

	CITY OF BELVEDERE – ADMINISTRATIVE POLICY MANUAL		
	POLICY 9.14 WORK HOURS & ATTENDANCE		
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9.14.1 STANDARD WORK WEEK—ALTERNATE WORK SCHEDULE

For employees using the 9-80 work schedule, the standard work week shall begin at noon on Friday and end at 11:59 a.m. on the following Friday. The workday begins at noon on any given day and continues until 11:59 a.m. on the following day. The 9-80 schedule is consistent and repeatable every two weeks. Employees working a 9/80 work schedule will have a regular day off every other week as determined by the City.

Employees using the 9-80 work schedule are required to work nine hours for eight work days, and eight hours on a ninth work day. Employees participating in a 9-80 work schedule will have alternate Fridays off.

The workweek thus defined herein continues to provide a normal schedule of 40 hours in a work week although the employee works 44 hours in one calendar week and 36 hours in the second calendar week of the two-week period. Overtime would not be paid unless an employee exceeds 40 hours of work in the work week.

The work period for the City’s sworn police employees is that regularly recurring 28-day period that began on January 1, 2019.

9.14.2 FLEXIBLE WORKPLACE PROGRAM

- A. The Flexible Workplace Program (FWP) is intended to:
 1. Reduce time spent commuting thereby improving employee productivity and enhancing work/life balance.
 2. Contribute to the alleviation of traffic on the Tiburon Peninsula and reduce carbon emissions.
 3. Attract and retain employees who cannot afford to live in Marin County.
 4. Allow for continuity of government services in the event of an emergency.

- B. The Flexible Workplace Program (“FWP”) is available to all active employees regardless of classification, with the proviso that not all positions lend themselves to offsite work. The City Manager has the sole discretion to determine which employees and positions are

suitable for a partial work-from-home schedule. Among the criteria used by the City Manager to evaluate a flexible workplace application are:

1. The operational needs of the City and the employee's department
 2. Customer service needs of the City
 3. The ability of the employee to perform his or her specific job duties from a location separate from his or her City worksite without diminishing the quantity or quality of the work performed
 4. The degree to which in-person interaction with other City employees and the public is important
 5. Other considerations deemed necessary and appropriate by the employee's immediate Supervisor, Department Head, and the Finance/Human Resources Department.
- C. The FWP provides for employees to enter into an agreement to schedule portions of their work week away from their regular worksite. Participating employees are expected to work a full workday at their offsite locations.
- D. The City Manager, or his/her designee, has discretion to approve or disapprove all Flexible Workplace Applications.
- E. Flexible Workplace Applications are made a part of the employee's personnel file.
- F. Participants are bound by all City of Belvedere policies just as if they were working onsite, including but not limited to:
1. Policies governing appropriate conduct in the workplace and towards one's fellow employees.
 2. Policies governing employee usage of City of Belvedere computers, internet connections, and mobile devices.
- Any employee who violates City of Belvedere policies while participating in the FWP shall be subject to revocation of his or her FWP approval and are subject to any disciplinary measures that would be taken if the employee were working onsite.
- G. A Flexible Workplace schedule (affecting one or more days of the week) includes days and hours worked in Belvedere and at the remote location. It must be approved by the City Manager in advance and can be modified or revoked by the City Manager at any time and for any reason. Under special circumstances or in the event of an emergency, employees who are able to work a majority or all of their scheduled hours remotely may be required to do so.
- H. The duties, obligations, responsibilities, and conditions of a Flexible Workplace participant's employment with the City remain unchanged. The participating employee's salary, retirement, benefits, and City-sponsored insurance coverage shall remain unchanged, except for auto allowances. Any participant who is eligible to receive an auto allowance shall receive a modified allowance as determined by the City Manager.

- I. Expenses incurred as a result of participating in the FWP will not be reimbursed by the City of Belvedere unless they are normally reimbursable pursuant to City of Belvedere policies. Such non-reimbursable expenses include, but are not limited to, utility costs, home improvements, any construction, and any alterations to real or personal property.
- J. Participants are obligated to comply with all City, State, and Federal rules, policies, regulations, procedures, and practices. In the event that Federal and/or State regulations are mandated and conflict with this Regulation, the Federal and/or State regulations shall prevail.
- K. Eligibility.
 - 1. Any employee may apply for the FWP, although positions requiring significant field work or direct in-person interaction with the public may not be compatible with the FWP. The City Manager may consider whether a portion of an employee's work duties is compatible with remote work and could be scheduled as part of an alternative work schedule.
 - 2. Employee participation in the FWP is at the discretion of the City Manager or his/her designee, and the City Manager's decision is final and may not be appealed.
 - 3. The City Manager may or may not disclose the specific criteria used to determine Approval or Denial of an Application.
 - 4. The City of Belvedere has no obligation to allow one employee to participate in the FWP merely because another employee who performs the same or similar job duties has been approved to participate in the FWP.
- L. FWP participants are covered under the City's Workers' Compensation Insurance Program. Since the employee's off-site workspace shall be considered an extension of the City's workspace, the City's Workers' Compensation liability for job-related accidents or injuries shall continue to exist during the employee's FWP-scheduled work hours as defined by Workers' Compensation law.
 - 1. The employee remains liable for injuries to third-party persons and/or members of the employee's family on the employee's premises.
 - 2. Any injury or illness that may be associated with work-related activities should be immediately reported by the employee to his or her supervisor so that the City's Workers' Compensation third-party administrator can determine compensability.
 - 3. Actions that a participant may take during break periods from working and actions not directly related to the approved off-site work location will not be covered under Workers' Compensation. These non-covered actions include, but are not limited to, all actions that the employee would not be able to perform in his or her City of Belvedere office, such as caring for children or pets, domestic tasks, yard work, retrieving the mail, cooking, exercising, and interacting with non-City employees for non-business purposes.
- M. The FWP shall be a cooperative effort between the employee and the department. It is a

privilege and not a right or an entitlement.

- N. The City Manager shall review the employee's FWP on a periodic basis.
- O. The City reserves the right to change, amend, or discontinue an employee's participation in the FWP at any time for any reason, including at the employee's reasonable request. Termination of participation in the FWP is administrative and the decision may not be appealed.

9.14.3 HOLIDAYS

For any week in which there is a scheduled holiday, City offices are closed. An employee working a 9-80 work schedule will work their normally scheduled work days (except for the holiday off), and will be paid for 80 hours. In cases where a holiday falls on an employee's regular Friday off, the employee will receive 8 hours of compensatory time off to be used at a later date which is approved in advance by the employee's supervisor.

9.14.4 ATTENDANCE

An employee is expected to be in attendance during regular work hours in accordance with these procedures and with general departmental regulations. Daily attendance records of employees shall be maintained which shall be reported to the City Manager.

9.14.5 MANDATORY TRAINING

- A. This section applies only to compulsory training. Training announcements given to supervisors and employees shall clearly state when a training is mandatory and which employee classifications are required to attend.
- B. To facilitate the selection of training days, employees shall endeavor to list their planned time off on the City calendar. As much as possible, employee trainings shall be scheduled to work around listed vacation, administrative leave, and sick leave dates and dates on which attendees have scheduled appointments on the applicable calendar(s): City Hall Shared Calendar, Police Department Leave Calendar, and/or Public Works Department Leave Calendar.
- C. Training for staff who work at City Hall shall be scheduled for Fridays when City Hall is closed to the public, with the following exceptions: holidays, the Friday before a City Council meeting; the two Fridays before a Planning Commission meeting; the Friday before a Monday which is a City holiday. Salaried employees on flex schedules who have that day scheduled to be off shall make every attempt to float their day off to an alternate day. Hourly employees whose regular day off was scheduled for that Friday will be required to attend and be paid overtime, when applicable. Such regular days off will not be taken into consideration when scheduling training days.

- D. Any employee who misses a training for any reason will be required to make up that course or course equivalent within a reasonable period of time, as stipulated by the supervisor.
- E. If a makeup course is not available during the employee's normal working hours, the employee must attend the training on his/her own time without pay. This rule shall apply except in cases where the course was missed due to a medical emergency in the immediate family, bereavement leave, leave prescribed by a treating physician for a work-related illness or injury, or unexpected illness or injury of the employee. When an employee is absent from training due to personal illness or injury, at the discretion of the department head, a physician's certificate of illness or injury shall be required prior to the resumption of normal duties.
- F. Trainings are deemed compulsory when they are required by California State Law or deemed so by the City Manager (at his sole discretion).

9.14.6 RECOMMENDED TRAINING

- A. This section applies to recommended training, which is often department- or position-based. Training announcements given to supervisors and employees shall clearly state when a training is recommended and which employee classifications are expected to attend.
- B. Training shall be scheduled in accordance with the restrictions listed in Subsections 9.14.4 B & C.
- C. Employees are encouraged not to request voluntary leave for times when they are scheduled to participate in recommended training.
- D. Supervisors shall encourage their employees to be present for recommended trainings. Because makeup classes may be unavailable locally, and because classes may have a minimum number of required participants, supervisors shall consult with the City's Training Coordinator and City Manager before pre-approving a voluntary absence from recommended training.
- E. Any employee who voluntarily misses a course that is offered locally shall make up that course or an approved course equivalent within a reasonable period of time, as stipulated by the supervisor.
- F. Successful completion and implementation of recommended training courses and/or training beyond the minimum required for a department or position shall be listed within the annual personnel evaluation for each employee and may be used to indicate service beyond what is required for satisfactory performance.
- G. The designation of recommended training is solely at the discretion of the City Manager.

9.14.7 **OPTIONAL TRAINING**

- A. This section applies only to training that is purely voluntary. Training announcements given to supervisors and employees shall clearly state when a course is voluntary and whether a minimum number of sign-ups will be needed to hold the class.

- B. All employees may request training through their supervisors. Supervisors shall consult with the Training Coordinator regarding possible training resources before scheduling voluntary training.

9.14.8 **DEPARTMENTAL TRAINING**

This chapter does not apply to in-department training courses that are not listed above and which are required by an authority other than the City Manager (e.g. a department head, the State or Federal government, or an accrediting City).