



## **Personnel Board**

May 9, 2025 10:00 AM,

IUC, Room 117, 17221 E. 23rd St. South, Independence, MO 64057

### **CALL TO ORDER**

### **ROLL CALL**

### **APPROVAL OF MINUTES**

1. Approval of February 14, 2025 Meeting Minutes

### **OLD BUSINESS**

1. Holiday Pay language review
2. Observed Holidays language update (President's Day)
3. Sick Time for Probationary Employees language review
4. Extended Leave language review
5. Termination/Separation language review
6. Probationary Employees (via discipline) Transfer/Promotion

### **NEW BUSINESS**

1. CDL - DOT Drug and Alcohol policy development

### **SCHEDULE OF NEXT MEETING**

### **ADJOURNMENT**

**INDEPENDENCE PERSONNEL BOARD  
MEETING MINUTES  
February 14, 2025  
IUC Room 117  
17221 E. 23rd St. S Independence, MO 64057**

**Members Present**

Laura Dominik, Chair  
Arthur Freeland  
Cindy Troutman  
Krys Lugenbeel

**Members Absent**

**Staff Present**

Mike Jackson, Human Resources Director  
Carissa Smith, Human Resources Manager  
Sarah Horne, Human Resources Staff Assistant  
Linsey Kolisch, Assistant City Counselor, Lauber Municipal Law, LLC

A Quorum was established.

A meeting of the Personnel Board was held on Friday, February 14, 2025, commencing at 10:00 a.m., IUC, Room 117.

**Call to Order**

The meeting was called to order at 10:01 a.m. by Laura Dominik.

**Roll Call**

Laura Dominik, Chair – Present  
Arthur Freeland, Board member - Present  
Cindy Troutman, Board member - Present  
Krys Lugenbeel, Board member - Present  
Mike Jackson, Interim Human Resources Director - Present  
Carissa Smith, Human Resources Business Manager – Present  
Linsey Kolisch, Assistant City Counselor, Lauber Municipal Law, LLC – Present  
Sarah Horne, Human Resources Staff Assistant - Present

**Approval of the December 10, 2024, Personnel Board Meeting Minutes**

Laura Dominik made a motion to approve the minutes as written. Arthur Freeland notes the minutes reflect a unanimous vote from the board to approve the November meeting minutes, however he was not present and did not vote. Laura made a motion to adjust the meeting minutes to show that the minutes were approved by the other three members and 1 abstained. Motion was seconded. Board approved unanimously. **Motion Carried.**

### **Old Business**

1. Update on Personnel Policies and Procedures Manual changes that were voted on at the November 2024 meeting for City Council Consideration.  
The changes to go before council are still in process. There is discussion on whether to combine Article 4 proposed changes with upcoming council agenda, discussion of public hearing, and discussion on waiting on holiday items.
2. Update on Unpaid Time Off Policy Proposal  
Staff changes, union negotiations, and other time sensitive matters have delayed finalization of proposal. Motion by Laura to postpone this item until next meeting in March, Mr. Freeland seconds. The motion carries.

### **New Business**

1. Review of Holiday Pay language in the Personnel Policies and Procedures Manual  
Mr. Jackson presents and discusses proposed changes to Article IV. Hours of Work and Leave. There is a general discussion of the changes proposed.
2. Review of Sick Leave in the Personnel Policies and Procedures Manual as it pertains to use by Probationary employees  
Mr. Jackson presents and discusses proposed changes to the Accrual of Sick Leave Credit portion of Article IV. There is a general discussion of the changes proposed.

### **Next Meeting**

Friday, March 14, 10:00am, in IUC Room 117.

### **Adjournment**

Board motioned for adjournment at 10:55 a.m. Motion was seconded. Board approved unanimously.  
**Motion Carried.**

## ARTICLE IV. HOURS OF WORK AND LEAVE

### A. Hours of Work

Regular hours of work for full-time employees, unless otherwise specified, shall be forty (40) hours per week. Work schedules for employees shall be established by the Department Head, subject to approval by the City Manager. Employees shall be entitled to a fifteen (15) minute break during each one-half shift of four (4) hours or more. Employees may not accumulate break time one day to the next. Compensatory time will not be granted if an employee does not take their break.

### B. Attendance

Department Heads shall keep daily employee attendance records. These records shall be reported in accordance with procedures established by the Finance Director.

### C. Holidays

1. General Provisions: The following days are designated as legal holidays by City Council.  
~~When a designated holiday falls on Sunday, the following Monday will be observed as the holiday; when a holiday falls on Saturday, the preceding Friday will be observed as the holiday. Employees required to work in excess of eight hours per day will be granted holiday pay equal to the number of hours required to work. An employee who voluntarily works a flexible schedule with hours exceeding eight hours per day will be granted a maximum of ninety-six hours annually or eight hours per holiday. Such employee may supplement their days off using accrued vacation leave, personal business, or compensatory time.~~

New Year's Day

Labor Day

~~President's Day~~— Floating Holiday

Veteran's Day

Martin Luther King, Jr. Birthday

Thanksgiving Day

Truman's Birthday

Day after Thanksgiving Day

Memorial Day

Christmas Eve

Juneteenth

Christmas Day

Independence Day

~~\*President's Day is observed as a floating holiday and the City will not be closed on President's Day.~~ Each Department Head shall schedule the floating holiday for all employees of the department, respecting the wishes of each employee so far as the employee's wishes are compatible with the needs of the service.

When a designated holiday falls on Sunday, the following Monday will be observed as the holiday; when a holiday falls on Saturday, the preceding Friday will be observed as the holiday.

2. Full-time employees shall receive eight (8) hours of pay at their straight time rate for each holiday regardless of their regular work schedule. Any employee who does not receive forty (40) hours of straight time pay in a holiday week due to only receiving eight (8) hours holiday pay shall have the option to make up hours worked during that pay period or use accrued leave benefit hours if they so choose to cover any additional hours of not covered by holiday pay.
3. Regular Part-time Employees: Regular part-time employees will receive holiday pay on a proportional basis. The base is the number of regularly scheduled work hours per pay period divided by 80.
4. Temporary Employees: Temporary employees will not be paid for holidays not worked.
5. Employees Required to Work on Holidays: ~~Regular non-exempt employees required to work on an observed holiday will be compensated at the overtime rate or receive compensatory time for hours worked, plus receive straight time for the holiday. Employees required to work on a holiday shall be paid eight (8) hours holiday pay at their straight time rate. In addition, all hours worked on a holiday by an employee will be paid at one and one-half (1.5) times the straight time rate.~~ Employees required to work on a holiday shall be paid eight (8) hours holiday pay at their straight time rate. In addition, all hours worked on a holiday by an employee will be paid at one and one-half (1.5) times the straight time rate.

E. Vacation Leave

A regular employee shall earn vacation leave credit for time actually worked, including the initial probationary period.

3. Vacation Scheduling

- a. Each Department Head shall schedule vacation leave for all employees of the department, respecting the wishes of each employee so far as the employee's wishes are compatible with the needs of the service. Vacation leave may not be taken by an employee until the employee has worked six (6) months
- b. An employee shall not be charged ~~with leave for an observed holiday occurring during the employee's scheduled vacation~~ vacation leave if a holiday or observed holiday occurs during the employee's scheduled vacation.

Q. Special Work Schedules

2. When an employee works a special schedule which regularly involves daily hours greater than eight hours; i.e. 10 or 12 hours plan, or days other than Monday through Friday, the following shall apply:
  - a. Overtime pay: All non-exempt employees working in excess of forty (40) hours per week shall be compensated at the rate of one and one-half (1½) times their regular hourly rate of pay, **also referred to as straight time rate.** ~~For purposes of this subsection, when calculating total hours per work period, holidays that~~

~~fall on a scheduled work day but are not worked but (paid via holiday pay) are included. All other hours paid but not actually worked are excluded. For~~ purposes of calculating overtime pay, when calculating total hours per work-week, holidays that fall on or are observed on an employee's scheduled workday (but are not worked) are included in the overtime calculation. All other hours paid but not actually worked are excluded from the overtime calculation, including holidays that fall on or are observed on an employee's non-scheduled work day.

This section shall not preclude provisions establishing an entitlement to premium pay for hours worked on holidays or weekends (if the weekends are not regular working days for the employees in question). This section is intended to eliminate any practice or provision that automatically pays overtime or premium pay for all hours worked outside an employee's regular schedule if the employee has not actually worked the requisite number of hours during the pay period required to qualify for overtime pay.

- b. ~~Holiday pay: Employees required to work in excess of eight (8) hours per day will be granted holiday pay equal to the number of hours required to work. Non-exempt employees who voluntarily select to work a flexible schedule with hours exceeding eight hours per day shall be granted a maximum of ninety-six (96) hours holiday pay annually or eight hours per day. Such employee may take the additional holiday time as leave without pay, or supplement additional time off by using accrued vacation leave, personal business leave, compensatory time, or holiday leave. Full-time employees shall receive eight (8) hours of pay at their straight-time rate for each holiday regardless of their regular work schedule. Any employee who does not receive forty (40) hours of straight time pay in a holiday week due to only receiving eight (8) hours holiday pay shall have the option to make up hours worked during that pay period or use accrued leave benefit hours if they so choose to cover any additional hours of not covered by holiday pay. Leave must be requested and approved, in advance, by the Department Head.~~**

## ARTICLE V. COMPENSATION AND BENEFITS

### B. Administration of Pay Plan

#### 6. Vacation Scheduling

- a. All non-exempt employees working in excess of forty (40) hours per week shall be compensated at the rate of one and one-half (1½) times their regular hourly rate of pay. ~~For purposes of this subsection, w~~When calculating total hours per week worked, ~~holidays (as defined in Article IV, Section C) are included.~~ refer to Article IV (Hours of Work and Leave).

This section shall not preclude provisions establishing an entitlement to premium pay for hours worked on holidays or weekends (if the weekends are not regular working days for the employees in question). ~~This section is intended to eliminate any practice or provision that automatically pays overtime or premium pay for all hours worked outside an employee's regular schedule if the employee has not actually worked the requisite number of hours during the pay period required to qualify for overtime pay.~~

## ARTICLE IV. HOURS OF WORK AND LEAVE

### F. Sick Leave

#### 1. Accrual of Sick Leave Credit:

- a. New full-time employees will be credited forty-eight (48) hours of sick leave on their first day of employment. New part-time employees will be credited the pro-rated sick leave that reflects the number of hours anticipated to work during their initial probationary period.
- b. After successful completion of their initial probationary period, a full-time employee will earn sick leave credit at the rate of eight (8) hours for each calendar month employed.
- c. A part-time employee will earn sick leave credit each month in proportion to the expected scheduled work hours per pay period divided by eighty (80).
- d. Temporary employees are not eligible for sick leave benefits.

#### 2. ~~Calculation of Sick Leave Credit: Employees appointed on or prior to the fifteenth (15th) day of the month receive leave credit beginning on the first (1st) day of that month. Employees appointed subsequent to the fifteenth (15th) day of the month receive leave credit beginning on the first (1st) day of the succeeding month.~~

#### 3. 2. Use of Sick Leave Credit: ~~Sick leave credit is accrued during an employee's initial probationary period; however, the employee will not be paid for sick leave during this period.~~ Accrued sick leave may be authorized by the ~~director~~ employee's Department Head ~~of the employee's department after successful completion of the initial probationary period~~ due to personal illness, or immediate family illness, healthcare appointment/visit, or any situation which may be authorized by the Family and Medical Leave Act (FMLA).

#### ARTICLE IV. HOURS OF WORK AND LEAVE

##### G. Family and Medical Leave Act (FMLA)

13. Failure to Return after FMLA Leave: An employee who fails to return to work as scheduled after FMLA leave or exceeds the ~~12-week~~ applicable FMLA entitlement ~~(or in the case of military caregiver leave, the 26-week entitlement), must~~ may choose to request an Extended Leave of Absence ~~Without Pay or a Leave of Absence with Pay~~. Failure to return to work or request ~~additional leave time~~ an Extended Leave of Absence will be considered job abandonment and may result in termination.

14. Extending Leave Beyond ~~Twelve Weeks~~ FMLA Leave: ~~Leave of Absence With or Without Pay~~: If an employee desires additional time ~~has paid leave~~ after exhausting the ~~twelve weeks~~ authorized by FMLA, an Extended Leave of Absence ~~With Pay~~ may be approved ~~by the Department Head~~. An Employee must request an extension, in writing within three (3) workdays ~~after exhausting FMLA leave. The request and~~ must include a date by which the employee expects to return to work. See Section J (Extended Leave of Absence).

~~If an employee does not have paid leave after exhausting the twelve weeks authorized by FMLA, he/she must request a Leave of Absence Without Pay in accordance with Section J (Leave of Absence Without Pay) of this Article.~~

##### J. Extended Leave of Absence ~~Without Pay~~

~~An employee on vacation or sick leave status must request a leave of absence without pay within three (3) workdays after exhausting all paid leave. If an employee is absent for more than three (3) consecutive workdays after exhausting all paid leave and does not receive approval for a leave of absence without pay, the employee may be considered to have resigned without notice.~~ If an employee desires an Extended Leave of Absence, a request must be submitted in writing and approved by the Department Director, Human Resources Director, and City Manager. The request must include a date by which the employee expects to return to work. Up to one (1) year may be approved. Approval will be dependent upon compatibility with the needs of the service for the City.

~~The Human Resources Director is authorized to grant a leave of absence without pay not to exceed fifteen (15) calendar days upon recommendation of the employee's Department Head. The City Manager may grant an employee a leave of absence, without pay, for a period not to exceed one (1) year, upon written request. Failure on the part of the employee to report to work at the end of an approved leave without pay may be considered a resignation. Once approved, the employee will cease to accrue additional leave time. The employee may choose to utilize available leave balances intermittently during their Extended Leave of Absence.~~

## ARTICLE VI. SEPARATION AND DISCIPLINARY ACTION

### A. Resignation

1. Voluntary resignation: A Classified and Unclassified Employees wishing to resign in good standing, shall file with the Department Head and/or City Manager, at least two (2) weeks in advance of the effective date, a written resignation stating the effective date of the resignation.

2. Abandonment of position: An employee shall be deemed to have abandoned his or her position if that employee has three (3) consecutive working days/shifts of unauthorized absence. This situation shall be deemed a resignation, and the required written resignation of the employee shall be waived.

a. An employee separated from City service in this manner may apply to the Human Resources Director for reinstatement. Reinstatement shall be considered when it is in the best interests of the City and determined on a case-by-case basis. Recommendations for reinstatement shall be made by the Human Resources Director, with the concurrence of the Department Head, subject to approval by the City Manager. Denial of reinstatement may be appealed to the Personnel Board in accordance with Article ~~VIII.F~~ VII of these Personnel Policies and Procedures.

~~b. If an employee is reinstated, determination regarding a break in service shall be made after consideration of all factors.~~

### B. Termination

1. Classified Employees: A Department Head may, for cause, recommend the termination of a eClassified eEmployee to the Human Resources Director via a formal written memorandum. Upon review of the termination recommendation, the Human Resources Director shall consider all options including:

1) Deny the recommendation for termination and provide the Department Head with the recommended actions instead of termination.

2) Approve the termination recommendation for cause.

3) If additional information is needed to determine whether termination is appropriate the Human Resources Director shall place said employee on suspension without pay for a period of ten (10) days to conduct further investigation.

If a Classified Employee is reinstated without disciplinary action after suspension, said employee shall be compensated for the time they were placed on suspension without

~~pay. by placing the employee on suspension without pay for a period of ten (10) days pending a request by the employee for an appeal hearing to the Personnel Board. A request for a hearing shall be in writing and filed with the Human Resources Director. If no appeal is received, the employee shall be terminated at the completion of the suspension. The recommendation for termination is subject to review and subsequent recommendation by the Human Resources Director to the City Manager who shall make the final determination matter.~~

A Classified Employee who has been recommended for termination shall be entitled to receive a written statement of reasons for the action. Termination of Classified Employees shall be in accordance with the standards of the Merit System. The City Manager shall make the final determination on the matter. If the **recommended** termination is appealed, it shall be processed in a timely manner pursuant to Article VII of these Personnel Policies and Procedures.

2. Unclassified Employees: The appointing authority may, with or without cause, terminate an Unclassified eEmployee in accordance with the provisions of Article 3.3(1) of the Charter.

~~Since employees in the unclassified service may be terminated with or without cause, the following severance plan is provided for unclassified employees that are terminated involuntarily~~ Unclassified employees who have completed one (1) year of employment and are terminated without cause are eligible for the following transition compensation:

~~a. Transition compensation will be provided to unclassified employees being involuntarily terminated who meet the following eligibility requirements:~~

- ~~1) Have successfully completed an employment period of one year;~~
- ~~2) Are presently a regular full-time employee in the unclassified service;~~
- ~~3) Being terminated at the initiative of the appointing authority for reasons other than gross misconduct.~~

~~b.~~ a. Transition compensation will be provided based on the length of service of the employee being terminated, in accordance with the following ranges. The number of weeks of compensation within the ranges will be determined by the appointing authority:

| Length of Service | Amount (Base Salary) |
|-------------------|----------------------|
| 1 to 3 years      | 4 weeks              |
| 5 to 10 years     | 12 – 16 weeks        |
| 10 years and over | 20 – 26 weeks        |

~~c.~~ b. Transition compensation will be included on a separate check in a lump sum, less

applicable deductions.

**d c.** Transition compensation will not be considered as time worked and will have no effect on the date of termination or the date employee benefit coverage ceases.

## **H. Disciplinary Action**

1. Types of Disciplinary Action: Supervisors shall consider the type and severity of the offense, the employee's work record and other circumstances surrounding the employee's performance in determining appropriate disciplinary action. Immediate disciplinary action can be taken against an employee for violation of any items listed in the preceding subsection. If the need arises to remove the employee from the job for the employee's own safety as well as for the good of the City, the employee may be immediately suspended without pay pending a decision of final disciplinary action to be taken. This action does not preclude the employee's right to due process. Such action may be grieved in accordance with Article ~~VIII~~ **VII** of these Personnel Policies and Procedures.

Types of disciplinary action with increasing severity include:

c. Service Probation - An employee may be placed on service probation. If service probation is due to poor performance, the supervisor must prepare an action plan for improved performance with the request for a service probation period. Employees are not eligible for transfer or promotion while on service probation. If improvement is not made, the employee may be terminated. The action must have the approval of the Human Resources Director and City Manager.