiry into allegations and determine level of investigation, as appropriate.
- Coordinate and facilitate the disciplinary process and meetings.

At-Will Employees:

At-will employees are not entitled to pre-deprivation, pre-termination, or appeals. At-will employees are subject to termination at any time without notice or cause.

| DISCIPLINARY ACTIONS                                                                                            |                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                 |                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| <b>Authority: The City reserves the exclusive right to determine the type and level of disciplinary action.</b> |                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                 |                                                                                                                |
| Discipline                                                                                                      | Type of Offense                                                                                                                                                                                                                                     | Terms                                                                                                                                                                                                           | Subject to Appeal                                                                                              |
| <b>Verbal Reprimand</b>                                                                                         | <ul style="list-style-type: none"> <li>○ Minor incidents of misconduct, poor performance, or policy violations</li> </ul>                                                                                                                           | <ul style="list-style-type: none"> <li>○ Imposed by all levels of supervision and management</li> <li>○ Informal written record maintained by the immediate supervisor</li> </ul>                               | No                                                                                                             |
| <b>Written Reprimand</b>                                                                                        | <ul style="list-style-type: none"> <li>○ Failure to take corrective action</li> <li>○ Serious instances of misconduct, poor performance, or policy violations</li> </ul>                                                                            | <ul style="list-style-type: none"> <li>○ Imposed by all levels of supervision and management</li> <li>○ Written record maintained in the employee's official personnel file</li> </ul>                          | No. Response to reprimand may be prepared by employee and placed in personnel file within 10 days of issuance. |
| <b>Suspension Without Pay</b>                                                                                   | <ul style="list-style-type: none"> <li>○ Failure to take corrective action</li> <li>○ Serious instances of misconduct, poor performance, or policy violations</li> </ul>                                                                            | <ul style="list-style-type: none"> <li>○ Imposed by Assistant/Deputy Director</li> <li>○ Requires Pre-deprivation meeting</li> </ul>                                                                            | Yes-To the Department Head                                                                                     |
| <b>Involuntary Demotion</b>                                                                                     | <ul style="list-style-type: none"> <li>○ Failure to take corrective action</li> <li>○ Serious instances of misconduct, poor performance, or policy violations</li> <li>○ Failure to successfully complete a performance improvement plan</li> </ul> | <ul style="list-style-type: none"> <li>○ Imposed by Department Head</li> <li>○ Salary reduced to new classification in coordination with Human Resources</li> <li>○ Pre-deprivation meeting required</li> </ul> | Yes- To the Deputy Chief of Staff, Chief of Staff, or Police Chief or Fire Chief depending on department       |
| <b>Termination</b>                                                                                              | <ul style="list-style-type: none"> <li>○ Failure to take corrective action</li> <li>○ Serious instances of misconduct, poor performance, or policy violations</li> <li>○ Failure to successfully complete a performance improvement plan</li> </ul> | <ul style="list-style-type: none"> <li>○ Imposed by Department Head</li> <li>○ Pre-termination meeting required</li> </ul>                                                                                      | Yes- To the Deputy Chief of Staff, Chief of Staff, or Police Chief or Fire Chief depending on department-      |

## Civilian Policy # 45

### APPEAL PROCEDURE

The appeal procedure is available to all regular City employees who have been disciplined in accordance with the Discipline Policy and are dissatisfied with the disciplinary action. Since some disciplinary actions may not be appealed, the Discipline Policy should be reviewed prior to initiating any appeal.

#### Time Limits for Appeal

An employee who wants to exercise their appeal rights must complete the City of Colorado Springs Appeal Form and submit it to the appropriate party within 10 working days from the date the employee was informed in writing of the disciplinary action.

#### Appeal Options

Appeal options are available in the chart under the Discipline Policy.

#### Attendance

- The employee may be accompanied by another regular employee.
- Employees may be requested to appear as witnesses. If so requested, employees must attend the hearing.
- An employee attending the hearing shall receive their normal pay.
- The City of Colorado Springs will not tolerate reprisal against any employee involved in a hearing.

#### Management Appeal Hearing Procedure

The hearing is administrative in nature and the Colorado Rules of Evidence are inapplicable.

- The decision maker of the discipline should be prepared to present the facts relating to the decision.
- The employee shall have the opportunity to present evidence and the reasons the disciplinary or termination decision should be changed.
- The employee may be represented by an attorney.
- Either party may call witnesses who can provide relevant information.
- Names of employee witnesses should be provided to the Human Resources Department in sufficient time to arrange attendance at the hearing.
- Both parties may present their positions utilizing witnesses, cross-examination, arguments, rebuttal, documents, or other evidence.
- All hearings will be recorded and kept in Human Resources.
- The employee shall be notified in writing within the prescribed time limits of the result of the hearing.

#### Hearing Record

All appeal hearings will be recorded and kept in Human Resources. The recording will be available to the employee upon request.

## Decisions

The decision-making authority hearing the appeal may affirm, deny, or modify (increase or decrease) the previously imposed disciplinary action. All decisions are final and binding and will be rendered in writing within 14 working days of the proceeding.

## Records

If the appealed disciplinary action is reduced or overturned, the related documentation in the employee's personnel records will be adjusted accordingly.

## Civilian Policy # 46

### PRE-DEPRIVATION AND PRE-TERMINATION MEETINGS

No regular City or other Council/Mayoral Appointee employee shall be terminated, involuntarily demoted or suspended without pay without being afforded a pre-deprivation or pre-termination meeting.

## Management Responsibility

The Department Head or Chief shall schedule and conduct the pre-deprivation or pre-termination meeting. In cases where the Department Head or Chief is unavailable or unusual circumstances create a conflict of interest, the employee will meet with the next highest level or another Department Head.

## Notice Requirements

The employee shall be provided advance written notice of the meeting that shall include the following:

- Purpose of the meeting.
- General statement of allegations.
- Proposed action to be taken.
- Assurance that the employee will have the opportunity to respond to the allegation and the evidence.

## Procedure

The meeting is an internal matter to be determined by the City.

- The employee's manager should be prepared to state the facts relating to the possible deprivation or termination.
- The employee shall have the opportunity to respond to the allegations and present evidence and the reasons the recommendation should not be finalized.
- Either party may submit a list of individuals who have relevant information.
- All pre-deprivation or pre-termination meetings will be recorded.

## Attendance

- The employee may be accompanied by another regular employee.
- An employee attending the meeting shall receive their normal pay.
- The employee may have an attorney present, but the attorney may not participate in the proceeding.

## Meeting Record

All pre-deprivation or pre-termination meetings will be recorded. The recording will be available to the employee upon request.

## Decision

Following the pre-deprivation or pre-termination meeting, the Department Head, Assistant/Deputy Director or equivalent may conduct further investigation and request additional information from any or all of the parties. After consideration of the evidence, the decision-maker will make one of the following decisions:

- Uphold or decline to uphold the recommendation
- To change or reduce the recommendation
- To accept resignation

The decision shall be communicated in writing to the employee with a copy to Human Resources for inclusion in the employee's personnel file. The City of Colorado Springs will not tolerate reprisal against any employee involved in a pre-deprivation or pre-termination meeting.

## Civilian Policy # 51

### POLICY AND PROCEDURE MANUAL MODIFICATIONS

The City retains the sole right to modify, suspend, interpret, or cancel in whole, or in part the provision of any of the Administrative Policies and Procedures.

## Procedure for Adoption or Revision

- The Mayor, or designee, when operationally feasible, **may shall** post the proposed/amended Policy and Procedure on the city website for a reasonable period prior to effective date of implementation.
- Employees wishing to comment shall submit their comments to the Mayor and the Human Resources Director.
- The Mayor may conduct a hearing to hear employee comments regarding specific policy and procedure changes.
- After a review of employee comments, a Policy and Procedure shall be promulgated either as originally proposed or as amended.
- Employees will be notified when a policy and/or procedure has been adopted or modified. It will be their responsibility to read the affected section. Employees are responsible for knowing and adhering to all policies and procedures contained within the PPM.

## Civilian Policy # 52

### 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 **unless otherwise required by law**.

## 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.

### Civilian Policy # 53

#### INFORMATION TECHNOLOGY USAGE

The City provides access to City networks and information technology systems for use of its employees in the conduct of official City business **unless otherwise required by law**. City employees are required to comply with all official City and departmental technology policies that apply to them as end-users, including adherence to all Innovation and Technology (IT) Department policies and procedures.

City employees are required to read, understand, and comply with all Innovation and Technology policies, including those in the City's IT Acceptable Use Policy (AUP) pertaining to end users. City information technology systems may only be used to conduct official City business, except for limited personal use. Incidental and occasional personal use of the City's technology is permissible as long as it does not pre-empt business activity, does not engage in activities for personal gain or a personal business, and does not consume more than a trivial amount of City resources.

If applicable and as directed by the Innovation and Technology Department, an employee and their manager or supervisor may also be required to read, understand, and comply with the Privileged Account Acceptable Use Policy (PAAUP). The AUP and PAAUP may be accessed on the City's intranet. In addition, employees must comply with any additional security policies that may have been promulgated by their respective department. Failure to comply with security policies may result in discipline up to and including termination of employment.

Because of the ongoing and constantly changing needs of information technology security, the AUP and PAAUP may be updated periodically by the Innovation and Technology Department and will be effective and binding on employees when signed by the Chief Information Officer.

### Civilian Policy # 55

#### EMPLOYEE RESPONSIBILITIES FOR CITY-OWNED AND PERSONAL VEHICLES FOR BUSINESS USE

##### Driver's License Requirements

An employee operating a City-owned vehicle or personal vehicle on City business must possess and maintain an appropriate current and valid ~~Colorado~~ driver's license without prohibitive restrictions. If the employee's driver's license, permit, or privilege to operate a commercial motor vehicle is suspended, denied, canceled, or revoked ~~by the State of Colorado~~, the employee is required to immediately notify their supervisor in writing and to cease operating City vehicles and personal vehicles used on City business and/or property. Failure to notify of such loss is a violation of the Standards of Conduct and will result in discipline, up to and including termination.

## Commercial Motor Vehicle Law (CMVL)

Employees operating vehicles with a gross vehicle weight rating (GVWR) between 10,001 lbs. and 26,000 lbs. shall comply with the regulations of the State Commercial Motor Vehicle Law.

## Commercial Driver's License (CDL)

Employees who operate the following vehicles are required to possess an appropriate current and valid Colorado Commercial Driver's License (CDL) and/or Commercial Learner's Permit (CLP) with the appropriate endorsements and restrictions:

- Any combination of vehicles with a GVWR of 26,001 lbs. or more.
- Any bus designated to carry 13 or more passengers, including the driver.
- Any vehicle that carries placarded hazardous materials, regardless of GVWR.
- Any tank vehicle capable of carrying 1,000 gallons or more of liquid.

Employees operating the listed vehicles are also required to:

- Complete a pre- and post-trip Driver Vehicle Inspection Report (DVIR). The DVIR book, showing materials on board, the class of hazardous materials, and the maximum weight allowed.
- Assure that vehicles carrying placarded hazardous materials have a current manifest showing materials on board, the class of hazardous materials, and the maximum weight allowed.
- Have a current and valid Department of Transportation Medical Examiner's Certificate from a designated City provider.
- Report any ticket (moving violation, DUI/DWI, unsafe vehicle condition, etc.) to the immediate supervisor in writing the next working day.
- Report any conviction or violation of state or local traffic law (other than parking) in writing, to the immediate supervisor within 30 calendar days.
- Adhere to all applicable Federal and State Hours of Service requirements.

## Operator Responsibilities

- Employees are responsible for operating City vehicles and personal vehicles while conducting City business in a courteous, safe manner that is in compliance with all State and City traffic and parking laws and ordinances.
- Vehicle operators are expected to follow the operating instructions contained in the owner's manual.
- Vehicle operators are responsible for checking oil and other fluid levels on a regular basis; ensuring that the vehicle exterior and interior are clean; locking and securing the vehicle and adhering to planned maintenance schedules.
- All operators and passengers who occupy a City-owned vehicle or construction equipment are required to use the available vehicle lap restraining system, shoulder harness and other similar restraining devices while operating the vehicle or construction equipment. Exceptions based on medical, physical, or operational reasons require the written approval of the Safety Section.
- Operators of vehicles carrying material which is subject to spilling or blowing off shall assure that covers are in place during operation and shall report damaged or missing covers to the Fleet Management Unit for immediate repair or replacement.
- Vehicles and equipment will not be operated over their gross vehicle weight rating (GVWR) and/or gross combined weight rating (GCWR).

- City vehicles will not be left running when unattended. Engine idling will only be allowed when required for tool support.
- Employees who operate City vehicles are responsible for ensuring that current insurance and registration papers are on-board.
- Employees are responsible for any citations resulting from violations of traffic laws that are incurred while they are conducting City business, subject to the appropriate provisions of the Municipal Code of Colorado Springs.
- Employees are responsible for all parking citations while conducting City business, unless the citation is issued to a law enforcement vehicle, an emergency vehicle or City crews in legitimate work-related situations.
- If an employee's driver's license, permit, or privilege to operate a commercial motor vehicle has been denied, canceled, revoked, suspended, or withdrawn by the State of Colorado, they must notify their supervisor within 24 hours. Employees shall not operate City vehicles or personal vehicles on City property until driving privileges are restored.
- In accordance with Civilian Personnel Policies and Procedures Manual Employment Policy, the employee must immediately notify their Department Head or Council/Mayoral Appointee, in writing, of any other employment.

## Insurance Coverage

Employees operating a City-owned vehicle within the course and scope of their employment are covered by the City's liability insurance program. Employees operating a personal vehicle on City business are responsible for maintaining automobile liability insurance coverage that meets the Financial Responsibility Law of Colorado. Proof of such insurance should be maintained with the vehicle.

The City does not provide insurance coverage for damage to personal vehicles while utilized for City business. The City is not responsible for the loss or damage to any personal property that is in the vehicle.

An employee in violation of this policy or transporting a non-City employee could be held personally liable for damages in the event of a vehicle accident.

## Accident Reporting

City employees that are involved in vehicle accidents while operating a City-owned vehicle or personal vehicle while on City business are required to immediately notify their supervisor and the Police agency having jurisdiction over the accident site. Police agencies may not respond due to accident alert conditions, accidents involving private property, or a minor damage accident. Supervisors will respond to all accidents within city limits and will complete their investigation in accordance with the City Safety Program Manual, Accident Investigation and Reporting.

Risk Management shall be immediately notified if there is damage to property or personal injury which requires medical treatment or notified within 24 hours regardless of the type of accident involving City-owned vehicle or personal vehicle while on City business. Fleet Management shall be notified within 24 hours regardless of the type of accident involving City-owned vehicles.

City employees will counter or cold report the accident if an accident alert is activated by Colorado Springs Police Department (CSPD) due to weather and road conditions or manpower limitations; and/or if the accident was on private property; and/or if the accident was on a city

street and there was less than \$1,000 in total damages to all involved vehicles and property, AND all of the following criteria are met:

- No fatality or injury requiring medical attention and transport to a hospital by ambulance was sustained by any person(s) involved in the accident.
- No driver involved in the accident is suspected of driving under the influence of alcohol or drugs.
- No severe damage to another's property; e.g., vehicle through a building.
- No driver left the scene prior to exchanging the necessary information.
- No driver failed to provide valid license, registration, and insurance information.
- No one insists that the police respond.

### Travel Outside Colorado Springs City Limits or Colorado

City employees that are involved in vehicle accidents while operating a City-owned vehicle or personal vehicle while on City business outside Colorado Springs City limits or outside Colorado are required to immediately notify their supervisor and the police agency having jurisdiction over the accident site. Supervisors will not be able to respond to accidents outside city limits or the state so they will verify that the employee has all pertinent information in the vehicle prior to leaving the city:

- Current Vehicle Registration,
- Certificate of Self-Insurance (for City-owned vehicles only, print from Fleet web-site),
- Supervisor's Accident Investigation Report (print from Safety Services web-site),
- Vehicle Accident Witness Statement form (print from Safety Services web-site),
- Vehicle Accident Emergency Contacts (print from Safety Services web-site),
- State of Colorado Traffic Accident Report (print from Safety Services web-site).

All accident reports/forms are self-explanatory and easily completed. If a police agency responds to your accident, they will complete the Colorado State Accident Report and you will complete all other reports. If a police agency does not respond to your accident, try and complete the State of Colorado Traffic Accident Report to gather as much accident information as possible. When you return to Colorado Springs all accident reports/forms will be delivered to Risk Management/Safety Services the first work day back.

Risk Management shall be immediately notified if there is damage to property or personal injury which requires medical treatment or notified within 24 hours regardless of the type of accident involving City-owned vehicle or personal vehicle while on City business outside Colorado Springs City limits or outside Colorado. Fleet Management shall be notified within 24 hours regardless of the type of accident involving City-owned vehicles.

### Violations of the Policies and Procedures Regarding Vehicles

Employees who violate the provisions of the Vehicles (Usage of City-Owned) Policy; and Employee Responsibilities for City-Owned and Personal Vehicles for Business Use Policy are subject to discipline, up to and including termination of employment.

## Civilian Policy # 59 CHARITY DRIVES AND EMPLOYEE SOLICITATION

The City recognizes that many employees wish to share with others who are in need. Within limited conditions, employee representatives and/or charitable organizations may be approved to conduct fundraising sales and campaigns or collect donations of disposable goods from City employees.

## Employee Giving Campaign

The annual Employee Giving Campaign is the only charitable; fundraising effort authorized to solicit City employees in the workplace. The annual campaign shall raise and distribute funds to health and human charitable service agencies that provide direct, information and referral, education and/or advocacy services to residents of their primary service delivery area of El Paso and Teller Counties in the following areas of need:

- Basic needs and self-sufficiency;
- Early childhood and youth development;
- Health and wellness; and
- Family support and safety.

In addition to the Qualified Campaign Participants, the City will, through its campaign manager, process the distribution of payroll deductions to other employee-designated, charitable organizations defined under IRC Section 501(A) as described in 501(c)(3). Such designations to non-participating agencies shall be made only during the Employee Giving Campaign.

## Campaign Responsibilities

### *Employee Campaign Committee*

City and Colorado Springs Utilities (CSU) employee volunteers, who work with the campaign manager to plan, organize and conduct the annual Employee Giving Campaign. The co-chairs will be one senior manager each from the City and Colorado Springs Utilities.

The Employee Campaign Committee is responsible for an annual accounting of campaign expenses, which will be shared equally between the City and CSU. The Employee Campaign Committee will review and certify as Qualified Campaign Participants those organizations which request and meet the criteria for inclusion in the annual Employee Giving Campaign.

### *Campaign Manager*

A Colorado Springs-based, non-profit organization which, at no cost to the City or CSU, works with the Employee Campaign Committee to plan, organize and conduct the annual campaign and to manage the distribution of received payroll deductions. Distributions of collected funds will be to designated Qualified Campaign Participants and other non-profits so designated by employees during the annual Employee Giving Campaign. Specific responsibilities are contained in the annual agreement between the City/CSU and the Campaign Manager.

### *Qualified Campaign Participants*

The Annual Employee Giving Campaign shall be open to two categories of health and human services, non-profit organizations that provide support to residents of El Paso and Teller counties.

- Umbrella organizations that have at least seven (7) member, charitable agencies that provide direct, education, information and referral and/or advocacy services to residents of El Paso and Teller counties, Colorado who are in need of health and human services.
- The City/CSU sponsored health and human service organizations that:
  - are supported by the City/CSU through the use of facilities or equipment or through the sharing of operating or maintenance funding; and

- have a direct relationship to the City/CSU by providing enhanced services to the programs of the City/CSU; or 3) act as an agent of the City/CSU to operate, manage or administer a function of the City/CSU.

All organizations must be charitable organizations as described in 501(c)(3) of the Internal Revenue Code.

## Disposable Goods and/or Donations

- Charitable organizations may request, through employee representatives or the Mayor, permission to collect disposable goods for distribution to the needy. Requests must be accompanied by written verification of the organizations 501(c)3 status and specific dates and location of collection efforts. Mayor, or designee, approval must be received prior to the placement of boxes for food, clothing, or toy donations in areas of City buildings accessible to the public and/or employees.
- If several requests are received, a single box may list several agencies. Items placed in the box will be distributed among the agencies listed.
- Department heads can authorize requests for charity drives that are confined within their departments.

## Fundraising Product Sales

- City employees often represent organizations that sell products as a part of their annual fundraising efforts. Although actual sales may not occur during the employees' normal work hours and may not disturb the work of fellow employees, notices of product sales or displays of the product may be placed in employee break rooms or other areas not accessible to the public.
- The City is not responsible for any loss of product or money that may result from the conduct of the sale on its premises.
- Should such product sales or fundraising events become disruptive to the conduct of official City business, the Department Director may disallow such product sales.
- No private, for-profit organization may solicit employees of the City of Colorado Springs for the purpose of offering product sales. ~~or membership/product discounts.~~

## SWORN POLICY # 24

### UNLAWFUL DISCRIMINATION/HARASSMENT/RETALIATION

The City of Colorado Springs is an Equal Employment Opportunity employer. The City of Colorado Springs will not tolerate any employee engaging in unlawful discrimination, harassment, or retaliation against any employee or applicant because of race, color, national origin, ancestry, sex, age, pregnancy status, religion, creed, disability, sexual orientation, genetic information, spousal or civil union status, veteran status, or any other status protected by applicable law.

The City has zero tolerance for any form of unlawful discrimination, harassment, or retaliation. The City seeks to establish a diverse and inclusive work environment free from unlawful discrimination, harassment, and retaliation.

~~It is the responsibility of all City employees, managers, and supervisors to conduct themselves in a manner that fosters inclusion and respect for the individual and maximizes every employee's capability to be productive in his or her job.~~

## Definitions

### **Discrimination**

Unlawful employment actions based on an employee's or applicant's race, color, national origin, ancestry, sex, age, pregnancy status, religion, creed, disability, sexual orientation, spousal or civil union status, genetic information, veteran status, or any other status protected by applicable law.

### **Harassment**

Unlawful acts of intimidation, threats, inappropriate comments, or related actions and behaviors which target an employee or applicant because of their race, color, national origin, ancestry, sex, age, pregnancy status, religion, creed, disability, sexual orientation, spousal or civil union status, or any other status protected by applicable law.

### **Sexual Harassment**

Unlawful conduct such as unwelcome sexual advances, requests for sexual favors, verbal or physical conduct of a sexual nature, or any other unwelcome verbal or physical conduct based on a person's sex.

### **Retaliation**

Unlawful conduct against any employee or applicant who opposes acts of unlawful discrimination, harassment, or retaliation or participates in any manner in an investigation, proceeding, or hearing by a federal or state agency charged with enforcement of such laws.

## Complaints

An employee who believes they have been subjected to actions or behaviors that are forms of unlawful discrimination, harassment, or retaliation ~~must~~ **should** discuss the incident(s) with the appropriate level supervisor/manager in their division, Departmental Human Resources, or the City's Human Resources Department. If the employee uses an informal resolution process with a supervisor/manager, all complaints must still be reported to the City's Human Resources Department.

## Discipline

Individuals whose behavior is in violation of this Policy shall be subjected to disciplinary action, up to and including termination.

## SWORN POLICY # 26 FORMAL INTERNAL COMPLAINT PROCESS

It is the goal of the City of Colorado Springs to provide prompt resolution of employee complaints through its Complaint Resolution Process. The City of Colorado Springs will not tolerate retaliation against any employee for filing a complaint or for providing information related to a complaint.

## Subject of Complaints

A formal complaint may be filed relating to an act, omission, or situation involving the interpretation and misapplication of written or verbal policy, procedure, or established practice. Complaints alleging illegal discrimination, harassment, and retaliation may not be filed under this policy. (Refer to the Unlawful Discrimination/Harassment/Retaliation Policy).

## Who May File

Regular, full-time or part-time employees, except for those in their original probationary period. Employees not included in this policy may use the chain of command to resolve concerns that fall within the scope of this policy.

## Preliminary Requirements

Prior to initiating a formal complaint, the employee should discuss the alleged act or action with their immediate supervisor. If the employee is uncomfortable bringing the issue to their supervisor, he/she should contact the next level of supervision or consult with the Human Resources Department. The supervisor must respond to the employee's inquiry in writing within a reasonable timeframe. If resolution is not reached, the employee may file a formal complaint.

To file a formal complaint, the employee must complete a City of Colorado Springs Complaint Resolution Form and submit it to their immediate supervisor and/or the next highest level of management, along with a copy to the Human Resources Department. The forms can be obtained from the City's Human Resources Office, on the intranet in Public Folders/Employee Services/Complaint Form folder, or from the department's Human Resources office.

## Timeline Requirement

Formal complaints must be filed no later than 15 working days from the date of the alleged act or action, or the date the employee became aware of the alleged act or action, or from the date the supervisor responded to the employee's inquiry.

## Investigation

Formal complaints will be fully investigated by the Chief or a party designated by the Chief, unless the Chief is involved in, or is the subject of the complaint. Summary results of the investigation will be provided in writing to the complaining employee within 30 working days from receipt of the formal complaint.

## Appeal

If an employee is not satisfied with action taken as a result of the investigation, the employee may appeal the decision to the next level in the chain of command or that person's equivalent in another chain. The appeal must be in writing and filed within 5 calendar days of receiving written notification of the decision. Copies of the appeal must be submitted to both the supervisor who rendered the original decision and the level of management that will hear the appeal. A written response will be provided by the manager hearing the appeal no later than 15 calendar days from receipt of the appeal.

## General Requirements

- Attorneys are not permitted to appear on behalf of an employee during any phase of the complaint procedure.
- An employee may be accompanied by another ~~regular~~ employee at complaint resolution meetings. The employee will receive their normal compensation and shall not be subject to retaliation.
- Employees may be requested to appear as witnesses at meetings held to resolve complaints. The employees are required to appear and will receive their normal pay. Witnesses shall cooperate with the investigation. The names of employee witnesses must be provided to the manager hearing the complaint in advance in order to arrange for their appearance. The City of Colorado Springs will not tolerate retaliation against any employee for filing a complaint or for providing information related to a complaint.
- If an employee fails to adhere to the filing deadlines, the complaint shall be considered resolved.
- Complaint resolution deadlines may be extended by the Chief for good cause. A request for extension and the subsequent response must be in writing. The respective parties shall each be allowed one reasonable postponement, not to exceed 45 calendar days.

## SWORN POLICY # 27 STANDARDS OF CONDUCT

Employees are responsible for meeting reasonable and ethical standards of performance and conduct in their work activities. Managers and supervisors are responsible for providing leadership that creates an opportunity for employees to achieve professional standards of

performance and conduct and, at the same time, holding employees accountable for their actions.

## Conduct Subject to Disciplinary Action

~~It is expected that the behavior of employees reflects favorably on the employee and the City at all times.~~ The following is a list of offenses for which an employee may receive corrective action up to and including termination. Because it is impossible to list every offense that may occur in the workplace, this list is not all-inclusive. Other conduct may be subject to discipline. The City of Colorado Springs reserves the right to determine the seriousness of an offense at the time the offense occurs and to impose the appropriate level of discipline.

Examples of unacceptable conduct/offenses are listed below.

- Violation of Civil Service Rules
- ~~Conduct deemed by the City as unbecoming a City employee~~
- **Conduct which disrupts an employee's duties, City operations, or the delivery of public services; breaches legally required confidentiality; or interferes with the City's ability to fulfill its obligations to residents.**
- Violation of City or unit written or verbal policies or procedures
- Unsatisfactory work habits to include tardiness, violation of break and lunch policy, departing prior to the designated time, excessive absenteeism, neglecting work duties, or wasting time during work hours
- Smoking anywhere except in a designated smoking area
- ~~Insubordination~~
- **Failure to follow lawful direction**
- Impairment due to the use of alcohol or non-prescribed drugs
- Consumption, possession, or selling of alcohol or non-prescribed drugs, including standby, on City time or in the workplace
- Failure to adhere to City's policies outlined in the Drug/Alcohol Procedures Manual
- Abuse of prescribed or over-the-counter drugs
- Abuse of paid leave
- Participation in activities, including other employment, self-employment, sports, hobbies, etc., which is inconsistent with paid sick leave, limited duty, or injury leave
- Conducting personal business while on City time
- Work disruption or stoppage, strike, or other forms of job action, or withholding of services
- Failure to cooperate in a City investigation and provide truthful information in subsequent testimony, as required
- Failure to immediately report the loss of a Colorado driver's license, other required license or certification
- Fraud, falsification, ~~deceit~~, or departing from the truth
- Falsification of time sheets, employment application, personnel records, or other organizational records
- Theft, misappropriation, destruction, abuse or waste of public and/or private property, including City tools, equipment, fixtures, facilities, or supplies

- Failing to report criminal charges and/or conviction of criminal charges per department policies
- Sexual harassment and other forms of illegal discrimination
- Creating or contributing to an unproductive work environment to include using one's position to harass another, participating in or allowing horseplay, **and/or** disorderly conduct
- Fighting, encouraging a fight, acts or threats of physical violence, intimidation, or coercion
- **Unprotected** Abusive, offensive, or obscene language or conduct towards the public, City officials, or employees
- Violating safety rules or accepted safety practices
- Failure to report direct or indirect financial interest that could be considered a conflict of interest
- Unsatisfactory job performance
- Unsatisfactory behavior

## SWORN POLICY # 29 BUSINESS CODE OF ETHICS

The purpose of this policy is to uphold, promote and demand the highest standards of ethical behavior from all employees. This Business Code of Ethics will provide further direction to the City of Colorado Springs Code of Ethics. The policy applies to all employees, appointees and volunteers.

### Policy

The City is committed to complete honesty, utmost integrity, fair dealing and ethical behavior as the basis of its business operations and services to the community. The City is committed to strictly observing all laws, and employees are expected to uphold this commitment to legal compliance. ~~Employees should avoid any conduct creating the appearance of impropriety even if those actions do not violate specific policies, standards, regulations or laws.~~

The City Code of Ethics and this Business Code of Ethics cannot cover all situations where legal or ethical issues may arise, and it does not provide all of the information that may be necessary to make informed legal or ethical decisions. Employees should consult with their immediate supervisor. If the immediate supervisor is not the appropriate source of help, employees should contact the next level manager, the City Attorney's Office or Human Resources.

### Conflict of Interest

~~Employees are expected to conduct their activities with the organization's best interest in mind. Behavior is required that does not bring harm or discredit to themselves or the organization.~~ Employees must abide by the conflict of interest provisions in the City Code of Ethics, City Code §§1.3.113 through 1.3.116, and all applicable provisions of the Sworn Policies and Procedures Manual.

Employees must disclose promptly any circumstance that might constitute a conflict of interest ~~or appear to be a conflict of interest~~. For example, an employee must declare to their supervisor any direct or indirect financial interest in the following:

- Any city-wide contract
- Any matter before the City Council or its Boards and Commissions
- Any sale of land to the City
- Any material supplies
- Any services to the City
- Any contractor supplying services to the City
- The above list is not all inclusive; the City Code of Ethics, City Code §§1.3.101 through 1.3.119, is the governing document. A philosophical or professional difference of opinion does not constitute a conflict of interest.

## Vendor Relations/Contracting

Employees must conduct the highest ethical practices in source selection, negotiation, determination of awards and administration of all procurement activities. The organization will compete fairly and ethically for all business opportunities. Situations where employees or members of the employee's immediate family have a financial interest are required to reveal their relationship immediately. Employees are committed to meeting all contractual obligations.

## Customer Interaction

Employees will serve customers with integrity and honesty. Customer response will be conducted with a sense of urgency and will ensure that communication with customers is accurate and timely. Employees will avoid any form of unethical activity or discussion with customers that offers false promises or exaggerated guarantees to customers. Our duty is to deal with customers with integrity, diligence and impartiality and with courtesy, consideration, fairness and promptness. Employees will respect the principle of non-discrimination and equal treatment for all customers.

## Political Activity

City employees will not do anything related to their official City capacity or while engaged in their official City duties to influence the outcome of the political process. An employee shall not use or permit to use the authority of their position to actively support either a candidate for City Council, a City issue, or any other political candidate or issue. Employees shall not make contributions from City funds or property to any political parties or candidates. Further, no employee shall, on behalf of the organization, attempt to influence another employee's decision to make, or refrain from making, a personal political contribution to a candidate or a party.

## Truth and Accuracy in Reporting

~~Employees are required to be truthful and accurate when communicating and reporting all activities.~~ No employees shall engage in fraud, deceit, departure from the truth, or failure to report in any oral or written communication. The organization is committed to financial integrity and proper internal controls. No employee shall falsify any document, record or request, or fail to record proper entries in any book or record for any reason. Organization funds and assets will not be used for any unethical or illegal purpose.

## Confidential information

Employees must safeguard confidential and proprietary information by not transferring, publishing, using or disclosing it unless authorized by the City. Employees must not access or attempt to access systems or physical areas unless properly authorized to do so.

Confidential information is any information **protected from disclosure by law**, or knowledge created, acquired, or controlled by the organization that the organization has determined should be safeguarded from improper disclosure.

## Use of Resources

Employees must demonstrate concern for proper use of assets including personnel, time, property, equipment and funds. The City provides appropriate office equipment, telephones, computers, vehicles and tools for employees to conduct business. These assets must be used for proper purposes during employment with the City. Equipment and tools may not be sold, loaned, given away, or disposed of without proper authorization.

## Reporting Requirements

Employees must report any conduct that they believe in good faith to be a violation of this policy or the City Code of Ethics. No action shall be taken against any employee who reports a potential violation which they believe is true and accurate. Employees are encouraged to work with their supervisor in making such reports. If there is a reason that reporting a violation to the immediate supervisor is not appropriate, employees should contact their next-level manager, the City Attorney's Office or Human Resources.

Employees may file a complaint regarding violations of the City Code of Ethics pursuant to City Code §1.3.105.

Employees may also report any suspected fraud and abuse to the City Auditor directly or through the City Auditor Hotline, 719-385-2387. Examples of fraud and abuse may be any suspected unlawful or wasteful act impacting the City of Colorado Springs operations and enterprises.

Employees can find more information about reporting suspected fraud or abuse on the [Office of the City Auditor's \(OCA\) website](#).

## Disciplinary Rights

The City may take disciplinary or corrective action against an employee, up to and including termination, for violation of this policy, the City Code of Ethics, or any state or federal criminal laws. ~~which, in its sole judgment, may render the employee unfit to perform their job, may bring discredit upon, and/or may compromise the integrity of the City.~~

Nothing in this policy alleviates an employee's responsibilities under other sections of the Policies and Procedures Manual, including "Other Employment."

## SWORN POLICY # 31 WORKPLACE HARASSMENT AND VIOLENCE

It is the City Of Colorado Springs' policy to promote a safe environment for its employees and visitors which is free of harassment, intimidation, threats, or violent behavior.

The City will not tolerate any action that may be interpreted as one of the following behaviors:

- Acts of intimidation
- Threatening or hostile verbal or physical behaviors
- Stalking

- Physical **abuse** or **unprotected** verbal abuse
- Comments regarding violence
- Harassment or assault
- Vandalism
- Arson
- Sabotage
- Possession or use of a weapon at the workplace

This list is not all-inclusive, and any other acts deemed inappropriate will also be investigated. Other unacceptable behaviors may include oral or written statements, gestures, or expressions that communicate a direct or indirect threat of physical harm. The City reserves the right to take action against this type of behavior, up to and including termination.

## Reporting Requirements

**The prohibited conduct described above, ~~Violent, threatening, harassing, intimidating, or other disruptive behavior~~**, including anonymous threats, should not be ignored. Inappropriate humorous comments about violence are also unacceptable. If you observe or experience such behavior by anyone on City property or directed at City employees, whether the person is a City employee or not, you should report it immediately to a supervisor or manager, Chief/Deputy Chief, a Human Resources Manager, Departmental Human Resources Manager, or the Risk Management Staff. Supervisors and managers who receive reports should contact Risk Management. If the supervisor is responsible for the behavior, the employee should report to a manager above the supervisor or one of the other contacts listed herein. If the employee believes the situation requires immediate action in order to avert a violent situation, the employee should contact the appropriate law enforcement agency or Security immediately.

## Investigation

Any reported violation of this policy will be thoroughly investigated by the Chief/Deputy Chief, Human Resources, or Risk Management. The Workplace Violence Response Team will immediately review reported acts of violence or potentially violent situations. The Response Team is convened and headed by the Chief/Deputy Chief, Risk Management or a designee and shall be comprised of representatives from the following groups:

- City Attorney's Office
- Law enforcement agencies
- Medical Professionals (EAP)
- Employee's Chief/Deputy Chief
- Risk Management
- Human Resources

The role of the participant from the City Attorney's Office is to provide legal advice to the Response Team. The Response Team shall make recommendations to the supervisor/manager on how to proceed in regard to the problem employee and the particular circumstances.

## Action Following Investigation

The City of Colorado Springs will take the appropriate disciplinary action based on the findings of the investigation. An employee whose behavior is determined to be in violation of this policy is subject to disciplinary action, up to and including termination.

## Searches

An employee may be subject to a search involving work site, a City-assigned piece of equipment or property, and other items within their personal possession in certain circumstances while on City-owned or City-leased property to the extent allowed by law. During such a search, City property in the unlawful or unauthorized possession of the employee may be confiscated.

## Restraining/Protective Order

An employee who obtains a protective or restraining order (1) against a City employee or (2) another person, and lists City locations as protected areas, must immediately notify their supervisor or other member of management about the order and its status. A valid restraining order means that the holder must have the physical document in their possession, and the named party must have been served the restraining order. For a supervisor to take action on an employee's restraining order the supervisor must see the physical document and verify the following information:

- Effective dates of the restraining order
- Date of service of individual
- Distance limits from a specific address
- Contact limits, i.e.; phone, physical
- Signature of a judge

When an employee has a valid restraining order in place, their supervisor shall immediately inform authorities within their work location of the restraining order. If the restraining order is violated, the authorities will be notified immediately.

If the restraining order does not name another City employee or identify City locations, the City requests and highly recommends notification in order to alert security.

## SWORN POLICY # 41 NEPOTISM

An applicant or employee shall not receive preferential consideration because of a relationship to another employee. Specifically, no two members of an immediate family (parent, guardian, child, brother, sister, grandparents, and grandchild, including these relatives in-law, step or half, or any other family member residing in the employee's household), excluding a partner in marriage pursuant to the provisions of the "Uniform Marriage Act, "Part 1 of Article 2 of Title 14 or Colorado common law; or a partner in a civil union pursuant to the "Colorado Civil Union Act,"

Article 15 of Title 14 ("Spouse") or two people who plan to be married, shall be employed in a direct supervisory relationship.

Nothing prevents spouses or two people who plan to be married from working for the City, or same unit, except in the following circumstances:

- One spouse directly or indirectly exercises supervisory, appointment, or dismissal authority or disciplinary authority over the other spouse.
- One spouse would audit, verify or receive, or be entrusted with monies received or handled by the other spouse.
- One spouse has access to the other spouse's confidential information, including payroll and personnel records.
- Should marriage or any other event cause a violation of this policy, either employee must, within 90 days, secure other employment which does not violate this policy or resign.

~~The application of this policy will apply prospectively; therefore, current employees in assignments which violate this policy are exempt from its application in their current positions. If an employee seeks a transfer or promotion, the new assignment cannot put the employee in greater conflict of this policy, than they have in their current position.~~

## SWORN POLICY # 43 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 **or other purpose protected by law**. 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.~~

## PPM Update

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|                                    |                                                            |
|------------------------------------|------------------------------------------------------------|
| POLICY NUMBER/TITLE                | Civilian Manual<br>Sworn Manual<br>Drug and Alcohol Manual |
| DEPARTMENTS (OWNERS)               | City Attorney's Office                                     |
| DEPARTMENT APPROVAL DATE           | 1/24/2025                                                  |
| LEGAL APPROVAL DATE                | 1/24/2025                                                  |
| CHIEF OF STAFF/MAYOR APPROVAL DATE | 8/6/2025                                                   |
| AGENDA DATES                       | 11/24/2025                                                 |
| FINAL APPROVAL DATE                | 12/9/2025                                                  |

**Change Requested By: City Attorney's Office**

**Description of Change:** Update to policy disclaimers in Sworn, Civilian and Drug and Alcohol Policies and Procedures Manuals.

**Reason for Change:** To avoid potential claims that our personnel manual or internal policies create an express or implied contract or enforceable promise

**Markup for Council:**

### Civilian Manual DISCLAIMER

*The information contained in this **Civilian** Personnel Policies and Procedures Manual (**Civilian** PPM) supersedes all previous Civilian ~~PPM personnel policies and administrative regulations~~.*

*The **Civilian** PPM is not legally binding and does not create an **enforceable promise, contractual right, and/or a** contract of employment, either expressed or implied. Modification, suspension, interpretation or cancelation of any provisions to the Civilian PPM shall be in accordance with City Code.*

### Sworn Manual DISCLAIMER

*The information contained in this **Sworn** Personnel Policies and Procedures Manual (**Sworn** PPM) supersedes all previous Sworn ~~PPM personnel policies and administrative regulations~~. The **Sworn** PPM is not legally binding and does not create an **enforceable***

***promise, contractual right, and/or a** contract of employment, either expressed or implied. Modification, suspension, interpretation or cancelation of any provisions to the Sworn PPM shall be in accordance with City Code.*

### Drug and Alcohol Manual DISCLAIMER

*The information provided in this Drug and Alcohol ~~Manual Policies and Procedures Manual~~ supersedes all previous **Drug and Alcohol Manuals** publications and postings. **The Drug and***

***Alcohol Manual is not legally binding and does not create an enforceable promise, contractual right, and/or a contract of employment, either expressed or implied.***  
*Modification, suspension, interpretation or cancellation of any provision to this policy shall be in accordance with City Code, subject to federal/state legislation and Department of Transportation (DOT) regulations*

## PPM Update

|                                    |                                                                                         |
|------------------------------------|-----------------------------------------------------------------------------------------|
| POLICY NUMBER/TITLE                | Civilian Policy #28 – Workers’ Compensation<br>Sworn Policy #19 – Workers’ Compensation |
| DEPARTMENTS (OWNERS)               | HR Risk Management                                                                      |
| DEPARTMENT APPROVAL DATE           | 1/24/2025                                                                               |
| LEGAL APPROVAL DATE                | 1/24/2025                                                                               |
| CHIEF OF STAFF/MAYOR APPROVAL DATE | 8/6/2025                                                                                |
| AGENDA DATES                       | 11/24/2025                                                                              |
| FINAL APPROVAL DATE                | 12/9/2025                                                                               |

### Change Requested By: City Attorney’s Office

**Description of Change:** Clarifying language and defining terms.

**Reason for Change:** Align the policy with practice and clarifying any misunderstandings of job protection.

**Markup for Council:**

## Civilian Manual Policy # 28 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 **Division 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/Division's accident reporting procedures.

### Workers’ Compensation Injury Leave and Modified/Limited Duty

**Regular, Probationary, and Special Employees:** An employee who is temporarily disabled for more than ~~3-three~~ regular working days as a result of an **job-related** injury, which is fully compensable under the Workers’ Compensation Act, shall be granted **Workers’**

**Compensation** injury Leave not to exceed 720 hours per injury. To be eligible for **Workers’ Compensation** injury Leave, the employee must have physician certification, in writing, that the time off is **required and** related to the **fully compensable job-related** injury. **Workers’ Compensation Injury Leave** will run concurrent with leave under the Family and Medical

Leave Act (FMLA) to the extent available, except that employees are not permitted or required to use accrued paid leave in conjunction with Workers' Compensation Injury Leave while on FMLA status. Workers' Compensation Injury Leave up to 720 hours per injury shall continue until the first occurrence of any one of the following:

- The authorized treating physician releases the employee to return to Modified/Limited Duty.
- The authorized treating physician releases the employee to return to full duty.
- The employee reaches maximum medical improvement.
- A ruling of permanent disability is made.

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 **in the form of Injury Leave Wage Replacement** for compensable injuries or illnesses. **while an employee is on Workers' Compensation Injury Leave for the allotted 720 hours (also known as Salary Continuation).** Injury Leave Wage Replacement will be paid **at the employee's City based upon the wage rate, at the time of disability.** Injury Leave Wage Replacement 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 Wage Replacement and compensation afforded by 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 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 **Workers' Compensation Injury Leave of up to 720 hours per injury** 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 **Workers' Compensation Injury Leave of up to 720 hours per injury** is exhausted, **and if the employee is not on Modified/Limited Duty,** the employee will be required to supplement state mandated compensation with accrued leave **in the amount of up to 12 hours per week to the extent available.** **The use of 12 hours of accrued paid leave per week is required to bring the employee's pay close to 100% of their regular wages when combined with the state-mandated compensation, and to cover the cost of benefits.** The continuation of state-mandated compensation does not afford job-protected leave. Job protection is only available during Workers' Compensation Injury Leave where leave is concurrent with FMLA, an ADA accommodation, or pursuant to other job protected leave as may be provided by law.

When an employee's work restrictions permit and if leave is not available under FMLA, as an ADA reasonable accommodation, or pursuant to other job protected leave as may be provided by law, the employee may be required to accept any available Modified/Limited Duty assignment, regardless of the availability of Workers' Compensation Injury Leave. Workers' Compensation Injury Leave and Injury Leave Wage Replacement are not

available if an employee declines to accept an available Modified/Limited Duty assignment which meets the employee's work restrictions. Separation from City employment does not terminate a compensation claim per the Colorado Workers' Compensation Act.

## Benefit Period Computation

In computing the 720 hour maximum **Workers' Compensation Injury Leave** benefit period, the following hours shall be counted **against such hours**:

- Paid holidays occurring during **such leave**; the recovery period
- Paid leaves;
- Unpaid leaves taken when the benefit is a reduced benefit.

**Hourly Employees:** Employees shall be eligible for granted **Workers' Compensation Injury Leave** in the amount of the State-required benefits only.

**All Employees:** An employee on granted **Workers' Compensation Injury Leave** shall not be placed on-call or in a stand-by mode.

**Modified/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 **Modified/Limited Duty** for a period of time not to exceed 1040 hours. The use of **Modified/Limited 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 **Modified/Limited Duty**.

For regular, special and probationary employees, assignments may be made within the department/division or to organizations outside of the employee's regularly assigned work group.

For hourly employees, the use of **Modified/Limited Duty assignments** is governed by the availability of work within the department/division only.

Eligibility to work **Modified/Limited 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 **Workers' Compensation Injury Leave** or **Modified/Limited 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 **Workers' Compensation** Injury Leave or **Modified/Limited Duty** assignment shall not be placed in 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 **Workers Compensation** Injury Leave and/or a **Modified/Limited Duty** assignment, the employee may:

- Utilize any remaining FMLA leave if eligible;
- Utilize accrued compensatory time and sick leave if ~~he/she is~~ **they are** involved in the Americans with Disabilities Act (ADA) process;
- Utilize accrued vacation leave subject to supervisor approval;
- Request sick leave without pay upon exhausting other paid leaves subject to approval by Department Director or Council/Mayoral Appointee;
- Request an accommodation under the ADA;
- 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;
- 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 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.

## SWORN POLICY # 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 ~~3~~ three regular working days as a result of an **job-related** injury, which is fully compensable under the Workers' Compensation Act, shall be granted **Workers' Compensation Injury Leave** not to exceed 1220 hours per injury. To be eligible for **Workers' Compensation Injury Leave**, the employee must have physician certification, in writing, that the time off is **required and** related to the **fully compensable job-related** injury. **Workers' Compensation Injury Leave will run concurrent with leave under the Family and Medical Leave Act (FMLA) to the extent available, except that employees are not permitted or required to use accrued paid leave in conjunction with Workers' Compensation Injury Leave while on FMLA status. Workers' Compensation Injury Leave up to 1220 hours per injury shall continue until the first occurrence of any one of the following:**

- The authorized treating physician releases the employee to return to **Modified/Limited Duty**.
- The authorized treating physician releases the employee to return to full duty.
- The employee reaches maximum medical improvement.
- A ruling of permanent disability is made.

The Colorado Workers' Compensation Act provides payment of temporary disability benefits equal to 66 $\frac{2}{3}$ % 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 **in the form of Injury Wage Replacement (also known as Salary Continuation) while an employee is on Workers' Compensation Injury leave for the allotted 1220 hours.** ~~Injury Leave Wage Replacement will be paid based upon the employee's City wage rate at the time of disability. Injury Leave Wage Replacement benefits are is 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 Wage Replacement and compensation afforded by 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 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 **Workers' Compensation 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 **Workers' Compensation Injury Leave** is exhausted, **and if the employee is not on Modified/Limited Duty**, the employee will be required to supplement state mandated compensation with accrued leave **in the amount of up to 12 hours per week to the extent available**.

Employees have the option of using additional accrued paid leave to cover pension credit. The maximum amount of accrued paid leave that can be used for 40 hour employees is 20 hours per week, and 28 hours per week for 56 hour employees. The use of 20 or 28 hours of accrued paid leave per week would preserve pension service credit, as well as cover the cost of City benefits.

When an employee's work restrictions permit and if leave is not available under FMLA, as an ADA reasonable accommodation, or pursuant to other job protected leave as may be provided by law, the employee may be required to accept any available Modified/Limited Duty assignment regardless of the availability of Workers' Compensation Injury Leave.

Workers' Compensation Injury Leave and Injury Leave Wage Replacement are not available if an employee declines to accept an available Modified/Limited Duty assignment which meets the employee's work restrictions.

The continuation of state-mandated compensation does not afford job-protected leave. Job protection is only available during Workers' Compensation Injury Leave where leave is concurrent with FMLA, an ADA accommodation, or pursuant to other job protected leave as may be provided by law.

Separation from City employment does not terminate a compensation claim per the Colorado Workers' Compensation Act.

## 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

## Workers Compensation Modified/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 **Modified/Limited Duty** for a period of time not to exceed 2080 hours. The use of Workers Compensation **Modified/Limited 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 **Modified/Limited 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 **Modified/Limited 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 Workers Compensation **Injury Leave**, or Workers Compensation **Modified/Limited 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 Workers Compensation **Modified/Limited Duty assignment** shall not be placed on-call or in a stand-by mode. An employee on Workers Compensation **Modified/Limited 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.

## 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 **Modified/Limited 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.

## PPM Update

|                                    |                                                                                                        |
|------------------------------------|--------------------------------------------------------------------------------------------------------|
| POLICY NUMBER/TITLE                | Civilian Policy 49 – Release of Public Information<br>Civilian Policy 50 – Open Records Act Compliance |
| DEPARTMENTS (OWNERS)               | City Attorney's Office                                                                                 |
| DEPARTMENT APPROVAL DATE           | 1/24/2025                                                                                              |
| LEGAL APPROVAL DATE                | 1/24/2025                                                                                              |
| CHIEF OF STAFF/MAYOR APPROVAL DATE | 8/6/2025                                                                                               |
| AGENDA DATES                       | 11/24/2025                                                                                             |
| FINAL APPROVAL DATE                | 12/9/2025                                                                                              |

### Change Requested By: City Attorney's Office

**Description of Change:** The revisions focus on eliminating redundancy, makes distinctions between types of requests, and enhances readability.

**Reason for Change:** The information is revised to streamline the document, reduce ambiguity, and ensure alignment with legal and administrative standards for handling public record requests.

### Markup for Council:

## Policy # 49

### RELEASE OF PUBLIC INFORMATION

The intent of this policy is to ensure that the public receives accurate, thorough, and timely information on the City of Colorado Springs.

In addition to the Department Director or Council/Mayoral Appointee, each City Department shall designate a media liaison(s) for each unit within the Department who will respond to media requests for information and interviews. Department Directors or Council/Mayoral Appointees and media liaisons are authorized to make public statements about the operations and issues concerning Department policy. All requests for interviews should be coordinated with the Public Communications Division Manager.

In accordance with the Colorado Open Records Act, requests for written materials should be **requested online through the CORA request system** or received in writing and coordinated through the Public Communications Division.

### Group Support Manager/Council/Mayoral Appointee Responsibility

The Department Director or Council/Mayoral Appointee shall be responsible for responding to media interviews, and for designating media liaison(s).

## Policy # 50

### 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.

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

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. **If there are extenuating circumstances, unless the three working day period is extended to an additional maximum of seven working days may be requested 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.

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

CORA permits the custodian of a public record to deny inspection and/or copying of a public record in certain circumstances. The City Attorney's Office should be consulted when inspection or copying of public records will be denied.

## Procedure

All requests for ~~City records or other information made by the media or by citizens~~ shall be **requested online through the CORA request system or received in writing. Any written request received should be** immediately forwarded to Public Communications for response in accordance with **PPM Policy - the Release of Public Information Policy**. All other requests **for other information that is not considered a City record, such as research or responses to questions**, shall be delivered to the appropriate Department Director for response. Requests

which raise legal concerns will be coordinated through 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 City'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.