



**WORK SESSION
AGENDA
KANNAPOLIS CITY HALL
401 LAUREATE WAY, KANNAPOLIS, NC
OCTOBER 13, 2025
4:30 PM**

Please Turn off Cell Phones or Place on Silent Mode.

APPROVED OCTOBER 13 2025 MINUTES

A. Approved October 13 2025 Minutes (Pam Scaggs, City Clerk)

CALL TO ORDER AND WELCOME

MOMENT OF SILENT PRAYER AND PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA - Motion to Adopt Agenda or make revisions

PROCLAMATIONS AND RECOGNITIONS

- A. Fire Prevention Week (Darrell Hinnant, Mayor)
- B. Customer Service Week (Darrell Hinnant, Mayor)
- C. Community Planning Month (Darrell Hinnant, Mayor)

CONSENT AGENDA - Motion to Adopt Consent Agenda or make revisions

- A. **FIRST READING TA-2025-03** - Kannapolis Development Ordinance (KDO) Text Amendment to Table 4.2.B(5) and Section 4.2.D(5)d **UNANIMOUSLY APPROVED** (Richard Smith, Planning Director)
- B. **FIRST READING TA-2025-05** - Kannapolis Development Ordinance (KDO) Text Amendment to Section 3.8.F(4)b.3 **UNANIMOUSLY APPROVED** (Richard Smith, Planning Director)
- C. **FIRST READING TA-2025-06** - Kannapolis Development Ordinance (KDO) Text Amendments to several sections **UNANIMOUSLY APPROVED** (Richard Smith, Planning Director)
- D. **ORDINANCE** — Budget Amendment #26-18 appropriates CDBG program income for urgent repairs **UNANIMOUSLY APPROVED** (Sherry Gordon, Community Development Program Administrator, Kristin Jones, Budget and Strategy Director)
- E. **ORDINANCE** - Budget Amendment #26-19 appropriating insurance proceeds for train repairs at Village Park **UNANIMOUSLY APPROVED** (Kristin Jones, Budget

and Strategy Director, Gary Mills, Parks & Recreation Director)

- F. **ORDINANCE** - Budget Amendment #26-20 appropriates funding for the Building Integrated Communities Agreement between the City and UNC. **UNANIMOUSLY APPROVED** (Kristin Jones, Budget and Strategy Director, Irene Wong, Economic & Community Development Director)
- G. **ORDINANCE** - Budget Amendment #26-21 setting up a special revenue fund for State and Federal Asset Forfeiture funds **UNANIMOUSLY APPROVED** (Kristin Jones, Budget and Strategy Director, Brian Roberts, Finance Director)
- H. **ORDINANCE** - Budget amendment #26-22 setting up a special revenue fund for Kannapolis Youth Development Programs **UNANIMOUSLY APPROVED** (Kristin Jones, Budget and Strategy Director)
- I. **ORDINANCE** - Budget Amendment #26-23 decreases budgets in the General Fund to fund Special Revenue Funds in the Police Department **UNANIMOUSLY APPROVED** (Kristin Jones, Budget and Strategy Director)
- J. **REPORT** - Monthly Wastewater Allocations Report (Alex Anderson, Director of Water Resources, Gerald Faulkner, Water Treatment Manager)

BUSINESS AGENDA

- A. **DISCUSSION** - Public Speakers Policy Revisions (Andrew Kelly, City Attorney)
- B. **DISCUSSION** - Rental Facilities Fees (Mike Legg, City Manager)
- C. **DISCUSSION** - New City of Kannapolis Personnel Policy (Heather James, Human Resources Director)

CLOSED SESSION - GS. 143-318.11 (a) (3) to consult with an attorney in order to preserve the attorney-client privilege; G.S. 143.318.11 (a) (4) for discussing matters relating to the location or expansion of industries or businesses in the area; and G.S. 143-318.11 (a)(6) for the purpose of discussing personnel matters (Mayor Pro tem Berry)

MOTION TO ADJOURN

ADA Notice

In accordance with Title II of the Americans with Disabilities Act (ADA), any person requiring an accommodation to participate in a function or program of the City of Kannapolis should contact Daniel Jenkins, Assistant Human Resources Director & ADA Coordinator by phone at 704-920-4312, email adacoordinator@kannapolisnc.gov, or in person at Kannapolis City Hall as soon as possible, but not later than forty-eight (48) hours prior.

**CITY OF KANNAPOLIS
CITY COUNCIL
BUSINESS MEETING MINUTES
October 13, 2025**

A work session meeting of the Kannapolis City Council was held on Monday, October 13, 2025, at 4:30 P.M., Kannapolis City Hall located at 401 Laureate Way, Kannapolis, NC.

CITY COUNCIL MEMBERS PRESENT:

Council Members: Darrell Hinnant, Mayor
 Doug Wilson
 Dianne Berry, Mayor Pro tem
 Tom Kincaid
 Darrell Jackson
 Ryan Dayvault

Council Members Absent: Jeanne Dixon

City Manager: Mike Legg

Deputy City Manager: Eddie Smith

Assistant City Manager: Tina Cline

Assistant City Manager: Wilmer Melton

City Attorney: Andrew Kelly

City Clerk: Pam Scaggs

Staff Present:	Tracy Winecoff	Richard Smith
	Michael Dodge	Gerald Faulkner
	Alex Anderson	Oscar Hopkins
	Michael Rattler	Kristin Jones
	TJ Cook	Tyra Cunningham
	Gary Mills	Travis Barnhardt
	Terry Spry	Irene Wong
	Elizabeth McCarty	

Visitors Present:	K Wilkerson	Joe Hatley
	Michael Baonet	Phil Goodman
	Avery Whitaker	Grant Rader
	Judy Hammett	Sophia Wilkerson
	Zach Erwin	Susan Barr
	Janet Briggs	Jamier Kirkey
	Joyce Gibson	

1 **CALL TO ORDER AND WELCOME**

2 Mayor Hinnant called the meeting to order and welcomed all in attendance. He led a moment of silent
3 prayer, followed by the Pledge of Allegiance by Mayor Pro tem Berry.

4
5 **ADOPTION OF AGENDA**

6 Mayor Hinnant called for a motion regarding the Agenda. Councilmember Jackson made the motion
7 to approve, second by Councilmember Dayvault and the motion was unanimously approved.

8
9 **PROCLAMATIONS AND RECOGNITIONS**

10 Mayor Hinnant read Proclamations recognizing Fire Prevention Week, Customer Service Week and
11 Community Planning Month and presented to each respective department Director.

12
13 **CONSENT AGENDA**

14 Mayor Hinnant called for a motion on the Consent Agenda. Councilmember Wilson made the motion
15 to approve all items on the Consent Agenda, second by Councilmember Kincaid and the motion was
16 unanimously approved.

17
18 First Reading TA-2025-03 for Kannapolis Development Ordinance (KDO) Text Amendment to Table
19 4.2.B(5) and Section 4.2.D(5)d. (Richard Smith, Planning Director) (Copy included as Agenda Item:
20 E.A.).

21
22 First Reading TA-2025-05 for Kannapolis Development Ordinance (KDO) Text Amendment to
23 Section 3.8.F(4)b.3 (Richard Smith, Planning Director (Copy included as Agenda Item: E.B.).

24
25 First Reading TA-2025-06 for Kannapolis Development Ordinance (KDO) Text Amendment to
26 several sections (Richard Smith, Planning Director) (Copy included as Agenda Item E.C.).

27
28 Ordinance for Budget Amendment #26-18 appropriating CDBG program income for urgent repairs
29 (Sherry Gordon, Community Development Program Administrator; Kristin Jones, Budget and
30 Strategy Director) (Copy included as Agenda Item E.D.).

31
32 Ordinance for Budget Amendment #26-19 appropriating insurance proceeds for train repairs at
33 Village Park (Kristin Jones, Budget and Strategy Director; Gary Mills, Parks & Recreation Director)
34 (Copy included as Agenda Item E.E.).

35
36 Ordinance for Budget Amendment #26-20 appropriates funding for the Building Integrated
37 Communities Agreement between the City and UNC (Kristin Jones, Budget and Strategy Director;
38 Irene Wong, Economic & Community Development Director) (Copy included as Agenda Item E.F.).

39
40 Ordinance for Budget Amendment #26-21 appropriating funds to establish a special revenue fund for
41 State and Federal Asset Forfeiture funds (Kristin Jones, Budget and Strategy Director; Brian Roberts,
42 Finance Director) (Copy included as Agenda Item E.G.)

43
44 Ordinance for Budget Amendment #26-22 appropriating funds to establish a special revenue fund for
45 Kannapolis Youth Development Programs (Kristin Jones, Budget and Strategy Director) (Copy
46 included as Agenda Item E.H.)

1 Ordinance for Budget Amendment #26-23 decreases budgets in the General Fund for Special Revenue
2 Funds in the Police Department (Kristin Jones, Budget and Strategy Director) (Copy included as
3 Agenda Item E.I.)
4

5 Monthly Wastewater Allocations Report (Alex Anderson, Director of Water Resources; Gerald
6 Faulkner, Water Treatment Manager) (Copy included as Agenda Item E.J.)
7

8 **BUSINESS AGENDA**

9 **Discussion – New City of Kannapolis Personnel Policy (Heather James, Human Resources** 10 **Director) (Copy included as Agenda Item F.A.).**

11 Ms. James recognized HR Consultant Susan Nunn for her significant assistance in the personnel policy
12 rewrite. She noted that the current policy was originally adopted in 1995, when the City had fewer than
13 200 employees, and that this is the first comprehensive review since then. The City has since grown to
14 440 full-time and more than 200 part-time positions. Ms. James also provided an overview of current
15 workforce demographics.
16

17 Ms. James stated that high-level updates include at-will employment language and clarification of the
18 City Manager's hiring/termination authority, with delegation to the Deputy City Manager. Other
19 changes include updated language for Americans with Disabilities (ADA), Equal Employment
20 Opportunity (EEO), workplace violence, and harassment and retaliation. Standards for workplace
21 conduct, recruitment and performance have also been updated. Ms. James added that employee
22 feedback continues to show that pay and benefits are top priorities, reflected in Council's ongoing
23 investments and the City's low vacancy rate.
24

25 Ms. James continued by outlining several enhancements, including expanded benefits for part-time
26 employees and recent improvements for full-time staff such as day-one benefits and paid caregiver
27 leave. She noted additional updates such as flexible holidays, well-being leave, expanded bereavement
28 and military leave, and a streamlined shared leave bank. Part-time and temporary employees will also
29 receive double holiday pay, higher on-call pay, and increased tuition reimbursement.
30

31 Mayor Pro-tem Berry asked for clarification on the flexibility to transfer unused sick and vacation to
32 other local government entities. Ms. James responded that the City currently allows employees to
33 transfer up to 80 hours and that the new policy expands that option so that if the time is active, it is
34 transferable.
35

36 Under the new policy, retiree health insurance will no longer be offered to new hires, though current
37 eligible employees remain covered. The long-standing separation allowance will be retained for current
38 staff but replaced with a retention bonus for future hires, based on years of service with Kannapolis and
39 deposited into a 457(b). Additional retention incentives are proposed for employees aged 62–67 to help
40 bridge the gap to Social Security.
41

42 Councilmember Dayvault asked for clarification regarding on-call pay as well as the converted
43 separation allowance to retention bonus. Ms. James explained that on-call employees receive one
44 hour of pay for each day they are on-call plus an additional two (2) hours of pay if they are called
45 back to work. Under the proposed policy, the on-call pay would increase to 1.5 hours per day on
46 weekends and 2 hours per day on holidays with the call-back pay remaining the same. The proposed
47 policy improves competitiveness with other local governments, provides stronger incentive for

1 employees to be available and supports operational reliability for essential services. Ms. James
2 explained that employees hired after January 1, 2026, will still be eligible for a retention bonus, but
3 that it would strictly be based on years of service with Kannapolis.

4
5 Councilmember Wilson asked how the information is being communicated to employees. Ms. James
6 responded that HR would support employee communication and training through recorded
7 overviews, department meetings, and required acknowledgments, with opportunities for anonymous
8 feedback as needed. City Manager, Mike Legg, added that information and links were provided to
9 employees in a newsletter as well as a follow-up email. He acknowledged the volume of information
10 and stated that Council will have a month to review the proposed changes before considering
11 adoption.

12
13 Councilmember Dayvault expressed several concerns regarding the proposed policy changes. He
14 noted the impact of eliminating retiree health insurance for future hires, emphasizing that such
15 benefits are important for maintaining the City's competitive vacancy rate. He also raised concerns
16 about the provision preventing family members from working in the same department, noting the
17 City's long history of multigenerational employees and the value that tradition brings.
18 Councilmember Dayvault questioned the policy allowing searches of personal property and vehicles
19 and asked for clarification on its intent and legal basis. Additionally, he highlighted the requirement
20 for part-time employees to work at least 200 hours per year to maintain employment status, noting
21 that the City had previously lost a high-performing Parks employee due to this rule. Finally, he
22 requested further clarification on the proposed separation allowance and retention pay changes.

23
24 Councilmember Jackson requested a report detailing employee ages, and Ms. James confirmed she
25 would provide that information.

26
27 Mayor Pro tem Berry asked about pension eligibility for employees who leave and return and echoed
28 Mr. Dayvault's concerns about the discontinuation of retiree health insurance. Ms. James explained
29 that eligibility depends on the hire date and five years of continuous service and noted that the
30 insurance change reflects significant City costs and loyalty-based tiers.

31
32 Councilmembers Dayvault and Wilson emphasized the importance of employee feedback. Mr. Legg
33 agreed, noting the challenges of soliciting feedback directly, and stated that staff will track and
34 compile input to provide Council with feedback for the public hearing. He added that ultimately,
35 employees are responsible for speaking up.

36
37 **Discussion – Public Speakers Policy Revisions (Andrew Kelly, City Attorney) (Copy included**
38 **as Agenda Item F.B.).**

39 Mr. Kelly provided an overview of the proposed changes to the Public Speakers Policy, noting that
40 several clarifications were made to align terminology with state statutes, including identifying the
41 presiding officer as the Mayor or Mayor Pro Tem and specifying that public hearings also encompass
42 legislative hearings. The section previously titled "Standards" has been renamed "Rules of Procedure
43 and Decorum." Council was asked to consider whether the public comment period should remain at
44 the end of the agenda or be moved, and whether a defined sign-up deadline should be implemented
45 for both public comment and public hearings to improve efficiency and support the requirements of
46 legislative hearings.

1 The discussion also addressed whether speaker time limits should remain fixed at four minutes or be
2 adjusted based on the number of speakers. Several Council members expressed opposition to
3 modifying time limits, emphasizing that the recent increase from three to four minutes was driven by
4 public feedback and should remain consistent. Legislative hearings would continue to allow
5 applicants ten minutes, with the option to reserve a portion of that time for rebuttal. For public
6 comment, only printed materials would be accepted, while applicants in legislative hearings could
7 use visual presentations such as PowerPoints, subject to IT approval.

8
9 Mr. Kelly explained that the rules of decorum had been expanded to provide clearer guidance for both
10 the presiding officer and the public. The updated rules outline expectations for civility, prohibit
11 disruptive audience behavior, clarify parameters for signs, and require speakers to address Council
12 from the podium microphone unless accommodations are necessary. Restrictions governing the
13 content of speech were removed due to legal concerns. The policy continues to allow groups of four
14 or more to voluntarily select a spokesperson who may speak for ten minutes. Speakers may address
15 Council once during the public comment period but may also speak separately at public hearings on
16 specific items.

17
18 Mr. Kelly concluded by stating that he would revise the draft policy based on Council's feedback and
19 prepare a PowerPoint presentation identifying which provisions are required by statute for the benefit
20 of both Council and the public.

21
22 **Discussion – City Facility Rentals and Fees (Mike Legg, City Manager) (Copy included as**
23 **Agenda Item F.D.).**

24 Mr. Legg thanks the Parks and Recreation staff as well as Budget and Strategy Director, Kristin Jones,
25 for their work in completing a comparative analysis of facility usage, fee competitiveness and cost
26 recovery regarding City facility rentals and fees. He reported that the demand for facility usage during
27 weekends is extremely high across all facilities but especially so of the Laureate Center and Train
28 Station. The current rental rates fall on the low-to-mid end of the market compared to similar public
29 and private facilities with the overall pricing being competitive and appropriate.

30
31 Mr. Legg also reported that while the smaller social and professional events typically run at a deficit,
32 the larger events tend to generate revenue, helping to subsidize the smaller events. The expenses
33 associated with facility rentals include staffing for setup, cleanup and event coordination, utilities,
34 supplies and capital replacement such as tables, chairs, and equipment. He talked about the reciprocal
35 relationship the City has with Kannapolis City schools where the City uses many of their fields and
36 gym facilities in exchange for free access to City facilities which results in a public benefit beyond
37 revenue.

38
39 Based on the analysis, and the current resident discount, staff does not recommend any changes to the
40 fee schedule, but if Council wants to adjust fees, suggested increasing weekend rental rates while
41 reducing weekday rates to increase usage during lower-demand times, and consider offering optional,
42 chargeable services such as décor support and coordination assistance.

43
44 Councilmember Wilson questioned whether facility rentals generate a net positive revenue. Mr. Legg
45 explained that expenses are spread across multiple departments, making it difficult to determine
46 profitability without creating a dedicated business unit. Revenue can be provided, but fully isolating
47 expenses will take additional work. Councilmember Wilson also asked whether the Swanee and park

1 shelters are being effectively marketed. Mr. Legg noted that shelters stay consistently booked, while
2 the Swanee has unused daytime capacity and that marketing is difficult because of fluctuating event
3 schedules. He acknowledged that increasing outreach, especially for weekday corporate use, is
4 possible.

5
6 Councilmember Dayvault suggested potential fee adjustments for the Laureate Center could include
7 lowering weekday rates for residents to incentivize weekday usage, while keeping non-resident and
8 private rates the same. Both he and Councilmember Jackson agreed that there is a significant need to
9 increase awareness, attendance, and revenue by improving marketing.

10
11 **CLOSED SESSION**

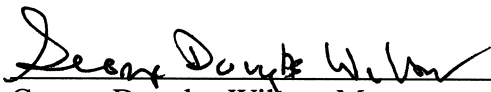
12 Mayor Pro tem Berry made the motion to enter into Closed Session pursuant to G.S. 143-318.11 (a)
13 (3) to consult with an attorney in order to preserve the attorney-client privilege; G.S. 143.318.11 (a)
14 (4) for discussing matters relating to the location or expansion of industries or businesses in the area;
15 and G.S. 143-318.11 (a)(6) for the purpose of discussing personnel matters. Second by
16 Councilmember Wilson and unanimously approved.

17
18 Council went into Closed Session at 6:08 PM.

19
20 **MOTION TO ADJOURN**

21 There being no further business, Councilmember Dayvault made motion to adjourn, second by
22 Councilmember Wilson, and unanimously approved.

23
24 The meeting adjourned at 8:25 P.M. on Monday, October 13, 2025.

25
26
27
28 
29 George Douglas Wilson, Mayor
30 City of Kannapolis

31
32 
33 Pam Scaggs, CMC, NCCMC
34 City Clerk



Office of the Mayor

**KANNAPOLIS, NORTH CAROLINA
P R O C L A M A T I O N
“FIRE PREVENTION WEEK”**

WHEREAS, the City of Kannapolis is committed to ensuring the safety and security of all those who live, work, and visit our community; and

WHEREAS, home fires continue to pose a significant threat, and the increasing use of lithium-ion batteries in everyday devices introduces new fire risks that require public awareness and prevention and

WHEREAS, his year’s Fire Prevention Week theme, “Charge into Fire Safety – Lithium-Ion Batteries in Your Home,” emphasizes the importance of using, charging, storing, and disposing of lithium-ion batteries safely to prevent fires and protect lives; and

WHEREAS, the Kannapolis Fire Department is dedicated to reducing the occurrence of home fires and related injuries through prevention, education, and emergency response; and

WHEREAS, Fire Prevention week provides an opportunity to raise public awareness about fire safety and to honor the efforts and sacrifices of our firefighters, emergency personnel, and all those who work to keep our community safe;

NOW, THEREFORE, I, MILTON DARRELL HINNANT, Mayor of the City of Kannapolis, North Carolina by virtue of the authority vested in me as Mayor together with the Kannapolis City Council, do recognize and hereby proclaim the week of October 5 – 11, 2025, as

FIRE PREVENTION WEEK

and encourage all citizens to participate in fire prevention activities at home, work, and school, and to support the public safety efforts of our fire and emergency services.



IN WITNESS WHEREOF I have set my hand and caused the Great Seal of the City of Kannapolis to be affixed this 13th day of October 2025.

Milton D. Hinnant



Office of the Mayor

**KANNAPOLIS, NORTH CAROLINA
P R O C L A M A T I O N
“CUSTOMER SERVICE WEEK”**

WHEREAS, the City of Kannapolis recognizes that customer service professionals across all industries are vital to the success of our community, providing essential support, assistance, and care to residents, visitors and businesses alike; and

WHEREAS, customer service is at the heart of every interaction between the public and those who serve, whether in local government, healthcare, education, retail or other sectors; and

WHEREAS, the dedication, professionalism and care shown by customer service employees builds trust, strengthens relationships, and improves quality of life in Kannapolis; and

WHEREAS, the City of Kannapolis is proud of the outstanding service provided by its own municipal staff, who serve the community with integrity, responsiveness, and a commitment to excellence every day; and

WHEREAS, Customer Service Week, celebrated nationally during the first full week of October, is an opportunity to recognize and celebrate individuals who work diligently to support others and ensure that every voice is heard, and every need is addressed;

NOW, THEREFORE, I, MILTON DARRELL HINNANT, Mayor of the City of Kannapolis, North Carolina by virtue of the authority vested in me as Mayor together with the Kannapolis City Council, do recognize and hereby proclaim the week of October 6 – 10, 2025, as

CUSTOMER SERVICE WEEK

and encourage all citizens to extend gratitude to those who demonstrate a commitment to service in their everyday work.



IN WITNESS WHEREOF I have set my hand and caused the Great Seal of the City of Kannapolis to be affixed this 13th day of October 2025.

Milton D. Hinnant



Office of the Mayor

**KANNAPOLIS, NORTH CAROLINA
P R O C L A M A T I O N
“COMMUNITY PLANNING MONTH”**

WHEREAS, as communities continually evolve, effective planning is essential to guide growth and change in ways that create opportunities for how people live, work and play; and

WHEREAS, planning shapes thriving, resilient, and inclusive communities by addressing transportation, housing, economic development, infrastructure, and environmental stability; and

WHEREAS, the City of Kannapolis recognizes the vital role of professional planners and elected officials in shaping thoughtful, sustainable growth that reflects the community’s vision, addresses current and future needs, and enhances the overall quality of life for all residents by promoting public health, safety, and well-being; and

WHEREAS, Community Planning Month, observed each October nationwide, honors the impact of sound planning and the professionals who help shape strong and resilient communities;

NOW, THEREFORE, I, MILTON DARRELL HINNANT, Mayor of the City of Kannapolis, North Carolina by virtue of the authority vested in me as Mayor together with the Kannapolis City Council, do recognize and hereby proclaim the month of October 2025 as

COMMUNITY PLANNING MONTH

and invite residents to learn how planning shapes Kannapolis and to acknowledge the important contributions of planners who work to make Kannapolis more livable, sustainable, and vibrant.



IN WITNESS WHEREOF I have set my hand and caused the Great Seal of the City of Kannapolis to be affixed this 13th day of October 2025.

Milton D. Hinnant



Kannapolis

Agenda Staff Report
October 13, 2025

To: Mayor and City Council
From: Richard Smith, Planning Director
Subject: **FIRST READING TA-2025-03** - Kannapolis Development Ordinance (KDO) Text Amendment to Table 4.2.B(5) and Section 4.2.D(5)d **UNANIMOUSLY APPROVED**

Recommended Action Requested by City Council

Motion to continue to the October 27, 2025 Council meeting for the Public Hearing of TA-2025-03.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

Staff is proposing a text amendment to the Principal Use Table to permit a tattoo or body-piercing establishment in the Center City (CC) zoning district by Special Use Permit (SUP). Additionally, staff is proposing standards specific to the use that include a separation distance from other tattoo and body piercing establishments, residential zoning districts, certain residential uses, and places of worship.

Presently, a tattoo or body-piercing establishment is only permitted in the General Commercial (GC) zoning district with approval of a SUP. The KDO defines a tattoo or body-piercing establishment as follows:

An establishment where designs, letters, figures, body piercing, or other marks are placed on the skin of any person, using ink or other substances that result in the permanent coloration or piercing of the skin by means of use of needles or other instruments designed to contact or puncture the skin.

An earlier applicant, Christian Dunn, requested a text amendment to permit tattoo or body-piercing establishments in the Center City (CC) zoning district by SUP. Consideration of the text amendment was tabled by the Planning and Zoning Commission at its March 18, 2025, meeting to allow staff to review if a tattoo establishment conforms to the Covenants, Conditions, and Restrictions (CCRs) of the downtown business district. The CCRs are administered by the City of Kannapolis as the Declarant, which resulted from the City's ownership of downtown properties. After further analysis, staff learned that the CCRs for the downtown area do not permit tattoo establishments. The operation of a tattoo establishment is specifically prohibited under Article 4(13) of the CCRs.

The CCRs are enforced as a proprietary function of the City as a downtown property owner and the CCRs Declarant; it is not enforced by the City under its governmental function through the KDO. As the Declarant, the City may amend the CCRs to allow uses that presently may be prohibited. City Council discussed the matter at its April 14, 2025, meeting and then directed staff to analyze the types of businesses within the CCR downtown area to determine if any were not in compliance. Staff also compared the uses permitted under the CCRs with those permitted by the KDO. This information was presented to City Council at its August 11, 2025, meeting. Following that meeting, City Council

directed staff to prepare amendments to the CCRs, including a proposed amendment to permit tattoo establishments.

The proposed text amendment to the KDO is attached as Exhibit A. Proposed changes are shown **bold, red text** for deletions and **bold, green text** for additions.

The Planning and Zoning Commission recommended approval of TA-2025-03 to City Council at its September 16, 2025, Commission meeting. Pursuant to Section 2.3.A(1)d. of the KDO, City Council has final authority to review and make decisions on Zoning Text Amendments. Approval of this text amendment also will require an amendment to the downtown Covenants, Conditions and Restrictions (CCRs).

Fiscal Implications

None

Alternate Courses of Action

Defer action to a future meeting.

Attachments

1. TA-2025-03 EXHIBIT A

EXHIBIT A
PROPOSED TEXT AMENDMENT
TA-2025-03

1. [Table 4.2.B\(5\): Principal Use Table – Amend Table 4.2.B\(5\), Principal Use Table, to permit a tattoo or body-piercing establishment in the Center City \(CC\) zoning district by Special Use Permit \(SUP\) with standards specific to the use.](#)

Principal Use Category or Type	AG	Residential							Mixed-Use					Non-Residential				PD			Legacy			Use-Specific Standards		
	AG	R1	R2	R4	R6	R7	R8	R18	MU-N	MU-SC	MU-UC	MU-AC	TOD	CC	OI	GC	LI	HI	PD	PD-	PD-C	CD	CD-R		C-1	
Commercial Uses																										
Personal Services																										
Tattoo or body-piercing establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	S	-	-	-	-	-	-	-	-	-	4.2.D(5)d.2

2. [Standards Specific to Principal Uses – Amend Section 4.2.D\(5\)d to add standards specific to a Tattoo or body piercing establishment.](#)

D. STANDARDS SPECIFIC TO PRINCIPAL USES

(5) COMMERCIAL

d. PERSONAL SERVICES

2. Tattoo or body-piercing establishment

(a) Within the Center City (CC) District, a tattoo or body piercing establishment shall meet the following minimum distance requirements:

1. A tattoo or body piercing establishment shall not be located within four hundred (400) feet of any other tattoo or body piercing establishment. The minimum distance shall be measured from the outer building walls of the proposed use to the nearest building walls of the other use.
2. A tattoo or body piercing establishment shall not be located within two hundred (200) feet of a residential zoning district or a single-family detached dwelling, single-family attached dwelling, townhouse, duplex, or triplex. The minimum distance shall be measured from the outer building walls of the proposed use to the nearest property line of the other use.
3. A tattoo or body piercing establishment shall not be located within two hundred (200) feet of a place of worship. The minimum distance shall be measured from the outer building walls of the proposed use to the nearest property line of the other use.



To: Mayor and City Council
From: Richard Smith, Planning Director
Subject: **FIRST READING TA-2025-05** - Kannapolis Development Ordinance (KDO) Text Amendment to Section 3.8.F(4)b.3 **UNANIMOUSLY APPROVED**

Recommended Action Requested by City Council

Motion to continue to the October 27, 2025 Council meeting for the Public Hearing of TA-2025-05

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The applicant, Copperfield Inc., is requesting a text amendment to allow Vehicle Sales and Services uses within the Dale Earnhardt Boulevard Subdistrict of the Thoroughfare Protection Overlay (TPO) District provided that the site has frontage on an arterial highway, is within 500 feet of an intersection of two or more major arterial highways, and that no vehicles shall be stored on site. This text amendment request is associated with a proposal by the applicant for a convenience store with fueling services. Convenience stores that provide fueling services are considered vehicle fueling stations.

The Dale Earnhardt Boulevard Subdistrict, shown on the Zoning Map, includes properties parallel to both sides of the Dale Earnhardt Boulevard rights-of-way to a maximum depth of 300 feet. Certain uses are prohibited within the Dale Earnhardt Boulevard Subdistrict including kennels, amusement parks, prefabricated building sales, self-service storage, motor freight facilities, outdoor storage areas (as an accessory use) as well as uses in the vehicle sales and services category. The applicant is requesting a text amendment to allow vehicle sales and service uses within the Dale Earnhardt Boulevard Subdistrict when the use is located on an arterial road and in proximity to the intersection of other arterial roads.

The vehicle sales and services category includes use types involving the direct sales and servicing of motor vehicles, both personal and commercial vehicles. Per the Principal Use Table, Table 4.2.B(5), the following uses are included in the vehicle sales and service category:

- Car Wash
- Commercial fuel depot
- Commercial vehicle sales and rentals
- Commercial vehicle service and repair
- Personal vehicle sales and rentals
- Personal vehicle service and repair
- Towing service
- Vehicle fueling station

This text amendment request for the Dale Earnhardt Boulevard Subdistrict follows a similar text amendment that was approved in August 2023 for the Coddle Creek Subdistrict of the TPO (Case TA-2023-02).

The proposed text amendment to the KDO for the Dale Earnhardt Boulevard Subdistrict is attached as Exhibit A. Proposed additions are shown as **bold, green text**.

The Planning and Zoning Commission recommended approval of TA-2025-05 to City Council at their July 15, 2025, Commission meeting. Pursuant to Section 2.3.A(1)d. of the KDO, City Council has final authority to review and make decisions on Zoning Text Amendments.

Fiscal Implications

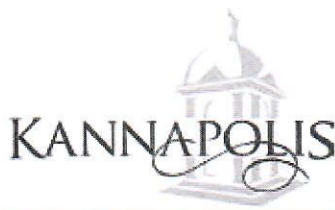
None.

Alternate Courses of Action

Defer action to a future meeting.

Attachments

1. TA-2025-05 Text Amendment Application
2. TA-2025-05 EXHIBIT A



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

Zoning Text Amendment Checklist

So that we may efficiently review your project in a timely manner, it is important that all required documents and fees listed on the "Submittal Checklist" below are submitted with your application. Please either bring this application to the address above or email to emccarty@kannapolisnc.gov. The fees may also be paid online with a link provided by staff.

APPLICANT

Applicant: Copperfield Inc.

SUBMITTAL CHECKLIST



Pre-Application Meeting



Zoning Text Amendment Checklist and Application – Complete with all required signatures



Fee: \$400.00

PROCESS INFORMATION

Public Notification: This is a legislative process that requires a public hearing and public notification including newspaper notice, first-class mailed notice to adjacent property owners and a sign posted prominently on the property (Section 2.4.F of the KDO).

Review Process: All applications will be reviewed for compliance and then forwarded to the Planning and Zoning Commission for consideration at a public hearing which is held monthly on the third Tuesday at 6:00pm in City Hall Laureate Center. **The pre-application meeting, submittal of application, and payment of fees, must be completed prior to scheduling the public hearing. Please review Section 2.4.D. of the KDO.**

Action by Planning and Zoning Commission: The Commission shall consider the text amendment request and make a recommendation to City Council in accordance with Section 2.4.G. of the KDO.

Scope of Approval: City Council may approve or deny the request in accordance with Section 2.5.A(1).

By signing below I acknowledge that I have reviewed the Submittal Checklist and have included the required submittal items and reviewed them for completeness and accuracy. I also acknowledge that my application will be rejected if incomplete.

Applicant's Signature:

[Signature]
VP Copperfield Inc

Date:

8/25/25



Planning Department
401 Laureate Way
Kannapolis, NC 28081
704.920.4350

ZONING TEXT AMENDMENT APPLICATION

Approval authority – Planning and Zoning Commission

Applicant Contact Information

Name: Copperfield Inc.

Phone: 980 521 1419

Address: 555 Lake Lynn rd
Concord NC 28025

Email: [REDACTED]

In the space provided below, or on a separate sheet, present your requested text for the Ordinance provisions in question:

Article 3. Zoning Districts, Thoroughfare Protection Overlay (TPO) District, section 3.8.F(4)b.3 (a) Sites that have frontage on an arterial highway and within 500 feet of an intersection of two or more major arterial highways shall be permitted if no vehicles are stored on site.

State your reasons for amending the text of the Ordinance:

We would like to amend the ordinance to allow uses in the vehicle sales and services category within the Dale Earnhardt overlay district. This would allow a fuel station to be developed in the area.

I certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief.

[Signature] VP Copperfield Inc. 8/25/25
Applicant Signature Date

[Signature] VP Copperfield Inc. 8/25/25
Property Owner Signature Date

EXHIBIT A
PROPOSED TEXT AMENDMENT
TA-2025-05

Kannapolis Development Ordinance

Article 3, Section 3.8.F(4)b.3, Thoroughfare Protection Overlay (TPO) District, Modification of Underlying Use Permissions

Section 3.8.F (4)

(4) MODIFICATION OF UNDERLYING USE PERMISSIONS

Within the TPO District, use permissions shall be those that apply in the underlying zoning district, except as follows:

- a. Within the Coddle Creek Subdistrict, the following uses are prohibited:
 1. Kennels;
 2. Amusement parks;
 3. Uses in the Vehicle Sales and Services category;
 - (a) Sites that have frontage on an arterial highway and within 500 feet of an intersection of two or more major arterial highways shall be permitted if no vehicles are stored on site.
 4. Prefabricated building sales;
 5. Self-service storage;
 6. Motor freight facilities; and
 7. Outdoor storage areas (as an accessory use).
- b. Within the Dale Earnhardt Boulevard Subdistrict, the following uses are prohibited:
 1. Kennels;
 2. Amusement parks;
 3. Uses in the Vehicle Sales and Services category; **except when the following conditions are met:**
 - (a) The site has frontage on an arterial or major collector road;**
 - (b) The site is within five hundred feet (500') of an intersection with an access ramp to Interstate 85; and**
 - (c) No vehicles are displayed or stored on site.**
 4. Prefabricated building sales;
 5. Self-service storage;
 6. Motor freight facilities; and
 7. Outdoor storage areas (as an accessory use).



To: Mayor and City Council
From: Richard Smith, Planning Director
Subject: **FIRST READING TA-2025-06** - Kannapolis Development Ordinance (KDO) Text Amendments to several sections **UNANIMOUSLY APPROVED**

Recommended Action Requested by City Council

Motion to continue to the October 27, 2025 Council meeting for the Public Hearing of TA-2025-06.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

Staff is proposing several text amendments to the KDO:

1. Amend Table 5.2.E(1)a to add a minimum off-street parking requirement for Event Center use.
2. Amend Table 4.3.B(3), Accessory Use/Structure Table, to permit an Accessory Dwelling Unit in the Mixed Use Neighborhood (MU-N) District.
3. Amend Section 4.3.D(1), Standards Specific to an Accessory Dwelling Unit (ADU), to add a minimum side setback requirement for an ADU in the MU-N District.
4. Amend Table 4.4.B, Temporary Use/Structure Table, to add Mobile/modular Classroom use.
5. Amend Table 4.4.C(1), Temporary Use Permit Time Lengths, to add Mobile/modular Classroom use.
6. Amend Section 4.4.D to add standards specific to Mobile/modular Classroom uses.
7. Amend Article 10, Definitions, to add a definition of Mobile/modular Classroom.
8. Amend Section 4.4.D(5) to add standards specific to a Mobile Food Vending use located within the Midway area.
9. Amend Table 4.2.B(5), Principal Use Table, to permit Commercial Vehicle Sales and Rentals in the Light Industrial (LI) zoning district.
10. Amend Section 4.2.D(5)g.2 to remove standards specific to Commercial Vehicle Service and Repair in the GC District as the use is not permitted in the GC District.
11. Amend Section 5.5.D(1) to clarify that in-ground wired fences (invisible fences) are not permitted within the public right-of-way.
12. Amend Section 5.1.C.(6)b.2(c) to delete subsection (c) as Table 5.1.C(6)b.2 was deleted with a previously approved text amendment that now references the requirements of the North Carolina Fire Code.
13. Amend Table 5.3.G(4), Required Buffer Type, to modify the heading descriptions that are used to determine the required landscape buffer.
14. Amend Table A-2, Acceptable Plant Species, to remove notes from table header.

The proposed text amendments to the KDO are attached as Exhibit A. Proposed changes are shown **bold, red text** for deletions and **bold, green text** for additions.

The Planning and Zoning Commission recommended approval of TA-2025-06 to City Council at their August 19, 2025, Commission meeting. The Commission's approval recommendation excluded the proposed text amendment permitting Commercial Vehicle Sales and Rentals in the LI zoning district (#9 above). Pursuant to Section 2.3.A(1)d. of the KDO, City Council has final authority to review and make decisions on Zoning Text Amendments.

Fiscal Implications

None.

Alternate Courses of Action

Defer action to a future meeting.

Attachments

1. TA-2025-06 EXHIBIT A

EXHIBIT A
PROPOSED TEXT AMENDMENTS
TA-2025-06

1. Parking Requirements – Amend Table 5.2.E(1)a to add a minimum off-street parking requirement for Event Center use.

Table 5.2.E(1)a: Minimum Number of Off-street Parking Spaces

PRINCIPAL USE CATEGORY/TYPE	MINIMUM NUMBER OF PARKING SPACES [1]	
	TOD, CC, MU-UC, AND MU-AC DISTRICTS	ALL OTHER AREAS IN THE CITY
Recreation/Entertainment		
Event Center	n/a	1.0 per 3 guests at maximum capacity

2. Accessory Use/Structure Table- Amend Table 4.3.B(3): Accessory Use/Structure Table to permit an Accessory dwelling unit in the MU-N District.

Table 4.3.B(3): Accessory Use/Structure Table

P = Permitted by right, or, in planned development district, if specified in PD Plan; **S** = Special use; **-** = Prohibited

ACCESSORY USE/STRUCTURE	AG	RESIDENTIAL							MIXED-USE						NONRESIDENTIAL				PD			LEGACY			USE-SPECIFIC STANDARDS
	AG	R1	R2	R4	R6	R7	R8	R18	MU-N	MU-SC	MU-UC	MU-AC	TOD	CC	OI	GC	LI	HI	PD	PD-TND	PD-C	CD	CD-R	C-1	
Accessory dwelling unit	P	P	P	P	P	P	P	-	-P	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	4.3.D(1)

3. Standards Specific to an Accessory Dwelling Unit – Amend Section 4.3.D(1), Standards Specific to an Accessory Dwelling Unit (ADU), to add a minimum side setback requirement for an ADU in the Mixed-Use Neighborhood (MU-N) District.

(1) ACCESSORY DWELLING UNIT (ADU)

A. GENERAL STANDARDS

1. An accessory dwelling unit (ADU) must comply with all applicable local, State and Federal housing codes.
2. Only one accessory dwelling unit shall be permitted per lot.
3. The accessory dwelling unit shall comply with all dimensional and design requirements that apply to a principal structure in the zoning district where it is located, **except that an accessory dwelling unit shall be set back a minimum of ten (10) feet from the side lot lines in the MU-N District.**

4. Temporary Use/Structure Table – Amend Table 4.4.B: Temporary Use/Structure Table to add Mobile/modular classroom use.

Table 4.4.B: Temporary Use/Structure Table

P = Permitted by right - = Prohibited

TEMPORARY USE/STRUCTURE	AG	RESIDENTIAL							MIXED-USE						NONRESIDENTIAL				PD			LEGACY			USE-SPECIFIC STANDARDS
	AG	R1	R2	R4	R6	R7	R8	R18	MU-ND	MU-SC	MU-UC	MU-AC	TOD	CC	OI	GC	LI	HI	PD	PD-TND	PD-C	CD	CD-R	C-1	
Camping	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	P	P	P	P	P	4.4.D(12)
Construction-related temporary structure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	4.4.D(1)
Donation bin	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	4.4.D(2)
Farmers' market (as temporary use)	P	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	-	P	P	P	P	-	P	4.4.D(3)
Flea market (as temporary use)	-	-	-	-	-	-	-	-	-	P	-	-	-	P	-	P	-	-	-	-	-	-	-	-	4.4.D(4)
Mobile food vending	P	-	-	-	-	-	-	-	-	P	P	P	P	P	-	P	-	-	P	P	P	P	-	P	4.4.D(5)
Mobile/modular classroom	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S	P	P	P	-	-	P	4.4.D(13)
Model sales home/unit	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	-	4.4.D(6)
Outdoor sales	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	P	-	-	-	P	-	-	-	P	4.4.D(7)
Religious or non-profit events, onsite	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Seasonal sale	-	-	-	-	-	-	-	-	P	P	P	P	P	P	-	P	-	-	-	P	-	P	-	P	4.4.D(8)
Special event	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	P	-	-	-	P	P	P	-	P	4.4.D(9)
Storage in portable shipping container	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	4.4.D(10)
Yard Sale	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	-	-	-	P	P	P	-	P	-	4.4.D(11)

5. Temporary Use Permit Time Lengths – Amend Table 4.4.C(1): Temporary Use Permit Time Lengths to add Mobile/modular classroom use.

Table 4.4.C(1): Temporary Use Permit Time Lengths

TEMPORARY USE/STRUCTURE TYPE	MINIMUM TIME BETWEEN PERMITS [1]	MAXIMUM TIME ALLOWED [2]
Construction-related temporary structure	None	1 year
Farmers' market, Temporary	None	30 days
Flea market, Temporary	None	30 days
Mobile Food Vending	None	90 days
Mobile/modular classroom	None	2 years
Model sales home/unit	None	3 years [3]
Sales, outdoor	Promotional activity: 1 day Sidewalk vendor: 90 days	Promotional activity: 21 days Sidewalk vendor: 90 days
Seasonal Sales	Fireworks stand: 90 days All others: None	Fireworks stand: 45 days All others: 180 days
Special event	Carnivals, circuses, fairs, amusement rides, and similar amusement enterprises: 90 days All others: None	Carnivals, circuses, fairs, amusement rides, and similar amusement enterprises: 21 days On-site religious or non-profit events: None All others: 60 days
NOTES: [1] The minimum period of time between an expired temporary use permit on a parcel and application for another temporary use permit on the same parcel per fiscal year (July 1st to June 30th). [2] The maximum period of time of validity of the temporary use permit. Even if at any time the temporary use does not occupy the permitted site, the limit shall not be extended, except as expressly allowed for the specific use by Error! Reference source not found., Error! Reference source not found.. [3] The temporary use permit shall remain valid no longer than the time required for the construction of the development		

6. Standards Specific to Temporary Uses and Structures – Amend Section 4.4.D to add standards specific to mobile/modular classroom uses.

(13) MOBILE/MODULAR CLASSROOM

- a. **A unit visible from the public right-of-way shall be screened with landscaping in accordance with Section 5.3, Landscaping and Buffer Standards.**
- b. **A unit visible from the public right-of-way shall be constructed with facade materials consistent with the standards of Section 5.7.E(4).**

7. Definitions – Amend Article 10: Definitions to add a definition of mobile modular classroom.

Mobile/modular classroom

A temporary, prefabricated structure designed to function as a classroom or educational space, typically used to accommodate student overflow, renovations, or emergency needs.

8. Standards Specific to Temporary Uses and Structures – Amend Section 4.4.D(5) to add standards specific to Mobile Food Vending.

(5) MOBILE FOOD VENDING

Mobile food vending shall comply with the following standards, except in conjunction with special events recognized by the City where mobile food vendors are permitted or non-profit fundraising events of five days or less **or in accordance with Section 4.4.D(5)b, below, for the Midway Area of the City:**

a. General Standards

1. Mobile food vending is prohibited on vacant properties.
2. A minimum separation of 400 feet from any other mobile food vending is required.
3. Mobile food vending units shall not be located within minimum required setbacks, sight distance triangles, or required buffers. All sidewalk encroachments shall require permit approval from the City.
4. Mobile food vending units shall not impede drive aisles, loading or service areas, or fire lanes.
5. A minimum of one off-street parking space shall be provided, except in the MU-AC, TOD, and CC districts.
6. The landowner shall ensure that trash receptacles are provided within ten feet of the location where food is ordered or consumed on site and that all trash, litter, and refuse are removed from the site at the end of each business day.
7. The hours of operation shall be limited to between 8:00 a.m. and 9:00 p.m. Overnight storage of mobile food vending units on site is prohibited.
8. The service shall not operate as a drive-through service.

b. Standards Specific to Midway Area

The following exceptions to the general standards shall apply only to properties located within the Midway Area, defined as commercially zoned parcels fronting on South Main Street between Dale Earnhardt Boulevard and Rogers Lake Road. All other provisions of this Ordinance shall remain in effect unless expressly modified.

1. **Mobile food vending shall be permitted on vacant properties, subject to the written consent of the property owner.**
2. **Overnight storage of a mobile food vending unit is permitted on site.**
3. **A mobile food vending unit may operate a drive-through service, subject to traffic safety review and approval by the Planning Director.**
4. **The temporary use permit shall remain valid, provided that all required permits are maintained and the site remains in compliance with sanitation, parking, and access requirements.**

9. Principal Use Table – Amend Table 4.2.B(5): Principal Use Table to permit Commercial vehicle sales and rentals in the Light Industrial (LI) zoning district.

Table 4.2.B(5): Principal Use Table

P = Permitted by right, or, in planned development district, if specified in PD Plan; **S** = Special use; **–** = Prohibited

Principal Use Category or Type	AG	Residential							Mixed-Use						Non-Residential				PD			Legacy			Use-Specific Standards	
	AG	R1	R2	R4	R6	R7	R8	R18	MU-N	MU-SC	MU-UC	MU-AC	TOD	CC	OI	GC	LI	HI	PD	PD-	PD-C	CD	CD-R	C-1		
Vehicle Sales and Services																										
Commercial vehicle sales and rentals	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-P	-	-	-	-	-	-	-	-	
Commercial vehicle service and repair	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	-	-	-	-	4.2.D(5)g.2

10. Commercial Vehicle and Service and Repair Specific Standards – Amend Section 4.2.D(5)g.2 to remove standards that are applied to the GC District as the use is not permitted in the GC District.

2. Commercial Vehicle Service and Repair

(a) A commercial vehicle service and repair establishment shall be located at least 200 feet from any residential development, residential district, school, or child care center.

~~(b) In the GC District, all service and repair of vehicles shall be conducted in a wholly enclosed building.~~

~~(c) In the GC District, each vehicle awaiting or undergoing service or repair may be stored on-site for a maximum period of six weeks.~~

~~(e)~~^b The demolition or junking of commercial vehicles is prohibited. Commercial vehicles shall not be stored on site as a source of parts or for sale, lease, or rent.

11. Fence and Wall Standards – Amend Section 5.5.D(1) to clarify that in-ground wired fences (invisible fences) are not permitted within the public right-of-way.

D. GENERAL STANDARDS

(1) GENERAL

- a. Fences, **including in-ground wired fences**, and walls shall be located outside of the public right-of-way.
- b. Fences and walls are allowed on the property line between two or more parcels of land held in private ownership.
- c. Fences and walls may be located within any required yard.
- d. Nothing in this section shall be construed to prevent the installation of temporary fencing to protect existing trees, limit sedimentation, or control erosion.

12. Minimum Vehicle Access Points to External Street System – Amend Section 5.1.C.(6)b.2(c) to remove options for fewer access points. Table 5.1.C(6)b.2 was deleted with a previously approved text amendment to instead reference North Carolina Fire Code requirements.

~~(c) A subdivision may be approved with fewer access points than required by Table 5.1.C(6)b.2, if the applicant demonstrates any of the following:~~

- ~~1. The provision of additional vehicular access points is not possible due to existing lot configurations, the absence of connecting streets, or environmental or topographic constraints;~~
- ~~2. NCDOT will not authorize additional access points; or~~
- ~~3. Alternative access can be provided in a manner acceptable to the City that is supported by a transportation impact analysis.~~

13. Required Buffer Type – Amend Table 5.3.G(4): Required Buffer Type, to clarify the adjacent property use and/or zoning classification that is used to determine the required landscape buffer.

(4) REQUIRED BUFFER TYPE

Table 5.3.G(4): Required Buffer Type specifies the type of perimeter landscape buffer that new development shall provide between it and adjacent property, based on the proposed use of the development site and the use of the adjacent property, or, if the adjacent land is vacant, the zoning district classification of the adjacent land. The required buffer types in Table 5.3.G(4) are indicated by letters corresponding to the buffer types defined in Table n Table 5.3.G(3): Landscape Buffer Options.

Table 5.3.G(4): Required Buffer Type

A = TYPE A BUFFER B = TYPE B BUFFER C = TYPE C BUFFER D = TYPE D BUFFER " - " = NO PERIMETER BUFFER YARD REQUIRED

USE PROPOSED	EXISTING USE OR ZONING OF VACANT LAND ON ADJACENT SITE [1]			
	ADJACENT EXISTING USE SINGLE-FAMILY DETACHED DWELLING OR TOWNHOUSE	ADJACENT EXISTING USE MULTIFAMILY DWELLING	ADJACENT EXISTING USE USE IN THE CIVIC/INSTITUTIONAL OR COMMERCIAL USE CLASSIFICATIONS	ADJACENT EXISTING USE USE IN THE INDUSTRIAL USE CLASSIFICATION
	ADJACENT LAND IS VACANT AND ZONED R1, R2, R4, R6, R7	ADJACENT LAND IS VACANT AND ZONED R8, R18	ADJACENT LAND IS VACANT AND ZONED O-I, MU-N, MU-AC, CC, MU- UC, MU-SC, TOD, GC	ADJACENT LAND IS VACANT AND ZONED LI, HI
Single-Family Detached Dwelling or Townhouse	-	B	B	D
Multifamily dwelling	C	A	B	D
Any use in the Civic/Institutional or Commercial use classification	C	B	-	C
Uses in the Industrial use classification	D	D	D	-
NOTES:				
[1] ~~The zoning district classification of vacant land is indicated in brackets in the table heading row.~~ If the vacant land is classified in a conditional zoning district, the classification of the corresponding base zoning district shall apply for purposes of determining required buffer type. If the vacant land is classified in a planned development district, the use of the adjacent site that is indicated on the PD Master Plan for the district shall apply for purposes of determining required buffer type.				

14. [Landscaping Table – Amend Table A-2: Acceptable Plant Species to remove notes from table header.](#)

Table A-2: Acceptable Plant Species

~~* NOT ALLOWED FOR REQUIRED PLANTING | ** NOT RECOMMENDED FOR REQUIRED PLANTING | † UNDER 15' TALL ONLY.~~

		SHADE TOLERANT	TOLERATES POOR DRAINAGE	NATIVE	BLOOMING	FOLIAGE (DECIDUOUS, SEMI-DECIDUOUS, OR EVERGREEN)	PLACEHOLDER
COMMON NAME	SCIENTIFIC NAME						



Kannapolis
Agenda Staff Report
October 13, 2025

To: Mayor and City Council

From: Sherry Gordon, Community Development Program Administrator, Kristin Jones, Budget and Strategy Director

Subject: **ORDINANCE** — Budget Amendment #26-18 appropriates CDBG program income for urgent repairs **UNANIMOUSLY APPROVED**

Recommended Action Requested by City Council

Motion to approve an Ordinance for Budget Amendment #26-18 which appropriates CDBG program income to be used towards urgent repairs.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The City has \$8,340 in CDBG program income to be used towards urgent repairs. This money must be spent before regular CDBG allocations on urgent repairs can be spent.

Fiscal Implications

This budget amendment records the revenue and expenses associated with this program income funding.

Alternate Courses of Action

1. Table for a future meeting.
2. Take no action.

Attachments

1. 2025-73 Ordinance Amending Budget #26-18 CDBG for urgent repair

**CITY OF KANNAPOLIS, NORTH CAROLINA
COMMUNITY DEVELOPMENT BLOCK GRANT ENTITLEMENT PROGRAM
FY 2025-2026 (BA #26-18)**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Budget Ordinance is hereby adopted:

Section 1. The project authorized is the Community Development Block Grant Entitlement Program described in the work statement contained in the Grant Agreement for urgent repair.

Section 2. The City Manager is hereby directed to proceed with the Project with the North Carolina General Statutes, the terms of the Grant document(s) and the budget contained herein.

Section 3. The following program income revenues are anticipated to be available to complete this project:

75000-33350-CDB25 Community Development Block Grant Program Income: \$8,340

Total Revenues: **\$8,340**

Section 4. The following amount is appropriated for the project:

75000-51965-CDB25: Urgent Repair

\$8,340

Total Expenditures: **\$8,340**

Section 5. The Finance Officer is hereby directed to maintain within the Grant Project sufficient specific detailed accounting records to provide for accounting to the City Council grantor agency required by the Grant Agreement(s) and federal and state regulations.

Section 6. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on total grant revenues received or claimed.

Section 7. The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission presented to City Council.

Section 8. The City Manager is hereby authorized to transfer funds from one line item to another line item without further approval by the City Council.

Section 9. Copies of this Grant Project Budget Ordinance shall be made available to the Finance Officer for direction in carrying out this project.

This Ordinance is approved and adopted this 13th day of October.



M. Darrell Hinnant, Mayor
City of Kannapolis

ATTEST:


Pam Scaggs, CMC, NCCMC
City Clerk



Kannapolis
Agenda Staff Report
October 13, 2025

To: Mayor and City Council
From: Kristin Jones, Budget and Strategy Director, Gary Mills, Parks & Recreation Director
Subject: **ORDINANCE** - Budget Amendment #26-19 appropriating insurance proceeds for train repairs at Village Park **UNANIMOUSLY APPROVED**

Recommended Action Requested by City Council

Motion to approve Ordinance for budget amendment #26-19 which appropriates insurance proceeds received for necessary repairs for one of the trains at Village Park.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The City received \$42,940 in insurance proceeds for the train wreck incident at Village Park. Repairs estimated for the engine are at \$48,000. Parks and Recreation will cover the remaining \$5,060 from their repair and maintenance line item.

Fiscal Implications

A budget amendment is necessary to record the revenues and expenses associated with this insurance claim.

Alternate Courses of Action

1. Table to a future meeting.
2. Take no action.

Attachments

1. 2025-74 Ordinance for BA 26-19 Insurance Proceeds for train repairs at Village Park

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, AND ENDING JUNE 30, 2026
Amendment # 26-19**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 13th day of October that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2025, and ending June 30, 2026, is hereby adopted:

Description: This budget amendment budgets the insurance proceeds received for train repairs at Village Park.

SECTION I – GENERAL FUND

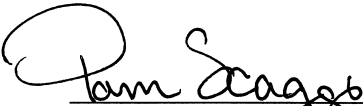
Revenue:	Increase: Insurance Proceeds Expenditure: 10000-34910	\$42,940
Expenditure:	Increase: Insurance Inland Marine Claims Expenditure: 10000-51645	\$42,940

This ordinance is approved and adopted on this 13th day of October.



M. Darrell Hinnant, Mayor
City of Kannapolis

ATTEST:



Pam Scaggs, CMC, NCCMC
City Clerk



Kannapolis
Agenda Staff Report
October 13, 2025

To: Mayor and City Council

From: Kristin Jones, Budget and Strategy Director, Irene Wong, Economic & Community Development Director

Subject: **ORDINANCE** - Budget Amendment #26-20 appropriates funding for the Building Integrated Communities Agreement between the City and UNC. **UNANIMOUSLY APPROVED**

Recommended Action Requested by City Council

Motion to approve Budget Amendment #26-20 which appropriates funding for the Building Integrated Communities Agreement between the City and UNC for language access plan implementation.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

On March 10, 2025, City Council approved a resolution adopting the City of Kannapolis Language Access Plan. This plan was developed in partnership with the Building Integrated Communities Program at the Institute for the Study of the Americas at UNC-Chapel Hill and Camino Community Development. The plan addresses ways to better improve communication, outreach, and local government service delivery to the City's Latino residents, which is the fastest-growing segment of our community.

As a result of the City adopting the plan, UNC's Building Integrated Communities Program is providing a \$25,000 grant to the City to help start the implementation of the Language Access Plan. The funds will be used for translating key documents and signage, providing language interpretation services as needed, and improving online accessibility.

Fiscal Implications

A budget amendment is needed to record the appropriate grant revenues and expenses.

Alternate Courses of Action

1. Table action to a future meeting.
2. Take no action.

Attachments

1. AMENDMENT 2 TO THE MEMORANDUM OF AGREEMENT
2. 2025-75 Ordinance for BA #26-20 to receive additional funds from UNC related to LAP

**AMENDMENT #2 TO THE
MEMORANDUM OF AGREEMENT FOR BUILDING INTEGRATED COMMUNITIES
BY AND BETWEEN**

THE CITY OF KANNAPOLIS, NORTH CAROLINA

AND

CAMINO COMMUNITY DEVELOPMENT CORPORATION, INC.

AND

THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL FOR ITS INSTITUTE FOR THE STUDY OF THE AMERICAS

This Amendment 2 ("Amendment 2") is made to the Memorandum of Agreement for Building Integrated Communities ("MOA") by and between the City of Kannapolis, North Carolina ("Agency"), Camino Community Development Corporation, Inc. ("Community"), and The University of North Carolina at Chapel Hill for its Institute for the Study of the Americas ("University"). Agency, Community, and University may be individually referred to as a "Party" and collectively as the "Parties."

WHEREAS, the MOA was effective on October 30, 2023, and was originally scheduled to end on May 31, 2025; and

WHEREAS, the MOA was extended through May 31, 2026 via Amendment 1 in accordance with the Funder's no-cost extension approval; and

WHEREAS, the Parties desire to amend the MOA to add the Budget, as that term is hereinafter defined and to memorialize the distribution of the Grant, as that term is also hereinafter defined.

Therefore, the Parties agree to the following:

1. Section 2. MOA Term is revised and restated in its entirety as follows:

MOA Term. The MOA will begin on October 30, 2023 ("Effective Date") and end on May 31, 2026 (the "Term").

2. Section 4. Compensation, f. Distribution is added directly below Section 4. Compensation subsection e. as follows:

e. Distribution: On or about July 16, 2025, the University will process two (2) one-time grant payments totaling \$50,000.00 ("Grant") as follows:

- i. The Agency will receive \$25,000.00, and the Community will receive \$25,000.00.
- ii. Agency and Community each attest it has met all the following Grant eligibility requirements.
 - a. All team members were present and participated in the Program's Events with no more than two absences per person.
 - b. The team has successfully completed an internal language capacity assessment.
 - c. The team has successfully created a Plan.

- d. The Plan has received approval from appropriate Agency authorities.
 - e. This Grant will be used to implement the Plan in accordance with the approved budgets, which are included as **APPENDIX A1** and **APPENDIX A2** and are incorporated herein by reference as if fully restated ("Budget").
 - f. Parties have not budgeted for and will not spend any Grant funds on the ineligible expenses detailed in Section 4.b.v. of the MOA.
 - g. At least one recommendation from the Plan has been identified and was implemented on or about February 28, 2025.
- iii. Parties agree to comply with all the following conditions related to use of the Grant funds:
 - a. Parties will spend the Grant funds only as specified in the Budget.
 - b. Parties may document and reallocate Grant funds between existing line items of the Budget. Parties may also make Budget changes that (i) cause existing line items to be deleted, so long as Grant funds have not been spent against the deleted line item(s); or (ii) add new line items; provided, however, that any new line items must comply with all the terms and conditions of the MOA and be communicated to the University in writing before implemented. Notwithstanding the Notices provision, the communication required in this section may be transmitted to the University via e-mail.
 - c. While formal University approval is not required for Budget changes, the University may deny any Budget change before or after its implementation if, in the University's sole discretion, the University determines the Budget change is not in compliance with the MOA, or it is not within the intent of the Program.
 - d. The Agency and Community shall separately submit Mid-Year and End-of-Year reports detailing expenses as follows:
 - i. Mid-Year Reports are due as follows:
 - A. On or before December 15, 2025, for the period July 1, 2025, through November 30, 2025.
 - B. Mid-Year reports are not due if funding is exhausted before the first day of the period noted.
 - ii. End of Year Reports are due as follows:
 - A. On or before June 15, 2026, for the period December 1, 2025, through May 31, 2026.
 - B. End-of-Year reports are not due if funding is exhausted before the first day of the period noted.
 - iii. If a due date is on a Saturday, Sunday, or Grantee-recognized holiday, Parties shall submit the required report on the next day the Grantee resumes its operations.
 - iv. The Parties will mutually agree on a reporting format; however, in the

event the Parties cannot mutually agree, the University will determine the reporting format.

- e. Parties shall reasonably cooperate with all requests for information from the University.
- f. All funds must be spent before the end of the Term of the MOA. Parties shall return all unexpended or disallowed Grant funds at the request of and in the manner required by the University.
- g. All requests for Travel shall follow the University's policies and procedures, which can be found at: <https://finance.unc.edu/services/travel/>.

3. DEFINED TERMS. Any capitalized terms not defined in this Amendment 1 retain the definition assigned in the MOA.

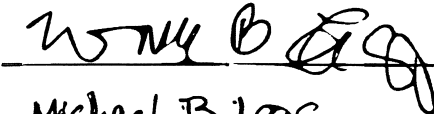
4. EFFECTIVE DATE. This Amendment 2 is effective on the latest of the Parties execution dates ("Amendment 2 Effective Date").

5. ENFORCEABILITY. Any section of the MOA not expressly amended here shall remain in full force and effect among and between the Parties.

SIGNATURE PAGE IMMEDIATELY FOLLOWS

This Amendment 2 is accepted and agreed to by each Party as of the Amendment 2 Effective Date, as indicated by the signature of each Party's authorized representative below.

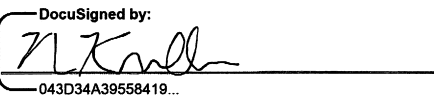
THE CITY OF KANNAPOLIS, NORTH CAROLINA

By: 
Printed Name: Michael B Lags
Title: City Manager
Date: 6/5/2025

CAMINO COMMUNITY DEVELOPMENT CORPORATION, INC.

By: 
Printed Name: Jessica Serra
Title: CFO
Date: 05/29/2025

THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL FOR ITS INSTITUTE FOR THE STUDY OF THE AMERICAS

By: 
043D34A39558419...
Printed Name: Nathan Knuffman
Title: Vice Chancellor of Finance and Operations and Chief Financial Officer
Date: 7/24/2025 | 1:31 PM EDT

APPENDIX A1: COMMUNITY BUDGET

Camino is very grateful for the opportunity to work with the City of Kannapolis to enhance its outreach and service to the immigrant community. The following presents a plan to continue Community's collaboration and assist with the implementation of the Agency's Language Access Plan as well as improve outreach efforts. The plan consists of four interrelated activities that aims to improve understanding of the perspectives and needs of the Hispanic immigrant community and equip both the Agency and the Community with knowledge regarding collaboration.

1. Kannapolis Latino Entrepreneurship

This phase of the project focuses on understanding how well local Hispanic entrepreneurs in the Kannapolis area understand how to seek contracting opportunities and collaborations with the Agency. First, the CRI team will conduct 20 semi-structured interviews with local Hispanic business owners. Participants will receive a \$40 gift card as compensation. The CRI team will analyze the data and create a report for the Agency. Based on results of the interviews, a workshop will be created and delivered to the Hispanic business owners of Kannapolis at the Camino Clinic building in Kannapolis. Up to 75 community members will be able to attend the workshop and each one will receive a \$40 gift card to incentivize in-person attendance.

Research & Analysis: June – August 2025

Workshop: October 2025

2. Kannapolis Civic Engagement

This phase of the project focuses on understanding the perspectives and desires of the local Hispanic community on how they relate to the Agency. The CRI team will conduct 20 semi-structured interviews with Kannapolis Hispanic residents inquiring about what they know about local government services, language access options, previous experiences, as well as asking what an ideal relationship with their local government would look like. Each participant will get a \$40 gift card for their time. The data will be analyzed and a report will be compiled for the City of Kannapolis.

Based on results, the CRI team will collaborate with Agency staff to redesign an existing civics workshop that informs the function of local government tailored for the Hispanic community. Attendants will learn about the main services provided by the Agency, how local elections work, and how to request for language accessibility. The workshop will be delivered at a community-oriented venue in partnership with the Agency. Up to 75 community members will be able to attend the workshop and each one will receive a \$40 gift card to incentivize in-person attendance.

Research and Analysis: August 2025 – September 2025

Workshop: December 2025

3. Kannapolis Hispanic/Latino Outreach

The Camino team will create a workshop that overviews engagement strategies with Hispanic communities with City of Kannapolis employees. Learning outcomes include having a better understanding of the Hispanic demographics of Kannapolis residents, challenges Hispanic residents face while living in the City of Kannapolis and interacting with the Agency, and best practices when interacting with immigrant Hispanic community members. After the workshop, Camino will accompany Agency staff to table and participate in at least 5 Hispanic community events across Kannapolis. Possible events include:

- a. Cabarrus County Schools Hispanic Family Resources Night
- b. Kannapolis Schools Latino Family Night
- c. Saint James the Greater Catholic Church Latino Festival
- d. Cannon Pharmacy (Kannapolis South)

Workshop: July 2025

Outreach: August 2025 – March 2025

CAMINO BUDGET PROPOSAL ITEMIZATION:

ITEM	Estimated Cost	Units	TOTAL
Kannapolis Latino Entrepreneurship and Kannapolis Civic Engagement			
Gift Card for Interviews	\$40	40	\$1,600.00
Transcription Services	\$25/hr.	40	\$1,000.00
Analysis and Reporting (Entrepreneur)	\$25/hr.	200	\$5,000.00
Analysis and Reporting (Latino residents)	\$25/hr.	200	\$5,000.00
Webinar/Seminar Development and Delivery (Entrepreneur)	\$25/hr.	40	\$1,000.00
Incentives for attending Civic Engagement and Entrepreneurship workshops	\$40.00	125	\$5,000.00
Learning About City of Kannapolis Workshop			
Community Outreach Seminar Development and Delivery	\$25/hr.	40	\$1,000.00
Kannapolis Hispanic/Latino Outreach			
Community Outreach Collaboration (4)	\$25/hr.	25	\$625.00
Other Expenses			
Catering services	3 Kannapolis workshop events	1,500	\$4,500.00
Indirect Costs	-	-	\$275.00
Total Expenses	—	—	\$25,000.00

APPENDIX A2: AGENCY BUDGET

Over the next year, the Agency will work with staff and community partners to implement its Language Access Plan, which the Agency's City Council approved unanimously on March 10, 2025. In the Plan, the Agency outlines five major goals for the year following Council approval of the Plan: 1) Identify how municipal language access services will be structured; 2) create an outreach plan for the Language Access Plan; 3) select language service providers for translation and interpretation in Kannapolis's community languages; 4) develop staff training and resources related to language access; and 5) translate vital documents and providing more interpretation across Agency services/events.

The Agency proposes using \$25,000.00 in implementation funding from the Building Integrated Communities initiative in the following ways:

BUDGET ITEM	DESCRIPTION	QUANTITY	COST	TOTAL
Website translation	Translation tool for website	1	\$7,000.00	\$7,000.00
Document translation	Translation service for key documents and publications	1	\$5,000.00	\$5,000.00
Interpretation service	Interpretation service for in-person or phone interactions	1	\$5,000.00	\$5,000.00
Consultation services	Consultation services for plan implementation structure	1	\$5,000.00	\$5,000.00
Signage	New park/Agency signage in Spanish	1	\$3,000.00	\$3,000.00
			TOTAL	\$25,000.00

- 1. Translation Tools For Website:** Making the Agency 's website accessible by making it translatable to multiple languages and making the appropriate add-ons to register for Spanish emergency alerts. **The goal would be for the website to be finalized and operational by the 3rd quarter of 2025 (end of September).**
- 2. Translation Service For Key Documents and Publications:** Funding for the initiatives to translate documents that Agency departments use in day-to-day practice. **The goal would be for documents to be translated by the 4th quarter of the year (end of December 2025).**
- 3. Interpretation Services For In-person or Phone Interactions:** This service will allow non-English speakers to receive assistance when calling Agency departments. **The goal is for interpretation services to be active by the 4th quarter (end of December 2025).**
- 4. Consultant Service for Plan implementation structure:** Engaging a consultant to develop a comprehensive framework for implementing language access initiatives, ensuring efficient integration across Agency departments. **The goal is for consultation services to be implemented by the 4th quarter (end of December 2025).**
- 5. New Park/ Agency signage in Spanish:** Installing bilingual signage in parks and public spaces to improve accessibility and ensure vital information is available to Spanish-speaking residents. **The goal is for signage to be out by the 1st quarter of 2026 (end of March).**

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, AND ENDING JUNE 30, 2026
Amendment # 26-20**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 13th day of October that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2025, and ending June 30, 2026, is hereby adopted:

Description: The City is receiving an additional \$25,000 from UNC related to the implementation of the language access plan.

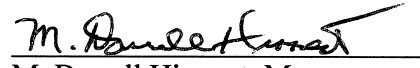
SECTION I – GENERAL FUND

Revenue:	Increase: Private Grant Expenditure: 10000-34800	\$25,000
Expenditure:	Increase: Recruitment Initiatives Expenditure: 11115-43415	\$25,000

This ordinance is approved and adopted on this 13th day of October.

ATTEST:


Pam Scaggs, CMC, NCOMC
City Clerk


M. Darrell Hinnant, Mayor
City of Kannapolis



Kannapolis
Agenda Staff Report
October 13, 2025

To: Mayor and City Council
From: Kristin Jones, Budget and Strategy Director, Brian Roberts, Finance Director
Subject: **ORDINANCE** - Budget Amendment #26-21 setting up a special revenue fund for State and Federal Asset Forfeiture funds **UNANIMOUSLY APPROVED**

Recommended Action Requested by City Council

Motion to approve Budget Amendment #26-21 which sets up a special revenue fund for State and Federal Asset Forfeiture funds.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

Historically, State and Federal Asset Forfeiture funds have been in the General Fund and each year the balance received and monies unspent has to roll forward through a manual process. This budget amendment creates a special revenue fund which is set up as a multi-year fund (which means balances at the end of the year will automatically roll forward) and revenues are earmarked for a particular purpose, which is the intent of these accounts.

Fiscal Implications

A budget amendment is required to set up a new fund.

Alternate Courses of Action

1. Table action to a future meeting.
2. Take no action.

Attachments

1. 2025-76 Ordinance for BA #26-21 Asset Forfeiture Funds KPD

**CITY OF KANNAPOLIS, NORTH CAROLINA
ASSET FORFEITURE FUND
FY 2025-2026 (BA #26-21)**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following special revenue project ordinance is hereby adopted:

Section 1. The special revenue project authorized is for the purpose of collecting and appropriating federal and state asset forfeiture funds received specifically for the Kannapolis Police Department.

Section 2. The City Manager/Designee within this unit are hereby directed to proceed with the project within the terms of the guidelines set forth by Federal and State government, Generally Accepted Accounting Principles (GAAP) and the budget contained herein.

Section 3. The following budgeted amounts are appropriated for the project:

72565-39200 Transfer from the General Fund

Total Revenues:	\$166,002

Section 4. The following budgeted amounts are appropriated for the project:

72565-46400-JUST: Federal Asset Forfeiture Funds- PSS- Justice	\$20,538
72565-46400-TREAS: Federal Asset Forfeiture Funds- PSS- Treasury	\$83,389
72565-46400-STATE: State Asset Forfeiture Funds- PSS- State	\$46,062
72565-59500-STATE: State Asset Forfeiture Funds- Capital-State	\$16,013

Total Expenditures:	\$166,002

Section 5. The Finance Officer is hereby directed to maintain within the special revenue fund sufficient specific detailed accounting records to provide for accounting and federal and state regulations.

Section 6. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on total revenues received or claimed.

Section 7. The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission presented to City Council.

Section 8. The City Manager/Designee is hereby authorized to transfer funds from one line item to another item without further approval by the City Council.

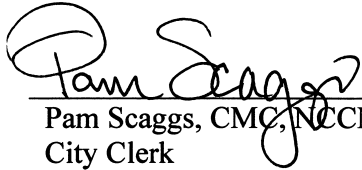
Section 9. Copies of this Special Project Ordinance shall be made available to the Finance Officer for direction in carrying out this special revenue fund.

This Ordinance is approved and adopted this 13th day of October.



M. Darrell Hinnant, Mayor
City of Kannapolis

ATTEST:



Pam Scaggs, CMC, NCCMC
City Clerk



Kannapolis
Agenda Staff Report
October 13, 2025

To: Mayor and City Council
From: Kristin Jones, Budget and Strategy Director
Subject: **ORDINANCE** - Budget amendment #26-22 setting up a special revenue fund for Kannapolis Youth Development Programs **UNANIMOUSLY APPROVED**

Recommended Action Requested by City Council

Motion to approve Budget amendment #26-22 which sets up a special revenue fund for Kannapolis Youth Development Programs

Required Votes to Pass Required Action

Majority Present at Meeting

Background

Historically, Kannapolis Youth Development funds (formerly Cops Target Kids) have been in the General Fund and each year the balance received and monies unspent has to roll forward through a manual process. This budget amendment creates a special revenue fund which is set up as a multi-year fund (which means balances at the end of the year will automatically roll forward) and revenues are earmarked for a particular purpose, which is the intent of these accounts.

Fiscal Implications

A budget amendment is required to set up a new fund.

Alternate Courses of Action

1. Table action to a future meeting.
2. Take no action.

Attachments

1. 2025-77 Ordinance for BA #26-22 Kannapolis Youth Development Activities

**CITY OF KANNAPOLIS, NORTH CAROLINA
ASSET FORFEITURE FUND
FY 2025-2026 (BA #26-22)**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following special revenue project ordinance is hereby adopted:

Section 1. The special revenue project authorized is for the purpose of collecting and appropriating funds received specifically for the Kannapolis Police Department in regard to youth development activities.

Section 2. The City Manager/Designee within this unit are hereby directed to proceed with the project within the terms of the guidelines set forth by Generally Accepted Accounting Principles (GAAP) and the budget contained herein.

Section 3. The following budgeted amounts are appropriated for the project:

73050-39200	Transfer from the General Fund	\$181,006

Total Revenues:		\$181,006

Section 4. The following budgeted amounts are appropriated for the project:

73050-46630	Program Supplies	\$181,006

Total Expenditures:		\$181,006

Section 5. The Finance Officer is hereby directed to maintain within the special revenue fund sufficient specific detailed accounting records to provide for accounting and federal and state regulations.

Section 6. The Finance Officer is directed to report quarterly on the financial status of each project element in Section 4 and on total revenues received or claimed.

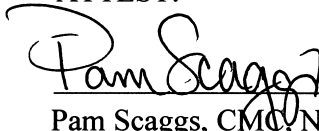
Section 7. The Finance Officer is directed to include a detailed analysis of past and future costs and revenues on this project in every budget submission presented to City Council.

Section 8. The City Manager/Designee is hereby authorized to transfer funds from one line item to another item without further approval by the City Council.

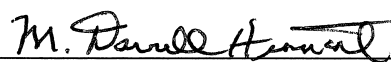
Section 9. Copies of this Special Project Ordinance shall be made available to the Finance Officer for direction in carrying out this special revenue fund.

This Ordinance is approved and adopted this 13th day of October.

ATTEST:



Pam Scaggs, CMC, NCCMC
City Clerk



M. Darrell Hinnant, Mayor
City of Kannapolis



Kannapolis
Agenda Staff Report
October 13, 2025

To: Mayor and City Council
From: Kristin Jones, Budget and Strategy Director
Subject: **ORDINANCE** - Budget Amendment #26-23 decreases budgets in the General Fund to fund Special Revenue Funds in the Police Department **UNANIMOUSLY APPROVED**

Recommended Action Requested by City Council

Motion to approve Budget Amendment #26-23 which decreases budgets in the General Fund to fund Special Revenue Funds in the Police Department.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

The purpose of this budget amendment is to decrease the budgets within the General Fund for the purpose of setting up the new special revenue funds for Kannapolis Youth Development (formerly known as Cops Target Kids) and Asset Forfeiture Funds.

Fiscal Implications

A budget amendment is needed to end the commitment in the General Fund and move these funds to the Special Revenue Funds.

Alternate Courses of Action

1. Table action to a future meeting.
2. Take no action.

Attachments

1. 2025-78 Ordinance for BA #26-23 KPD New Kannapolis Youth Development

**ORDINANCE AMENDING BUDGET FOR THE
CITY OF KANNAPOLIS, NORTH CAROLINA
FOR THE FISCAL YEAR BEGINNING JULY 1, 2025, AND ENDING JUNE 30, 2026
Amendment # 26-23**

BE IT ORDAINED by the City Council of the City of Kannapolis, North Carolina meeting in open session this 13th day of October that the following amendment to the Budget Ordinance for the City of Kannapolis, North Carolina for the Fiscal Year beginning July 1, 2025, and ending June 30, 2026, is hereby adopted:

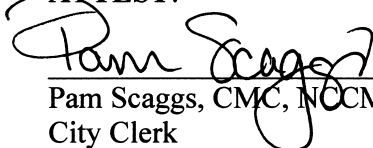
Description: The purpose of this budget amendment is to decrease the budgets within the General Fund for the purpose of setting up the new special revenue funds for Kannapolis Youth Development (formerly known as Cops Target Kids) and Asset Forfeiture Funds.

SECTION I – GENERAL FUND

Revenue:	Increase: Fund Balance Appropriation Revenue: 10000-39900	\$23,986
Expenditure:	Decrease: Federal Asset Forfeiture: PSS Expenditure: 12065-46400-FEDER	\$79,941
Expenditure:	Decrease: State Asset Forfeiture: PSS Expenditure: 12065-46400-STATE	\$46,062
Expenditure:	Decrease: State Asset Forfeiture: PSS Expenditure: 12065-59500-STATE	\$16,013
Expenditure:	Increase: Transfer to Other Funds Expenditure: 19000-57150	\$166,002
Expenditure:	Decrease: Shop with a Cop Expenditure: 12050-46620	\$181,006
Expenditure:	Increase: Transfer to Other Funds Expenditure: 19000-57150	\$181,006

This ordinance is approved and adopted on this 13th day of October.

ATTEST:


Pam Scaggs, CMC, NCCMC
City Clerk


M. Darrell Hinnant, Mayor
City of Kannapolis



Kannapolis
Agenda Staff Report
October 13, 2025

To: Mayor and City Council

From: Alex Anderson, Director of Water Resources, Gerald Faulkner, Water Treatment Manager

Subject: **REPORT** - Monthly Wastewater Allocations Report

Recommended Action Requested by City Council

Motion to receive the report.

Required Votes to Pass Required Action

Majority Present at Meeting

Background

Attached is an update of development projects and current wastewater capacity. This update captures all known and allocated projects through our 2027 projected allocation and captures wastewater allocation for all approved development agreements.

Fiscal Implications

None

Alternate Courses of Action

1. Take no action

Attachments

1. 2025 10 Update

**City of Kannapolis
Monthly Wastewater Allocations Update
October 2025**

Summary of Available WSACC Sewer Allocation for Kannapolis: 950,514

Total Restricted and Previously Committed Reserves: 971,129

WSACC Distributions this month: 62,626

Pending Projects Approved by Policy: 17,345

Remaining Non-Restricted Reserves: 921,440

Summary Remaining for post-2027 Sewer Allocation: 109,000 (approximately)

Pending Projects under Review:

- A commercial project at Odell School Road and HWY 73 submitted for wastewater allocation during the last non-residential in-fill call for projects. Staff has previously completed the preliminary review and deemed this project to be within the requirements of the policy. Staff will begin to create the development agreement with the developer for future council consideration. This project will likely be built in two phases with an initial allocation of 5,000 GPD and second phase of 5,000 to 10,000 GPD.
 - Correction to the Cannon Manor and Summerlyn developments is recommended by staff to occur at 14,720 GPD (196 Bedrooms for Summerlyn) and 2,625 GPD (35 Bedrooms for Cannon Manor). This new sewer allocation is proposed to be used from distribution #13.
-

Update Summary:

1. Staff intend to present an updated Exhibit A for City Council review and adoption in October or November 2025.
2. Staff are preparing to transfer up to 12,500 GPD from Reserves to Wyrick Property as a Priority 1 Project with prior City Commitment. This transfer was always planned but did not occur in the most recent Exhibit A in 2024 as the project timing was not yet finalized. This action will not reduce the post-2027 sewer allocation total.
3. Staff are preparing to propose a reduction in 2027 Affordable Housing and Plant 4 site reserves of a combined 42,000 GPD to restore Concrescere Business Park to 42,000 GPD. This action will not reduce the post-2027 sewer allocation total. City Council authorization will be requested to amend Exhibit A.

Exhibits and Appendices

All figures are shown in GPD

Executive Summary Calculations

Summary of Available WSACC Sewer Allocation for Kannapolis (current):	950,514
Previous WSACC Distribution #12:	43,485
Current WSACC Distribution #13:	62,626
Projected WSACC 2027 distribution:	962,000
Total Restricted and Previously Committed Reserves:	(997,079)
Remaining Non-Restricted Reserves:	(895,490)
WSACC Distributions this month: None	0
Pending Projects Approved by Policy:	(17,345)
Summary Remaining for post-2027 Sewer Allocation (approximate):	~109,000

General Tracking Based on Adopted Exhibit A

Previously Approved or Otherwise Committed Projects 2024-2025 (as shown in Exhibit A):

Lowes Foods - Kellswater Commons	9,698
Summerlyn Village Subdivision (2024)	12,900
Summerlyn Village Subdivision (2024)	30,600
Summerlyn Village Subdivision (2027)	30,600
Cannon Manor Subdivision	7,650
Emerson Glen Subdivision	12,900
Pace (Medical)	5,000
Coldwater Ridge Phase II apartments	9,100
Trinity Corners	10,125
85 Exchange (Industrial)	24,500
McDonalds – Kellswater Commons	1,280
Bakers Creek Subdivision (2024)	28,125
Bakers Creek Subdivision	28,125
Kannapolis Crossing – Development Agreement	316,000
Kannapolis Gateway Business Park	~5,000
Afton – Childers Cline Building III	~5,000
Downtown Reserves	225,305
• Market at Millstone (16,655)	
• Millstone Village (48,500)	
• Crest Field (50,400)	
• Bainbridge Kannapolis (52,975)	
• Towns at Millstone (30,375)	
• Dale Earnhardt Blvd Partners (26,400)	

Loop Yard Phase 1	36,225
Residential In-Fill (2024)	11,213
Hedgecliff Towns	28,856
Evolve-Hawthorne	41,925
Greenview Apartments	14,175
Stanley Drive (existing building) & Phase 2	27,900
Failed Septic System Emergency	4,740
Blue Ridge Apartments	70,137
 Total Restricted and Previously Committed Reserve	 997,079

Non-Restricted Reserves (between 2024 and 2027 distributions) Total (as shown in Exhibit A):

Block 5 (Mixed Use/Apartments)	16,150
Block 5 (Commercial Reserves)	36,000
Block 6 (Mixed Use/Apartments)	56,250
Afton Ridge Reserves (remaining)	7,000
Lakeshore Reserves	18,000
Kannapolis Crossings Reserves	100,000
Downtown Reserves (remaining)	92,067
Additional Downtown Set-Aside Reserves	29,863
Loop Yard Phase 2 (lift station improvements)	95,000
Non-Residential In-Fill	90,800
Affordable Housing (2024)	21,600
Affordable Housing (2027)	20,000
Metro 63	18,000
85 Exchange Industrial Reserves	28,000
Kannapolis Parkway and Rogers Lake Road Reserves	28,000
Concord Lake Road and Roxie Street Reserves	12,000
Glen Afton and Kannapolis PKWY (Motely Industrial)	42,000
Plant 4 Site	94,500
Concrescere Business Park	0
Community Enhancement (schools and infrastructure)	20,000
Strategic Buffer	70,260
 Total Non-Restricted and Previously Committed Reserve	 895,490

Waitlist Projects (No current allocation available) (as shown in Exhibit A):

The Farm at Riverpointe Phases 3B, 5, 6	59,588
Riverpointe at Davidson	131,250
Bridges of Cabarrus II	31,500
Abberly (885 Kannapolis Pkwy)	52,650
Lane St Townhomes W of Royce St	42,075
Cavallaro Ridge (Windy Hill Farm) at Boy Scout Camp/Isenhour	20,250
Kannapolis Pkwy Townhomes North of Redwood Apartments	26,100
Stonehaven	2,025
Sudbury Rd Subdivision	18,900
Camp Cabarrus at Kannapolis Pkwy & Dovefield Ln	54,900
Trinity Church Rd Apartments at Northwest Cabarrus High School	21,300
Orphanage Rd Apartments north side	8,100

Exhibit Tracking Calculations:

- Stanley Drive = 19,000 + 8,700 = 27,200 (not to exceed 8,700 GPD total for Building 1)
- Afton Ridge Reserves = 12,000 – ~5,000 = 7,000
- Wyrick (Maple Ridge Calculations) = Twelve 1-bedroom, forty-six 2-bedroom, twelve 3-bedroom and up to 2,000 GPD amenity/clubhouse. Total not to exceed 12,500.
- Downtown Reserves:

Current Reserve	317,372
• Market at Millstone	(16,655)
• Millstone Village	(48,500)
• Crest Field	(50,400)
• Bainbridge Kannapolis	(52,975)
• Towns at Millstone	(30,375)
• Dale Earnhardt Blvd Partners	(26,400)
Remaining Original Downtown Reserves	92,067

Sewer Capacity as of September 1, 2025 Calculations (distribution #13):

○ Start	1,054,306
○ Approved	(123,518)
○ Restricted	(846,002)
○ Unrestricted	(941,267)
○ Strategic Buffer	(75,000)
○ Anticipated by policy	(~28,250)
○ WSACC Dist #12	43,485
○ WSACC Dist \$13	62,626
○ 2027 Addition	<u>962,000</u>

Exhibit A Remaining Capacity in Post 2027: ~**108,380 (within 1%)**



Kannapolis
Agenda Staff Report
October 13, 2025

To: Mayor and City Council
From: Andrew Kelly, City Attorney
Subject: **DISCUSSION** - Public Speakers Policy Revisions

Recommended Action Requested by City Council

None. Presentation and Discussion only.

Required Votes to Pass Required Action

Presentation Only. No Action Required

Background

In preparation for the start of broadcasting City Council meetings, revisions to the previous public speakers policy are in the process of being drafted. There are several open-ended questions of which staff needs feedback from City Council before the policy re-write is complete. These will be discussed at the October 13 meeting.

Fiscal Implications

None.

Alternate Courses of Action

None. Presentation and discussion only.

Attachments

None



Kannapolis

Agenda Staff Report
October 13, 2025

To: Mayor and City Council
From: Mike Legg, City Manager
Subject: **DISCUSSION** - Rental Facilities Fees

Recommended Action Requested by City Council

None. Presentation and discussion only.

Required Votes to Pass Required Action

Presentation Only. No Action Required

Background

Over the past two months, City staff from multiple departments have completed a significant amount of research related to the rental of City facilities, specifically related to the Laureate Center and the Train Station. The research was focused on comparisons of fees for similar facilities, cost recovery of Laureate Center rentals and the levels of booking activity.

A summary of the findings follows:

Fee Comparisons

A review of seven comparable venues in Cabarrus and Rowan counties reveals that the City's rental facilities are highly competitive and generally on the lower end of the market range. More details are included in the attached comparison document.

Venue	Current Rate	Market Range
Laureate 1, 2 & 3	\$350/hour	\$183–\$1,080/hour
Laureate 1 & 2	\$250/hour	\$233–\$708/hour
Village Park / Train Station	\$100/hour	\$60–\$125/hour

Cost Recovery - Laureate Center

Rental revenues for the small Laureate Center events typically consist of the base rental fee and often a kitchen rental fee. The large events also include additional fees for serving alcohol (permission to do so), stage and dance floor rentals, and reservation of other rooms like conference rooms and the gallery. Typical expenses include staff clean up time, staff set up time, event coordinator time, administrative expenses, supplies (linens), card fees, utilities and capital replacement costs amortized over time.

Event Type	Typical Rental Revenues	Typical Expenses	Surplus or Deficit
Four-Hour Social Event (one	\$600.00	\$810.00	(\$210.00) Deficit

section)

Four-Hour Professional Event (one section) \$500.00 \$662.00 (\$162.00) Deficit

Four-Hour Large Event (all three sections)

\$2,890.00 \$1,957.00 \$933.00 Surplus

It is reasonable to conclude that the large events (usually corporate or organization rentals) subsidize the smaller events (often resident rentals). Determining whether the rental of City facilities creates an overall surplus is not readily known without far more detailed research and likely a different way of accounting in the future (isolating all expenditures in a more direct way). It should also be noted that the City provides numerous rentals at no cost to community partners. One such partner, Kannapolis City Schools, provides the City with access to much-needed athletic facilities which likely balances out some of the lost revenues from the City rental facilities. Whether the arrangement completely balances one-to-one for both parties is not known, but there is no question that the arrangement is beneficial to both parties.

A more detailed accounting of these typical rentals can be found in the attached document.

2025 Rental Facility Usage

The following is the rental status of the City's three most active facilities for the period January 1, 2025 through December 31, 2025) as of October 4. The Train Station is at full capacity on weekends. The Laureate Center is heavily utilized on Saturdays. Village Park is underutilized for rentals but used heavily for City programming. The key conclusion is that the current rental rates do not appear to have any impact on usage.

Venue	Fridays Booked	Saturdays Booked	Sundays Booked
Laureate Center	32/52	45/52	28/52
Village Park Program Room	4/52	29/52	14/52
Train Station	12/52	52/52	51/52

Conclusions

The origin of this research was from a resident who asked City Council to consider reduced rental fees City residents. Staff has not received similar requests on a regular basis, but it occasionally comes up as an inquiry. The City already provides discounts for City residents on many Parks and Recreation programs and facility rentals (youth athletics, shelters, etc.). In reviewing the data points from the research, staff does not recommend any changes to the rental fees that are based solely on residency.

However, should City Council decide to make such a change a 10-20% discount seems to be th most appropriate discount.

On a related note, staff does recommend the consideration of the following adjustments from a pure

"business" approach:

- Laureate Center Weekends: Increase to \$375/hour.
- Laureate Center Weekdays: Reduce to \$275/hour rate to attract rentals during lower demand times.
- Laureate Center Add-ons: Add décor services to social events for additional fees for competitive edge and to increase revenue (amount to be determined).
- Village Park Program Room Weekdays & Fridays: Reduce to \$75/hour to increase desirability and relieve pressure on the other facilities.

Fiscal Implications

See above.

Alternate Courses of Action

None. Presentation and discussion only.

Attachments

1. COK Facilities Rental Policy - Current Adopted
2. 2025 Facility Rental Comparisons
3. Laureate Center Rental Revenues vs Expenditures



City Facilities Use Policy

Parks and Recreation Commission Approved June 2020

Updated & City Council Approved July 2021

Updated & City Council Approved October 23, 2023

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City Facilities Use Policy

Purpose: The purpose of this Facility Use Policy is to define the applicability of facilities owned and operated by the City of Kannapolis for public use and the requirement for using these facilities. It is the intent of the City to allow the use of specified rooms and related facilities for the benefit of the designated user, provided such use does not interfere with the operations of the City.

Applicability: This Policy applies to City Hall, Train Station, Village Park, Gem Theatre, Swanee Theatre, gymnasiums, Veterans Park, Dale Earnhardt Tribute site, and all of the West Avenue Streetscape.

In general, the following City owned facilities may be requested and used according to this policy through the Parks and Recreation Office:

Capacity and Setup Table					
	Square Footage	Theater # of people	Banquet # of people	Classroom # of people	Reception # of people
CITY HALL & POLICE HEADQUARTERS					
Laureate Center – I	1,590	100	50	50	150
Laureate Center – II	2,120	160	80	85	250
Laureate Center – III	1,590	100	50	50	150
Laureate Center – I & II	3,710	280	150	130	500
Laureate Center – II & III	3,710	280	150	130	500
Laureate Center – I, II, & III	5,300	450	260	215	700
Terrace (<i>outdoors</i>)	250	18	10	6	25
ADDITIONAL FACILITIES					
Train Station Event Room	2,130	168	80	72	300
Village Park Event Room	1,400	120	60	54	175
Village Park Patio	Open	n/a	n/a	n/a	n/a
Gem Theatre Event Room		40	36	36	40
Veterans Park Gazebo	Open	n/a	n/a	n/a	n/a
Dale Earnhardt Plaza	Open	n/a	n/a	n/a	n/a
West Ave. Reading Room	1,606	Outdoor Open Space			
West Ave. Reading Room Terrace	1,600	Outdoor Open Space			
West Ave. Event Lawn	2,425	Outdoor Open Space			
West Ave. Pergola	800	Outdoor Open Space			
West Ave. Pump House Patio	800	Outdoor Open Space			
West Ave. Putting Green	750	Outdoor Open Space			
West Ave. Platform 1	1,200	Platform stage (L-Shaped stage)			
West Ave. Platform 2	1,200	Platform stage (series of three 20 x 20 stages)			



City Facilities Use Policy

Capacity and Setup Table						
<i>Internal Use Only</i>	Square Footage	Theater # of people	Banquet # of people	Classroom # of people	Reception # of people	Pre-Set # of people
CITY HALL & POLICE HEADQUARTERS						
Conference 1233 (Council)	625	n/a	n/a	n/a	n/a	12
Conference 2201 (Executive)	760	n/a	n/a	n/a	n/a	16
Conference 3236 (Magnolia)	300	n/a	n/a	n/a	n/a	8
Conference 3302 (Cherry)	300	n/a	n/a	n/a	n/a	8
Conference 3307 (Oak)	625	n/a	n/a	n/a	n/a	12
EOC/Training – Section 1	630	36	30	45	100	n/a
EOC/Training – Section 2	630	36	30	45	100	n/a
EOC/Training – Sections 1 & 2	1,260	108	50	72	200	n/a

** Capacities are based on allowable limits per N.C. Fire Code, not square footage.*

Rental applicants may request specific areas, but the City Manager or designee reserves the right to place rentals in available and appropriate locations.

Application: To secure a date for any event in a city facility, a completed reservation application must be approved by the City Manager or designee. Reservations are confirmed on a first-come, first-served basis up to two years (24 months) in advance. Only the facilities or room(s) paid for and confirmed through a reservation may be used. A separate reservation form must accompany each request for use. Recurring reservations are permitted for not exceeding twelve months from the date of initial use.

A rental is confirmed when 100% of the security deposit is received. The remaining balance of rental and equipment fees is required ten (10) business days before the event. If the renting party does not pay all fees timely, the contract becomes void. A \$250.00 security deposit is required for all professional events, and a \$500.00 security deposit is required for all social events. Events serving alcohol will be assessed a venue service charge of \$150.00.

The City Manager or designee is authorized to cancel or relocate any reservations due to scheduling conflicts or unforeseen events that make a room or facility unavailable, unsafe, unreasonable, or otherwise not in the City's or the public's best interest. If the City requires a cancellation or relocation of a reservation, the City will notify the applicant as soon as possible of the change and refund any required fees or deposits. Should any groups or entities need to cancel the reservation, they must provide a minimum of a ten (10) business day notice in writing, or this could cause the forfeiture of all paid money.



City Facilities Use Policy

Deposits: Security deposits are due at the time the application is submitted. The City will process refund payments for security deposits immediately following the event and return a full deposit no later than 30 days after the use of the facility, provided guidelines have been adhered to and no damage has resulted from using the facility.

- Damages and extensive cleaning will result in forfeiture of all or a portion of the refundable security deposit.
- If a room, facility, or any of its contents suffers damage due to the actions or neglect of groups or entities that have reserved the room or facility, the renting party will be charged the actual costs to repair or replace the room, facility, or damaged item, in addition to forfeiting the security fee for the use of the room or facility.
- The renting party shall be responsible for all claims, damage, or accidents by any act, omission, default, subcontractor, employees, patrons, guests, or negligence. Upon demand, the renting party will pay the City in cash or credit card a sum equal to the cost of repairing and restoring the facility to its condition as of the beginning of this lease.
- Venue Service Charge: Events serving alcohol will be assessed a \$150.00 service charge.

Rental Fees: Completed applications and security deposits are required to hold a date for a reservation. These are required no earlier than twenty-four (24) months and no later than ten (10) business days before the date the facility is being requested.

- Ten (10) business days before the event date, the rental fee balance is due.
- City Council and City of Kannapolis Employees will receive a 50% discount on the hourly rate for non-city business and personal use rentals.
- Most facilities are assigned basic equipment and included in rental fees. Contact the City Manager or designee for additional information on the equipment in each space.
- Open space and gymnasium rentals do not include any equipment, such as tables or chairs. However, power is available at most sites. This applies to Veterans Park, the Dale Earnhardt Tribute, and all West Avenue spaces.

Additional equipment, packages, and services can be added to a reservation. For further information and pricing on these add-ons, contact the City Manager or designee for additional information and prices.

Under Section 163-99 of the North Carolina General Statutes, the City is authorized and directed to permit the use of space within the City Hall without charge, except custodial and utility fees, by political parties, as defined in G.S. 163-96, for the express purpose of annual or biennial precinct meetings and county and district conventions.



City Facilities Use Policy

Availability of Facilities: The applicable rooms and facilities of the City are available daily between 7:00 a.m. and 12:00 a.m. (midnight), with the exception of Sundays when facilities are available from 7:00 a.m. to 6:00 p.m.. These times are inclusive of setup and cleanup times. Facility reservations will not be scheduled on Easter Sunday, Thanksgiving Day, Christmas Eve, and Christmas Day. All reservations, including uses, dates, and times, are subject to the City Manager or designee's review and approval. Setup and cleanup need to be included in the rental times. These times will need to be listed on the application along with the event time.

To accommodate as many groups or entities as possible during popular meeting dates, unless otherwise approved by the City Manager or designee, applicable rooms and facilities must be reserved for specific periods. Facility Use Applications that do not contain specific or general time periods, such as "all day," will be denied. Also, groups or entities may be asked to alter requested time periods and facility space to accommodate as many groups or entities as possible.

- Professional Events are gatherings where business professionals carry out business-related activities. This includes but is not limited to conferences, trainings, meetings, religious services, networking, political party gatherings, and corporate dinners.
 - Professional Event Rental Minimum – 2 hours
- Social Events are considered an occasion that involves social interactions and behaviors. This includes but is not limited to galas, weddings, birthdays, class reunions, and fundraising or celebratory banquets.
 - Social Event Rental Minimum – 4 hours

Facility Deposits, Fees, and Discounts: See the City of Kannapolis Fee Schedule.

- A venue service charge of \$150.00 will be assessed for all groups serving alcohol.
- Kitchen and Gallery areas cannot be rented unless part of the Laureate Center is rented.
- Outside Terrace and Patio areas cannot be rented unless inside space is rented.
- West Avenue Platform 1 cannot be rented unless the West Avenue Event Lawn is rented.
- West Avenue Reading Room cannot be rented unless West Avenue Reading Room Terrace is rented.

Extended Stay Time Rental – 15% discount when any room or combinations of spaces are rented for 12+ hours during a single booking.

Kannapolis School System Rentals: As part of the Joint Use of Facilities Agreement with the Kannapolis City Schools, the school system may use city facilities for nonsocial purposes, such as workshops, conferences, and meetings, at no cost, subject to availability (7:00 a.m. – 6:00 p.m., Monday – Friday; no weekends). Rentals must be by the district office, not individual schools, or third-party vendors. Rentals that fall under the tourism category, such as conferences attracting out-of-county attendees, will be treated as Tourism Impact Rentals (see below).



City Facilities Use Policy

City Partner & Local Government Rentals: Those groups receive one free city facility rental annually, subject to availability. Rentals will be for the use of the partner and not third parties. The free rental will be between 7:00 a.m. – 6:00 p.m., Monday – Friday, no weekends. Rentals that fall under the tourism category, such as conferences attracting out-of-county attendees, will be treated as Tourism Impact Rentals (see below).

City Partners & Local Government are:

- Cabarrus and Rowan Chamber of Commerce
- Cabarrus and Rowan Economic Development Corporations
- Cabarrus and Rowan Schools
- Cabarrus and Rowan Convention and Visitor Bureaus
- Kannapolis Cannon Ballers
- Cabarrus County and Rowan County Governments

Non-Profit N.C. Research Campus Partners: N.C. Research Campus Partners, who are non-profits, will receive two free city facility rentals annually, subject to availability. This includes the universities and community colleges on the campus and Cabarrus Health Alliance.

Rentals will be for the use of the partner and not third parties. The free rental will be between 7:00 a.m. – 6:00 p.m., Monday – Friday, no weekends. Rentals that fall under the tourism category, such as conferences attracting out-of-county attendees, will be treated as Tourism Impact Rentals (see below).

Non-Profit (501c) Organizations: Non-Profit Organizations based in Cabarrus & Rowan Counties will receive 50% off one rental annually, subject to availability. Rentals will be for the use of the organization and not third parties. The discounted rental will be Monday – Friday, no weekends. Rentals that fall under the tourism category, such as conferences attracting out-of-county attendees, will be treated as Tourism Impact Rentals (see below).

Government-Affiliated Organizations: Professional government organizations affiliated with city employees will receive one free city facility rental, subject to availability. Rentals would be for the use of the organization and not third parties. The free rental will be Monday – Friday, no weekends. Rentals that fall under the tourism category, such as conferences attracting out-of-county attendees, will be treated as Tourism Impact Rentals (see below).

Tourism Impact Rentals: Rentals related to tourism economic impacts for the City of Kannapolis and Cabarrus/Rowan Counties will be charged a rental fee. However, a discount would apply using a graduated payment scale. Tourism impacts include overnight lodging, food, beverage, and other monies attendees spend for the event/activity. The Cabarrus and Rowan County CVBs use a national formula that calculates approximately \$115 spent by a person attending these tourism activities.

- 33% discount on the rental for any tourism-related event with an impact of \$5,000.
- 50% discount on the rental for any non-ticketed tourism-related event with an impact of \$10,000 or more



City Facilities Use Policy

Cancellations: Cancellations must be provided in writing ten (10) business days before the event. In this case, a full refund shall be given for rent and security fees. Special consideration may be given during a natural disaster or a medical emergency. For cancellations provided less than ten (10) business days in advance, all rent deposits will be forfeited at the discretion of the City. Any cancellation made after the room is set up results in forfeiture of all rent, deposits, and fees. Rescheduling will be considered by the Parks and Recreation Director's Office and is subject to availability.

If the City of Kannapolis is declared closed due to a natural disaster, including weather-related events and medical emergencies, any permission to use the facility is automatically withdrawn during the closure period. Kannapolis government closure information is available on the City's website, City's social media, local radio, and T.V. stations. In such an event, the City shall not provide notice of cancellation. Users shall be solely responsible for notifying event participants. A 100% refund will be granted if this type of closure occurs.

Non-Discrimination Policy: The City of Kannapolis prohibits discrimination against any person for any reason, including age, ancestry, color, disability or handicap, national origin, race, religion, gender, sexual or affectional orientation, gender identity, political affiliation, marital status, veteran status, or any other characteristic protected by law.

Indemnification: The person renting agrees to indemnify and hold the City, its officers, agents, and employees harmless from any loss or liability that may result from claims of injury to persons or property from any cause arising out of or during the use and occupancy of the facility by Renting person and their guests, agents, or employees.

General Rules of Use:

1. All use of rooms and facilities, except incidental use by City staff, must be scheduled in advance through an application filed with the Parks and Recreation Office. All required deposits must accompany the application.
2. To reserve a facility, the renter must be at least 21 years old and present during the event. For events where minors (18 years or younger) will be a majority of the attending guests, 1 adult to every 10 minors must be present. The renting party is responsible for the orderly behavior of guests using the facility and must conform to all departmental policies, facility and City rules, and regulations.
3. Under no circumstances will a group or entity using a room or facility be given a key to access any City facility. City staff will provide access to the room or facility.
4. The Laureate Center and Village Park kitchen spaces may only be used when rented and reserved with the adjoining room. The kitchen can be used for warming, cooling, and plating but is not for preparing raw products. Food must be cooked offsite. The kitchen must be cleaned before leaving the facility within the rental time. Failure to comply may result in forfeiture of the renting party's security deposit. The renting party should furnish all meal-related equipment. Kitchen facilities are not for preparing food for sale.



City Facilities Use Policy

5. The city will provide all rental applicants with recommended caterers at the Laureate Center. These caterers have provided the required information and have received the necessary training on the building/equipment. If a rental applicant wishes to use a different caterer not on the recommended list, the company must comply with all requests and regulations (health department certifications, insurance, etc.). Should one or two events be scheduled for one facility simultaneously, only one approved caterer will be allowed in the area.
6. The renting party shall promptly report all accidents or incidents which result in either personal injury or damage to the property of the City, an employee, or a member of the public, regardless of who is responsible for the damage.
7. The renting party shall immediately report defective equipment or unsafe conditions of any equipment or facilities that may endanger anyone to the City employee in charge of the facility.
8. The City, its officers, agents, and employees shall have the right always to enter the facility during the rental event to confirm the renting party's conformance to this policy. If the City determines, in its sole judgment, that the renting person has breached a term of this policy, the City shall have the right to immediately terminate this rental agreement before the expiration of its period and before the event's conclusion without any refund to the renting person.
9. In the event of an emergency and severe weather, City Manager or designee has the authority to suspend all activity within the facility and evacuate all individuals to the nearest emergency shelter.
10. The use of rooms and facilities does not obligate the City to provide any furnishings or equipment not currently assigned to the area or listed in the rental contract. Furnishings and equipment may not be removed from the room or facility. Additional equipment may be brought into rooms and facilities if noted on the application and pre-approved by the City Manager or designee.
11. City equipment, including furnishings and audio-visual equipment, may not be used unless provided through the rental contract. Additional fees may apply. The use of displays, decorations, or similar items is expressly limited to freestanding elements, tables, or easels. The attachment of displays, decorations, or similar items on walls, doors, windows, or any other surface is prohibited.
12. Helium balloons are prohibited in all facilities unless securely tethered at all times.
13. City facilities are a smoke-free environment. Smoking and vapor are prohibited in/on City property.
14. Serving alcoholic beverages will be allowed with approval and permits when necessary, according to state and federal laws. Please note alcohol is not permitted in gymnasiums or school property. All alcohol must be delivered and removed from the premises during the hours reserved by the renter. The renter assumes all responsibilities and liabilities associated with serving or using alcoholic beverages for their event or use of the facility. Events serving alcohol will be required to pay an additional \$150.00 deposit. (*Alcoholic Beverage Ordinance available upon request*)



City Facilities Use Policy

15. Groups or entities using rooms and facilities will return the rooms and facilities to their pre-event condition per the checklist provided with the application. The renting party is responsible for placing all garbage/recycling in the designated receptacles. City staff will remove all garbage/recycling from the building after the end of the rental. If receptacles become full, City staff must be notified. The security fee will not be refunded if this rule is violated.
16. Parking is available in all parking areas unless otherwise posted. Loading and unloading shall be done from the designated parking areas. Cars are not permitted on sidewalks or grass areas.
17. Any static signage or the facility's electronic signage must be requested on the application and approved by the City Manager or designee.
18. Under no circumstances may a group or entity use the City's insignias, including the City logo, without the express permission of the Director of Communications.
19. Advertising/promotion of events, meetings, programs, etc., for which space within a facility has been reserved must clearly state the sponsor of the event, a local contact person, and a telephone number. Promotional materials, press releases, etc., must be worded so it is clear to the general public that the City of Kannapolis did not sponsor the event. Failure to comply with this policy may lead to immediate cancellation of the event and forfeiture of rental fees and deposit paid.
20. Advertising and promotion of events may not occur until the security deposit is paid.
21. Failure to conclude the use of a room or facility (defined as more than fifteen minutes beyond the time indicated on the application) may result in the forfeiture of the security fee and additional fees assessed.
22. Groups and entities using the rooms and facilities are responsible for their behavior and are expected to comply with all policies, laws, and regulations. Failure to do so could result in dismissal from the facility, the denial of future use applications, and forfeiture of the security fee.
23. The City reserves the right to deny the use of the rooms, spaces, and/or facilities if it is determined the use is not in the best interest of the City and the public. The City also reserves the right to evict any group or entity from any room or facility if deemed in the City's and the public's best interest.
24. The renting party will observe and obey all the Laws of the United States and the State of North Carolina; all applicable ordinances of Cabarrus County and the City of Kannapolis; all rules, regulations, and requirements of the Cabarrus County Health Department; the Kannapolis Police and Fire Departments and other municipal authorities of the City. The renting party will obtain all licenses, permits, and union and trade organization clearances required by any public body or contract at their expense.



City Facilities Use Policy

25. The following require approval of the City Manager or designee:
- Charging for admission, selling tickets, or taking subscriptions or collections. No admission may be charged for gymnasiums or on school property.
 - Dances or Bands; sound level shall not exceed 100 decibels. Any use of amplified sound in outdoor/open spaces will require the renter to obtain a sound permit from the Kannapolis Police Department.
 - Selling or offering of merchandise.
 - Tents and additional outside fixtures.
26. If the rental is being used as part of a parade/march, street fair, trail/greenway, run/walk/bike, festival, etc., a special event application must be submitted and approved for the space rental to be approved. Additional fees may apply.
27. A police officer/security may be required for any social event activity when more than 200 persons are expected or when deemed necessary by the City Manager or designee. Any monetary compensation required for such service shall be the responsibility of the renting party and will be added to the renter's total fee.
28. The City assumes no responsibility for lost, stolen, or damaged personal property. All activities must cease by 12:00 a.m. (midnight) unless previously approved by the City Manager or designee; this requirement includes cleanup of the event.
29. Miscellaneous Provisions:
- Bubbles, glitter, birdseed, and rice are not permitted inside facilities. Confetti is allowed inside the facility. Birdseed and bubbles are allowed outside the facilities.
 - Illegal drugs, gambling, vulgar language, or solicitation are prohibited.
 - Weapons are prohibited, except those carried by law enforcement. Animals are not permitted in indoor facilities, except service animals or those approved by the City Manager or designee.
 - Any game or activity prohibited by North Carolina, federal, or local law. All games require approval by the City Manager or designee; this includes "Casino Night" or "Bingo."
 - No open candlewicks. All candlewicks must be enclosed; votive or hurricane-type containers are recommended and must be approved by the City Manager or designee.
 - Use of the facility for personal gain or moneymaking projects is prohibited.
 - Attaching nails, hooks, tacks, tape, glue, sticky tack, or screws into any part of the facility is prohibited; this includes ceilings, walls, floors, doors, doorframes, and/or tables.
 - Items left overnight are prohibited unless approved by the City Manager or designee.
 - Outside food and drink are prohibited inside all gymnasiums and school sites per the City's agreement with Kannapolis City Schools. No outside concessions can be sold.
 - Fireworks or other explosives are prohibited in the facilities and premises.
 - Any agreement to use the facilities is not assignable to any other person or entity.

Any person or group violating any rules is subject to suspension from the facility and prosecution under the law, where appropriate, and forfeiture of their security deposit and assessment of associated fees. Flagrant misuse of facilities will result in the forfeiture of future reservations.



City Facilities Use Policy

Addendum #1



Adopted Fiscal Year 2026 Fee Schedule

Revised: July 28, 2025

Fees Updated: August 26, 2025



City Facilities Use Policy

Event Space Rentals

RATES ARE PER HOUR	Professional Events	Social Events	Security Fee <i>Refundable</i>	Other Conditions
Laureate Center – Section I	\$100/hr	\$125/hr	\$250 - \$500	Venue Service Charge <i>if applicable</i>
Laureate Center – Section II	\$100/hr	\$125/hr	\$250 - \$500	Venue Service Charge <i>if applicable</i>
Laureate Center – Section III	\$100/hr	\$125/hr	\$250 - \$500	Venue Service Charge <i>if applicable</i>
Laureate Center – Sections I & II	\$200/hr	\$250/hr	\$250 - \$500	Venue Service Charge <i>if applicable</i>
Laureate Center – Sections II & III	\$200/hr	\$250/hr	\$250 - \$500	Venue Service Charge <i>if applicable</i>
Laureate Center – Sections I, II, & III	\$300/hr	\$350/hr	\$250 - \$500	Venue Service Charge <i>if applicable</i>
Kitchen*	\$100 flat rate			
Council Conference	\$50/hr	\$60/hr	\$250 - \$500	
Gallery*	\$100 flat rate			
Outside Terrace **	\$100 flat rate			
Train Station Event Room	\$75/hr	\$100/hr	\$250 - \$500	Venue Service Charge <i>if applicable</i>
Village Park Event Room	\$75/hr	\$100/hr	\$250 - \$500	Venue Service Charge <i>if applicable</i>
Village Park Patio	\$15/hr	\$20/hr	\$250 - \$500	
Public Works Training Room	\$45/hr		\$250 - \$500	
Gem Theatre Event Room	\$40/hr	\$50/hr	\$250 - \$500	Venue Service Charge <i>if applicable</i>
Veterans Park Gazebo	\$50/hr	\$75/hr	\$100	Venue Service Charge <i>if applicable</i>
Dale Earnhardt Plaza	\$20/hr	\$25/hr	\$100	
West Avenue Reading Room***	\$20/hr	\$25/hr	\$100	
West Avenue Reading Room Terrace	\$20/hr	\$25/hr	\$100	
West Avenue Event Lawn	\$25/hr	\$30/hr	\$100	
West Avenue Platform 1 (L-shaped)****	\$25/hr	\$30/hr	\$100	
West Avenue Platform 2 "3 Decks"	\$30/hr	\$30/hr	\$100	
West Avenue Pergola	\$20/hr	\$30/hr	\$100	
West Avenue Pump House Patio	\$25/hr	\$30/hr	\$100	
West Avenue Putting Green	\$20/hr	\$25/hr	\$100	



City Facilities Use Policy

- * Kitchen and Gallery areas cannot be rented unless space in the Laureate Center is rented.
- ** Outside terrace / Patio Areas cannot be rented unless inside space is rented.
- *** West Avenue Reading Room cannot be rented unless West Avenue Reading Room Terrace is rented.
- **** West Avenue Platform 1 cannot be rented unless West Avenue Event Lawn is rented.

Professional Events: These are considered gatherings where business professionals carry out business-related activities. This includes but is not limited to conferences, trainings, meetings, religious services, networking, political party gatherings, and corporate dinners.

- A \$250.00 security deposit is required for all professional events.
- Professional event rental minimum is 2 hours.

Social Events: These are considered an occasion that involves social interactions and behaviors. This includes but is not limited to galas, weddings, birthdays, class reunions, and fundraising or celebratory banquets.

- A \$500.00 security deposit is required for all social events.
- Social event rental minimum – 4 hours

Other Discounts and Charges

- Extended Time Rental: 15% discount when any room or combinations of rooms are rented for 12+ hours during a single booking.
- Dance Floor: \$450; the complete unit consists of 21w X 21d
- Stage: \$450; the complete unit consists of 18w X 12d stage with two sets of steps and skirting
- Excessive Cleaning: (see policy): \$30/hr.
- Police Officer: If required, rate will be provided during application submission



City Facilities Use Policy

VILLAGE PARK

SHELTERS			
		½ Day	Full Day
Shelter A	Resident	\$25	\$40
	Non-Resident	\$32	\$55
Shelter B	Resident	\$45	\$80
	Non-Resident	\$55	\$100
Shelter C	Resident	\$25	\$40
	Non-Resident	\$32	\$55
Shelter D	Resident	\$35	\$60
	Non- Resident	\$45	\$80
Shelter E	Resident	\$25	\$40
	Non-Resident	\$32	55
Shelter C SATURDAYS	Resident	\$15	2-hour rental
	Non-Resident	\$25	
All 4 Shelters	Resident	\$110	\$144
	Non-Resident	\$200	\$270

Village Park Shelter A: Shelter A holds approximately 36 people and has 6 picnic tables. Shelters offer power receptacles and grills. They are located close to the splash pad, carousel, train, and playground. The cost for a resident to reserve Shelter A is \$25 for a half day (9:00am – 2:30pm or 3:00pm – 8:30pm). Cost for a full day (9:00am – 8:30pm) is \$40.

Village Park Shelter B: Shelter B holds approximately 96 people and has 16 picnic tables. Shelter B offers power receptacles and a grill. This shelter is near the splash pad, carousel, train, and playground. The cost for a resident to reserve Shelter B is \$45 for a half day (9:00am – 2:30pm or 3:00pm – 8:30pm). The cost for a full day (9:00am – 8:30pm) is \$80.

Village Park Shelter C: Shelter C holds approximately 36 people and has 6 picnic tables. Shelters offer power receptacles and grills. They are located close to the splash pad, carousel, train, and playground. The cost for a resident to reserve Shelter C is \$25 for a half day (9:00am – 2:30pm or 3:00pm – 8:30pm). The cost for a full day (9:00am – 8:30pm) is \$40.

- **BIRTHDAY PARTY TIME BLOCKS:** On Saturdays, Shelter C may be reserved in 2-hour time blocks. (9:30am – 11:30am, 12:00pm – 2:00pm, 2:30pm – 4:30pm, 5:00pm – 7:00pm). The cost for residents to reserve a 2-hour time block is \$15.00.

Village Park Shelter D: Shelter D holds approximately 60 people and has 10 picnic tables. Shelter D offers power receptacles and a grill. This shelter is near the splash pad, carousel, train, and playground. The cost for a resident to reserve Shelter D is \$35 for a half day (9:00am – 2:30pm or 3:00pm – 8:30pm). The cost for a full day (9:00am – 8:30pm) is \$60.

Village Park Shelter E: Shelter E holds approximately 24 people and has 4 picnic tables. Shelter E offers power receptacles and a grill. This shelter is located adjacent to the playground and close to the splash pad, carousel, and train. The cost for a resident to reserve Shelter E is \$25 for a half day (9:00am – 2:30pm or 3:00pm – 8:30pm). The cost for a full day (9:00am – 8:30pm) is \$40.



City Facilities Use Policy

AMPHITHEATER		
Resident ~ For Profit	\$550	
Resident ~ Non-Profit	\$350	
Non-Resident ~ For Profit	\$1,050	
Non-Resident ~ Non-Profit	\$800	
Staffing	\$25	Per hour 3-hour minimum
Parking	\$12	Per hour/Per staff
Set-Up	\$200	
Clean-Up	\$300	
Sound	\$250	

ACTIVITIES & OTHER ITEMS		
Splash Pad	\$1.50/day	Children 12 months of age and under are free
Train	\$1.50/ride	Children 12 months of age and under are free
Carousel	\$1.50/ride	Children 12 months of age and under are free
Train/Carousel Photo Shoots	\$30	Per hour 1-hour minimum
Youth Athletics	\$40	Resident (per season)
	\$60	Non-Resident (per season)
Fast Pass	\$5	
Senior Trips	Variable	
Sound	\$250	
Gym Rentals <i>Kannapolis City Schools</i>	\$30	Resident (per hour)
	\$40	Non-Resident (per hour)
Transfer of burial rights within a family	\$25	Per plot
Transfer of burial rights outside of immediate family	\$200	Per plot
Transfer of vacant plots to the City of Kannapolis	\$0	
Burial Fee	\$150	Per plot Must be paid prior to burial
Marker Security Deposit	\$280	Per plot Must be paid prior to burial

*10% off for the purchase of 10 tickets or more for the train/carousel

**10% off the purchase of 10 wristbands or more for the splashpad

*** Photo shoots are only permitted during non-operational hours; they can start no earlier than 8:00am and not later than 9:00pm



City Facilities Use Policy

BAKERS CREEK PARK

BAKERS CREEK SHELTERS			
		½ Day	Full Day
Shelter 1, 2, & 3	Resident	\$40	\$65
	Non-Resident	\$47	\$72
Shelter 4	Resident	\$25	\$45
	Non-Resident	\$32	\$52
All 4 Shelters	Resident	\$110	\$144
	Non-Resident	\$200	\$270
Large Picnic Site (#A)	3 tables & 1 grill	\$15	\$30
Small Picnic Site (#B & C)	2 tables & 1 grill	\$10	\$20
Mini Picnic Site (#D)	1 table & 1 grill	\$5	\$10
Mountain Street Shelter	Resident	\$50	
	Non-Resident	\$50	

Bakers Creek Park Large Picnic Shelters (use by reservation only): Shelters 1 & 2 hold up to 90 people, and Shelter 3 holds up to 125 people. These large picnic shelters offer water, lights, receptacles, grills, and horseshoe pits.

Bakers Creek Small Shelter Picnic Site ~ Shelter #4 (use by reservation only): This one-covered picnic site is available and holds up to 30 people. Four large picnic tables and a grill are included. No power, water, or horseshoe pits are available. Located adjacent to the playground.

Mountain Street Park Shelter (use by reservation only): The Expansion Park, located at the corner of 930 West 8th and Mountain Streets, offers four picnic tables, a grill, a playground, two sand volleyball courts, horseshoe pits, and restrooms. Limited parking is available. Good for small groups of under 30 people. For use only daily, no half-day rentals.



City Facilities Use Policy

GEM THEATRE

Movie Tickets	Before 6:00pm: \$4.00 (<i>all tickets</i>) After 6:00pm: Children and Seniors: \$4.00, Adults: \$5.00
Photo Shoots Inside the Theatre	\$30/hr. (1 hour minimum) <i>*Only permitted during non-operational hours</i> <i>*No earlier than 8 am and not later than 6 pm (M-F only)</i>
Special Events for Entire Theater <i>Example: Graduation ceremony/private non-movie event (before show times)</i>	\$1,000 minimum <i>includes 5 hours; each additional hour is \$200.00</i>
Special Events for Entire Theater <i>Example: Private event during a normal showtime</i>	\$3,000 minimum <i>includes 5 hours; each additional hour is \$200.00</i>
Theater for Special Movie Showings <i>(outside normal hours)</i>	\$240 <i>minimum (\$4.00 per person afterward) + applicable licensing fees</i>
School Groups for Special Movie Showing	\$200 <i>minimum (\$2.00 per person afterward) + applicable licensing fees</i>
School Groups Concessions	\$1.50 small drink \$1.50 small popcorn
Special Message on the Marquee	\$50.00 (<i>3 hours for one side</i>)
Birthday Party Packages	\$200.00 includes: • Admission, small popcorn, and medium drinks for 15 guests for the current movie showing at one of the already scheduled movie times. • One hour of use of the party room either before or after the movie. • Use of our fountain drink machine in the party room during that time. • Each additional guest is \$7.75 after the first fifteen. • Parents/Chaperones ratio must be 1:10 for anyone under the age of 18.
Bulk Ticket Pricing: <i>(during normal show times)</i>	\$3.50 per child/senior ticket (25 tickets or more) \$4.50 per adult ticket (25 tickets or more)



City Facilities Use Policy

SWANEE THEATRE

RATES ARE PER HOUR	Professional Events	Social Events	Security Fee <i>Refundable</i>	Other Conditions
Swanee Theatre Facility (Sunday – Thursday)	\$500/hr	\$500/hr	\$250 - \$500	Venue Service Charge <i>if applicable</i>
Swanee Theatre Facility (Prime Time Rental Friday & Saturday)	\$800/hr	\$800/hr	\$250 - \$500	Venue Service Charge <i>if applicable</i>
AV/Sound Tech Staff	\$50/hr		(Required for all rentals when using sound system)	
Bartending Staff	\$20/hr		(required if bar service is requested) *Gratuities/ 20% of alcohol service (Required if open bar or drink tickets are being used) This fee goes directly to the bartenders.	
Event staff:	\$15/hr		(required if room set-up changes during event, i.e. flipping the room during an event)	
Special Message on Marquee	\$50 for 3 hours		(1 side only)	
Kitchen*	\$100 flat rate			
Use of Outside Catering Company	\$100 flat rate		*Other than preferred catering list; must provide health department and insurance information	
Green Room*	\$200 flat rate			
Upstairs Meeting Room*	\$200 flat rate			

Professional Events: These are considered gatherings where business professionals carry out business-related activities. This includes but is not limited to conferences, trainings, meetings, religious services, networking, political party gatherings, and corporate dinners.

- A \$250.00 security deposit is required for all professional events.
- Professional event rental minimum is 2 hours.
- A venue service charge of \$150.00 will be assessed for all groups serving alcohol.

Social Events: These are considered an occasion that involves social interactions and behaviors. This includes but is not limited to galas, weddings, birthdays, class reunions, and fundraising or celebratory banquets.

- A \$500.00 security deposit is required for all social events.
- Social event rental minimum – 4 hours
- A venue service charge of \$150.00 will be assessed for all groups serving alcohol.



City Facilities Use Policy

ATHLETIC FIELDS & COURTS

	Resident/Kannapolis Based	Non-Resident/Non-Kannapolis Based
Softball field without lights	\$10.00 per hour per field	\$15.00 per hour per field
Softball field with lights	\$20.00 per hour per field	\$30.00 per hour per field
*There will also be a \$15.00 per field/per time that fields are lined and dragged		
Soccer field without lights	\$15.00 per hour per field	\$20.00 per hour per field
Soccer field with lights	\$26.00 per hour per field	\$35.00 per hour per field

	Resident/Kannapolis Based	Non-Resident/Non-Kannapolis Based
Tennis court	\$3.00 per hour per court	\$5.00 per hour per court
Tennis court lights	\$4.00 per hour	\$4.00 per hour
*Light fee covers all lights at the tennis complex.		

Rate	Lining	Turf	Additional Fees	Lights	Deposit
\$150/day per field	one free lining then \$15/line	\$12/bag	\$75 gate 100% concession	\$15/hour per field	\$100

Tournament Cancellations:

- A tournament that is canceled after 5:00pm on Wednesday (non-weather related) will be charged \$100 for the first cancellation, \$100 for a second cancellation, and \$100 for a third cancellation. Aside from the \$100 cancellation fee, all remaining tournaments will be removed if the user has canceled a tournament for a third time.
- A tournament that is canceled after 5:00pm on Wednesday (weather-related) will be credited with the rental fee for a future date. Please note all weather-related cancellations will be subject to approval.
- If the Parks and Recreation Department cancels the tournament due to weather after it has begun, the following format will be used to determine the amount of credit for future field rentals:
 - Less than ½ of the tournament has been played, and 100% of the remaining tournament fees will be credited
 - More than ½ of the tournament has been played, 50 % of the remaining tournament fees will be credited



City Facilities Use Policy

SPECIAL EVENTS

Police: The Special Events Committee, in consultation with the Kannapolis Police Department, shall determine the number of police officers required to appropriately manage street closures and for internal security, as well as the time when such services shall commence and end. Applicants will be invoiced before the event at the rate of \$35.00 per hour per police officer assigned to the event. These fees are due one (1) week before the event.

Fire and EMS: The Special Events Committee, in consultation with the Kannapolis Fire Department, will determine the number of Emergency Medical Personnel required as well as the time when such services shall commence and end. Applicants will be invoiced before the event at the rate of \$35.00 per hour per firefighter/EMS assigned to the event. These fees are due one (1) week before the event.

Street Closure Equipment: The Special Events Committee, in consultation with the Kannapolis Public Works Department, shall determine the need for traffic control equipment to appropriately manage street closures. Applicants will be notified of the recommended controls. The applicant may rent the equipment at the rate of \$175.00 per event. These fees are due one (1) week before the event.

Greenway Event Usage: For events held on a Kannapolis Parks and Recreation maintained, Greenway usage must be pre-approved by the Special Events Committee.

Insurance: If an event requires a street or sidewalk closure, then Comprehensive General Public Liability Insurance is required: \$1,000,000 per person per occurrence with a \$2,000,000 aggregate naming the City of Kannapolis as additionally insured. **Certificate should be specifically worded: "The City of Kannapolis, its officers, employees, and agents are additionally insured." If alcohol is served at the event, Liquor Liability is required to be included in the Certificate of Insurance. Proof of insurance is required at least 30 days before the event.

Current Special Events Permit Fee Schedule: Fees for special events and neighborhood block parties will utilize the below fee schedule. Permit fees are non-refundable and are subject to change. Fees are not applicable if the event is contained to private property and requires no City resources.

Parade, Walk, or Run	\$125
Festival/Exhibition Shows (Non-Profit)	\$100
Festival/Exhibition Shows (For-Profit)	\$200
Neighborhood Block Parties	\$50

Venue	Location	Comparable to:	Price	Price Per Hour	Included	Upgrades
The Charles Mack Citizen Center - Moore/Burlington/Lowrance	Mooresville	Village Park and Train Station (\$100/hour)	10 hr rental \$900	\$90/hour	Tables, chairs, linens, LED lights	Add photo booth, chiavari chairs and dance floor - pricing increases to \$1,400
The Charles Mack Citizen Center - Merchant/Cedars/Peddler	Mooresville	Laureate 1, 2 & 3 (\$350/hour)	10 hr rental \$2,000	\$200/hour		Add photo booth, chiavari chairs and dance floor - pricing increases to \$3,500
Rowan County Events Center - Entire Facility	Salisbury	not comparable - larger facility	12 hr rental \$3,800	\$316/hour	Tables, chairs, AV, lighting	Stage - \$125
Rowan County Events Center - Freedom Hall	Salisbury	Laureate 1, 2 & 3 (\$350/hour)	12 hr rental \$2,200	\$183/hour		Dance Floor - \$125
Rowan County Events Center - Oak/Pine/Dogwood	Salisbury	Village Park and Train Station (\$100/hour)	12 hr rental \$600 or \$60 an hour	\$60/hour		
Cannon Ballers Kinetic Club (capactiy 200)	Kannapolis	Laureate 1, 2 & 3 (\$350/hour)	8 hr rental \$2,500	312.50/hour	Tables, chairs, AV, lighting	Linens - \$5 per
The Loft at 14th	Concord	Village Park (\$100/hour)	\$125 an hour	\$125 an hour	Table and Chairs	
Carolina County Wedding Venue	Mt. Pleasant	Laureate 1, 2 & 3 (\$350/hour)	10 hr rental \$10,800	\$1,080/hour	tables, chairs, linens bride & groom suites indoor or outdoor space	wedding venue also has access to décor and event planning staff
Hotel Concord	Concord	Laureate 1 & 2 (\$250/hour)	12 hr rental \$8,500	\$708/hour	table and chairs for up to 150 guests bride & groom areas	all events must conclude by 12 midnight
The Luxe Room	Kannapolis	Laureate 1 & 2 (\$250/hour)	Fridays - \$3000 (for 12 hours)	\$250/hour	tables and chairs	décor services can be added
		Laureate 1 & 2 (\$250/hour)	Saturdays - 3500 (for 12 hours)	\$291/hour	200 seat capacity	part of the listed fee is a \$1,000 non-refundable deposit
		Laureate 1 & 2 (\$250/hour)	Sundays - \$2,800 (for 12 hours)	\$233/hour		\$250 security personnel fee - required
		Laureate 1 & 2 (\$250/hour)	Monday - Thursday: \$150/hr			
City Club at Gibson Mill	Concord	Laureate 1, 2 & 3 (\$350/hour)		no data		
601 Milestone Venue	Concord	Laureate 1, 2 & 3 (\$350/hour)	email sent asking for pricing	no data		
The Lakes	Kannapolis	Laureate 1 & 2 (\$250/hour)	email sent asking for pricing	no data	wedding and party décor, including flowers for special events. Able to seat 150 people inside, our wedding chapel includes a bride changing room, outdoor deck, and a dance floor	
At The Venue on Union Street	Concord	Village Park (\$100/hour)	email sent asking for pricing	no data	Table and Chairs	up lighting, linens, centerpieces, pedestals, signs, vases can be added \$99 cleaning fee plus \$100 refundable deposit \$50 alcohol fee
Cabarrus Country Club	Concord	Laureate 1, 2 & 3 (\$350/hour)	email send asking for pricing	no data	tables and chairs	must use their food service; rental items must be rented through CCC

All examples below currently default to 4 hours

26 average number of rentals per week

Facility Rental Revenue over Expense Comparison by Event

	Revenues		Expenses	Comments
Social Event - one section of Laureate	\$ 500.00	\$125/hr.		
Kitchen	\$ 100.00	flat		
Facility Cleanup (2 hours)			\$ 149.96	\$37.49/person X2 people, X2 hours (26% benefit costs on \$29.76/hr.)
Facility Services - set up (2 employees at 2 hours)			\$ 149.96	Tables, chairs, podiums, stage, dance floor, opening walls
Building Monitor (30 min before and after and during)			\$ 230.00	\$23/hr. X2 people, X2 hours (\$20/hr. with 15% benefit costs)
Event Coordinator Work			\$ 58.19	\$23.09/hr. + benefits assumes 2 hour working per event, showing event space, answering phone calls and emails
Facility Services Admin Work			\$ 2.57	\$26.50/hour plus benefits = \$33.39/hour; 2 hours worked per week on entire schedule, department calendar, attaching diagrams, create work orders, etc.
Overtime/ On-Call			\$ 100.00	Buffer/ hard to quantify
Supplies (Linens)			\$ 13.31	\$345.75 per week (\$120.75/per week + \$225 for cleaners)
Other Cleaning			\$ 6.73	Glass Cleaner, Nutra Cleaner for Hard Floors, Carpet Cleaning Solution, Toilet Paper, Hand Towels, Hand Soap, Sanitary Packages, Toilet Seat Covers, Trash Bags, Disinfectant Solution, All Purpose Cleaner, Stainless Steel Cleaner = \$175.00 in cleaning products per cleaning, and for restocking of all supplies after each event.
Finance Overhead			\$ 10.00	JEs for recording security deposits, AP processing of check refunds, time for cash receipt review and approval
Card Fees			\$ 24.00	Assumes 4% charge (includes card fees and misc. Active charges)
Utilities			\$ 25.00	Lights, natural gas, water - use of restroom space
Capital components			\$ 40.00	Includes: allocation for carpet \$42k, tables \$10k, chairs \$22,500, speaker system \$40k, tables \$1k, \$5,300 for carpet cleaning machine, floor scrubber \$8k
	\$ 600.00		\$ 809.71	
			\$ (209.71)	Deficit

All examples below currently default to 4 hours

26 average number of rentals per week

Facility Rental Revenue over Expense Comparison by Event

	Revenues		Expenses	Comments
Professional Event- one section of Laureate	\$400	\$100/hr.		
Kitchen	\$100	flat		
Facility Cleanup (2 hours)			\$ 149.96	\$37.49/hr. X2 people, X 2 hours
Facility Services - set up (2 employees at 2 hours)			\$ 149.96	Tables, chairs, podiums, stage, dance floor, opening walls
Building Monitor (30 min before and after and during)			\$ 115.00	\$23/hr. X1 people, X2 hours
Event Coordinator Work			\$ 29.09	assumes 1 hour working per event, showing event space, answering phone calls and emails
Facility Services Admin Work			\$ 2.57	\$26.50/hour plus benefits =\$33.39/hour; 2 hours worked per week on entire schedule, department calendar, attaching diagrams, create work orders, etc.
Overtime/ On-Call			\$ 100.00	Buffer/ hard to quantify
Supplies (Linens)			\$ 13.31	\$345.75 per week (\$120.75/per week + \$225 for cleaners)
Finance Overhead			\$ 10.00	JEs for recording security deposits, AP processing of check refunds, time for cash receipt review and approval
Card Fees			\$ 20.00	Assumes 4% charge (includes card fees and misc. Active charges)
Other Cleaning			\$ 6.73	Glass Cleaner, Nutra Cleaner for Hard Floors, Carpet Cleaning Solution, Toilet Paper, Hand Towels, Hand Soap, Sanitary Packages, Toilet Seat Covers, Trash Bags, Disinfectant Solution, All Purpose Cleaner, Stainless Steel Cleaner = \$175.00 in cleaning products per cleaning, and for restocking of all supplies after each event.
Utilities			\$ 25.00	Lights, natural gas, water - use of restroom space
Capital components			\$ 40.00	Includes: allocation for carpet \$42k, tables \$10k, chairs \$22,500, speaker system \$40k, tables \$1k \$5,300 for carpet cleaning machine, floor scrubber \$8k
	\$500		\$ 661.62	
			\$ (161.62)	Deficit

All examples below currently default to 4 hours

26 average number of rentals per week

Facility Rental Revenue over Expense Comparison by Event

	Revenues		Expenses	Comments
Large event - all 3 sections of Laureate	\$ 1,400.00	\$350/ hr.		
Kitchen	\$ 100.00	flat		
Serves Alcohol	\$ 150.00	flat		
Stage	\$ 450.00	flat		
Dance Floor	\$ 450.00	flat		
Conference Room	\$ 240.00	\$60/hr.		
Gallery	\$ 100.00	flat		
Facility Services - set up (5 employees at 2.75 hours)			\$ 515.49	Tables, chairs, podiums, stage, dance floor, opening walls
Overtime/ On-Call			\$ 200.00	Buffer/ hard to quantify
Facility Cleanup (4 hours with 4 employees)			\$ 599.84	\$37.49/hr. X4 people, X4 hours
Building Monitor (30 min before and after and duration of event)			\$ 345.00	\$23/hr. X3 people, X2 hours
Event Coordinator Work			\$ 58.19	assumes 2 hour working per event, showing event space, answering phone calls and emails
Facility Services Admin Work			\$ 2.57	\$26.50/hour plus benefits = \$33.39/hour; 2 hours worked per week on entire schedule, department calendar, attaching diagrams, create work orders, etc.
Supplies (Linens)			\$ 13.31	\$345.75 per week (\$120.75/per week + \$225 for cleaners)
Finance Overhead			\$ 10.00	JEs for recording security deposits, AP processing of check refunds, time for cash receipt review and approval
Card Fees			\$ 115.60	Assumes 4% charge (includes card fees and misc. Active charges)
Other Cleaning			\$ 6.73	Glass Cleaner, Nutra Cleaner for Hard Floors, Carpet Cleaning Solution, Toilet Paper, Hand Towels, Hand Soap, Sanitary Packages, Toilet Seat Covers, Trash Bags, Disinfectant Solution, All Purpose Cleaner, Stainless Steel Cleaner = \$175.00 in cleaning products per cleaning, and for restocking of all supplies after each event.
Utilities			\$ 50.00	Lights, natural gas, water - more use of restroom space
Capital components			\$ 40.00	Includes: allocation for carpet \$42k, tables \$10k, chairs \$22,500, speaker system \$40k, tables \$1k \$5,300 for carpet cleaning machine, floor scrubber \$8k
	\$ 2,890.00		\$ 1,956.72	
			\$ 933.28	Surplus



Kannapolis
Agenda Staff Report
October 13, 2025

To: Mayor and City Council
From: Heather James, Human Resources Director
Subject: **DISCUSSION** - New City of Kannapolis Personnel Policy

Recommended Action Requested by City Council

Presentation and Discussion Only

Required Votes to Pass Required Action

Presentation Only. No Action Required

Background

The current version of the City of Kannapolis Personnel Policy was first adopted on January 1, 1995, and several changes have occurred over the last 30 years. Since 1995, changes in employment laws, court decisions, and the pressures to reinvent the local government workplace experience to match the various values of the current workforce in an evolving highly competitive labor market have occurred that impact employment policies. After 18 months of research, consultation and evaluation, this is a request for the adoption of a significant revision to the current Personnel Policy and, if approved, will replace that document.

Over the past several months, the management team and all department heads were given the opportunity to review these changes. Several adjustments to the policy were made based on that feedback.

Due to the magnitude, it is impossible to identify every change. Therefore, the attached summary details the most significant changes. Also attached is the PowerPoint that will be used at the meeting to present this information. The plan is to bring this item back to City Council at the November 10, 2025 meeting for final consideration.

Fiscal Implications

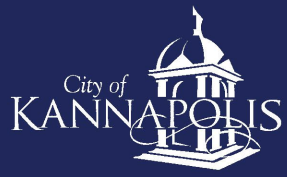
The increase in costs are associated with the double time paid to part-time employees that work holidays and the increase in pay for on-call (weekends and holidays). Additionally, there are increased costs associated with the retention bonus and retention bonus extension. These will be discussed at the meeting.

Alternate Courses of Action

None. Discussion only.

Attachments

1. Personnel Policy Rewrite PowerPoint - Council 2
2. New Personnel Policies & Procedures - Council 2
3. City of Kannapolis Personnel Policy Update PP (detailed) 2

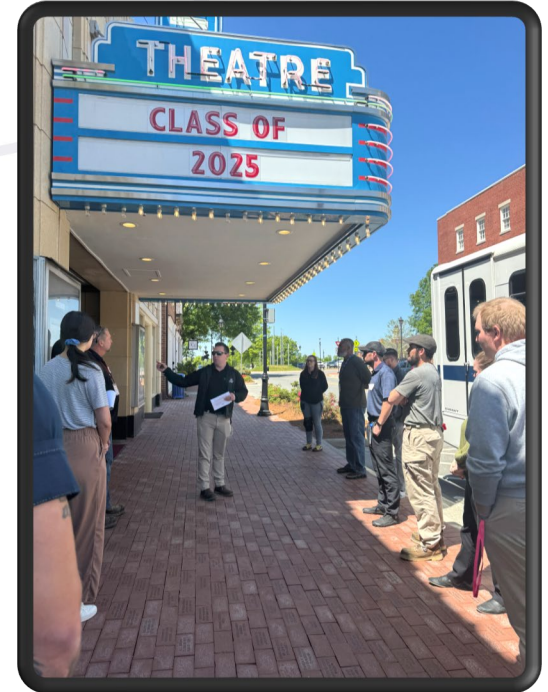


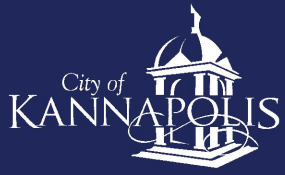
Personnel Policy Update



History

- Original Personnel Policy Adopted January 1, 1995
 - Over the last 30 years updates have been at various times
 - Updated Policy will be effective January 1, 2026 (30 years later) and will aid the city in future employee growth
- The current policy no longer reflects the growing needs of our workforce
 - 440 FT positions and 200+ PT positions

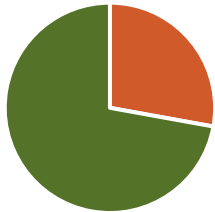




Workforce Information

Total Number of Employees: 623

(including FT, PT and temporary)

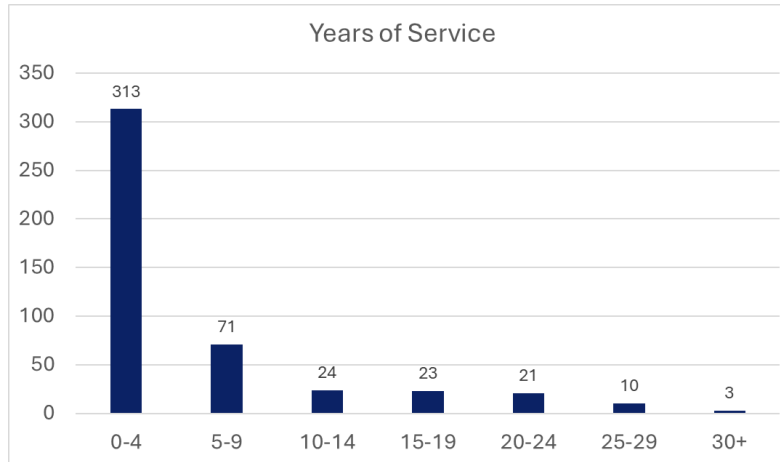


Female 185 Male 438

Years of Service

623 positions

FT, PT

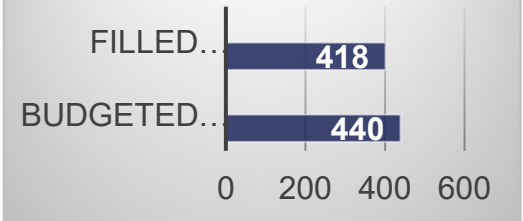


Total Number of Employees Full-Time: 424

(440 budgeted FT positions)

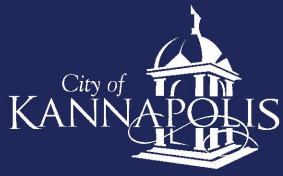
* Approximately 6 positions are in onboarding phase

Vacancy Rate 3.6%



What Are The Changes?

- Significant changes throughout the document are being recommended such as:
 - Updated “at-will” employment provisions
 - Designating proper authority to the City Manager
 - Updated language for ADA, workplace violence and prevention, EEO, employment reinstatement and recruitment and retention incentives
 - General performance and conduct standards
 - Updated language for harassment, no discrimination and no retaliation, no sexual or other abuse, drug and alcohol-free workplace
 - Updated language for disciplinary action and performance management



What is the primary reason you choose to work for the City of Kannapolis?

- #1 The pay, benefits, insurance, 401k matching, longevity pay, good relationships with coworkers, good supervisors
- #2 Future growth opportunities at the City. The City is innovative with downtown revitalization efforts. They think outside of the box. They aren't afraid to invest in services that better the City.
- #3 I wanted to find a place I could grow and expand my experiences. I also view this as a career and not just a job, my plan from the first day was to be able to retire from here and be proud of what I had done in that time and honored to work with the people who helped make it happen. Recent changes dealing with employee benefits has solidified that fact that I made the right choice. I love coming to work everyday even when the only easy day was yesterday. Thank you.
- #4 Better benefits and stability
- #5 Retirement benefits and operational freedoms in the job we perform.

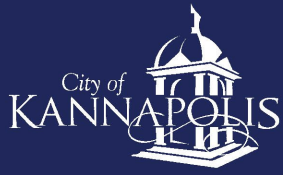
Benefit Enhancements Part-Time Employees

Part-time employees' make up approximately one-third of our workforce

Recent Enhancements



- Ability to enroll in the 457b Deferred Compensation Plan
- Ability to reserve tickets for the Cannon Ballers general games
- Ability to enroll in an employer-paid Kannapolis YMCA membership
- Ability to use the onsite gym
- Inclusion internal communication and employee self-portal (ESS)
- Inclusion in employee appreciation events



Benefit Enhancements Full-Time Employees

Our employees continue to tell leadership that the benefits and compensation are a leading reason for working for the City.

Recent Enhancements

- Benefits begin on the day of hire
- **Health insurance:** Lower deductibles and co-insurance for HDHP; increased HSA contributions
- More services and hours offered at the onsite clinic
- Enhanced employee open enrollment experience and online enrollment capabilities
- Employer paid employee vision insurance
- Employer paid short-term disability
- Caregivers paid leave policy
- Remote work, flex schedule and alternate work arrangements
- Longevity pay reimplemented

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Future Enhancements

January 1, 2026

- Converts birthday leave into a floating holiday + adds on floating holiday
- Converts current paid clinic time into wellbeing leave time
- Enhanced bereavement leave in special circumstances
- Expanded military leave
- Less restrictive volunteerism leave
- Modernized shared leave banks
- More flexibility to transfer unused sick and vacation from other local government entities

Pay Changes

Full-Time and Part-Time

- Part-time and limited-service employees will receive double pay on holidays
 - Addresses workforce scheduling issues for holidays particularly in the Parks and Recreation Department
- Increase pay for employees on call-back (weekend and holidays)
- Tuition Reimbursement increase to \$2,500 per fiscal year
 - Keeps Kannapolis competitive with surrounding local governments



Other Benefit Updates

- No longer offer retiree health insurance to new hires beginning January 1, 2026
 - This is in line with no longer offering Medicare Supplement effective June 30, 2021
 - Current employees are grandfathered in.
- Shifting focus is to retain institutional knowledge through the retention allowance policy. Employees will be eligible for insurance longer if they stay employed.



Separation Allowance Retirees Can Return to Work



- Separation allowance policy **converts to Retention Allowance** for employees hired after December 31, 2025
- Retirees that are currently receiving separation allowance will **now be able to return to work** in part-time capacity; prior the employee had to wait until age 62 to return part-time with the City of Kannapolis.

Retention Bonus

- Beginning January 1, 2026, Retention Bonus will **begin**
 - This allows employees to receive the same amount previously under the separation allowance benefit into NC 457b plan and the employee can continue working
 - We are experiencing employees having to make difficult decision about leaving work to receive separation allowance or forgo the benefit. This allows the City to continue to retain institutional knowledge while giving the employee a financial incentive to stay
 - Each year the employee continues to work it add another service year to their pension benefit.
 - Only the last five years of service must be with Kannapolis and age 55 or 30 years at any age

What if the employee wants to stop working and collect separation allowance when he/she becomes eligible?

If the employee was hired or retired prior to December 31, 2025, the employee still has that option. LEOs always have that option regardless of hire date.



Retention Bonus Extension

- When the original separation allowance policy was adopted, the intention was to help fill the gap between retirement and social security age. The age to receive full social security is now much higher.
- Effective January 1, 2026, employees eligible to retire, age 62+ and continue to work for the City of Kannapolis will be rewarded for long term loyalty to the City.
 - Our goal is that this will also incentivize long-term employees to stay working at the City and allow us to maintain institutional knowledge with our aging workforce
- Employees that are still currently employed will receive regular pay and retention bonus extension into NC 457b plan based on an equation that **only** considers years of service with Kannapolis until age 67
 - If an employee retires, the retention allowance will end.



Questions?

Kannapolis Personnel Policy

Presented October 13, 2025

Effective January 1, 2026

SUBJECT: GENERAL PROVISIONS, AUTHORITY, AND ADMINISTRATION OF POLICIES

Purpose

It is the purpose of this policy and the rules, regulations and policies set forth herein to establish a fair and uniform personnel system for all employees of the City of Kannapolis, NC, hereinafter referred to as "City", under the supervision of the City Manager. To the extent that any provisions of the Personnel Policies and Procedures, hereinafter referred to as "Policy", may conflict with federal, state or local laws, the City will abide by the applicable federal, state or local laws. **The City may, at any time, in its sole discretion, modify or vary anything stated in this Policy, including the benefits provided herein, with or without advanced notice—except as otherwise required by law. The policies are not to be interpreted as promises of specific treatment.**

Nothing in this Policy shall be deemed to constitute a contract of employment. City Council has the sole authority to enter into contracts of employment and any such contract must be in writing, must declare it an "Employment Contract" and must be executed by the Mayor after a majority vote of Council.

All employees of the City are employees-at-will who may leave the City's employ at any time for any reason and whose services may be terminated by the City at any time with or without notice.

All City positions, benefits and funding for salary advancement are subject to budget review and approval each year by the City Council.

As personnel policies and procedures are updated/revised, the policy supersedes all prior policies issued by the City. To the extent that any personnel related administrative procedure may conflict with the Personnel Policies and Procedures, the City will abide by this Policy and resolve the conflict in the administrative procedure. The intent of personnel related administrative procedures is to work in concert with and under the umbrella of this Policy and any applicable federal, state or local laws. In the event of the amendment of any ordinance, rule or law incorporated in this document or upon which these provisions rely, these rules shall be deemed amended in conformance with those changes. **Any violation of the policies set forth herein may result in disciplinary action, up to and including termination of employment.**

Authority

The City Manager is designated as the City's Chief Executive Officer and is responsible for directing the activities of all classified employees of City of Kannapolis Government. The City Manager shall be responsible for the administration of all personnel rules and regulations and shall have all authority granted to him/her under N.C.G.S. 160A-148 and such additional authority as is granted, required, or authorized to him/her by the City Council. Policies, procedures, rules, and regulations created and approved by the City Manager are binding on all employees; provided that no such policy, procedure, rule or regulation is contrary to the City Charter or Ordinances, North Carolina General Statutes, or with Federal laws.

The City Manager (or designee) has the authority to create and approve administrative policies that supplement this Policy.

Unless otherwise stated, the word/term, employee, shall mean a person under the direct supervision and control of the City and being paid through the City payroll.

Unless otherwise stated, the word/term, City Manager (designee), shall mean the Deputy City Manager.

Departmental Rules and Regulations

Due to particular personnel and operational requirements, the various departments of the City are authorized to establish supplemental rules and regulations applicable only to operating policies and procedures for those departments. All such rules and regulations shall be subject to the approval of the City Manager (designee) and shall not, in any way, conflict with this Policy, but shall be deemed to be supplemental thereto. To the extent that any departmental rule or regulation may conflict with this Personnel Policy, the City will abide by this Policy and resolve the conflict. The intent of departmental rules and regulations is to work in concert with and under the umbrella of this Policy and any applicable federal, state or local laws.

SUBJECT: ADMINISTRATION OF EMPLOYEE PERSONNEL RECORDS

1. Establishment of procedures and responsibilities for the maintenance of personnel records in accordance with N.C.G.S. 160A-168, "Privacy of Employee Personnel Records".
 - a. The Director of Human Resources is responsible for establishing and maintaining an official personnel file for each employee of the City. As used in this policy, "employee" includes former employees of the City.
 - b. All employee files are confidential except in accordance with N.C.G.S. 160A-168, "Privacy of Employee Personnel Records", the information listed in the N.C.G.S. with respect to each City employee that is public record.
 - c. Access to the personnel files regardless of where the physical files are located is allowed by the City Manager, Human Resources and the Department Head having supervisory authority at any time when requested. All other access, examining, or copying requests of confidential records will be in accordance with NCGS 160A-168 and in consultation with the Director of Human Resources.
 - d. The police department is responsible for providing full access to documents that are reserved for Criminal Justice Education and Training Standards auditing purposes when requested by the Human Resources Director (or designee) or City Manager (or designee).
 - e. An employee who objects to material in his/her file on grounds that it is

inaccurate or misleading may seek to have placed in the file a statement relating to the material. The employee may seek the removal of such material in accordance with the grievance procedure.

- f. Separate personnel files shall not be maintained by individual departments unless for police auditing purposes for Criminal Justice Training & Education Standards.
2. Identification of information to be included in the employee's personnel file:
 - a. Permanent Documents. Documents retained throughout the association of an employee with the City will comply with the North Carolina Department of Natural and Cultural Resources Municipal Records Retention and Disposition Schedule adopted by City Council on December 13, 2021 (Resolution #2021-60).
 3. This policy will be periodically reviewed to ensure compatibility with current accepted personnel procedures.
 4. These records are maintained during the tenure of the employee and 30 years after the employee leaves City employment.

SUBJECT: REASONABLE ACCOMMODATION OF INDIVIDUALS WITH DISABILITIES

The City recognizes and supports its obligation to endeavor to reasonably accommodate job applicants and employees with known physical or mental disabilities who are able to perform the essential functions of the position, with or without reasonable accommodation. The City will endeavor to provide reasonable accommodation to otherwise qualified job applicants and employees with known physical or mental disabilities, unless doing so would impose an undue hardship on the City or pose a direct threat of substantial harm to the employee or others. Recruitment and selection processes will grant equal opportunity for employment to qualified applicants and will not discriminate on the basis of disability.

An applicant or employee who believes he/she needs a reasonable accommodation of a disability should discuss the need for possible accommodation with his/her direct supervisor, Department Head, or Human Resources. Any time an employee indicates that he/she is having a problem performing the essential functions of the position and the problem is related to a medical (physical or mental) condition, the supervisor should consider whether the employee is making a request for accommodation under the American Disabilities Act (ADA) and contact Human Resources for assistance in a timely fashion. If the response takes longer than expected (i.e. determining if the accommodation is reasonable, consulting Human Resources), the supervisor should provide updates to the employee on the status of their request. The City typically uses the Interactive Process to determine whether reasonable accommodation can be provided for the employee. Human Resources in collaboration with the department supervision is responsible for resolving reasonable accommodation, safety/direct threat, and undue hardship issues.

In certain circumstances, the City may need to request additional medical information or documentation to establish whether the individual's medical condition is protected by law, or to determine whether and what type(s) of accommodations would be effective. Employees are encouraged to respond to these types of requests promptly. Any medical

information received as part of the accommodation request or during the interactive process will be maintained by Human Resources in a confidential separate medical file.

Human Resources in collaboration with the department supervision is responsible for resolving reasonable accommodation, safety/direct threat, and undue hardship issues. Decisions to deny accommodation requests or to provide accommodations other than the requested accommodation(s) should be explained to the applicant or employee to help prevent misunderstandings.

The City prohibits any retaliation, harassment or adverse action due to an individual's request for an accommodation under this policy or for reporting or participating in an investigation of unlawful discrimination under this policy.

SUBJECT: REASONABLE ACCOMMODATIONS FOR PREGNANT WORKERS AND LACTATION

The City recognizes and supports its obligation to endeavor to reasonably accommodate job applicants and employees with known limitations related to, affected by, or arising out of (includes current, past, potential, or intended) pregnancy, childbirth, or related medical conditions, unless doing so would impose an undue hardship on the City or pose a direct threat of substantial harm to the employee or others. Recruitment and selection processes will grant equal opportunity for employment to qualified applicants and will not discriminate on the basis of pregnancy, childbirth, or related medical conditions.

An employee or applicant who believes she needs a reasonable accommodation due to pregnancy, childbirth, or a related medical condition should discuss the need for possible accommodation with his/her direct supervisor, Department Head, or Human Resources. The accommodation request should include an explanation of the pregnancy-related limitations, the accommodation needed and any alternative accommodation(s) that might be reasonable. Depending on the nature of the accommodation, the individual may be requested to submit a statement from a health care provider substantiating the need for the accommodation.

Any time an employee indicates that he/she needs a reasonable accommodation for their pregnancy, childbirth, or related medical conditions the supervisor should respond promptly and effectively to such requests. If the response takes longer than expected (i.e. determining if the accommodation is reasonable, consulting Human Resources), the supervisor should provide updates to the employee on the status of their request. The City typically uses the Interactive Process to determine whether reasonable accommodation can be provided for the employee. Human Resources in collaboration with the department supervision is responsible for resolving reasonable accommodation, safety/direct threat, and undue hardship issues. Reasonable accommodations will be determined on a case-by-case basis, considering the pregnant employee's specific needs, the organization's operational requirements, and any potential undue hardships.

If it is reasonable and necessary, the City may request supporting documentation from a health care provider. In many instances, it may not be needed. Any medical information received as part of the accommodation request or during the interactive process will be maintained by Human Resources in a confidential separate medical file. Information regarding an employee's pregnancy or related medical conditions and accommodation will be treated confidentially and shared only with individuals directly involved in the

accommodation process on a need-to-know basis. Human Resources in collaboration with the department supervision is responsible for resolving reasonable accommodation, safety/direct threat, and undue hardship issues. Decisions to deny accommodation requests or to provide accommodation other than the requested accommodation(s) should be explained to the applicant or employee to help prevent misunderstandings.

An employee may request paid or unpaid leave as a reasonable accommodation under this policy; however, the City will not require an employee to take time off if another reasonable accommodation can be provided that will allow the employee to continue to work.

The City prohibits any retaliation, harassment or adverse action due to an individual's request for accommodation under this policy or for reporting or participating in an investigation of unlawful discrimination under this policy.

Lactation Accommodations

As part of our family-friendly policies and benefits, the City supports breastfeeding employees by accommodating an employee who needs to express breast milk during the workday by providing a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child, to the extent required and in accordance with applicable law.

The break time, if possible, must run concurrently with rest and meal periods already provided to the employee. If the break time cannot run concurrently with rest and meal periods already provided to the employee, the break time will be unpaid, to the extent permitted by applicable law. The employee may use personal leave or make up the time as negotiated with their supervisor.

The City will also make reasonable efforts to provide employees with the use of a sanitary room or location other than a toilet stall for the employee to express milk in private. To the extent reasonable, the room will be located near a sink with running water for washing hands and rinsing out breast pump parts and have an electrical outlet. Breastfeeding employees are responsible for keeping the area clean/wiped for the next user. If employees prefer, they may also breastfeed or express milk in their own private offices, or in other comfortable locations agreed upon in consultation with the employee's supervisor.

Labeled expressed milk (name & date) can be stored in general City refrigerators/in designated refrigerators provided in the lactation room or other location/in employee's personal cooler. The City may not be able to provide additional break time if doing so would seriously disrupt the City's operations. Please inquire with Human Resources if you have questions regarding this policy

SUBJECT: REASONABLE ACCOMODATION OF INDIVIDUAL'S RELIGIOUS BELIEFS AND PRACTICES

The City recognizes and supports its obligation to endeavor to reasonably accommodate job applicants and employees with sincere religious beliefs or practices who are able to perform the essential functions of the position, with or without reasonable accommodation. The City will endeavor to provide reasonable accommodation to otherwise qualified job applicants and employees, unless doing so would impose an undue hardship on the City.

An applicant or employee who believes he/she needs a reasonable accommodation of a sincere religious belief or practice should discuss the need for a possible accommodation with his/her direct supervisor, Department Head, or Human Resources. Any time an employee indicates that he/she needs a reasonable accommodation for their religious beliefs and practices, the supervisor should respond promptly and effectively to such requests. If the response takes longer than expected (i.e. determining if the accommodation is reasonable, consulting Human Resources), the supervisor should provide updates to the employee on the status of their request.

In certain circumstances, the City may need to request additional religious information or documentation to establish whether the individual's religious beliefs are protected by law, or to determine whether and what type(s) of accommodations would be effective. Employees are encouraged to respond to these types of requests promptly.

Human Resources in collaboration with the department supervision is responsible for resolving reasonable accommodation, safety/direct threat, and undue hardship issues. Decisions to deny accommodation requests or to provide accommodations other than the requested accommodation(s) should be explained to the applicant or employee to help prevent misunderstandings.

The City prohibits any retaliation, harassment or adverse action due to an individual's request for an accommodation under this policy or for reporting or participating in an investigation of unlawful discrimination under this policy.

SUBJECT: SEARCHES OF CITY AND EMPLOYEE PERSONAL PROPERTY

To protect employees and the City from theft, and to enforce the City's policies including those related to substance abuse, workplace violence, and any other applicable policies, the City reserves the right to search employees and their personal property (i.e., vehicles, clothing, packages, purses, brief cases, lunch boxes, or other containers brought onto City premises) when there is reason to believe City policy is being violated. Employees are expected to cooperate in the conduct of such searches.

The City provides property to employees for their use (e.g., City vehicles, desks, file cabinets, employee lockers, etc.). Searches of City facilities and property, including City property in the possession of the employee, may be conducted at any time and do not have to be based upon reason to believe City policy is being violated. Employees may not withhold permission for the City to search City-supplied property including, but not limited to desks, lockers, tool boxes, and City vehicles and/or equipment.

The employee's supervisor or Department Head and at least one individual from Human Resources, another department, or others as reasonably necessary will conduct the search or inspection.

SUBJECT: WORKPLACE VIOLENCE PREVENTION

The City is strongly committed to providing a safe workplace for all employees. The purpose of this Policy is to minimize the risk of personal injury to employees and damage to City property. The City specifically discourages employees from engaging in any physical confrontation with a violent or potentially violent individual. However, employees are expected and encouraged to exercise reasonable judgment in identifying potentially

dangerous situations and informing management accordingly.

Threats, threatening language, or any other acts of aggression or violence made towards or by any City employee will not be tolerated. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, attempts to intimidate or to instill fear in others, menacing gestures, bringing weapons to the workplace, stalking, or any other hostile, aggressive, injurious and/or destructive actions undertaken for the purpose of domination or intimidation.

All potentially dangerous situations including threats by co-workers should be reported immediately to your Supervisor, the Department Head, Human Resources or to any other member of management with whom you feel comfortable. Reports of threats may be made anonymously. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat under this policy.

If an investigation confirms that threat of a violent act or violence itself has occurred, the City will take appropriate corrective action. Anyone, regardless of position or title, whom the City determines has engaged in conduct that violates this policy, including retaliation, will be subject to discipline, up to and including dismissal.

The City reserves the right to seek a civil “no-contact” order in accordance with the provisions of the North Carolina General Statutes (N.C.G.S.) on behalf of any employee who has been the victim or target of workplace violence or other unlawful conduct in the workplace in violation of this policy.

If you are the recipient of a threat made by an outside party, follow the steps detailed in this section. It is important for the City to be aware of any potential danger in the workplace.

SUBJECT: WEAPONS PROHIBITED ON CITY PROPERTY

See Code of Ordinances for City of Kannapolis, North Carolina located on the [City's website, Section 11-1.1.](#)

SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY

Statement of Policy:

It is the policy of the City to foster, maintain and promote equal employment opportunity. The City shall select employees on the basis of the applicant's qualifications for the job and award them with respect to compensation and opportunity for training and advancement, including upgrading and promotion, without regard to race, religion, color, sex, national origin, sexual orientation, age, veteran status, marital status, political affiliation, non-disqualifying disability, genetic information, on the basis of actual or perceived gender as expressed through dress, appearance or behavior, or any other protected class under applicable state or federal law except where specific age, sex, or physical requirements constitute a bona fide occupational qualification necessary for job performance. Applicants with physical disabilities shall be given equal consideration with other applicants for positions in which their disabilities do not represent

an unreasonable barrier to satisfactory performance of essential duties with or without reasonable accommodation.

Limitation of employment because of a pregnancy related condition is prohibited.

This policy includes all employment decisions, including, but not limited to recruitment, hiring, employment, compensation, training, promotion, demotion, job classification, transfer, lay-off, termination, and all other terms and conditions of employment, except as provided by law. The City prohibits discrimination in all aspects of its personnel policies, practices, and operations.

It is a violation of City policy to retaliate in any way against an employee who assists, participates in, or supports this policy or anyone making a bona-fide complaint under this policy or who participates or assists in any EEOC, OSHA or other internal or external processes protected by law.

Policy Responsibility

All personnel responsible for recruitment and employment shall implement this policy through procedures that will ensure equal employment opportunity based on reasonable performance related job requirements. The City operates on the premise that a skilled, diverse work force provides more effective services for the citizens. Notices with regard to equal employment matters shall be posted in conspicuous places on City premises in places where notices are customarily posted.

Merit Principle

All appointments and promotions shall be made solely on the basis of merit. Decisions regarding appointments and promotions are within the City's discretion. All positions requiring the performance of the same duties and fulfillment of the same responsibilities shall be assigned to the same class and the same salary range. No applicant for employment or employee shall be deprived of employment opportunities or otherwise adversely affected as an employee because of such individual's race, religion, color, sex, national origin, sexual orientation, age, veteran status, marital status, political affiliation, non-disqualifying disability, genetic information, or on the basis of actual or perceived gender as expressed through dress, appearance or behavior.

SUBJECT: TYPES OF EMPLOYMENT AND ELIGIBILITY FOR BENEFITS

This policy establishes guidelines and definitions for types of employment and for benefit eligibility purposes. The types of City employment are:

1. Probationary: Class 1

An employee on a trial status during the initial period of employment. All newly hired full-time employees (1A) and part-time employees (1B) assigned to a position which is expected to continue for an indefinite duration and budgeted to work a minimum of 1000 hours per calendar year serve a probationary period which extends for six (6) months from the date of hire, twelve (12) to eighteen (18) months for sworn law enforcement personnel, and twelve (12) months for telecommunicators. Probationary periods may be extended under special circumstances.

2. Regular: Class 2

Class 2A – Regular Full-time Employee: An employee who has successfully completed the probationary period, is assigned to a position which is expected to continue for an indefinite duration and works a shift schedule which will total no less than 2080 hours per year.

Class 2B – Regular Part-time Employee: an employee who has successfully completed the probationary period, is assigned to a position which is expected to continue for an indefinite duration and works a shift schedule that annually averages a minimum of 20 hours or more, but less than 29 hours, per week. The position is budgeted to require at least 1,000 hours of work in a full calendar year. These part-time positions are regularly scheduled to work less than 29 hours per week or work on a variable-hours per week schedule and may work over 29 hours in a single week *occasionally*. The position is never authorized to average 30 hours or more a week (limited to less than 1500 hours in a calendar year) over the duration of a year.

Class 2C – Regular Part-time Employee: An employee who is assigned to a position which is expected to continue for an indefinite duration and works a shift schedule of less than 1000 hours per a full calendar year. Weekly hours may fluctuate widely; however, employee works consistently each month, event, or season and is regularly scheduled to work less than 29 hours per week -or- works on a variable-hours per week schedule and may work over 30 hours in a single week *occasionally* and does not average 20 hours a week or more over the duration of a year. These employees do not serve a probationary period.

3. Limited-Service (Temporary/Seasonal): Class 3

A non-regular status employee that is assigned to serve in a position performing work on an as needed basis, completing a specific job, or performing work on a seasonal basis, and the expected duration is less than twelve months. If the regular schedule of work is expected to be 30 or more hours per week, there is an employment limit of twelve (12) weeks. For all other employees in this class, weekly hours may fluctuate widely; however, employee is regularly scheduled to work less than 29 hours per week -or- works on a variable-hours per week schedule and may work over 30 hours in a single week *occasionally*. These employees do not serve a probationary period.

The terms "continue for an indefinite duration" or "permanent" used anywhere in City personnel policies, procedures, or benefit related documents shall not be deemed to constitute a contract of employment, a guaranteed length of employment, or a benefit.

Employee compensation shall be stated in terms of annual salary or hourly wage.

Entitlement to employee benefits shall be provided as follows:

1. Employees classified as regular full-time employees shall receive all employee benefits provided by the City subject to applicable eligibility laws, provisions, and time periods. Probationary employees who, upon successful completion of the probationary periods

will be regular full-time employees, shall be entitled to the same benefits as regular full-time employees, subject to applicable eligibility laws, provisions, and time periods.

2. Employees classified as part-time or limited-service (temporary/seasonal) shall receive no benefits unless specifically enumerated in City policies, procedures, or benefit documents or required by law and part-time employees are required to work a minimum of 200 hours per calendar year to remain employed.

SUBJECT: HIRING

This policy establishes policy and procedures for new hires and provides guidelines for internal promotional and transfer hiring, working in conjunction with those policies. The Human Resources Department works in conjunction with departments on the hiring process for position vacancies to ensure compliance with contractual, legal, and equal opportunity requirements. The following general procedures will be adhered to by all departments in the recruitment, selection process, and promotional or transfer processes.

In the event of a job vacancy within City government, the Human Resources Department typically publicizes such vacancy in order to seek qualified and diverse pool of applicants. Publication locations and/or recruitment services for a vacancy or promotional opportunity are determined for each position according to the position and the City's needs, typically striving to reach broad diverse audiences for qualified applicants. The City Manager may waive the normal recruitment and selection process. The City Manager has the final appointing authority. Employment recommendations are typically made by the Department Director.

Recruitment and Selection Process

1. The Human Resources Department receives notification of vacant positions by the department.
2. The request should note if there are any specific employment advertisements requested for the position.
3. A determination in consultation with the department will be made by Human Resources on whether it will be an internal or external process and the length of the position posting. Internal process is defined as accepting applications from current employees and external process includes accepting applications from internal and external candidates.
4. Any current employee interested in applying for a promotion or transfer to a vacant posted position must complete a City employment application following the instructions on the employment opportunities notice. As with external applicants, the same confidentiality rules and laws apply to internal applicants.
5. After the department reviews the candidates, but before scheduling of interviews occur, Human Resources will check the eligibility of candidates. Departments are responsible for communicating with Human Resources about the candidates prior to the interviews are scheduled.

Testing

1. Examinations may be developed for certain positions based on the position's responsibilities, the qualifications required, and resources available. The examination may consist of oral interview/application review, a structured questionnaire, practical tests, written tests, in-basket exercise, or assessment center, etc. In all cases, the testing will be job related and designed to determine the candidate's knowledge, skills, and abilities (KSA's) for the position.
2. The examination contents are developed by the Department in consultation with Human Resources. Examination contents are confidential and unauthorized disclosure to any candidate is grounds for discipline. In certain situations, outside consultants may be contracted to assist with test development.
3. The testing process is administered by the department, outside consultant and on occasion by Human Resources.
4. If an applicant requests an accommodation for testing, the ADA Coordinator will engage in the interactive process to assess if a reasonable accommodation can be made.

Interview Process

The employment interview is a component of the overall selection process. Certain guidelines will be observed to maximize the validity and reliability of the interview process as well as ensure the adherence to current EEO guidelines.

1. Departments coordinate the interview process, including scheduling candidates, development of interview questions, selection of interview panel, etc.
2. If used, the interview panel will be selected by the department in consultation with Human Resources. The composition of the interview panel shall generally consist of current employees and outside experts who have expertise with the technical elements of the position. Careful selection will be made of panel members to ensure objectivity and job knowledge. Any individual that may pose a conflict of interest will be excluded from serving on the panel.
3. Departments in consultation with Human Resources develop the interview questions and standards for measurement of candidate responses. Consistency will be maintained in the questions asked of all candidates.
4. Resources:
[UNC SOG List of Interview Questions Do's and Don'ts](#)
[The JAN Workplace Accommodation Toolkit](#)

Pre-Employment Screenings

Once a conditional offer of employment is made, the offer is contingent on the successful completion of any position appropriate pre-employment screenings. Authorization by the individual is required prior to screening. The City requires position-appropriate pre-employment, promotion, and reassignment screenings to include, yet not limited to social

security verification, criminal, driving, credit, drug, prior employment verification, educational, and reference information. Appropriate background checks are required for prospective volunteer coaches or other volunteers according to the nature of the volunteer tasks and public contact.

It is the policy of the City that no City employee or volunteer shall be permitted to work with children, youth and vulnerable adults if they have demonstrated conduct incompatible with service to, or care of, children, youth or vulnerable adults.

Pursuant to G.S. 160A-164.2, the City will conduct a fingerprint-based state and national criminal history records check of all applicants who have received a conditional offer of employment. These checks are conducted in accordance with City of Kannapolis Resolution {insert resolution reference}, and must be conducted in accordance with G.S. 143B-1209.26.

Upon employment, the City conducts continuous monitoring of employees' criminal backgrounds and motor vehicle records. This policy applies to all City employees and is a condition of employment with the City. Continuous monitoring may also be required for contract employees, volunteer coaches or other volunteers according to the nature of the tasks and public contact. The employee's authorization to conduct continuous monitoring of the employees' criminal background and motor vehicle records and to conduct periodic checks and updates on other employees' records throughout the duration of their employment with the City is required prior to the initiation of continuous monitoring. Employees' rights will be respected, and continuous monitoring will be conducted in accordance with applicable laws and regulations.

Background Check Procedures:

The City will not engage in blanket disqualification of applicants based on background checks but will consider the specific requirements for each position. In accordance with legal requirements, the City will conduct an individualized assessment using the following factors:

- The nature and gravity of the offense or conduct;
- The time that has passed since the offense, conduct and/or completion of the sentence; and
- The nature of the job held.

Human Resources will order the background check. A designated HR representative will review all results and will notify the hiring manager if the results are satisfactory to move forward in the hiring process. In instances where negative or incomplete information is obtained, the Human Resources Assistant Director and Human Resources Director (if necessary) will assess the potential risks and liabilities related to the job's requirements and determine whether the individual should be hired. If a decision not to hire or promote a candidate is made based on the results of a background check, there may be certain additional Fair Credit Reporting Act (FCRA) requirements that will be handled by Human Resources in conjunction with the employment screening service (if applicable). Background check information will be maintained in a file separate from employees' personnel files for a minimum of five years.

Offers of employment may also be conditional based on the results of medical examinations, fitness for duty examinations, and/or physical abilities testing depending on

the requirements of the position. Any applicant, after the offer of employment and prior to beginning employment with the City, may be required to complete a City-paid examination for the purpose of determining fitness for the particular position. Such an examination shall be made at the expense of the City and performed by a medical provider selected by the City.

Applicant Notification

1. After references are verified and a final decision reached, the department notifies the candidate of his/her selection, makes a conditional employment offer, and requests that the offer be accepted or rejected within a set number of days.
2. If the first offer is rejected, it will be decided whether to hire another candidate or to readvertise the position on the City's career page.
3. Once a candidate accepts the employment offer, all candidates that were interviewed are notified that they were not selected for the position.
4. Human Resources and the department will begin their respective new hire and orientation responsibilities. The department is responsible for communicating to the new employee where and when to report on the first day of employment and for conducting a departmental level orientation. ***NOTE:** A blackout period for no new hires (start date/first date of employment) occurs annually typically during the last payroll in June and may extend into the first payroll in July. This period and the specific dates are typically set with the publication of the annual payroll schedule. The blackout period may vary from one to two payroll cycles and is subject to change.*

SUBJECT: RE-EMPLOYMENT

Reinstatement

A former employee who resigns while in good standing and giving the required written advance notice or is separated because of reduction in force may be reinstated to the same or a new position within one year of the date of separation if they had a satisfactory work record while employed with the City, upon recommendation of the Department Head, and upon approval of the City Manager. An employee who is reinstated in this manner shall be credited with previous service for vacation accrual rate and previously accrued sick leave; the former employee will be ineligible for the retention allowance extension. This is considered a break in service for purposes of longevity and retention allowance extension. The compensation paid to a reinstated employee returning to the same position shall be as close as reasonably possible, given the circumstances of each employee's case, to the compensation level previously attained in the pay grade range for the previous class of work. Those moving to a new position will be evaluated consistent with all applicants.

An employee who enters extended active duty with the Armed Forces, the Armed Forces Reserve, the National Guard, or other uniformed services of the United States will be granted reinstatement rights commensurate with the Uniformed Services Employment and Reemployment Rights Act (USERRA).

Rehire

For a former employee who resigns while in good standing and giving the required written advance notice or is separated because of reduction in force and returns to the City past one year of separation if they had a satisfactory work record while employed with the City, this is not considered a reinstatement and is regarded as a new employee, subject to all of the provisions of this policy. The City Manager may authorize reinstatement rights as described above.

Ineligibility for Reinstatement or Rehire

Former employees who had a less-than-satisfactory work record during their prior employment with the City and/or did not provide the required written advance notice will not be considered for rehire. This includes employees with a less-than-satisfactory rating on their most recent performance evaluation and/or employees who terminated employment with an unresolved performance improvement plan. Employees who were involuntarily terminated by the City or were selected for layoff due to less-than-satisfactory work performance will not be considered for rehire.

SUBJECT: EMPLOYMENT OF RELATIVES AND OTHER CLOSE RELATIONSHIPS

Due to the potential for perceived or actual conflicts, such as favoritism or personal conflicts from outside the work environment, which can be carried into the daily working relationship, a policy and approval process for employment of family is necessary.

This policy applies to candidates for employment, current employees, promotions, and other reassignments.

Employment of a relative of any member of the governing body or City official of the City is discouraged.

Under no circumstances should a person be hired or assigned to work in a position:

- Under the administrative influence, supervision, or under the influence in any way over the rate of pay of an immediate family member or within the same department.
- Where one relative would be responsible for auditing the work of the other.
- Other circumstances exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the City's interest and their own.

The City reserves the right to apply this policy to situations where there is a conflict or the potential for conflict because of the relationship between employees, even if no direct reporting relationship or authority is involved.

No employee's family member shall be hired without prior Human Resources Director review and the approval of the City Manager. The hiring supervisor is responsible for ensuring policy compliance. Exceptions may be made on a case-by-case basis for 2C positions working less than 1,000 hours per year.

If any employee, after employment or change in employment, enters into one of the above

relationships, one of the affected individuals must seek a transfer or a change in the reporting relationship. Such changes must be approved by the City Manager. No exception to this policy will be made without the written consent of the City Manager.

For purposes of this section, the definition of immediate family includes spouse, child, parent, brother, sister, grandparents, grandchildren, or guardian plus the various combinations of half, step, in-law and adopted relations derived from those named. Also included in the immediate family definition are uncle, aunt, nephew, or any individual with whom an employee has a close personal relationship, such as a domestic partner, co-habitant, or significant other.

If employees begin a dating relationship, enter into a marriage, or otherwise become relatives, partners or members of the same household, and one party is in a supervisory position, that person is required to inform both their supervisor and Human Resources of the relationship. The employees will have 60 days to resolve the situation on their own. After 60 days, if the employees have not yet resolved the situation on their own by means acceptable to the City, such as a transfer or employment outside the City, the employees' supervisor(s) will work with Human Resources to determine the most appropriate action for the specific situation. This may include transfer or, if necessary, termination of one of the employees.

For purposes of this policy, "dating relationship" is defined as an intimate association primarily characterized by the expectation of affectional or sexual involvement. The term does not include a causal relationship or an ordinary association between persons in a business or social context.

If you are in a relationship with a co-worker that may create a conflict, or which may include or become one of the prohibited situations, you must notify your supervisor or Human Resources.

If there is a situation where action of the City, such as reduction in force, results in an involuntary circumstance in which two relatives, partners or members of the same household may be reporting to each other, one of the employees will be reassigned within 60 days. During those 60 days, the supervisory employee will not be involved in or have direct input in the employment decisions of the other employee.

All employees who were a City employee and had an immediate family member within the same department before are considered exempt only from the portion of this policy regarding the prohibition of working within the same department with an immediate family member. The exemption applies only to the specific existing family member relationship, not to any new relationships entered into on January 1, 2026, or after.

SUBJECT: RECRUITMENT AND RETENTION INCENTIVES

The City recognizes the importance of attracting and retaining skilled employees for roles critical to municipal operations. This policy authorizes the City Manager to approve additional benefits or pay adjustments to ensure competitive compensation and bolster workforce stability while maintaining compliance with all relevant laws and regulations. This policy applies to positions identified as essential, hard-to-fill, or requiring specialized skills vital for effective city governance. Such incentives may be utilized for key leadership, supervisory, or technical staff or employees in a key or challenging position to recruit and

retain in which the market is very competitive.

Authority and Compliance

The City Manager is authorized to initiate recruitment and retention incentives not already outlined and authorized in this Personnel Policy, provided that all actions comply with applicable IRS regulations, employment laws, and city financial policies. The end goal and purpose is to guide departments in competitive practices related to recruiting and retaining a skilled and diverse workforce when in the best interest of the City for recruitment or retention of an experienced individual. Prior to finalizing any incentive or pay adjustment decision, the City Manager shall consult with both the Human Resources and Finance Director to ensure:

- IRS Guidelines: Incentives are structured in accordance with federal tax regulations.
- Budgetary Constraints: Incentives are in line with the city's financial policies and budget.
- Incentives are funded in existing departmental budgets and subject to funding availability. It is the responsibility of the hiring department to track and ensure the completion of required administrative actions.
- Employment Law Compliance: All incentives adhere to applicable employment laws and any related statutory requirements.
- A review of local labor market conditions and departmental needs and ensure that the incentives are consistent with overall employment strategies.
- Document all decisions to ensure transparency and accountability.

Incentives

Examples of permissible incentives include, but are not limited to:

- Performance-Based Incentives linked to productivity, efficiency, or achievement of key performance targets.
- Hiring Bonuses, not to be paid prior to the successful completion of the employee's probationary period.
- Retention Bonuses, given upon reaching predetermined tenure milestones (e.g., 3 years, 5 years).
- Salary Adjustments: competitive pay increases designed to retain skilled professionals.
- Flexible Work Arrangements such as remote work or alternative scheduling outside the parameters of City policy.
- Professional Development Stipends for education, professional conferences,

training sessions, or certifications.

- Additional Paid Leave establishing a vacation leave earning rate or a deposit of extra vacation days, consistent with the existing City vacation leave earning rate schedules.

SUBJECT: PROBATIONARY PERIOD

This policy establishes policy and procedures for the probation period for new employees.

All new full-time employees (1A) and part-time (1B) employees assigned to a position which is expected to continue for an indefinite duration and budgeted to work a minimum of 1000 hours per calendar year must serve an initial period of probation upon hire (excluding exempt department heads). Sworn law enforcement personnel serve a 12-month to 18-month probation and telecommunications serve a 12-month probation; all other employees serve a six-month probation. Typical factors that determine the length of the sworn law enforcement personnel probationary period include, yet not limited to, attendance of basic law enforcement training, length/start of field training, and type and length of prior law enforcement experience.

The probation period is designed to give the employee time to learn the position and to give the supervisor time to evaluate the employee's potential and performance. During the established probationary period, the City reserves the right to terminate the probationary employee's service at any time for any non-retaliatory, non-discriminatory reason, without a pre-dismissal hearing and without the right to file a grievance.

Termination During Probation

If an employee is unable to perform the work, the person must be terminated as early as possible. Rejected probationers shall be notified of such action in writing by the Department Head (in consultation with Human Resources) at any time during the probationary period and a copy of said notification shall be retained in the personnel files.

Probationary Period Evaluation

Throughout the probationary period, expectations will be set, and feedback will be given by the supervisor. It is highly recommended to provide at least three (3) informal feedback sessions during a 6-month probationary period and six (6) during a 12-month probationary period. At the end of the probation period, the employee is formally evaluated and through the performance evaluation system of progress.

Extension of Probation

At times circumstances may necessitate extending the probationary period. Probation extension is done upon recommendation of the Department Head and the review of the Director of Human Resources. Probationary period extensions may never exceed 90 days.

Successful Completion of Probationary Period

If the employee successfully completes the probation period, he/she is informed that he/she is now a regular employee after the performance evaluation has been conducted.

Providing that the employee successfully completes his/her probationary period (receiving an overall “achieving” rating) and that Council has allocated appropriate funding for the fiscal year, the employee’s hire date and length of probationary period will determine if the employee receives a prorated performance/merit pay increase at the end of the probationary period.

SUBJECT: WORK PERIODS AND SCHEDULES

Work Periods

All work periods and schedules will be established and maintained in accordance with the Fair Labor Standards Act (FLSA).

- A. The work period for Non-Exempt Sworn Law Enforcement Personnel shall normally be fourteen (14) days consisting of a maximum standard hour for this period of 86 hours (2184 annual hours). This work period starts on Wednesday and ends 14 days later on Tuesday.
- B. The work period for Non-Exempt Fire Protection Personnel shall normally be fourteen (14) days consisting of a maximum standard hours for this period of 106 hours (2756 annual hours). This work period starts on Wednesday and ends 14 days later on Tuesday.
- C. The work period for all other City employees shall normally be seven (7) days starting on Wednesday at 12:00 a.m. and ends 7 days later on Tuesday at 11:59 p.m. With the exception of non-sworn personnel assigned to a twelve-hour shift, all other non-exempt City employees will normally have 40 hours of regularly scheduled work in the 7-day work period. Non-exempt non-sworn personnel assigned to a twelve-hour shift will normally have 36 hours or 44 hours of regularly scheduled work in the 7-day work period. The maximum standard hours for the 7-day work period is 40 hours (2080 annual hours) for the purposes of computing overtime compensation.

The hourly rate of pay, leave accrual rates, maximum leave accruals, and holiday pay are established by the maximum standard hours for the established work period. The hourly rate of pay is the rate at which an employee is actually paid for standard non-overtime hours.

The above referenced work periods may be changed to accommodate special work schedules upon recommendation of Department Heads with City Manager approval, if the change is intended to be permanent and is not made to evade policy.

Employees in positions determined to be “exempt” from the FLSA (as Executive, Administrative or Professional staff) shall work the number of hours necessary to assure the satisfactory performance of their duties and are paid on a salary basis and will not receive pay for hours worked in excess of their normal work periods.

Work Schedules/Hours of Work

Currently normal City business hours of operation for the public are 8:00 am – 5:00 pm, Monday – Friday, excluding holidays. When the activities of the City or a particular

department require another schedule to meet work needs, the City Manager may authorize a deviation from the normal schedule.

Department directors shall establish work schedules, with the approval of the City Manager, which meet the operational needs of the department in the most cost-effective manner possible. Managers/supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

Flexible Work and Telework Schedules

The City desires to create an opportunity for flexible work options when feasible, which supports and embraces work-life integration, increased productivity, reduced absenteeism and turnover, and enhanced customer satisfaction. Department directors are to identify methods of implementation that meet the service and operational needs of the department while maintaining continuity of operations over the span of standard operating hours.

There are certain positions that cannot accommodate flexible work arrangements. Every job, employee, and situation are different; it cannot be assumed that the same decision is appropriate for two similar positions.

An employee's first responsibility is to perform the duties of her/his job, including the availability of responding to telephone and e-mail communications, to attend work regularly, to meet and interact with associates and supervisors, and to meet with and serve customers. To be approved, the employee must have completed the probationary period, must have a satisfactory attendance record, meet all performance expectations of the current role, and consistently demonstrate the ability to complete tasks and assignments independently and on a timely basis. In certain circumstances, the requirement to complete the probationary period prior to flexible/telework schedules may be waived.

The department director is encouraged to explore opportunities to offer flexible work arrangements to include flexible work schedules and/or telework opportunities for positions that can successfully be performed in a decentralized, flexible and/or teleworking manner. However, departments are not authorized to establish a remote employee (100% teleworking) position.

Telework cannot exceed 50% of scheduled hours in a work week.

Employees are expected to adhere to all City and department established policies and procedures in like-fashion of all other City work periods and locations. Unless you travel for business, teleworks shall remain available to report to a City worksite as needed. While teleworking, an employee shall not conduct work for another employer while working or during their standard or normal work schedule. With limited exceptions as approved by the Human Resource Director, employees on approved leave are not eligible for telework unless the request is approved reasonable accommodation under state or federal law.

The employee is expected and responsible to equip their telework space (i.e., chair, desk, basic office supplies, and must have reliable access to the internet. Employees who are unable to meet this expectation are not eligible for telework.

Approved flexible and/or telework arrangements can be ended at any time by the

employee, the supervisor, or the department director.

Breaks

The City encourages employees to take rest *breaks* to re-charge. The City provides you with two paid breaks on a normal workday. There are occasions when the workload or other circumstances make it necessary for an employee to work without a break.

Employees may not take their paid break by delaying beginning work or leaving early, adding the paid break to the unpaid break period, saving it for another day, combining it with other leave, or adding together to make one long break. Paid breaks are taken at the worksite regardless of whether the employee is at the department or in the field.

Employees shall have an unpaid break period during their shift. An unpaid break period is a span of at least thirty (30) consecutive minutes (never less) during which an employee is completely relieved of duty and free to use the time for his/her own purposes. It is not counted as hours worked or paid time.

Due to the nature of their work, shift personnel with Police, Fire, Telecommunications, and Water Treatment Plant may be paid during their meal period.

Your supervisor will discuss the paid and unpaid break period schedules with you.

Attendance and Punctuality

To maintain a productive work environment and to discourage any unnecessary hardship, employees are expected to be reliable and punctual in reporting to work. Absenteeism and tardiness contribute to inefficient public services and place a burden on other employees and the City. Employees are expected to be at their workplace and ready to work at their starting time. Non-exempt employees are asked not to start work or “clock-in” more than seven (7) minutes before their starting time without their supervisor’s permission. Non-exempt employees are also asked not to stay more than seven (7) minutes after the end of the workday without their supervisor’s permission. **Non-exempt employees may never work off the clock or unrecorded work.**

Excused absences, late arrivals, and early departures are those that are pre-arranged and approved in advance by your supervisor. Exceptions to this are sudden emergencies, sickness, or accidents which *may* be considered excused.

NOTE: If an employee was absent from work for a significant portion of the performance year (more than 3 months), this may be considered when determining if the employee receives a prorated performance/merit pay increase or bonus for the year in like fashion as applied to probationary employees. In all situations the Human Resources Director must be consulted in this determination to ensure compliance with applicable employment-related laws

Call-In: In instances where employees cannot avoid being late or unable to work as scheduled, they should notify their supervisor at least two hours prior to their work shift for absence and at least thirty minutes prior to shift if lateness is foreseen. The employee shall communicate by whatever method is most preferred by their Supervisor which should include one of the following: speaking directly to supervisor (most preferred), voicemail,

email and/or text message. If an employee does not speak directly to their Supervisor, it is still their responsibility to ensure the Supervisor has received the message. Unless the employee has made other arrangements with the supervisor, the employee must call the supervisor each day when he/she is absent.

Early Departures: Should you need to leave work early, this must be approved by your supervisor. If you are leaving work early, you must make sure that any urgent, uncompleted tasks are arranged to be completed by another employee.

Failure to give your supervisor notice of your absence may result in disciplinary action. A pattern of excessive or unexcused absences or tardiness may result in disciplinary action, up to and including dismissal.

Job Abandonment: If you are absent three or more consecutive workdays without giving proper notice to your supervisor, the City will deem you to have voluntarily abandoned your job and will interpret this as your voluntary resignation from employment.

Adverse (Inclement) Weather Attendance

City of Kannapolis offices will not close unless the severe inclement weather or other unusual circumstance situations including, but not limited to, natural or man-made disasters or emergencies requires this to occur. Severe adverse (inclement) weather includes, but is not limited to, an event that produces damaging winds, flooding, or accumulations of ice and/or snow. Any deviation from normal work hours or this policy shall be issued by the City Manager.

Emergency services personnel such as public safety, transportation and environmental services, water resources, operations, and information technology are essential to the safety of the public safety and therefore play a vital part in making sure necessary public services are available in time of need and therefore are considered essential personnel.

Regardless of whether City offices are open or closed, in the case of inclement weather each employee must make a personal decision regarding safety traveling to and from the workplace. If City Hall is open for business and an employee makes a personal decision not to come to work (or work remote if this is an option for the position), the employee is required to use available accrued annual leave and/or make arrangements with their supervisor to make-up work hours to the extent possible in the current work period (this is the work week for all employees excluding sworn law enforcement and fire protection). Please see administrative procedures for adverse weather situations in the Adverse Weather & Closures administrative policy.

SUBJECT: SEPARATION FROM EMPLOYMENT

Employment with the City of Kannapolis is voluntary and subject to termination by the employee or the City at will, with or without cause, and with or without notice, at any time. Nothing in this policy shall be interpreted to conflict with or to eliminate or modify in any way the employment-at-will status of City of Kannapolis employees. It is the policy of the City to ensure that separation from employment is handled in a professional manner with minimal disruption to the workplace.

Separations occur when an employee leaves the payroll typically for reasons as indicated

below.

Resignation or Retirement

Any employee voluntarily leaving the service of the City is asked to give three weeks' notice (four weeks for department heads) in writing to his/her supervisor who will send the resignation letter and any other pertinent information (e.g., employee's reason for leaving, last day of work). A retiring employee is asked to give a minimum of sixty (60) day notice in writing to his/her supervisor. See Holidays and Leave section of this Personnel Policy regarding written resignation or retirement notice requirements and leave accrual payments (vacation and sick leave sections).

For retiring employees, the date of separation is the last day of work, the last day of paid leave, or the paid holiday if the last day of the month.

For non-retiring employees, the date of separation is the last day of work (excluding verified unavailability due to physical or mental impairment or other requirements by law).

Unauthorized leave (failing to report to work without following call-in procedures) from work for a period of three (3) consecutive days shall be considered as a voluntary resignation. Separation pursuant to this policy should not occur until the department has made reasonable efforts to indicate that the employee was able to give or have someone else give notice during the period absent. Such terminations are voluntary resignations from employment and create no right of grievance or appeal.

Sick leave will only be approved during the final notice period of a notice with a physician's certification or comparable documentation. Using vacation leave during an employee's notice period is discouraged.

Dismissal

Dismissal is involuntary separation in accordance with the discipline procedures of this Personnel Policy.

Separation During Probation

An employee may be dismissed at any time during the probationary period typically for failure in performance of duties, failure in personal conduct, or failure to meet position/department requirements. Supervisors/Department Directors will consult with the Human Resources Director prior to this action. Separation during the probationary period creates no right of grievance or pre dismissal conference pursuant to this Personnel Policy.

Unable to Perform the Essential Functions of the Position

The City will comply with the Americans with Disabilities Act and will make all responsible efforts to identify and provide reasonable accommodation(s) to qualified employees through the interactive process. An employee who cannot perform the essential duties of a position because of a physical or mental impairment may be separated. Action may be initiated by the employee or the City. In either case, such action should be accompanied by medical evidence certified by a licensed physician. The City may require an examination, at the City's expense, performed by a physician of the City's choice. Before an employee is

separated for inability to perform the essential functions of his/her position, a reasonable effort shall be made to accommodate the employee in his/her current position or locate a vacant alternate position within the City for which the employee may be suited. In circumstances where the employee may be eligible to retire under the disability provisions of the North Carolina Local Governmental Employees' Retirement System, the City will provide assistance to the employee in filing such application.

Separation Due to Unavailability When Leave is Exhausted

An employee may be separated on the basis of unavailability when the employee becomes or remains unavailable for work after applicable leave has been exhausted and leave without pay has not been granted for reasons deemed sufficient by the employing department. Part-time employees with no leave accrual benefits may be separated for this reason when he/she is not available to work as needed for City business operations. Such reasons include but are not limited to, lack of suitable temporary assistance, criticality of the position, budgetary constraints, etc. Such separation is an involuntary separation, not a disciplinary dismissal, and may be grieved.

Death

The date of death shall be recorded as the employment separation date for the deceased employee. All compensation due in accordance with the policy will be paid to the estate of the deceased employee.

Reduction in Force

In the event that a reduction in force becomes necessary, consideration shall be given to the quality of each employee's performance, organizational needs, and seniority in determining those employees to be retained. The City Manager may implement a reduction in force. No regular employee shall be separated because of a reduction in force while there are temporary or probationary employees serving in the same class in the department, unless the regular employee is not willing to transfer to the position held by the temporary or probationary employee.

In this instance, those employees who are laid off shall be placed on an eligible list and shall be given first opportunity to return to work should an opening become available commensurate with his/her skills.

Employees laid off because of a reduction in force shall be given at least 30 calendar days' notice; should a severance package be provided, advance notice is not required. Severance pays shall not be offered to probationary, temporary, or seasonal employees. Any severance package shall be subject to the terms and conditions set forth therein and will generally require the execution of a written severance agreement and release.

Final Compensation, Benefits, and Out processing

Upon submitting his/her resignation or being separated in any other way from the employment of the City, the employee may be asked to participate in an exit interview with Human Resources. Generally, the exit interview is completed online, and results are sent to the Human Resources Department. Departments should notify Human Resources of the receipt of a resignation in a timely manner, to allow sufficient time to offer an exit interview.

The Human Resources Director shall, to the extent allowed by law, deduct and withhold from the final paycheck up to the FLSA minimum wage allowance or leave pay out of the employee any amount owed the City, any authorized legal deductions, and any other amounts specifically agreed upon by the employee and the City. The City also collects unpaid employee debt through the North Carolina Debt Setoff Program.

Employees shall receive pay for all hours worked through the last day of employment and for unused accumulated vacation leave balances as stipulated *and restricted by policy* and laws governing such payments. See Holidays and Leave section of this Personnel Policy regarding written resignation or retirement notice requirements and leave accrual payments (vacation and sick leave sections).

The separating employee is required to return all City property in his/her possession (i.e. City ID, manuals, cell phones, laptops, uniforms, tools, keys, City equipment). Failure by the separating employee to return City property prior to the final paycheck may result in the value of the outstanding items being deducted from the employee's final pay or vacation leave balance, collected through the North Carolina Debt Setoff Program, or invoiced.

Benefits continue through the official date of termination or the last day of the month in accordance with the benefit summary plan document. Employees will be notified of their right to COBRA benefits and information regarding the final dispensation of City provided or sponsored benefits.

Award of Badge and Service Sidearm

North Carolina General Statute 20-187.2 provides for the award of the badge and/or service sidearm of deceased and retiring members of State, city and county law enforcement agencies. The following guidelines are hereby established by the City Council as standing authorization for the award of badge and service sidearm under State law:

1. Any full-time sworn law enforcements officer of the City who retires from service in good standing, (including officers who qualify for disability retirement), may request the award of their badge and service sidearm.
2. No award of a badge or service sidearm will be made to a police officer who retires while under investigation for criminal or administrative misconduct, or who is otherwise ineligible to receive or possess a handgun under any provision of state or federal law.
3. Retiring officers shall, upon request, be awarded the badge worn or carried by the officer at no cost.
4. The surviving spouse, or in the event that an officer dies unsurvived by a spouse, the surviving children of an officer killed in the line of duty or who is employed as a police officer by the City at the time of their death, shall receive upon request and at no cost to them, the badge worn or carried by such deceased officer.
5. Retiring officers who have completed 20 or more years of full-time sworn law enforcement service with the City of Kannapolis shall, upon request, be awarded their service sidearm at no cost.
6. Retiring officers who have completed less than 20 years of full-time sworn law enforcement service with the City of Kannapolis, shall, upon request, be awarded their service sidearm upon payment to the City of a pro-rated amount equal to 1/20th of the

acquisition value of the weapon for each full year of service less than 20 years.

7. Officers who are approved for disability retirement as the direct result of an illness or injury sustained while engaged in the lawful and proper performance of law enforcement duties, regardless of the duration of employment with the City, shall, upon request, be awarded their service sidearm at no cost.

8. The City Manager may, in exceptional cases, waive any or all eligibility requirements for the award of badge and service sidearm established under this policy except those mandated by State Law.

SUBJECT: GENERAL PERFORMANCE AND CONDUCT STANDARDS

It is impossible to specifically identify all forms of work standards; therefore, *any guidance provided on work standards is not intended to be all inclusive*. Certain behaviors such as lying, cheating, or stealing are clearly unacceptable at any time. These standards are intended to help clarify what is acceptable work-related behavior. Together with good common sense and the employee's own understanding of right and wrong, they are meant to guide workplace behavior to ensure orderly operations and provide the best possible work environment.

In addition to protect the interests and safety of all employees and the City, the City complies with all applicable federal, state and local laws and regulations concerning employer/employee rights and obligations.

As a member of our City of Kannapolis Team, all employees are expected to contribute to our collective efforts to achieve a City-wide culture of Unity and Understanding. We do this through:

- Showing up each day with commitment and involvement in our work.
 - Creating a shared understanding of the similar challenges and issues we all face in our public service.
 - Continually striving to remove work silos and encourage inter-departmental interaction to accomplish our goals.
 - Contributing to being a place where we make people feel welcome every day.
 - Having a strong work ethic: people that gets stuff done.
 - Exceeding expectations in our shared goal of improving the City and providing residents a positive experience.
1. All employees shall strive to perform the duties and responsibilities of their position in an acceptable manner meeting or exceeding standards; follow appropriate instructions of their supervisor; work in a safe manner; and abide by all rules, policies, regulations, and laws of the workplace.
 2. Employees shall maintain any required license, certification, or other credential of their position.
 3. Employees charged with or convicted of a crime for any reason, other than a traffic citation such as a speeding ticket (unless driving a City vehicle), must notify their Department Head or Human Resources Director within 24 hours or no later than the next business day on a weekend or holiday. Failure to do so may result in disciplinary action, up to and including termination of employment.

4. Employees shall maintain a level of personal conduct that is befitting a public employee or officer; avoid real or preceived conflicts of interests; treat others with courtesy and mutual respect; work collaboratively and inclusively; use City time and resources for City business; keep confidential information confidential and protect sensitive information; give an honest day's work for every day's pay; and exercise stewardship and fiscal responsibility in your actions and decisions.
5. Employees shall use breaks and unpaid time rather than paid time to attend to personal matters, including but not limited to running errands, doing personal work, or making numerous or lengthy calls/texts/emails/social media use.
6. It is not possible to list all forms of work standard violations and behaviors that are unacceptable in the workplace. Work standard violations and unacceptable behaviors may result in corrective or disciplinary action up to and including dismissal. ***The following are illustrative examples and are not intended to be an all-inclusive or exhaustive list:***
 - Theft or inappropriate removal or possession of City property, merchandise, or money or the property of a fellow employee.
 - Willful destruction of City property or the property of a fellow employee.
 - Failure to follow City and Departmental ordinances, policies and procedures or the directions of one's supervisor(s).
 - Abuse of any leave privileges including reporting sick when not sick or obtaining sick leave pay falsely or under false pretenses.
 - Sleeping or giving the appearance of sleeping during work hours, unless otherwise provided by fire service.
 - Working under the influence of alcohol or illegal drugs.
 - Possession, distribution, sale, transfer or use of or illegal drugs in the workplace alcohol while on duty or while operating employer-owned vehicles or equipment (unless for a bona fide work-related purpose).
 - Fighting or threatening violence in the workplace.
 - Sexual or other unlawful harassment, discrimination, or retaliation.
 - Using excessively abusive, threatening or obscene language including use of such language towards a fellow employee or member of the general public while performing duties as a City employee.
 - Inability to get along with fellow employees so that the work is hindered, not up to required levels, or the work of other's is sabotaged.
 - Making malicious, false, or harmful statements or accusations about others.
 - Dishonesty, including giving false information and lying to supervisors in connection to your job.
 - Unauthorized disclosure or use of confidential information.

- Falsifying City records or reports, including one's time records or the time records of another employee.
- Violations of safety or property security rules, regulations, or procedures.
- Possession of dangerous or unauthorized materials, such as explosives, weapons, or firearms, in the workplace.

SUBJECT: NO HARASSMENT-NO DISCRIMINATION-NO RETALIATION

The City is committed to having a workplace environment free of unlawful harassment, discrimination and/or retaliation. The City does not tolerate harassment, discrimination or retaliation of our job applicants, contractors or employees by another employee, supervisor, vendor, customer, or any third party. Any form of harassment or discrimination on the basis of race, religious creed, color, age, sex, sexual orientation, national origin, ancestry, citizenship status, religion, marital status, disability, military service or veteran status, genetic information, on the basis of actual or perceived gender as expressed through dress, appearance or behavior, or any other classification protected by applicable federal, state, and local laws and ordinances is prohibited and will be treated as a disciplinary matter.

Harassment Defined. Harassment includes, but is not limited to remarks, jokes, written materials, symbols, paraphernalia, clothing or other verbal or physical conduct which may intimidate, ridicule, demean or belittle a person because of their race, religious creed, color, age, sex, sexual orientation, national origin, ancestry, citizenship status, religion, marital status, disability, military service or veteran status, genetic information, on the basis of actual or perceived gender as expressed through dress, appearance or behavior, or any other classification protected by applicable federal, state, and local laws and ordinances.

Harassment does not include the conduct or actions of supervisors intended to provide employee discipline, such as deficiency notices, performance evaluations, oral warnings, reprimands or other supervisory actions intended to promote positive performance.

Sexual harassment includes unwelcome: sexual advances; requests for sexual favors; and other verbal or physical conduct of a sexual nature, as well as behavior, remarks, jokes, or innuendos that intimidate, ridicule, demean, or belittle a person on the basis of their gender (regardless of whether the remarks are sexually provocative or suggestive of sexual acts). Harassment occurs when:

- Submission to and/or tolerance of the unwelcome conduct is explicitly or implicitly made a term or condition of a person's employment;
- Submission to, tolerance of, and/or rejection of the unwelcome conduct is a basis for employment decisions; or
- The unwelcome conduct substantially interferes with a person's work performance and creates an intimidating, hostile, or offensive work environment.

While it is not possible to identify every act that constitutes or may constitute sexual harassment, the following are some examples of sexual harassment:

- Unwelcome requests for sexual favors;
- Lewd or derogatory comments or jokes;
- Comments regarding sexual behavior or the body of another;

- Sexual innuendo and other vocal activity such as catcalls or whistles;
- Obscene letters, notes, emails, invitations, photographs, cartoons, articles, computer programs, internet web sites, or other written or pictorial materials of a sexual nature;
- Repeated requests for dates after being informed that interest is unwelcome;
- Retaliating against another for refusing a sexual advance or reporting an incident of possible sexual harassment to the Organization or any government agency;
- Offering or providing favors or employment benefits such as promotions, favorable evaluations, favorable assigned duties or shifts, etc., in exchange for sexual favors; and
- Any unwanted physical touching or assaults or blocking or impeding movements.

Because it is difficult to define unlawful harassment, employees of the City are expected to behave at all times in a professional and respectful manner. Employees should be aware that harassment, discrimination and retaliation is unacceptable not only in the workplace but also in any work-related settings such as business trips and business-related social functions, regardless of whether the conduct is engaged in by a supervisor, co-worker, customer, vendor, or other third party.

The wearing or displaying (i.e., lunch boxes, bags, office items, or other similar personal property) of **symbols which may intimidate, ridicule, demean or belittle a person because of their protected status** (race, religious creed, color, age, sex, sexual orientation, national origin, ancestry, citizenship status, religion, marital status, disability, military service or veteran status, genetic information, on the basis of actual or perceived gender as expressed through dress, appearance or behavior, or any other classification protected by applicable federal, state, and local laws) while on City property or performing City work is not allowed.

Reporting Harassment, Discrimination, or Retaliation

Employees are responsible for bringing any form of harassment or discrimination to our attention.

All employees are responsible for helping to ensure that harassment and discrimination in the workplace are avoided. We cannot remedy claimed harassment, discrimination or retaliation unless you bring these claims to the attention of the City. Therefore, while no fixed reporting period has been established, early reporting and intervention have proven to be the most effective method of resolving actual or perceived incidents of harassment. Failure to report claims of harassment and/or retaliation prevents us from taking steps to remedy the problem.

Failure to report acts of harassment is serious and may be grounds for disciplinary action, up to, and including termination of employment.

If an employee experiences any problem of this sort, becomes aware of any other employee experiencing a problem of this sort, or has knowledge of any form of harassment or discrimination, sexual or otherwise, they must immediately report it to their supervisor, or directly to the Human Resources Director or Assistant Human Resources Director.

If an employee believes that it would be inappropriate to discuss the matter with their supervisor, they are uncomfortable/reluctant discussing the matter with their supervisor,

or the complaint is against or involves their immediate supervisor, they may elect to bypass the supervisor and report the matter directly to the Department Leader or the Human Resources Director or Assistant Human Resources Director.

In addition, the City encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and to request that it be discontinued. Often this action alone will resolve the problem. The City recognizes, however, that an individual may prefer to pursue the matter through complaint procedures.

Supervisors are required to immediately report all conduct they believe may violate this policy, whether they directly observe this conduct, or it is reported to them by an employee or another individual, directly to the Director of Human Resources, Assistant Director of Human Resources, or any member of management above their level.

Investigate

We will investigate thoroughly and promptly all claims of harassment or discrimination, ***WITHOUT CONSEQUENCE TO THE EMPLOYEE EXPERIENCING OR REPORTING THE CONDUCT***, so long as the report is made in good faith and the information provided is truthful to the best the employee's knowledge.

To the fullest extent practicable, the City will keep complaints, investigative records, and the results of the investigation confidential. If an investigation confirms that harassment has occurred, the City will take corrective action to effectively end the harassment. Responsive action may include, for example, training, referral to counseling or disciplinary action such as a warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination, as the City believes appropriate under the circumstances.

Employees are required to cooperate with any investigation involving harassment and/or discrimination.

False and malicious complaints of harassment, discrimination or retaliation (as opposed to complaints that, even if erroneous, are made in good faith) may be the subject of appropriate disciplinary action.

No Retaliation. No employee will be subject to, and the City prohibits, any form of discipline or retaliation for reporting perceived violations of this policy in good faith, pursuing any such claim, or cooperating in any way in the investigation of such claims in good faith. If an employee believes someone has violated this no-retaliation policy, the employee should bring the matter to the immediate attention of the Human Resources Director, Assistant City Manager, Deputy City Manager, or the City Manager.

SUBJECT: NO SEXUAL OR OTHER ABUSE

The City will not tolerate any form of sexual abuse or other abuse. This policy affirms the City's commitment to provide a safe place for citizens and customers, and for employees, and

condemns clearly any instance of sexual or other abuse. This policy also affirms our commitment to provide a safe place for children, youth and vulnerable adults and condemns clearly any instance of sexual or other abuse of children, youth or vulnerable adults by our employees, volunteers and any other City representatives.

YOU HAVE THE RESPONSIBILITY TO BRING ANY FORM OF ABUSE OR INNAPPROPRIATE ACTIVITY TO OUR ATTENTION.

Each employee and volunteer is responsible for helping assure that we avoid sexual or other abuse at the City. If you become aware of or suspect any problem of this sort, you must immediately report it to the Human Resources Director, your Department Leader, or the City Manager.

All employees, volunteers and any other City representatives are responsible for helping to ensure that we avoid actual or perceived instances of sexual or other abuse in City children, youth and vulnerable adults programs and otherwise. In order to avoid the potential for actual or perceived instances of sexual or other abuse of children in City children, youth and vulnerable adults programs, an employee, volunteer and any other City representative who works with or around children, youth and vulnerable adults:

- should not put him or herself in a one-on-one situation involving a child who is not their own;
- should not provide unwarranted gifts, trips, attention and affection to individual children who are not their own.

A thorough and prompt investigation will be conducted on all claims of abuse or inappropriate activity, **WITHOUT REPRISAL TO THE PERSON REPORTING THE CONDUCT**, so long as the report is made in good faith and the information provided is truthful to the best of your knowledge. The City will endeavor to keep complaints, investigations and resolutions confidential to the extent possible; however, the City cannot compromise its obligation to investigate complaints or to report instances of sexual or other abuse to the appropriate law enforcement authorities.

If an investigation confirms that abuse or inappropriate conduct has occurred, the City will take immediate corrective action, including discipline, up to and including termination of our relationship with the offending party as appropriate. However, if after investigating any complaint of abuse or inappropriate conduct, the City determines the complaint is not bona fide, and was not made in good faith, or that any person(s) has provided false information regarding the complaint, disciplinary action may be taken against the person(s) who filed the improper complaint or who gave the false information.

VIOLATION OF THIS POLICY WILL SUBJECT YOU TO DISCIPLINARY ACTION UP TO AND INCLUDING IMMEDIATE DISMISSAL.

SUBJECT: NO VIEWING OR SAVING PORNOGRAPHY

The viewing or saving of pornography by employees, elected officials, or appointees on or to any device owned, leased, maintained, or otherwise controlled by the City is prohibited.

Employees of City of Kannapolis are prohibited from viewing pornography on any network of the City.

Definitions

Appointees means persons appointed by the City Council to serve on any board, commission, committee, authority or similar body created by the City Council or by statute.

Device means any cellular phone, desktop or laptop computer, or other electronic equipment capable of connecting to a network.

Network means any of the following, whether through owning, leasing, maintaining, or otherwise controlling: the interconnection of communication systems with a computer through remote or local terminals, or a complex consisting of two or more interconnected computers or telephone switching equipment; internet service; and internet access.

Pornography means any material depicting sexual activity with *material* and *sexual activity* to mean as defined in G.S. 14-190.13.

Policy exceptions: This shall not apply to an official or employee that is engaged in any of the following activities in the course of that official's or employee's official duties:

- Investigating or prosecuting crimes, offering or participating in law enforcement training, or performing actions related to other law enforcement purposes.
- Identifying potential security or cybersecurity threats.
- Protecting human life.
- Establishing, testing, and maintaining firewalls, protocols, and otherwise implementing this section.
- Participating in judicial or quasi-judicial proceedings.

Annually, no later than August 1 and in the format required by the State Chief Information Officer, the City's Director of Information Technology shall report information to the State Chief Information Officer on the number of incidences of unauthorized viewing or attempted viewing of pornography on the City's network; whether or not the unauthorized viewing was by an employee, elected official, or appointee of the City; and whether or not any of the unauthorized viewing was on a device owned, leased, maintained, or otherwise controlled by the City.

Violation of this Policy by an employee who is not an elected official or appointee shall constitute grounds for disciplinary action up to and including immediate dismissal. Any violation of this Policy by an appointee shall constitute grounds for removal of the appointee from office.

SUBJECT: DRUG AND ALCOHOL-FREE WORKPLACE

The City desires to provide a safe and healthy work environment for employees and the best service possible to citizens. To achieve these goals, the City has the following rules about the use, possession, and sale of drugs and alcohol by its employees.

The illegal or unauthorized use, being under the influence of, sale, distribution, or possession of narcotics, drugs, or controlled substances while on the job (on or off City property) will result in immediate disciplinary action, up to and including termination of employment. In addition, alcohol cannot be consumed on City property unless at an authorized social function sponsored by the City and approved by the City Manager, in which case consumption must be reasonable and responsible. The use of alcohol during working hours or reporting to work under the influence of alcohol is strictly prohibited.

The use of controlled substances prescribed to you by a licensed physician or are available over the counter is not prohibited by this policy. However, if a physician has prescribed medication that requires an accommodation or poses safety concerns, your supervisor or Human Resources should be notified to discuss the requested accommodations or safety concerns.

In addition to pre-employment screenings, the City conducts reasonable suspicion drug and alcohol tests, and post-incident. Employees in safety sensitive positions are subject to random drug tests. All such testing will be in compliance with federal and state laws as well as the procedures established by the City in the **Drug and Alcohol Free Workplace Policy** administrative document. Refer to this policy for details in the Risk and Safety Program policies.

Violation of this Policy will result in disciplinary action, up to and including termination. The City maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, as well as employees who have a medical history which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation.

SUBJECT: APPROPRIATE WORK ATTIRE & IDENTIFICATION BADGES

Employees are expected to present a professional image and be identifiable as a City employee at all times while at work.

Identification Badges

Identification badges are required to be worn by non-uniformed employees so that they are easily seen. All employees must have their identification badge available to display/show while working, if requested or necessary. If a lanyard is used for the identification badge, it must be a break-away lanyard for safety. If there is a personal safety concern, consult with Human Resources/Risk Management. Employees may be charged a payroll deduction fee for non-normal-wear-and-tear badge replacements.

Appropriate Attire

Because of our relations with citizens and customers, the public and the nature of public service, neatness and cleanliness are absolutely necessary at all times. Employees who do not require uniforms should dress conservatively, in good taste, and according to the requirements of their position. Clothing, footwear and overall appearance must be appropriate and safe for the environment, work duties, and work location for the day. Departments may have additional standards based on the business needs, environment, and nature of work; employees are expected to adhere to those additional or more stringent standards.

While relaxed, business casual work attire is acceptable in office and field settings on most workdays, representing the City in the community or other formal event/meeting settings may require different decisions about attire for the day. Business casual dress or Class B uniform is the *minimum* standard that must be observed when you are representing the City. Before the event, determine the accepted professional dress according to the audience, purpose of the event, and location.

Any staff member who does not meet the dress standards will be required to take corrective action, for example leaving the premises to change clothing. Any time missed because of failure to comply will be charged to accrued annual leave; if annual leave is not available, then the leave will be without pay. Supervisors are charged with setting the example for professional appearance in the workplace and enforcement of appropriate dress standards. If you have any questions about the proper attire for your work area, or require an accommodation for this appropriate dress policy, ask your supervisor or Human Resources.

Workplace attire guidelines cannot cover all contingencies; therefore, employees must use a certain amount of good judgment in their choice of work clothes; when in doubt, don't wear the clothing item.

In addition, supervisors will address if poor hygiene, excessive perfume/cologne, or body piercings, or tattoos become an issue. Such conversations are to be held in private.

Uniforms

Uniform attire is appropriate if uniforms are provided and required. Employees must wear them in accordance with department uniform and safety guidelines.

Uniforms provided by the City serve to identify employees as City personnel, are not to be worn off duty (excluding personal errands to/from work or while on call), and are to be neat and clean.

The City will replace uniforms damaged as a result of job requirements or performance. Damaged uniforms must be reported to the supervisor immediately. If uniforms are damaged as a result of neglect or abuse, individuals may be required to replace the uniforms at their own expense.

Employees leaving City employment must turn in all uniforms; this excludes City branded apparel and SWAG items that were not issued as uniforms. The cost of uniforms not returned may be deducted from the employee's annual leave balance, final paycheck, or billed to the employee.

On call/emergency call back attire is at the discretion of the Department Head.

Accommodations

The City will endeavor to reasonably accommodate a staff member's sincere religious belief or practice or medical needs in terms of workplace attire unless doing so imposes an undue hardship on the City or pose a direct threat of substantial harm to the employee or others. An applicant or employee who believes he or she needs a reasonable accommodation should discuss the need with his or her supervisor or Human Resources. For assistance in determining if a request may be reasonably accommodated, management should contact Human Resources.

SUBJECT: PERSONAL VISITS, TELEPHONE CALLS, EMAILS, AND SOCIAL MEDIA

While the City values family life and seeks to provide a family-friendly environment for employees, we must recognize that the City's first priority is to serve the public while at work. To this end, frequent, excessive, or extended presence of children and personal visitors during work hours are inappropriate and not allowed. Likewise, frequent, excessive, or extended personal telephone calls, emails, use of social media, etc. are inappropriate, a misuse of work time, and not allowed during work time. Personal mail should be directed to your home and not to your City address.

Personal use of social media and posts should be on the employee's own personal electronic device, not the City's electronic device, and on the employee's own time. Additionally, employee's personal use of social media and posts should not represent their opinions or comments as that of the City of Kannapolis or as an official of the City of Kannapolis. We encourage you to write a disclaimer such as, "The postings on this site are my own and do not necessarily reflect the views of any other entity or person." The City shall consider on a case-by-case basis the impact of any social media posting's impact on the efficiency or integrity of operation of the City and may take action if the posting is in violation of the City's personnel policy, other City policies, or laws.

SUBJECT: TOBACCO USE

The City of Kannapolis proper resides within two North Carolina counties, Cabarrus and Rowan with City owned, leased, occupied, and operated properties in both Counties. Therefore, this City Tobacco Use Policy for all City employees works in conjunction with other tobacco use policies that may be in place for a particular work location/City property. Employees will always comply with the more stringent policy applicable to the work location.

For example, the use of tobacco products for local government buildings in Cabarrus County are regulated by the Cabarrus Health Alliance Rules. The use of tobacco products is prohibited by this Rule in Local Government Buildings and Transportation Vehicles. Definitions and Rule details are located at [TobaccoRuleRevised1-13-2016](#). The North Carolina Research Campus is a tobacco free campus. Additionally, the use of tobacco is prohibited in Kannapolis City Parks as described in [Chapter 12 – Parks and Recreation, Section. 12-36](#).

Use of tobacco, tobacco-derived, electronic and vapor products (including non-tobacco derived) by City employees is prohibited:

- In buildings and structures (unenclosed or closed) owned, leased, occupied or operated by the City;
- In City vehicles and when operating City equipment, which are owned, leased or otherwise controlled by the City;
- On City property/grounds owned, leased, occupied or operated by the City (excluding on City property leased to a third party while the employee is on that property during his/her personal/non-work time); and
- While performing duties including on customer or citizen property, where an employee is working.

Examples of these products include, but are not limited to, cigarette, cigar, pipe, chewing tobacco, snuff, dipping tobacco and electronic device/cigarette.

Departments are not required to make time available to allow employees to leave the workplace in order to use these products.

Individuals who smoke outdoors are responsible for not smoking in an area that may create a recognized fire or safety hazard, use outdoor ashtrays or other appropriate receptacles to discard their refuse, and should not litter the grounds.

Use of products approved by the FDA for sale as tobacco cessation aids, and are being marketed and sold for that purpose, are exempt from this policy.

The City will not discriminate against employees based on the lawful use of lawful products while off duty and off premises.

SUBJECT: OUTSIDE (SECONDARY) EMPLOYMENT

Administrative Note: Upon effective date of this policy, all current employees with outside or second jobs will be required to comply with this policy submitted the required written request within 60 days of the policy effective date.

The City recognizes some employees may need or want to hold additional jobs outside their employment with the City. Employees are permitted to engage in outside work or hold other jobs, subject to certain restrictions based on reasonable business concerns.

Outside or second jobs being held by a City employee should not conflict with or compromise, in any way, the position that the employee holds with the City. **All full-time City employees must submit written requests for outside employment, including self-employment, to the Supervisor and/or Department Head.** The Department Head will review such employment in consultation with the Human Resources Director (or designee). The request will be reviewed for possible conflict of interest and the approval/denial documentation will be maintained by Human Resources. Any conflicts will be reported to the Human Resources Director for final determination.

Outside employment-related activities and conduct away from the City must not compete with, conflict with or compromise the City's interests or adversely affect job performance and the

ability to fulfill all responsibilities to the City. Employees may not solicit or conduct any outside employment/business during work time for the City or use any City tools, materials, goods, equipment or technology to conduct outside employment/business.

Employees must carefully consider the demands that additional work activity will create before accepting outside employment. Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. If outside work activity causes or contributes to job-related problems, the employee will be asked to discontinue the outside employment, and the employee may be subject to the normal disciplinary procedures for dealing with the resulting job-related problem(s).

Employees may not use paid sick leave to perform work for another employer.

Outside employment is prohibited while an employee is on a paid or unpaid leave of absence for his/her own sickness or disability where benefits may be maintained.

Any employee violating the provision of this section shall be subject to disciplinary action up to and including dismissal.

SUBJECT: POLITICAL ACTIVITY

The City encourages an employee to exercise civic responsibility in supporting good government practices at all levels by voting for the political candidates and issues of his/her choice.

An employee may join or affiliate with political organizations, may attend political meetings and may advocate and support political principles and policies in accordance with the Constitution and laws of the State of North Carolina and of the United States of America.

However, an employee shall not:

- Engage in political activity while on duty, through phone calls, e-mails, letters, meetings, social media, etc.;
- Be required to contribute funds or support for political or partisan purposes as a condition of employment, pay raise, promotion or tenure of office;
- Use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination for office;
- Use City-owned supplies, equipment or facilities to prepare or display political slogans, posters or stickers and the like or for any other political purpose; and
- Shall not hold a political office for the City.

In addition to the above prohibitions, employees subject to the Hatch Act (certain federally aided programs) may not be candidates for elected office in a partisan election.

Any violation of this section shall be considered a failure in personal conduct and shall subject an employee to disciplinary action up to and including dismissal.

Policy exception: With the approval of the City Manager, an exception shall be allowed when the subject (not a person running for office) of an election has received the endorsement and support of the City Council (e.g. bond issue).

SUBJECT: SOLICITATIONS

To maintain efficient and safe operations and to encourage employees to give their full attention to their jobs, the City must limit solicitation and distribution of literature on City premises and via City electronic devices and networks.

With the exception of United Way and other City approved activities, peddling or soliciting for sale or donation of any kind on City of Kannapolis premises during normal working hours is not allowed. Exceptions may be granted by the City Manager. This policy applies to both City employees and non-employees. Working hours include the working time of both the employee doing the soliciting or distributing, and the employee to whom such activity is directed.

Employees are free to discuss these matters before or after normal working hours, and during lunch or rest periods in non-work areas. This policy is not intended to restrict any lawful employee rights.

Outside vendor or third-party solicitation/sales requests should be directed to the Finance Department (purchasing).

SUBJECT: CONFLICTS OF INTEREST

This policy is not all-encompassing in its definition of conflicts of interest. When conducting City business and the duties of their respective jobs, as public stewards City employees are to use the “prudent person” rule as a guideline for making decisions using the principles of common sense and reasonable risk. The prudent-person rule sets a reasonable expectation that the person will make rational, intelligent decisions when making decisions on behalf of the City.

No City of Kannapolis employee shall engage in any act which is in conflict or creates an appearance of unfairness or conflicts with the performance of official duties.

No public officer or employee who is involved in making or administering a contract on behalf of the City may derive a direct benefit from the contract except as provided in N.C.G.S.14-234(b), or as otherwise allowed by law.

A public officer or employee who will derive a direct benefit from a contract with the City, but who is not involved in making or administering the contract, shall not attempt to influence any other person who is involved in making or administering the contract.

No public officer or employee may solicit or receive any gift, favor, reward, service, or promise of reward, including a promise of future employment in exchange for recommending, influencing, or attempting to influence the award of a contract by the City.

Recognizing that personal friendships often precede and can evolve from official contact between employees and persons engaged in business with the City, reasonable exceptions to this section are permitted for those occasions which are social in nature and are not predicated on the employee's ability to influence, directly or indirectly, any matter before the City.

See also the City's Purchasing Policy administered by the Finance Department for additional guidance and policies.

SUBJECT: GIFTS, GRATUITIES, AND HONORARIUMS

In compliance with N.C.G.S. 133-32, it shall be unlawful for any officer or employee of the City who is charged with the duty of:

1. Preparing plans, specifications or estimates for public contracts;
2. Awarding or administering public contracts; or
3. Inspecting or supervising construction to willfully receive or accept gifts or favors from any contractor, subcontractor or supplier prohibited by N.C.G.S. 133-32 from making such gifts or favors.

This section is not intended to prevent the gift and receipt of honorariums for participating in meetings, advertising items or souvenirs of nominal value (valued at less than \$50), or meals furnished at banquets. This section is not intended to prevent any contractor, subcontractor or supplier from making donations to professional organizations to defray meeting expenses where City employees are members of such professional organizations, nor is it intended to prevent City employees who are members of professional organizations from participating in all scheduled meeting functions available to all members of the professional organization attending the meeting. This section is also not intended to prohibit customary gifts or favors between employees or officers and their friends and relatives or the friends and relatives of their spouses, minor children, or members of their household where it is clear that it is that relationship rather than the business of the individual concerned which is the motivating factor for the gift or favor.

Speeches and presentations which are related to City Services delivered by City employees to community and professional organizations are made without charge. If an organization wishes to give an honorarium or contribution for such a presentation, the remuneration must be made to the City, not to the individual employee. An honorarium or contribution for a speech or other presentation made by a City employee to a group outside the City, either during working time or for which the City provided travel expenses, will also be made to the City. Such contributions and honorariums shall be turned over to the Finance Director for disposition.

All gifts knowingly made or received are required to be reported to the Department Head if the gifts are made by a citizen/customer, contractor, subcontractor, or supplier doing business or desiring to do business directly or indirectly with the City to ensure policy compliance, conflicts of interest do not arise, and upholding ethical public steward standards.

SUBJECT: USE OF CITY PROPERTY AND EQUIPMENT

No employee of the City shall request, use, or permit the use of City owned vehicles, clothing, equipment, material, or other property for unauthorized personal convenience for profit, for private use, or as part of secondary employment. Use of such City property is to be restricted to such services as are available to the City generally and for the conduct of official City business.

Employees are responsible for taking proper care of all City property and equipment that they are entrusted with. Employees are not permitted to alter or modify city property or equipment for personal expression such as affixing stickers or similar to City issued headgear, technology equipment, and all other City property and equipment without the express written permission of the department head.

No individual shall operate a City vehicle except as is required for the conduct of official City business. An individual that is not a City employee will not be allowed to *operate* a City vehicle without prior approval or contract agreement. No non-employee passengers may be transported in a City vehicle except as required for official duties or as approved by the Department Director or the employee's supervisor if the request is from a Department Director or above.

Employees are responsible for the IRS tax liability imposed for commuting in vehicles that do not fall with the IRS categories of non-personal use. The Administrative Procedure: Vehicle Use Procedures describes use requirements in detail.

Employees leaving City employment must turn in all City owned/issued equipment. The cost of equipment not returned may be deducted from the employee's annual leave balance, final paycheck or billed to the employee.

Employees are responsible for adhering to all aspects of this policy and are subject to be audited and disciplined for non-compliance.

SUBJECT: TECHNOLOGY AND ELECTRONIC COMMUNICATIONS

The City of Kannapolis utilizes technology resources for business purposes in serving the interest of City residents. Technology resources are the property of the City of Kannapolis and include, but are not limited to, computer equipment, software, software as a service, operating systems, storage media, telephone equipment, wireless/portable equipment, office equipment, email, voice mail, network access, infrastructure as a service and associated systems, networks, equipment, and their various derivatives whether on premise or in the cloud. Technology resources and their use are subject to NCGS § 132 Public Records Law and may be monitored, reviewed, and analyzed for business purposes and compliance. Digital communications governed by the public records retention policy can only be conducted by

approved methods on approved devices. The City of Kannapolis Technology Appropriate Use administrative policy describes requirements in detail.

SUBJECT: DISCIPLINARY ACTION

General Purpose

It is important to understand that employment with the City of Kannapolis is "at will". This means an employee may leave City employment at his/her own discretion. Likewise, an employee may be relieved of his/her duties at the City's discretion. However, the City tries to ensure that disciplinary actions are fair, equitable and consistent without regard to factors protected under applicable law.

Duties and Responsibilities

While it is desirable that all employees strive to achieve the highest success in their jobs, it is the responsibility of each employee to maintain at least an acceptable level of job performance and conduct. It shall be the duty of employees to comply with and to assist in carrying out the provisions of the Personnel Policy, administrative policies and procedures, and departmental level policies and procedures.

It is the duty of all supervisory personnel to promptly discuss improper or inadequate performance with employees so as to correct deficiencies during the ongoing performance feedback and coaching process; this includes documented oral warnings to correct minor work deficiencies and is not considered a disciplinary action. It is the responsibility of the employee's supervisor to notify the employee of his/her unsatisfactory work or conduct, and what corrective measures must be taken for the work or conduct to be satisfactory.

All disciplinary actions involving demotion or dismissal require City Manager approval.

An employee may be suspended by their Department Head (or designee) with consultation with the Human Resources Director (or designee) for causes related to personal conduct determined to be detrimental to city service (1) in order to avoid undue disruption of work, (2) to protect the safety of persons or property, or (3) for other serious reasons.

Disciplinary Procedures

Disciplinary action may occur when the unacceptable performance/conduct is at a level of severity or frequency deemed inappropriate to the best interests of the City. When circumstances permit, discipline should ordinarily be of an increasingly progressive nature for each successive instance of employee misconduct but is not required. Discipline should ordinarily be documented in the employee's personnel record.

In recognition of the fact that each instance of misconduct differs in some respect and that the severity of an individual situation may warrant no progressive discipline, the City has a right to treat each occurrence individually without setting a precedent for future cases. The disciplinary procedures are not to be construed as a limitation of the City's right to take any form of disciplinary action, including dismissal, when deemed appropriate.

Types of disciplinary action may include written warning, disciplinary suspension without pay, reassignment, demotion, and dismissal.

The original copy of the written notice of any disciplinary action is to be placed in the employee's personnel file and a copy must be given/mailed to the employee. The supervisor responsible for the final decision shall issue the written notice to include the specific acts or omissions that are the basis of the action and the employee's right of appeal.

Administrative note: The City typically utilizes electronic workflow process for numerous employee actions, including the documentation of disciplinary actions and procedures. Departments are required to use such electronic workflow processes and are to contact Human Resources for assistance.

Written Warning/Reprimand – If, due to the seriousness or repetition of the work performance deficiency, the supervisor may issue a written reprimand after consultation with the Department Head. The reprimand should ordinarily include the nature and date of the offense; the corrective action needed by the employee; and a notice to the employee that continued unsatisfactory performance may result in dismissal. The employee should be requested to sign the reprimand to acknowledge that he/she has seen the reprimand, not that he/she agrees or disagrees with its contents. If the employee refuses to sign the acknowledgement, then the supervisor and one other witness shall note on the reprimand that the employee received a copy thereof and refused to sign it. A copy of the reprimand should be placed in the employee's personnel file.

Disciplinary Suspension – An employee who is suspended for disciplinary reasons shall be temporarily relieved of all duties and responsibilities and shall receive *no compensation*, including pay for accumulated vacation and sick leave, for the period of suspension. Disciplinary suspension shall be for no less than one workday or shift, but normally not more than ten full workdays or shifts.

A written reprimand from the supervisor or Department Head must be issued to the employee, with a copy placed in the employee's personnel file. The reprimand should be reviewed by the Human Resources Director. The written reprimand/suspension should indicate:

- The reasons for the disciplinary action; and
- The employee's right of appeal under the grievance procedure.

In rare situations, a disciplinary suspension by the Department Head (or designee) may occur immediately and without notice in order to avoid undue disruption of work, to protect the safety of persons or property, or for other serious reasons. When a Department Head suspends an employee immediately, he/she shall tell the employee to leave City property at once and remain away for the specified time. The Department Head will immediately notify the Human Resources Director (or designee). Additional disciplinary action may be taken in such cases if deemed appropriate.

Demotion - Demotion may be used in those instances where an employee has been promoted to a position where they are unwilling or unable to perform the responsibilities of that position. Demotion is not to be used as a substitute for dismissal, when dismissal is warranted. See also Compensation Policies section of this Policy.

Dismissal – An employee may be dismissed due to the frequency or nature of work deficiencies, misconduct, or because of continued substandard performance. Also, violations of such a

degree that continued employment of the individual may not be desirable may be grounds for immediate dismissal without prior disciplinary actions.

Immediate removal of an employee from the job site pending review for dismissal may be warranted in instances involving serious insubordination, theft, serious illegal or destructive acts while on the job, or other substantial reasons deemed appropriate by the City Manager.

A non-probationary employee who is dismissed should normally be granted a pre-dismissal conference as outlined below.

Last Chance Employment Agreements

In lieu of terminating employment of an employee for serious violations of City policies, procedures and rules and for other inappropriate behavior or conduct, the City reserves the right to offer the employee a final opportunity to continue employment.

A last chance agreement is an agreement between the City and an employee setting out the terms the employee must comply with to remain employed. The agreement may include a period of leave without pay beyond the unpaid disciplinary suspension period in which the employee must meet certain requirements, take specific actions, or participate in and successfully complete specific standards, education programs, counseling, or any other steps deemed appropriate for the situation in order for the employee to remain employed with the City.

Non-disciplinary suspension for investigatory purposes (Administrative Leave)

Investigatory suspensions may be used to allow time to investigate, establish facts and reach a decision concerning an employee's status in those cases in which it is determined the employee should not continue to work pending a decision, to provide time to schedule and hold a pre-dismissal meeting, to avoid undue disruption of work, or to protect the safety of persons or property. A non-disciplinary suspension for investigatory purposes may be with or without pay or a combination of the two. Typically, the first day of non-disciplinary suspension for investigatory purposes will be paid and continuance of (or decision of) the pay status will be determined with City Manager (or designee) approval and consultation with the Human Resources Director (or designee). If the allegation proves false or if no disciplinary or other action is taken based on the results of the investigation, the employee will return to active work status without loss of pay and benefits.

An investigatory suspension usually should not exceed 45 calendar days. However, a Department Head may, with City Manager (or designee) approval and consultation with the Human Resources Director (or designee), extend the period of investigatory suspension without pay beyond the 45-day limit. The employee must be informed in writing of the extension, the length of the extension and the specific reasons for the extension. A copy of the above communication shall be sent to the Human Resources Director. If no action has been taken by management by the end of 45 calendar days, and no extension has been made, one of the following must occur: return the employee to active work status with full back pay and benefits or take appropriate disciplinary or other action based on the results of the investigation and/or a pre-discipline conference.

Note: See Leave Policies Administration Rules for guidance on shutting off City network access to any employee that is approved or placed on any type or combination of leaves for thirty (30)

continuous days or more. This is applicable to non-disciplinary suspension for investigatory purposes when it is continuous for thirty (30) days or more.

Pre-dismissal conference

A pre-dismissal conference shall be held between management representatives and the employee.

Pre-dismissal conference notice: A statement of employee conduct and/or performance issues and notification of time and place of the pre-dismissal conference shall be provided twenty-four (24) hours in advance of conference. Once the employee is given this notice, the supervisor typically places the employee on paid Administrative Leave until the conclusion of the pre-dismissal conference; prior City Manager approval is not required.

No attorneys or other such representatives for either party shall be present at this conference; a witness or security personnel may be present if management deems this is necessary. The Human Resources Director or designee shall attend to monitor the pre-discipline conference process and will typically record the conference.

During the pre-dismissal conference, the City representative (usually the employee's supervisor) shall present to the employee and the City's pre-dismissal representative (usually the department head) with the specific reasons for the proposed dismissal and a brief summary of the information which is believed to support the dismissal. The employee shall have a right to respond to the written notice of proposed action in the conference.

After the end of the conference, the City's pre-dismissal representative responsible for the final decision/recommendation to the City Manager on the proposed action should review and reflect on the information provided in the conference and make a recommendation to the City Manager no sooner than the next day and no later than five working days. He/she shall present the employee with a letter notifying the employee of the action with City Manager approval. However, the City's pre-dismissal representative or City Manager may elect to defer the action, reconsider the entire issue, or initiate a disciplinary action less severe than recommended. If, following deferral or reconsideration, the decision is to take the proposed action, then no further conference is required.

The employee must be given written notice of any disciplinary action. The City representative responsible for the final decision/recommendation to the City Manager shall issue a written notice to include the specific acts or omissions that are the basis of the action and the employee's right of appeal.

A pre-dismissal conference shall not be held under the following circumstances:

- When the employee is physically unable to attend a conference.
- When the employee waives the conference either through expressed intent or implied actions.
- When to conduct a conference would otherwise not be practical.

When a conference is not held as set forth above, the City's pre-dismissal representative responsible for the final decision/recommendation to the City Manager on the proposed action

should review and reflect on all information available and render a decision no sooner than the day following the decision not to conduct the conference and no later than five working days from the decision not to conduct the conference is made. In rare circumstances if a decision has not been made in five working days, the City Manager may recommend an extension; the employee must receive notice of the extension. If the City representative determines that a disciplinary action is justified, he or she shall present the employee with a letter notifying the employee of the action. However, the City representative may elect to refer the action, reconsider the entire issue, or initiate a disciplinary action less severe than recommended.

Grievance or Appeal

Employees, excluding probationary, have a right to appeal any disciplinary action (see types of disciplinary actions defined in this Policy above). Refer to the Grievance Procedure in the Policy.

SUBJECT: GRIEVANCE PROCEDURE

General Purpose

The City of Kannapolis desires to resolve employee complaints and grievances in a fair and equitable manner.

Employees whose grievances result from work situations deserve and have the right to submit such grievances for orderly resolution with complete freedom from discrimination, coercion, recrimination, restraint, or reprisal including when appearing as a witness, or in seeking information in accordance with these procedures. Should these principles be violated, the facts should be brought to the attention of the Human Resources Director or City Manager by the appellant, the appellant's representative or the person affected so that the appropriate remedial action may be taken.

The resolution of grievances promotes more effective employer/employee relationships and is in the best mutual interests of all affected parties.

It is the responsibility of supervisors at all levels, consistent with the authority delegated to them, to consider and take appropriate action promptly and fairly on a grievance of any employee.

The purposes of the grievance procedure include, but are not limited to:

- Providing employees with a procedure by which their complaints can be considered promptly, fairly, and without reprisal;
- Encouraging employees to express themselves about the conditions of work which affect them as employees;
- Promoting better understanding of policies, practices, and procedures which affect employees;
- Increasing employees' confidence that personnel actions taken are in accordance with established, fair, and uniform policies and procedures;
- Increasing the sense of responsibility exercised by supervisors in dealing with their employees;

- Encouraging conflicts to be resolved between employees and supervisors who must maintain an effective future working relationship, and therefore, encouraging conflicts to be resolved at the lowest level possible of the chain of command; and
- Creating a work environment free of continuing conflicts, disagreements, and negative feelings about the City or its leaders, thus freeing up employee motivation, productivity, and creativity.

The City has established the following procedures for the administration and resolution of grievances.

Coverage

The provisions of this procedure shall apply to all City employees, except the City Manager and City Attorney.

Definition of a Grievance

Grievance shall be defined as a complaint or dispute by an employee relating to his/her employment, including but not limited to:

- Disciplinary or adverse actions involving dismissals, demotions, suspensions, reduction in pay, involuntary transfer, or lay off;
- An event or condition which affects the circumstances under which an employee works;
- Allegedly caused by misrepresentation, unfair application, or lack of established policy pertaining to employment conditions;
- Alleged safety or health hazards, unsatisfactory physical facilities, surroundings, materials or equipment;
- Alleged unfair or discriminatory supervisory or disciplinary practices, unjust treatment by fellow coworkers, unreasonable work quotas;
- Acts of reprisal as the result of utilizing the grievance procedure;
- Complaints of discrimination, harassment or retaliation; or
- Any other grievance relating to conditions of employment.

Employees are advised that the following items are not subject to the grievance procedure:

- (1) Conditions of employment, law, policy, wages, salaries, and fringe benefits established by City Council.
- (2) However, the application or interpretation of the items listed above are subject to the grievance procedure. If there is a question whether or not an employee's concern is clearly a grievance, the Human Resources Director will contact the City Attorney who has full and final authority to settle this question.

In addition, it is to be understood that the establishment of this procedure shall in no way remove the right of the City government to do the following, provided that none of these rights may be exercised in an arbitrary or capricious manner:

- (1) Direct the work of its employees.
- (2) Hire, promote, transfer and assign employees.
- (3) Demote or dismiss employees for cause.
- (4) Maintain the efficiency of governmental operations.
- (5) Relieve employees from duty because of a lack of work or for other legitimate reason.
- (6) Take actions necessary to carry out duties of an agency in emergencies.
- (7) Determine the methods, means and personnel necessary to carry out operations.
- (8) Establish department work rules.

Procedure

All grievable employment disputes will be administered in the specified manner and will ordinarily be processed within the stated time limits. Failure by the employee to process a complaint within the stated time limits, or agreed upon extension, shall constitute termination of the complaint.

Nothing in this grievance procedure is intended to create an expressed or implied agreement that alters the employment at-will relationship that exists between the City and the employee, nor does it provide or vest any employee with any due process or procedural rights prior to the imposition of disciplinary action or dismissal.

If an employee has any question as to which step of the procedure, he/she should initiate his/her grievance, he/she should contact Human Resources for direction.

In the case of an unlawful workplace harassment complaint involving a supervisor or leader in the employee's chain-of-command, the employee may skip any of these steps, reporting the matter directly to the Department Head or the Human Resources Director. Please see the City's No Harassment/No Discrimination/No Retaliation section within this Personnel Policy.

Informal Resolution: Prior to the submission of a formal grievance, the employee and supervisor are encouraged to meet to discuss the problem and seek to resolve it informally. Either the employee or the supervisor may involve the respective Department Head as a resource to help resolve the grievance. In addition, the employee or supervisor may request mediation support through Human Resources. Mediation may be used at any step in the process when mutually agreed upon by the employee and relevant City supervisor or Department Head. Mediation is the process where a neutral party assists the parties in conflict with identifying mutually agreeable solutions or understandings.

The response from the supervisor for each step in the formal grievance process outlined below shall be in writing and signed by the supervisor. The responder at each step shall send copies of the grievance and response to the Human Resources Director.

Step One: An employee who has a grievance should present the problem to his/her immediate supervisor in writing. The employee must present his/her initial grievance to his/her immediate

supervisor within fifteen (15) calendar days of the complaint occurrence or of the time of learning of its occurrence. The immediate supervisor should and is encouraged to consult with any employee deemed necessary to reach a correct, impartial, and equitable determination and should respond to the employee in writing within fifteen (15) calendar days.

Step Two: If the employee is not satisfied with the response of the immediate supervisor from Step 1, or if the employee does not receive a response within the time frame specified, the employee may file, within ten (10) calendar days, a written grievance with his/her Department Head. The Department Head should respond to the employee within fifteen (15) calendar days after receiving the employee's written grievance. The Department Head may request additional information from the employee and/or schedule a meeting with the employee to obtain additional information related to the grievance.

Step Three: If the employee is not satisfied with the response of the Department Head, the employee may file, within fifteen (15) calendar days of receipt of the Department Head's response, a request for review by the City Manager. In this case, the City Manager shall hear the grievance and shall provide a written decision with regard to the grievance within fifteen (15) calendar days. The City Manager may postpone issuance of the decision for up to 30 additional days to further investigate, consult with the City Attorney, or seek advice from other responsible sources.

In providing the written decision to the grievant, the City Manager may seek the advice and consent of the City Attorney or other legal counsel to examine all ramifications and liabilities that may be associated with the decision. All decisions made by the City Manager are final.

In the case of a Department Head filing a grievance or a direct report of the City Manager, the City may wish to obtain a neutral outside party to act as a mediator to assist in resolving the conflict.

Role of the Human Resources Director

Throughout the grievance procedure, the roles of the Human Resources Director are as follows:

- To advise parties (including employee, supervisors, and City Manager) of their rights and responsibilities under this policy, including interpreting the grievance and other policies for consistency of application;
- To be a clearinghouse for information and decisions in the matter including maintaining files of all grievance documents;
- To give notices to parties concerning timetables of the process, etc.;
- To facilitate the resolution of conflicts in the procedures or of the grievance at any step in the process; and
- To help locate mediation or other resources as needed.

Grievance and Adverse Action Appeal Procedure for Discrimination

When an employee, former employee, or applicant, believes that any employment action discriminates illegally (i.e. is based on age, sex, race, color, national origin, religion, creed,

political affiliation, or non-disqualifying disability, genetic information, or veteran status except where specific age, sex, or physical requirements constitute a bona fide occupational qualification), he/she has the right to appeal such action using the grievance procedure. While such persons are encouraged to use the grievance procedure, they shall also have the right to appeal directly to the Human Resources Director or City Manager. Employment actions subject to appeal because of discrimination include promotion, training, classification, pay, disciplinary action, transfer, layoff, failure to hire, or termination of employment. An employee or applicant should appeal an alleged act of discrimination within thirty (30) calendar days of the alleged discriminatory action or within thirty (30) calendar days the date he/she should have become aware of it.

Other Remedies Preserved

The existence of the grievance procedure does not preclude any individual from pursuing any other remedies available under law.

No part of the above procedure shall be in conflict or violation of state or federal laws and regulations.

No punitive action shall be carried out against the employee for utilizing the grievance procedure outlined above.

Back Pay Awards

Back pay and benefits may be awarded to reinstated employees in suspension, demotion, dismissal, and discrimination cases

SUBJECT: POSITION CLASSIFICATION PLAN

It is the policy of the City to assign jobs with similar duties and responsibilities to the same pay level. The most recently adopted "Classification Plan of the City of Kannapolis" shall be the classification plan of the City.

The City Manager, with City Council approval, shall make all assignments of positions to classes and of classes to pay grades. The Plan shall become effective upon City Council approval in accordance with NCGS 160A-162.

The City Manager is authorized to reclassify positions and approve position title changes if the need arises with the following limitation. Upon analysis and recommendation from the Human Resources Director, position classifications currently on the position classification schedule can be modified up to a two-pay grade change and approved by the City Manager providing budgetary allocations are available. Any additional changes must be approved by City Council.

The Human Resources Director, under the direction of the City Manager, shall be responsible for the administration of the Plan and for interpreting the appropriate application of the Plan to situations not specifically covered.

Maintenance of the Plan

The Director of Human Resources shall be responsible to the City Manager for the administration and maintenance of the position classification plan so that it accurately reflects the duties performed by employees in the classes to which their positions are allocated. Human Resources will conduct periodic studies of various jobs when there is an indication the employee is working above or below the established responsibilities for that position. These studies are normally initiated at the request of the department in conjunction with the annual budget process.

Classification of New Positions

New positions shall be established upon recommendation of the City Manager with approval of City Council. The City Manager may (1) allocate the new position to the appropriate class within the existing classification plan or (2) recommend that the City Council amend the position classification plan to establish a new class to which the position may be allocated.

SUBJECT: COMPENSATION PLAN

It is the policy of the City and the purpose of this plan to establish a compensation system that will allow the City to effectively compete for qualified personnel and to ensure that pay is equitable and commensurate with the duties performed by each employee. The compensation plan shall consist of a Pay and Classification Plan schedule containing a series of pay ranges, each range having a minimum, midpoint, and maximum. The plan shall be adopted by the City Council.

Human Resources is responsible for the continuous maintenance and administration of the City's Compensation Plan. Periodic reviews will include an analysis of prevailing rates of pay for similar positions in comparable labor markets, organizations, cost-of-living factors, budgetary considerations, and other related factors. On the basis of this information, the City Manager shall recommend to the City Council changes to keep the plan current, uniform and equitable. Such changes shall be approved by the City Council and are typically submitted in the annual budget to the City Council.

Definitions

Date of hire shall mean the effective date of the individual's employment with the City.

Hire date refers to the anniversary of the original date of employment for the purposes of calculating length of continuous service.

Pay effective date shall mean the most recent date of hire, classification change from part time to full time, promotion or demotion. A regular employee who is promoted, demoted, or hired to a full-time position will have his/her pay effective date change to the effective date of the promotion, demotion, or position status change.

There will be no change in an employee's pay effective date in the following instances: reallocation of an employee's position to a new classification when there have been no recent,

abrupt and/or significant changes in assigned tasks and responsibilities, lateral transfers or reclassification.

Pay Range refers to the minimum and maximum pay for a given pay grade to which given position classifications are allocated and includes a hiring range and midpoint. Along with the pay grade, this signifies the pay range authorized for the position.

Performance Rating is a numerical score with a rating name and description that defines the overall level of job performance in the performance rating scale. The evaluated work dimensions/competencies are outlined in the current performance evaluation document.

Administration of Pay and Benefits

With adoption of the annual budget, City Council approves budgetary allocations designated for City personnel pay and benefits. Within these annual allocations, the City Manager is charged with the responsibility and administrative flexibility to administer this budget allocation for pay and benefits in a manner that maintains service levels and improves the productivity and efficiency of City employees.

The pay plan is intended to provide equitable compensation for all positions reflecting the differences in duties, responsibilities, and qualifications; the comparable rates of pay for positions in private and public employment in the area; the financial condition of the City; and other factors. The pay plan of the City of Kannapolis shall be administered in a fair and systematic manner in accordance with work performed. The pay plan shall be externally competitive, shall maintain proper internal relationships among positions, and shall recognize performance as the basis for pay increases within the established salary range.

Pay At Hire

Employees are typically employed at the minimum rate of their assigned pay range. The minimum rate for each class is based upon the assumption that a new employee meets the minimum qualifications. Exceptions may be granted upon the recommendation of the Director of Human Resources with approval of the City Manager in the following cases:

- (a) If it becomes necessary to appoint a new employee of lesser qualifications, the new employee should be appointed as a trainee for six months at the minimum of the range that is one pay grade below the minimum rate for the class. Trainees should be reviewed at the end of six months to determine if they are qualified to assume full responsibilities for the position.
- (b) If a new employee more than meets the minimum qualifications and will not accept appointment at the minimum rate of the class, they may be appointed up to 15% above the minimum of the range or in unusual cases at a higher level of pay commensurate with the employees qualifications. Final approval of the exceptions rests with the City Manager.

Pay Changes

Pay changes are effective on the first day of the pay period (action effective date). Increases are subject to funding by the City Council in the annual budget or in amendments to the budget except for those that lie within the discretionary authority of the City Manager.

Performance (Merit) Pay Increases

March 1, 2025 – February 28, 2026: Pay increases will be based on City Manager recommendation to City Council and not tied to performance.

Beginning March 1, 2026, the following new policy on performance (merit) pay increases will become effective and the above current policy will be removed from the Personnel Policy at that time.

Increases shall be granted on the basis of performance only. All regular non-probationary employees' (this excludes temporary/seasonal employees) performance is evaluated on an annual basis.

Performance pay increases are not automatic and are awarded based on individual performance and the merit increase table published in written administrative procedures. Once the amount of funding has been determined, merit pay increases will be awarded based on performance upon the employee's overall annual performance evaluation rating. The performance pay increase scale for each of the overall annual performance evaluation ratings is established by the City Manager in conjunction with the Human Resources Director's recommendations. The annual scale is determined by considering the following factors:

- Consumer Price Index (CPI)
- Inflation Rate
- Merit Increases Occurring in the Market and Surrounding Communities
- Private Sector
- Additional Percentage Dependent Upon the Budget

Funding for performance increases is contingent upon Council approval. Generally, award amounts are announced after the approval of the annual budget.

Note: If an employee was absent from work for a significant portion of the performance year (more than 3 months), this may be considered when determining if the employee receives a prorated performance/merit pay increase for the year in like fashion as applied to probationary employees. In all situations the Human Resources Director must be consulted in this determination to ensure compliance with applicable employment-related laws.

Performance (Merit) Pay Bonus

March 1, 2025 – February 28, 2026: Pay bonuses will be based on City Manager recommendation to City Council and not tied to performance.

Beginning March 1, 2026, the following new policy on performance (merit) pay bonuses will become effective and the above current policy will be removed from the Personnel Policy at that time.

Employees who are at the maximum amount of the pay range for their position classification are eligible to be considered for a performance pay bonus. The employee's overall annual performance evaluation rating must be at least at "Achieving" to be eligible for a performance pay bonus. Based upon the employee's overall annual performance rating, an eligible employee may receive merit pay bonus in an amount based upon the current year's merit scale. The merit bonus pay shall be paid in a lump sum on the same pay date of all other annual merit pay increases are awarded to eligible employee, provided City Council has approved such funding for the fiscal year. Merit incentive pay shall be a one-time payment and will not increase the employee's base salary.

Note: If an employee was absent from work for a significant portion of the performance year (more than 3 months), this may be considered when determining if the employee receives a prorated performance (merit) pay bonus for the year in like fashion as applied to probationary employees. In all situations the Human Resources Director must be consulted in this determination to ensure compliance with applicable employment related laws.

Market Adjustments

The City Council shall, based on the recommendation of the Director of Human Resources and the City Manager, adjust base pay amounts and/or the minimums and maximums of the pay grade ranges in recognition of the need for a market adjustment or when other conditions exist which warrant a general pay adjustment.

Market adjustments to the range will be considered annually and rounded down to the nearest one-half percent of the economic indicators used.

Other market adjustments to an employee's base pay shall be based on the results of pay analysis. The percentage increase in pay shall be at the recommendation of the City Manager and approval of City Council.

Recommended market rate adjustments shall be applied to positions classified as regular (2A, 2B, and 2C). Employees in a probationary and regular status assigned to such positions are eligible for such market adjustments.

Discretionary Bonus/Awards

The City uses formal recognition programs, including discretionary monetary and nonmonetary awards to motivate and retain valued employees who provide exemplary. These programs are intended to reward staff employees whose achievements have resulted in a particular benefit to the City.

The City Manager may authorize signing, retention, or employee recognition of significant accomplishment bonuses at his/her discretion when recommended in writing and with justification by the Department Head and Human Resources Director review.

Typically, these are lump-sum bonuses (or spread across multiple installments) expressed in flat amounts (non-salary percentage based) or non-monetary awards such as vacation or other leave, recognition awards, points redeemable in the Kannapolis NC 360 Recognition program for merchandise or Kannapolis branded items, career development opportunities or similar. Such awards may be taxable in accordance with IRS guidelines. Funding is subject to the annual budget approved by City Council.

Examples of significant accomplishments include but are not limited to: (1) meeting assigned performance or major project goals and objectives as agreed upon by the City Manager, Department Director, and /or Supervisor; (2) outstanding work achievement; (3) use of innovative efficiency techniques and cost saving measures; (4) technical or professional competence, (5) consistently serving as a role model for others, displaying desirable characteristics and workplace behaviors such as outstanding customer service, positive approach to work, effective and cooperative team member without regard to silos, and team leadership, and (6) other exceptional job related performance.

The amount of a lump-sum bonus may not exceed 20% of the employee's base salary. Non-monetary awards may not exceed the value of \$500. *Decisions about the amount/value of the discretionary bonus/award should be dependent on the nature and complexity of the accomplishment and the ability of the department to fund the award.* Under special circumstances, with the City Manager's approval, a higher bonus may be approved. (Significant documentation must be submitted to support such a request.)

The Department Head should clearly communicate to the recognized employee the specific outstanding achievements that led to the award.

These programs are not intended to replace informal and spontaneous recognition or praise of staff achievements and work performance. Informal recognition of employees should take place every day. Saying "thank you" to employees and complimenting an employee on a job well done are part of the managers' and supervisors' responsibilities.

Pay Effect of Promotions, Reclassifications, Transfers, and Demotions

Note: When a vacant position is competitively posted internally, the selection process works in conjunction with the current hiring process. If a current City employee is the selected candidate for vacant position this typically translates into a promotion, transfer, or voluntary demotion position/pay action change based upon the selected employee's current pay grade and the pay grade of the vacant posted position that the employee will move to. If a current employee applies for and accepts such vacant position, it is the responsibility of the two Department Heads to reach agreement on a transfer date in consultation with Human Resources. Arrangements should be made for the effective date of the new position to be within two weeks of the offer's acceptance with consideration of any necessary job knowledge or position responsibility transfer/coverage. The City may designate 'no promotion, transfer, and/or demotion' blackout periods during the fiscal year for administrative purposes as deemed necessary. In accordance with NCGS 160A-168, the personnel file of the current or former employee applying for a vacant City position will only be made available to a supervisor involved in the selection process if such supervisor has current supervisory authority over the employee.

Note: A blackout period for no promotions, reclassifications, transfers, or demotions occurs annually typically during the last payroll in June and may extend into the first payroll in July. This period and the specific dates are typically set with the publication of the annual payroll schedule . The blackout period may vary from one to two payroll cycles and is subject to change.

Demotions

An employee reassigned to a position in a lower classification regardless of the reason (disciplinary, in lieu of layoff, reorganization, etc.) will receive pay commensurate with the nature of the demotion, the employee's qualifications to perform the job, and consistent with the placement of other employees within the same classification in that salary range as recommended by the Department Head in consultation with Human Resources and approved by the City Manager.

No employee shall be demoted to a position for which he or she does not possess the minimum qualifications.

An employee may request in writing a demotion to a position with a lower pay grade on a voluntary basis subject to recommended approval of the Department Head, review by the Human Resources Director, and approval by the City Manager. An employee may apply for another vacant City position with a lower pay grade on a voluntary basis and be considered along with all other applicants.

When an employee is demoted for disciplinary reasons or the demotion is from a position with supervisory or leadership responsibilities, their pay will normally be reduced. Any employee whose work in their present position is unsatisfactory may be demoted, provided the employee shows promise of becoming a satisfactory employee in another position. Such a demotion shall follow the disciplinary process procedures.

Promotions

A promotion is the reassignment of an employee to an existing vacant position having a higher salary pay grade than the initial position. A promotion also occurs when the job duties and responsibilities, span of influence and control, and/or eligibility requirements of an existing position are substantially restructured and results in its allocation to a higher pay grade.

In filling vacant positions, the City typically strives to encourage and support upward mobility of well qualified current City employees when such practices fully meet the current business needs of the organization and the vacant position before advertising to the general public. No City selection process (internal or external) should never be based on non-job-related factors.

Whenever an employee is promoted to a higher position (including part-time 2B) said employee will enter the new grade/position at the entry level of the new position or receive a five percent increase in pay for each increase in grade up-to 15% maximum, whichever is greater. When moving from one part-time position to another part-time position, part-time 2C employees will

enter the new grade/position at the entry level of the new position or the hiring manager can recommend higher salary within the hiring range. The City Manager may approve a higher salary in the assigned hiring range upon recommendation by the Department Director, Deputy City Manager or Assistant City Manager and review by Human Resources or designee. Such factors as the employee's qualifications and work experience and internal compensation equity will be considered when approving a request for a higher salary assignment. The new pay rate, upon promotion, shall not exceed the maximum of the new pay range. Promotions do not change the person's date of hire.

Transfers

A lateral transfer is the reassignment of an employee to a position of the same or different job classification that is assigned to the same salary range. The position can be in the same or a different department or division as the original assignment. Generally, a lateral transfer will have no impact on the employee's salary or salary effective date, except that employees who exceed the minimum requirements for the position may be offered a salary consistent with the employee's level of skills, experience, and knowledge. A Department Director's request for a salary adjustment requires review by the Human Resource Director and approval of the City Manager.

Reclassifications

Reclassification is the reassignment of an existing position from one job classification to another, based on changes in job content such as duty, difficulty, required skills and/or responsibility of the work performed. This may or may not result in a change in paygrade for the reclassified classification. When a department requests a position reclassification, the Department Head shall submit a written request for position analysis to the Human Resource Director including justification for the reclassification and outlining the changes in position responsibilities or requirements for qualifications (i.e. experience, education, certifications, etc.).

The request will be reviewed, and market salary analysis completed by Human Resources. If the request is justified, the Human Resource Director will prepare a recommendation for review and approval by the City Manager. Typically, such requests coincide with the annual budget requests process.

An employee whose position is reclassified to a classification having a higher pay grade will enter the new grade/position at the entry level of the new position or receive a five percent increase in pay for each increase in grade up-to 15% maximum, whichever is greater.

If the position is reclassified to a lower pay range, the employee's pay will remain the same. If the employee's pay is above the maximum established for the new range, the pay of that employee shall be maintained at the current level with no increases to base pay until the range is increased above the employee's pay.

Pay Equity Adjustment

Pay Equity Adjustments are pay changes up to maximum-in-hire (based on the employee's qualification and tenured experience at the City of Kannapolis) that is outside the other normal pay programs such as promotions, reclassifications, lateral transfers, etc. Pay Equity

Adjustments are used to correct unacceptable internal (not market) pay disparities between employees in the same department, job title and job grade with equivalent experience or to correct an unacceptable pay inequity between an employee's pay and the average pay of similar positions in the market when it has been determined that the position(s) is/are not able to be filled at the current pay rate (hard-to-fill positions). Pay Equity Adjustment increases are not meant to replace or supplement merit and structure increases, nor are they given solely based on performance or increased workload. Salary Equity Adjustments reviews and increases are not entitlement of the employee nor are they a requirement by the City. Employees must have been employed for a minimum of two (years) with the City in their current position.

In such situations, Human Resources will first evaluate to ensure the employee's position is classified correctly based upon current job functions. If the position is classified correctly, Human Resources will evaluate the employee's qualifications and experience and the potential pay disparities to determine if a recommendation to the City Manager for a pay equity adjustment is appropriate.

Revaluation

When City Council approves a change in pay range for a class of positions, the salaries of the employees whose positions are allocated to that class shall be affected as follows:

Allocated to Higher Pay Grade

When a class of positions is assigned to a higher pay range, employees in those positions shall receive a percentage increase as recommended by the City Manager based on pay study results or an increase to the entry level of the new pay grade, whichever is greater to maintain market competitiveness.

Allocated to a Lower Pay Grade

When a class of positions is assigned to a lower pay range, employees will move to the new pay grade and will retain their current rate of pay.

Pay Rates Exceeding Range Maximum

An employee's base pay rate may exceed the maximum of the range as the result of a market adjustment to base salaries or reallocation of his/her job classification to a lower pay grade or job classification (when there have been no recent dramatic changes in assigned duties and responsibilities causing the reallocation) until general schedule adjustments or range revisions bring it back within the lower range. This will not reduce the incumbent employee's pay. This does not apply to demotions or position reclassifications where there have been recent dramatic changes in assigned duties and responsibilities that are the basis of the position change.

Employees whose base pay exceeds the maximum of the range will receive a lump sum pay over the maximum amount for the range.

OTHER COMPENSATION PAY SITUATIONS

Furlough

The City Manager has the authority to reduce the hours worked and/or the pay of employees in order to meet budgetary restrictions.

Holiday Premium Pay

All *part-time and limited-service (temporary and seasonal) employees* who are required to work on the following dates will receive holiday premium pay (compensation for hours worked at a premium rate of pay equivalent to double the employee's normal hourly rate). Employees that traditionally work normal business hours are discouraged from working on a holiday unless prior supervisor approval is granted.

<u>Holiday Premium Pay Dates</u>
New Year's Day
Martin Luther King, Jr. Day
Good Friday and Easter Sunday
Memorial Day
Independence Day
Labor Day
Veterans' Day
Thanksgiving Day
Christmas Eve and Christmas Day

The holiday premium pay period is defined as the 24-hour period between 12:00 a.m. and 12:00 midnight of the designated Holiday Premium Pay Dates above.

Holiday premium pay is not included when determining the regular rate of pay for overtime pay purposes.

Compensation for Temporary/Interim Assignments

Temporary assignments may be made by the department's head for a specified time or assignment as necessary. Such assignments are made on an "acting" basis and the employee returns to his or her regular position, duties, and pay upon completion of the assignment considering any increase the employee would have received if not placed in the interim assignment or did receive (i.e. annual merit pay increase). The actual pay for "acting" assignments is recommended by the Department Head in consultation with the Human Resources Director.

Temporary compensation increases are typically awarded to employees fulfilling a temporary/interim assignment. Situations in which an employee receives compensation for duties that are typically assigned in the same or lower pay range as his/her regular job or distributed across multiple employees are rare and will be reviewed on a case-by-case basis to determine if any pay adjustment is warranted. Departments are to make every effort to distribute the workload among team members prior to requesting compensation for temporary assignments. The employee may or may not continue to perform some or all their regular duties while assuming the additional temporary/interim assignment. The following scale is used as a

guide for compensation for temporary/interim assignments considering the difference in pay grades, department size/scope, the significance of duties assumed, and the level of responsibility for persons, property, services, and operations.

Compensation for temporary/interim assignments is not intended to address short-term, fill-in situations covering vacations/brief absences on the part of the incumbent or brief position vacancies.

<u>Temporary/Interim Duties</u>	<u>Typical Temporary Increase Range</u>
Executive Department or Division Leader Duties	5 – 20% or flat amount
Supervisor or Crew Leader Duties	5 - 15% or flat amount
Other Key Duties	5 – 10% or flat amount

Compensation During Declared State of Emergency or Other Emergency Situations

In the case of a severe and unusual circumstance including, but not limited to, natural or man-made disasters the City Manager may declare a “State of Emergency for Operational Purposes” (this is not to be confused with N.C.G.S.166A-19.22). The State of Emergency for Operational Purposes will typically be declared with a specified timeframe. In the case of a State of Emergency for Operational Purposes, all adverse weather procedures *generally* apply.

Reassignments and deployment of essential personnel, and any other administrative policies deemed necessary by the City Manager (or designee) are possible. Essential personnel are critical to ensure public safety, provide limited services at a minimum to the City of Kannapolis citizens and customers, and to restore the City of Kannapolis to normal operation.

Emergency situations may necessitate employees to perform overtime work without any limitation on the number of days or hours. However, to the extent possible, managers and supervisors should schedule work assignments to avoid such extreme measures and take measures to ensure adequate rest, sleep, recovery and eating breaks, being observant of signs of mental and physical fatigue.

In the event the City Manager should declare a “State of Emergency for Operational Purposes” in response to unusual circumstances including, but not limited to, natural or man-made disasters, the City Manager is authorized to approve temporary supplemental pay or benefits for identified groups of employees (excluding the City Manager) involved in or responding to the circumstance.

Should the designation of the “State of Emergency for Operational Purposes” continue for an extended period of time due to severe and unusual circumstances or its aftermath, the City Manager or his/her designee may re-evaluate and modify the compensation rate and any other administrative policies deemed necessary.

During such emergency periods, all City employees are subject to temporary assignments and other duties as assigned.

In the event of emergency situations including but not limited to an Executive Order of the State, local governmental authority during a declared State of Emergency, a State of Emergency for

Operational Purposes, or other emergency situations employees assigned and required to work the emergency situation will be compensated as outlined below:

Non-Exempt Employees: In emergency situations, non-exempt employees will be compensated at their usual overtime rate of time and one half for hours worked in excess of their standard FLSA work period hours and double time for hours worked on weekends and holidays.

Exempt Employees: For exempt employees (including Department Heads) required to work extended hours during an emergency, they will be compensated for hours worked over and above the regular workweek at their regular hourly rate.

Employees Unable to Work Remotely and are not Required to Report to Work:

The City Manager may authorize the continuance of compensation to eligible full-time and part-time (2B) employees who are unable to work remotely during times when employees are required not to report to work under an Executive Order of the State or other local governmental authority during a declared State of Emergency. Eligible employees shall be paid at their usual rate of pay during the State of Emergency as provided herein. The weekly hours compensated for full-time employees shall not exceed the minimum scheduled weekly hours. Emergency continuance of compensation shall not exceed four weeks beyond any emergency paid leave required by federal, state, or local legislative action taken during States of Emergency. Such employees will remain available for temporary assignments and other duties as assigned.

SUBJECT: OVERTIME

Non-Exempt City employees can be requested and may be required to work overtime hours as necessitated by the needs of the City and determined by the Department Head. All overtime work must be authorized in advance (except in cases of emergency), properly documented on the timesheet, and administered in accordance with the Fair Labor Standard Act (FLSA). Non-exempt employees are expected to work during all assigned work hours excluding breaks or mealtimes. Employees are not to perform work at any time that they are not scheduled or approved to work, except in cases of emergency. **Employees must not engage in off-the-clock or unrecorded work.** "Off-the-clock" work means work performed but not reported on the timesheet.

An emergency exists if a condition arises that could reasonably result in damage to property or persons or which requires immediate attention from the employee. Employees who work excess hours due to an emergency shall advise their immediate supervisor of the overtime worked as soon as practical following the completion of the work. If an employee works unauthorized non-emergency overtime, he/she is subject to disciplinary action.

Supervisors shall attempt to arrange non-exempt employee work, schedules, and time off to accomplish the required work within the FLSA work period without incurring overtime.

To the extent that local governmental jurisdictions are so required, the City will comply with the Fair Labor Standards Act (FLSA). The City Manager shall determine, with recommendation of

the Human Resources Director, which jobs are "exempt" under the terms of exemptions in accordance with the FLSA (as executive, administrative, professional, or computer staff) and are therefore not subject to the FLSA in areas such as hours of work and work periods, rates of overtime compensation, and other provisions.

According to the Fair Labor Standards Act, "hours worked" are actual hours worked during the FLSA work period; in no event will any leave types, paid holidays, or other similar non-work paid hours be included in the computation of hours worked for FLSA purposes. Non-exempt employees who work in excess of the hours permitted in their designated FLSA work period will be paid at a rate of one and one-half times the employee's regular hourly rate for all hours worked over the FLSA designated work period hours.

FLSA Exempt Employees

An exempt employee's compensation covers all hours worked without regard to the amount of time required to perform the job and is not subject to the FLSA overtime provisions. A normal work week is established by management for exempt employees, who are expected to be available during the normal workday. Although compensation is not determined by the specific number of hours worked, an exempt position normally requires a minimum of 40 hours per week to meet the needs of the City and the responsibilities assigned to the position rather than working a specified number of hours. These employees may be granted occasional discretionary leave by their supervisor where the convenience of the department allows for extra hours work beyond their standard work week. Such discretionary time is not guaranteed to be taken and ends without compensation upon separation from the organization. Discretionary leave may be granted in hourly increments up to two (2) workdays by Department Heads and above. At the request of a Department Head or above and upon approval of the City Manager, discretionary leave may be granted in increments of more than two (2) workdays when an exempt employee has worked significant extended hours in a concentrated period of time due to critical deadlines, City supported or sponsored events, or peak workload periods. *It is not the City's intent to replace time worked on an hour-for-hour basis.*

SUBJECT: ON-CALL (STAND-BY) AND CALL-BACK PAY

The City provides a continuous twenty-four hour a day, seven day a week service to its residents and customers. Therefore, it is necessary for certain employees to respond to any reasonable request for duty at any hour of the day or night. One of the conditions of employment with the City is the acceptance of a share of the responsibility for continuous service, in accordance with the nature of each job position. If an employee fails to respond to reasonable calls for emergency service, either special or routine, the employee shall be subject to disciplinary actions up to and including dismissal. Time spent by an employee who is required to remain on call on the employer's premises or so close thereto that the employee cannot use the time for his own purposes is considered working time. An employee who is on call is not confined to his/her home or any particular place but is required only to leave word where he/she may be reached by any electronic device, the hours spent on call are not regarded as working time. If the employee is called back to work, he/she is to be credited for this work time in the work period when the call back work was performed. Administrative procedures for on-call and call-back requirements are approved by the City Manager.

Non-Restricted On-Call (Standy-By)

Non-Restricted On-Call (FLSA term is waiting to be engaged) is defined as that time when an employee must carry a communication device (and be able to freely move about geographically with the communication device), there is a relative infrequency of calls that necessitate a response from the employee on stand-by, has the ability to trade stand-by shifts, the employee is able to engage in personal activities. and must respond within the timeframe as determined by the Department Head. During non-work On-Call hours employees are free to engage in their own personal pursuits and this time is typically not considered hours worked and not compensable. Nonexempt employees who are required to be on-call duty will be paid as follows for each twenty-four (24) hour period of on-call duty:

- Monday – Friday: one (1) hour of pay at their base hourly rate
- Saturday or Sunday: one and a half (1.5) hour of pay at their base hourly rate
- City paid holidays and any unscheduled City closure: two (2) hours of pay at their base hourly rate

This pay is not attributable to any particular hours of work and is included when determining the regular rate of pay for overtime pay purposes.

The on-call employee must remain in an emotional, mental, and physical condition that is necessary to perform his/her job in a safe and satisfactory manner during the entire on-call period; this includes being free from the influence of alcohol or narcotics in accordance with the City's drug free workplace policy.

Department Heads have the authority to place additional employees on-call outside of the regular on-call schedule when severe or unusual circumstances arise and dictate the need. Examples are inclement weather, natural disasters or incidents with a potential to require personnel resources beyond normal on-call staffing.

If the employee has a conflict and is unable to be on-call during their assigned period, it is the employee's responsibility to pre-arrange with their supervisor for a replacement. If such incident shall happen where the employee on-call does not respond in the required time as set forth by the Department Head, they will be subject to disciplinary action up to and including termination.

Restricted On-Call

Restricted On-Call (FLSA term is engaged to wait) exists when employees are restricted to the work unit or a specific location and are restricted from engaging in their own personal pursuits. This means that employees are engaged to wait and all time associated with that engagement shall be counted as regular hours worked. All Restricted On-Call hours will be included in the weekly calculation of hours worked for that specific week and shall be included in the determination of overtime compensation for that week for eligible employees. Additionally, each employee on Restricted On-Call shall receive the on-call compensation. Use of Restricted On-Call is not typical and departments must consult with the Human Resources Director prior to utilizing to ensure compliance with FLSA regulations.

Illustrative examples of restricted on-call:

- *An employee who reads a book at City Hall while waiting for a vendor to arrive and let them into the building after-hours.*
- *A messenger who works a crossword puzzle while awaiting assignments at a certain location.*
- *A firefighter who plays checkers while waiting for alarms.*
- *An employee who talks to someone on the phone while waiting for machinery to be repaired by a vendor at a City facility.*
- *Time spent by a repair person who has to wait for his or her employer's customer to get the premises ready is probably hours worked.*
- *Time spent by a City employee who has to wait at or near the job site for goods to be loaded or unloaded is hours worked.*
- *Time spent by a bus driver who reaches his or her destination and while awaiting the return trip stays with the bus to guard the bus and any items left on the bus is hours worked.*

Call-Back

Nonexempt employees will be guaranteed a minimum payment of two (2) hour's wages for being called back to work outside of normal working hours. If more than one callback occurs within a given shift, total callback time cannot exceed two hours unless the actual work time exceeds two hours. When called back to work, the actual hours worked shall include the driving time from and returning home. To capture actual hours worked when called back to work, the employee will clock-in for work when leaving home and clock-out upon arrival back at home in the City's timekeeping system. Employees responding remotely by telephone, computer, or other communications device, with no return to the work site, will receive a minimum of 15 minutes pay for each occasion of callback, or compensation for all time actually engaged, whichever is greater. "Callback" provisions do not apply to previously scheduled overtime work or telecommuting work from home.

SUBJECT: LONGEVITY PAY

It is the policy of the City and the purpose of this plan to establish a longevity compensation system that will allow the City to continuously retain qualified and trained personnel and to reward loyal service. Longevity payments shall be subject to approval of annual appropriation by the City Council.

Eligibility

Full-time employees who are currently employed in a regular full-time position are eligible to receive longevity incentive pay as stipulated in this policy. Employees who leave employment with the City of Kannapolis and are later re-employed shall forfeit their eligibility for longevity incentive pay until they meet the *continuous* minimum years of service eligibility based on their new date of hire for full-time employment.

Continuous service shall be computed from the most recent hire date or appointment date to the full-time position.

Employees who retire from service will receive longevity based on January 1 of the calendar year. For the purpose of this policy, retirement from service will include disability retirement.

Years of Service

Employees must have completed five or more years of continuous service by July 1 of the year of payment to be eligible for longevity pay. Effective January 1, 2025, employees receiving retention bonus or retention bonus extension will be ineligible for longevity pay.

Computation

Longevity pay shall be computed as follows:

<u>LENGTH OF SERVICE</u>	<u>\$800 INCREMENTS</u>
5<10 years of service	\$1,100
10<15 years of service	\$1,900
15<20 years of service	\$2,700
20<25 years of service	\$3,500
25<30 years of service	\$4,300
30+ years of service	\$5,100

Longevity pay will be distributed by the pay date for the pay period that precedes the Thanksgiving holiday. Except as otherwise provided below, employees must be on active payroll status on the date of payment to receive longevity pay. Active payroll status shall include employees on approved vacation leave, sick leave, family/medical leave, or worker's compensation leave.

Longevity pay is not considered a part of an employee's annual base pay for classification and pay purposes, nor is it to be recorded in personnel records as a part of annual base compensation.

SUBJECT: PUBLIC SAFETY EDUCATION PREMIUM PAY

All sworn law enforcement officers and fire protection personnel who obtain an educational level higher than the minimum qualifications established for initial appointment are eligible for an educational premium pay in accordance with the guidelines specified herein.

Authorization for educational premium will be given only after a careful review of the employee's academic transcript. To be eligible, credits earned must meet the following criteria:

1. Credits must be earned for academic course work completed at a college or university accredited by the Commission on Colleges of the Southern Association of Colleges and Schools, or by the corresponding regional commission on Colleges approved by the US Department of Education. It will be the responsibility of the employee to obtain and provide the City with satisfactory verification that the college or university attended is properly accredited in accordance with this requirement.

2. Law Enforcement Officers: Credits must be earned in a declared criminal justice related degree program. Credits in non-declared majors will not be accepted. For the purpose of this requirement, the term criminal justice related degree program includes academic programs in the disciplines of Criminal Justice, Law enforcement, Political Science, Sociology, Psychology, or Public Administration. Credits in other academic disciplines may be eligible for incentive pay if the Department head in consultation with Human Resources determines that the course work is substantially relevant to the officer's professional duties and responsibilities.
3. Fire Personnel: Credits must be earned in a declared fire protection or medical related degree program. Credits in non-declared majors will not be accepted. For the purpose of this requirement, the term fire protection or medical related degree program includes academic programs in the disciplines of Fire Protection, Fire Prevention, emergency Medical, Political Science, Sociology, Psychology, or Public Administration. Credits in other academic disciplines may be eligible for incentive pay if the Fire Chief in consultation with Human Resources determines the course work is substantially relevant to the firefighter's professional duties and responsibilities.
4. A grade of "C" (satisfactory) or better (or similar depending on the educational system's grading mechanisms) must be attained.

Education Premium Pay is established as follows:

Based on 26 pay periods for the year.

• Associate's degree	\$576.00 per year	(\$22.15 per pay period)
• Bachelor's degree	\$1,152.00 per year	(\$44.31 per pay period)
• Master's degree	\$1,728.00 per year	(\$66.46 per pay period)

SUBJECT: INCENTIVE PAY PROGRAMS

The City has determined that certain incentive pay programs are necessary due to the changing nature of the employment environment and to attract and retain a highly trained and skilled workforce capable of meeting the current and future responsibilities of City government. Employees can demonstrate initiative through developing new competencies and skills. Incentive pay programs establish consistency in the application of such programs to this end.

When an employee achieves education, certification, or skill requirement for an incentive pay in accordance with the written program, the established incentive pay increase is approved as a pay increase to their current annual base pay/compensation and does not result in a pay grade move. The respective department is responsible for tracking eligibility and submitting appropriate pay change requests to Human Resources.

Current applicable programs include:

All employees are eligible:

- Bi-Lingual: \$100.00 per pay period (\$2,000 per year)

Fire Lateral Advancement

- Hazardous Material Technician (II) \$600

Police Lateral Advancement

- Investigators (CID) 5.00% of base pay
- Police Field Training Officer (FTO): 5.00% of base pay
- Traffic Reconstructionist 5.00% of base pay.

Current exceptions to this policy: Educational Premium Pay, Shift Differential Pay, and the Water & Sewer Utilities Incentive Pay Program. See the policy on these in the Compensation Section.

Incentive pay(s) will be removed from an employee's pay at anytime the employee ceases to meet or maintain the requirements. In like fashion of all other City policies and programs, these programs may be modified or discontinued at any time; and as with other pay increases is dependent upon budget, other constraints and City Council action.

Such incentive pays are typically rewarded for education, certification, or skill achievements *above* the employee's current position minimum requirements as described in the position description and are job-related.

A compensation adjustment made as the result of an incentive pay does not trigger an equity adjustment compensation increase or review for other employees in the same grade and/or position title.

SUBJECT: TIMEKEEPING, PAYROLL PREPARATION, DEDUCTIONS, AND GARNISHMENTS

Timekeeping

Non-Exempt employees must record their actual time worked for payroll and benefit purposes. Time worked includes all time that an employee is required to perform duties for the City.

Exempt employees are required to record their daily work attendance and report absence from work (full days and partial hours) for reasons such as leaves of absence, sick leave, vacation leave, or personal business.

Non-exempt employees must record the time work begins and ends, as well as the beginning and end time of any departure from work for any non-work-related reason, in the timekeeping system as prescribed by the City. **Employees must not engage in off-the-clock or unrecorded work.** “Off-the-clock” work means work performed but not reported on the timekeeping system of hours worked. Employees should not work any hours outside of their scheduled workday unless their supervisor has authorized the unscheduled work in advance. No employee should start work early, finish work late, work during a meal break or do any other extra or overtime work unless authorized to do so and that time is recorded. ***Any employee who fails to report or inaccurately reports any hours worked will be subject to disciplinary action, up to and including discharge.***

Employees are not permitted to clock in and out or otherwise record time for other co-workers.

A completed timekeeping record includes an accurate recording of all hours worked, leave time utilized, and totaled hours, and is approved and submitted through the City’s time keeping software.

Any errors in your timekeeping hours worked or leave time should be reported immediately to your supervisor, who will work with payroll to correct legitimate errors. Employees who consistently miss time clock entries will be subject to disciplinary action. Altering, falsifying, or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge.

Payroll Preparation

All payrolls are prepared in the Finance Department from the corresponding pay period’s timekeeping records.

Accruable paid leave (annual, sick, etc.) requested in a work period cannot result in paid hours that exceed the scheduled hours for the week or period. The leave hours requested but not needed to complete a schedule work period will remain in the employee’s respective accrued leave balance. The timekeeping for the work period is balanced for the work period, not for a daily period.

It is the policy of the City that as a condition of employment, all employees shall be required to enroll in direct deposit for the electronic deposit of wages into a designated bank account as authorized by the employee. Any changes to the direct deposit designated bank account must be made in a method where the employee’s identity is verified as the individual making the request to prevent fraud or theft.

It is the City’s policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. The City makes every effort to ensure its employees are paid correctly. Occasionally, however, inadvertent mistakes can happen. When mistakes do happen and are called to the City’s attention, the City will promptly make any correction that is necessary. **Employees are responsible for reviewing each statement of earnings and deductions when it is received to make sure it is correct. If employees believe a mistake (i.e. overpaid, underpaid, incorrect leave usage, improper deductions)**

has occurred, or if there are any questions, please contact the payroll administrator immediately. The payroll administrator will work with Human Resources as applicable to resolve the issue.

The City will not allow any form of retaliation against individuals who report alleged violations of this policy or who cooperate in the City's investigation of such reports.

Employees who are classified as **FLSA-exempt employees** will receive a compensation which is intended to compensate for all hours that he/she may work for the City in a work period. This compensation will be established at the time of hire or when classified as an exempt employee and is subject to certain deductions for certain reasons and conditions under federal law. While it may be subject to review and modification from time to time, such as during compensation review times, the compensation will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work the employee(s) performs except as otherwise provided by state and federal law.

Deductions

The Human Resources Director (designated as a Deputy Finance Director by City Council for these purposes) is authorized to make established deductions from an employee's gross pay to cover federal and state income taxes, contributions for retirement systems, and for employee group life insurance and health plan premiums or other deductions as required by law. With the authorization of the employee, and approval of the City Manager, the Human Resources Director shall also make other payroll deductions considering the capability of the payroll system, associated increase in workload, and appropriateness of the deduction.

With each pay, the City employee receives a statement of earnings and deductions itemizing the various deductions. It is the employee's responsibility to maintain current payroll deduction information with Human Resources and payroll. Employees wishing to add or change their payroll deductions should contact Human Resources.

Garnishments

The City will adhere to North Carolina wage garnishment laws and any other applicable laws when garnishing an employee's wages. The City will deduct a processing fee in addition to the garnishment as permitted by certain laws.

Separation Allowance and Insurance Deduction Preparation

Retirees receiving the separation allowance are required to comply with direct deposit requirements.

Retirees that owe insurance premiums to the City are required to have an account on file for insurance premium deductions (unless premium is deducted from separation allowance) and are responsible for notifying the City of an account change.

Retirees are responsible for reviewing separation allowance deposits and insurance premium deductions for accuracy.

SUBJECT: SHIFT DIFFERENTIAL PAY

This policy establishes guidelines for shift differential pay for City of Kannapolis employees in the police department support services and field operations bureaus and eligible employees in water resources. Shift differential pay is designed to compensate employees who work outside normal or less desirable business hours.

All regular full-time personnel assigned and working a regular, non-rotating peak (sworn police and civilian telecommunications), midnight, or other shifts as defined by this policy shall receive shift differential pay in addition to their regular base hourly rate.

The respective department is responsible for tracking eligibility and submitting appropriate pay change requests to Human Resources.

Newly hired employees are ineligible for shift differential pay during training until released from training and assigned their regular shift.

In the event a current employee is reassigned to a regular, non-rotating day shift the shift differential end.

Differential pay shall be at the following rates:

	Police Department Support Services Bureau <i>Applicable to non-sworn telecommunicator positions only</i>	Police Department Operations Bureau <i>Applicable to sworn police officer positions only</i>	Water Resources <i>Applicable to water treatment plant and special assignment construction maintenance crew only</i>
Shift Type			
Peak Shift Applicable to non-rotation shift beginning between 11:00 am -2:00 pm (Adjusted annually based on police chief's discretion)	\$0.75 per hour	\$1.00 per hour	n/a
Second Shift Beginning at 3:00pm	n/a	n/a	\$1.50 per hour
Night Shift Applicable to non-rotating 12-hour shift beginning between 5:00pm – 7:00pm	\$1.50 per hour	\$2.00 per hour	n/a
Other 8-, 10- or 12- hour shift beginning between 5:00 pm – 7:00 pm EST	n/a	n/a	\$1.50 per hour

Police Department Support Services Bureau

Authorization for shift differential pay will be given only after a full-time civilian telecommunicator has been released from training upon the recommendation of the supervisor with approval of the Chief of Police in accordance with the following guideline:

- Differential pay will only be paid to telecommunicator employees assigned to a regular, non-rotating night or peak shift. The night shift is defined as any twelve (12) hour shift

beginning between the hours of 5PM and 7PM EST. The peak shift is defined as any 12-hour shift beginning between the hours of 11AM to 2PM EST. The beginning peak shift hours may be adjusted annually based on calls for service.

- Employees working outside their normal rotation (training, supplementary duty, etc.) will be compensated according to their regular assignment and not the hours worked on a specific day, provided the hours worked outside the regular assignment does not exceed seven (7) consecutive days.

Police Department Field Operations Bureau

Authorization for shift differential pay will be given only after a full-time sworn office has been released from training upon the recommendation of the supervisor with approval of the Chief of Police in accordance with the following guidelines:

- Differential pay will only be paid to sworn officers assigned to a regular, non-rotating night or peak shift. The night shift is defined as any twelve (12) hour shift beginning between the hours of 5 PM and 7 PM. The peak shift is defined as any twelve (12) hour shift beginning between the hours of 11 AM to 2 PM. The beginning peak shift hours may be adjusted annually based on calls for service data.
- Employees working outside their normal rotation (training, supplementary duty, etc) will be compensated according to their regular assignment and not the hours worked on a specific day, provided the hours worked outside the regular assignment does not exceed seven (7) consecutive days.

Water Resources

Authorization for shift differential pay will be given only after a full-time water treatment plant employee on the special assignment second shift construction maintenance crew has been released from training upon the recommendation of the supervisor with approval of the Department Director in accordance with the following guidelines:

- Differential pay will be paid to Water Treatment Plant employees assigned to a regular, non-rotating night shift. The night shift is defined as any eight (8), ten (10), or twelve (12) hour shift beginning between the hours of 5 PM and 7 PM. Additionally, employees on the special assignment construction maintenance crew working second shift beginning at 3:00PM will be eligible.

SUBJECT: WATER RESOURCES INCENTIVE PAY PROGRAM

This policy establishes guidelines for the Water Resources Incentive Pay Program. Regular full-time, non-exempt Water Resources employees who engage in the construction, maintenance repair, and/or operation of water and sewer utilities, infrastructure, and/or water treatment plant who obtain one or more of the certifications listed in this policy are eligible for an incentive premium in accordance with the guidelines specified herein.

Authorization for the incentive premium will be given only after a careful review of the employee's academic transcript or official certification. To be eligible, certifications earned must meet the following criteria:

1. Eligible employees who are currently employed shall obtain prior approval of certification work from the Water Resources Director (or designee) in order for such certifications to be eligible for consideration for the incentive premium upon completion.
2. Certifications must be earned in accordance with the governing body for the certification. It will be the responsibility of the employee to obtain and provide the Water Resources Director (or designee) with satisfactory verification that the certification was received in accordance with this requirement. If any discrepancies in certification arise, the decision of the Water Resources Director (or designee) will be final.
3. Incentive premium for a new certification will begin the first pay period of the month, fifteen days after the certification has been submitted to the Water Resources Director (or designee).
4. Incentive premium will cease for all certifications that are not maintained or renewed in accordance with the provisions of the governing board for the certification.

CERTIFICATION	GOVERNING BODY	AMOUNT
A Surface	NC Water Treatment Facility Operator Certification Board	\$1,250
A Distribution	NC Water Treatment Facility Operator Certification Board	\$1,250
B Distribution	NC Water Treatment Facility Operator Certification Board	\$750
Collections 3	Water Pollutions Control Systems Operator Certification Commission	\$750
Collections 4	Water Pollutions Control Systems Operator Certification Commission	\$1,250
Bacteria Lab	NC Department of Health and Human Services & NC Waterworks Operators Association	\$500
Process Control	NC Department of Health and Human Services & NC Waterworks Operators Association	\$500

Pesticide		\$250
Pipeline Assessment Certification	Pipeline Assessment Certification Program	\$500
Cross Connection	NC Water Treatment Facility Operator Certification Board	\$750
Backflow Tester	NC Water Treatment Facility Operator Certification Board and NC Rural Water Association	\$750
Primary ORC	NC Water Treatment Facility Operator Certification Board & Water Pollution Control Systems Operator Certification Commission	\$2,000
Backup ORC	Water Pollution Control Systems Operator certification Commission	\$1,000

SUBJECT: BENEFITS

The City offers a number of benefits to its eligible employees. This Policy briefly describes some of those benefits for your general information. The provisions of the plans, including eligibility and benefit provisions, are summarized in the Summary Plan Descriptions (SPDs) which may be revised from time to time for each of the plans. The official plan documents are available for review upon request. The terms of the official plan documents control when and under what circumstances the various benefits are available and shall control the language of any descriptions or summaries of the plans, including SPDs.

While the City intends to maintain a certain level of employee benefits, there is no absolute right, contractual, or otherwise, to receive the benefits, and the City reserves the absolute right to modify, amend or terminate these benefits at any time, for any reason.

There is an annual open enrollment period during which employees may elect to make changes to their benefit elections.

SUBJECT: GROUP HEALTH PLAN AND GROUP DENTAL PLAN

The City offers a health plan and a dental plan to employees who satisfy the requirements for coverage under the applicable plan. The cost of such coverages for employees may vary from year to year and depending on the coverage selected. Dependent and/or spousal coverage may also be available for an additional premium(s) pursuant to the terms of the applicable plan. The City pays a portion of the premium as approved by City Council.

If an employee is on paid leave, premium payments must be paid by the method normally used. If the employee is on unpaid leave, premium payments must be paid on a bi-weekly plan or special arrangements must be made in advance with Human Resources. If the required premium payment is more than 30 days late, the health plan benefit coverage will terminate retroactively to the first day of the month for which the premium payment was due. The employee may extend the option to continue coverage under COBRA. Termination of coverage

may occur without notice and results in ineligibility for reinstatement of coverage, except as may be required by law.

To remain on the group health or dental plans, an employee must be actively at work or on COBRA. When an employee's absence, whether paid or unpaid, exceeds six months, the employee and any covered dependents will be terminated from the active plan and extended an option to continue their coverage under COBRA. The employee and any eligible dependents may be reinstated to the active plan upon the return to an active employment status.

SUBJECT: PRE AGE 65 GROUP HEALTH PLAN AND GROUP DENTAL PLAN RETIREE BENEFITS

FOR RETIREES WITH A HIRE DATE OF PRIOR TO JANUARY 1, 2026

The City offers continuation of group medical and dental coverage to all employees who retire from service and who are qualified to receive benefits due to normal retirement as follow:

Law Enforcement Employees

1. Attainment of age 50 and have completed 15 years of creditable services; or
2. Attainment of age 55 and have completed 5 years of creditable service; or
3. Completed 30 years of creditable service at any age.

Non-Law Enforcement Employees

1. Attainment of age 50 and have completed 20 years of creditable service; or
2. Attainment of age 60 (*age 55 for firefighters*) and have completed 5 years of creditable service, or
3. Completed 30 years of creditable service at any age.

Coverage will continue under the type of coverage (individual, family) as was in effect immediately preceding retirement date, and benefits will be the same as for all other members.

Coverage will be available only to those eligible dependents of the member covered on the day immediately preceding the date of retirement. The addition or removal of dependents will be allowed only as permitted by the group plan document that is in effect.

Future changes to benefit coverage, including addition or removal of dependent coverage, may be made only within 30 days of a qualifying event or during annual open enrollment.

Coverage for eligible retirees will continue until:

- Retirees cease to be eligible as a retired employee as specified under the Retirement System;
- Retiree fails to pay any applicable fees on or before the date due.

- Retiree becomes eligible for benefits under Title 42, Chapter 7, Subchapter Title XIX (Medicaid) of the Social Security act; whichever occurs first.

It is the retiree's responsibility to inform the Human Resources Department of any applicable changes.

Payment of Premiums

If continuation of coverage is elected, medical and dental premiums for the retiree, including the Medicare Supplement premium, are payable by the City of Kannapolis according to the following schedule. An employee is eligible for this benefit provided that at the time of retirement the final five (5) years of service are years of employment with the City of Kannapolis.

20 or more years of creditable service:	75% of total premium
10 but less than 20 years of creditable service:	50% of total premium
Less than 10 years of creditable service:	0% of total premium

The retirees' portion of his/her premium, if any, and /or premiums for dependent coverage are the sole responsibility of the retiree. Premiums will be deducted from the separation allowance or drafted from the retiree's personal bank account on file. In the event of disability retirement, years of creditable service shall be determined by adding the number of years actually worked to the number of years until the employee will be age 65.

FOR RETIREES WITH A HIRE DATE ON OR AFTER TO JANUARY 1, 2026

Retirees with a hire date after January 1, 2026, will be ineligible to remain on the City's group medical and/or dental plans. Spouses and dependents of the retiree on the group health insurance plan are ineligible. Retirees, dependents and spouses can remain under the regular plan for the length of time allowed by COBRA as long as COBRA benefits are elected and premiums are paid in a timely manner to the third party administrator.

SUBJECT: POST AGE 65 MEDICARE SUPPLEMENT GROUP HEALTH PLAN AND GROUP DENTAL PLAN RETIREE BENEFITS

Payment of Premiums

If continuation of coverage is elected, medical and dental premiums for the retiree are payable by the City of Kannapolis according to the following schedule. An employee is eligible for this benefit provided that at the time of retirement the employee has completed the requisite years of service with the City of Kannapolis.

20 or more years of service:	75% of total premium
15 but less than 20 years of service	50% of total premium
10 but less than 15 years of service	25% of total premium

Less than 10 years of service

0% of total premium

The retiree's portion of his/her premium, if any, and/or premiums for dependent coverage are the sole responsibility of the retiree. Premiums will be drafted from the retiree's personal bank account. In the event of disability retirement, years of service shall be determined by adding the number of years actually worked to the number of years until the employee will be age 65.

FOR RETIREES AND EMPLOYEES WITH A HIRE DATE ON OR AFTER JUNE 30, 2021

A retiree who becomes Medicare eligible is no longer eligible to remain on the City's group medical and/or dental plans.

If the spouse or dependent is not yet Medicare eligible, that individual can remain under the regular plan for the length of time allowed by COBRA as long as COBRA benefits are elected and premiums are paid in a timely manner.

SUBJECT: GROUP LIFE INSURANCE

The City offers group life insurance to full-time employees. The cost of such coverage and the amount of the benefit may vary from year to year and depend on the terms of the plan. Group Life Insurance benefits continue in accordance with the terms of the plan until the employee leaves the City's employment or the policy is discontinued completely by the City for some reason.

SUBJECT: NORTH CAROLINA LOCAL GOVERNMENT EMPLOYEES' RETIREMENT SYSTEM

All regular full-time employees and regular part-time employees in a position for which the duties require not less than 1,000 hours of work in a calendar year are required to enroll in the North Carolina Local Governmental Employees' Retirement System (NCLGERS) which is administered by the Department of State Treasurer for North Carolina public employees. The City will pay the employer's portion and deduct the employee's portion from his/her paycheck. Enrollment is effective immediately upon employment with the City. Additional information regarding the NCLGERS system and benefits is available at www.myncretirement.com; employees are encouraged to sign up for access to their account information via the ORBIT system at this same website.

SUBJECT: SUPPLEMENTAL RETIREMENT BENEFITS

The NC 401(k) Plan is a Supplemental Retirement Plan offered by the State of North Carolina through the Department of State Treasurer. The City may provide a City paid contribution to the non-sworn employee's NC 401(k) supplemental retirement benefit accounts for employees enrolled, eligible, and contributing to the NCLGERS, subject to availability of funds and approval by the City Council. As prescribed by North Carolina State Law, the City will contribute a percentage of salary to the NC 401(k) Plan for each sworn law enforcement officer (currently 5%).

All full time and part time employees are eligible to participate in the NC 401(k) plan and may make voluntary contributions to the NC 401(k) Plan up to the limits established by law and the NC 401(k) provider.

The City also offers full-time and part-time employee voluntary contributions to the NC 457 Plan, a deferred compensation plan administered by the North Carolina Department of State Treasurer.

SUBJECT: SEPARATION ALLOWANCE

Separation Allowance: Sworn Law Enforcement Officers

N.C.G.S. 143-166.42.

Special separation allowances for local officers.

If this option is chosen, local law enforcement officers may return to work for the City of Kannapolis in any capacity not requiring participation in the Local Government Employees' Retirement System (LGERS). The local law enforcement officer is not restricted to only public safety positions.

Separation Allowance: All Employees Hired Prior on or Before December 31, 2025

Separation Allowance

Effective March 3, 1987 (Rev. March 3, 2020)

Applicable to employees hired on or before December 31, 2025, that Retire Under the Local Government Employees Retirement System (LGERS)

Beginning in the month in which an employee retires on a basic service retirement under the provisions of G.S. 128-27(a), an annual separation allowance equal to eighty-five hundredths percent (0.85%) of current base pay for each year of creditable service, is payable by the City to the employee. This formula (last salary x .0085 x number of years creditable service) will be used to calculate annual separation allowance of employees who:

- (3) Have (a) completed thirty or more years of creditable service or (b) attained age 55 years of age and completed five or more years of creditable service; and
- (3) Have not attained 62 years of age*, and
- (3) Have completed at least five years of continuous service as an employee of the City prior to retirement

*If the employee has reached 62 years of age, please refer to the retention bonus extension below.

Any breaks in continuous service because of disability retirement or disability salary continuation benefits shall not adversely affect an employee's qualification to receive this allowance, provided that the employee returns to service within 45 days after the disability benefits cease.

Annual allowance will be paid bi-weekly in twenty-six equal payments until age 62 or upon death whichever occurs first. "Creditable service" means the service for which credit is allowed under the applicable retirement system at time of retirement.

Return to Work After Retirement

Effective January 1, 2026

Return to Work, Receiving Separation Bonus and Receiving Retirement from the Local Government Employees Retirement System (LGERS)

Retirees who are currently receiving separation allowance as of December 31, 2025 or will be retiring from the Local Government Employees Retirement System (LGERS) after January 1, 2026 are (1) allowed to return to work in any capacity for the City of Kannapolis not requiring participation the Local Government Employees' Retirement System (LGERS) and /or (2) is allowed to work in service to a county board of elections on an election day or during the hours for early voting under Part 5 of Article 14A of Chapter 163 of the General Statutes in a capacity that complies with G.S. 128-21(19) and does not result in cessation or suspension of the retiree's benefit from the Local Government Employees' Retirement System (LGERS). Additionally, employees must not prearrange, before their retirement, that they will return to any type of employment after their retirement, even after a one-month break.

Retention Bonus Through Age 62

Effective January 1, 2026

Retention Bonus: Employees Eligible to Retire, Under the Age of 62 and Continue to Work for the City of Kannapolis

Beginning in the month in which an employee is eligible to retire on a basic service retirement (including unreduced and reduced benefit) under the provisions of G.S. 128-27(a), an annual retention bonus equal to eighty-five hundredths percent (0.85%) of current base pay for each year of creditable service, is payable by the City to the employee. These payments will be made *in addition* to regular working wages into NC 457b Defined Contribution Plan.

If the aggregate IRS maximum for the 457b Defined Contribution Plan has been reached, then the remainder of the bonus will be paid bi-weekly.

Additional service years *are* reportable to LGERS for purposes of calculating service years under the system. Any bonuses not contributed to the 457b are reportable as wages under the Internal Revenue Service (IRS), the Local Government Employees Retirement System (GLERS) and will be reflected on employees' annual W-2. All applicable taxes will apply.

Hired Prior to December 31, 2025

This formula (base salary x .0085 x number of years creditable service) will be used to calculate retention bonus at the first date of eligibility of employees who were hired prior to December 31, 2025 and:

(3) Have (a) completed thirty or more years of creditable service or (b) attained age 55 years of age and completed five or more years of creditable service; and

(3) Have not attained 62 years of age*, and

(3) Have completed at least five years of continuous service as an employee of the City prior to retirement

Illustrative Example:

base salary x .0085 x number of years creditable service

$$\text{\$50,000} \times .0085 \times 16 \text{ years} = \text{\$6,800} / 26 \text{ payrolls} = \text{\$261.54}$$

Bob is 56 and completed five years of continuous service with Kannapolis and was hired 1/1/2020. He earns \$50,000 a year. He also has 10 years of creditable service working with the City of Concord. He also has one year of sick time. He would like to continue to work for Kannapolis. Bob would receive \$261.54 as retention bonus into NC 457b plan plus he would receive regular bi-weekly pay. He would continue to receive the same retention bonus each payroll contributed to his NC 457b until he decides to retire.

*If the employee has reached 62 years of age and is currently employed in position with the City of Kannapolis that requires membership in LGERS, please refer to the retention bonus extension below.

Hired After January 1, 2026

This formula (base salary x .0085 x number of years of service with the City of Kannapolis) will be used to calculate retention bonus at the first date of eligibility of employees who were hired after January 1, 2026, and:

(3) Have (a) completed thirty or more years of creditable service or (b) attained age 55 years of age and completed five or more years of creditable service; and

(3) Have not attained 62 years of age*, and

(3) Have completed at least five years of continuous service as an employee of the City prior to retirement

Illustrative Example:

base salary x .0085 x number of years creditable service with Kannapolis

$$\text{\$50,000} \times .0085 \times 6 \text{ years} = \text{\$2,550} / 26 \text{ payrolls} = \text{\$98.08}$$

Bob is 56 and completed five years of continuous service with Kannapolis and was hired 1/1/2030. He earns \$50,000 a year. He also has 10 years of creditable service working with the

City of Concord. He also has one year of sick time. He would like to continue to work for Kannapolis. Bob would receive \$98.08 as retention bonus into his NC 457b plus he would receive his regular bi-weekly pay. He would continue to receive the same retention bonus each payroll into his 457b until he decides to retire or reaches age 62. He does not receive credit for service with the City of Concord.

*If the employee has reached 62 years of age and is currently employed in position with the City of Kannapolis that requires membership in LGERS, please refer to the retention bonus extension below.

Any breaks in continuous service because of disability (i.e. workers compensation injury) continuation benefits shall not adversely affect an employee's qualification to receive this bonus, provided that, the employee returns to service within 45 days after the disability benefits cease.

Annual bonus will be paid bi-weekly in twenty-six equal payments until age 62* into the NC 457b plan or upon death whichever occurs first. If the IRS maximum has been reached for the NC 457b plan, then the remainder will be paid bi-weekly as a bonus subject to LGERS contributions and all applicable taxes. The employee can work in any capacity that requires membership in the Local Government Employees Retirement System including full-time or part-time and is not receiving regular retirement from the Local Government Employees Retirement System (LGERS).

"Creditable service" means the service for which credit is allowed under the applicable retirement system at time of retirement. Unused accumulated sick time will be used to determine the total number of years of creditable service as of July 1.

If the employee retires under the Local Government Employees Retirement System (LGERS) before the age of 62, the employee will have retention bonus recalculated to include any increase in wages and additional service year(s) until age 62. The bonus will move from Retention Bonus to Separation Allowance the month the retirement becomes effective.

Retention Bonus Extension After Age 62

Retention Bonus Extension: Employees Eligible to Retire, Age 62+ and Continue to Work for the City of Kannapolis

Effective January 1, 2026

Applicable City of Kannapolis employees that are not retired (hired prior to December 31, 2025, and after January 1, 2026) between the ages of 62-67 with at least 20 years of creditable service with the City of Kannapolis. The retention bonus extension is not retroactive to those receiving separation allowance prior to December 31, 2025. *This bonus is only paid to those that continue to work for the City of Kannapolis in a position that requires membership in the Local Government Employees Retirement System (LGERS) and those that are not currently receiving retirement.*

If the aggregate IRS maximum for the 457b Defined Contribution Plan has been reached, then the remainder of the bonus will be paid bi-weekly.

Additional service years *are* reportable to LGERS for purposes of calculating service years under the system. Any bonuses not contributed to the 457b are reportable as wages under the Internal Revenue Service (IRS), the Local Government Employees Retirement System (GLERS) and will be reflected on employees' annual W-2. All applicable taxes will apply.

This formula (base salary x .0085 x number of years of service with the City of Kannapolis x reduction based on tier) will be used to calculate retention bonus at the first date of eligibility and:

(2) Currently employed with the City of Kannapolis in a position that does requires membership in the Local Government Employees Retirement System (LGERS)

(2) Employee must meet the City of Kannapolis service tier structure below:

<u>Years of Service</u>	<u>Payment as Percentage of Base Retention Bonus</u>
25 or more years of City of Kannapolis creditable service	50%
20 - 24.99 years of City of Kannapolis creditable service	25%
Less than 19.99 years of City of Kannapolis creditable service	n/a

Illustrative Example:

base salary x .0085 x number of years creditable service with Kannapolis

$\$50,000 \times .0085 \times 21 \text{ years} = \$8,925 \times 25\% = \$2,231.25 / 26 \text{ payrolls} = \$85.82$

Bob is 56 and completed 20 years of continuous service with Kannapolis and was hired 1/1/2005. He earns \$50,000 a year. He also has 10 years of creditable service working with the City of Concord. He has one year of sick time. He would like to continue to work for Kannapolis. Bob would receive \$85.82 as retention bonus extension into his NC 457b plan plus he would receive his regular bi-weekly pay. He would continue to receive the same retention bonus into his 457b for each payroll until he decides to retire or reaches age 67. Bob does not receive credit for City of Concord service.

Unused accumulated sick time will be used to determine the total number of years of creditable service as of July 1 even if accrued at another local government entity and is transferred to the City of Kannapolis.

Retention bonus will be paid bi-weekly in twenty-six equal payments into a NC457b until age 67 unless the employee retires or upon death whichever occurs first. Retention bonus ends the month in which the employee's retirement becomes effective.

The employee must work in any capacity that requires membership in the Local Government Employees Retirement System and is not receiving regular retirement from the Local Government Employees Retirement System (LGERS).

“Creditable service” means the service for which credit is allowed under the applicable retirement system at time of retirement. Retention bonus will be paid bi-weekly in twenty-six equal payments until age 67 or upon death whichever occurs first.

SUBJECT: TUITION REIMBURSEMENT/ASSISTANCE

Tuition reimbursement is available to employees participating in an approved program contingent upon approval of program funds by City Council in the annual fiscal budget. All full-time employees are eligible for tuition reimbursement after successful completion of the initial probationary period and have been employed by the City for a minimum of twelve months.

Provisions of Educational Assistance: An eligible employee may be reimbursed for eligible expenses for up to \$2,500 per fiscal year that will better equip the employee to perform job related duties/relatedness to a function or service provided by the City. Reimbursement will be made as funding is available on a first come, first serve basis.

Eligible Expenses: Eligible expenses include actual tuition fees paid, required fees (i.e. lab/technology), and costs of textbook for approved academic coursework provided by a college or university accredited by the Commission on Colleges of the southern Association of Colleges and Schools, or by the corresponding regional Commission on Colleges approved by the Department of Education. It is the responsibility of the employee to obtain and provide proof that the college or university to be attended is properly accredited in accordance with this policy.

Approval of tuition assistance for an employee does not establish a precedent that all future requests for that employee or for that course by other employees will be approved.

Obtaining Educational Assistance.

1. Submit a completed application to the Human Resource Department. Applications are available in the Human Resource Department. The Human Resource Director will obtain Department Head approval. If Approved by the Department Head, the Human Resource Director (or designee) will ensure appropriate funds are available and encumber the maximum amount of eligible expenses to be reimbursed, pending completion of the course(s). The application requires a statement of how the course applies to or benefits currently assigned duties. Reimbursement will be made for required general college courses or prerequisites such as English or general math if the course is part of a future development plan or declared major.
2. An employee approved for educational assistance shall agree in writing to:
 - a. Complete the course.
 - b. Achieve a minimum grade of "C" or better, "P" (pass) or better, or "S" (satisfactory) or better for courses under these grading systems.

- c. Remain employed at City's for two years following completion of the course. The employee will reimburse the City for all expenses paid by the City if employment ends sooner than one year. Reimbursement will be waived in the event employment is terminated by the City.
- d. The employee shall sign a statement authorizing the city to withhold payment from the employee's pay in the event the City is due reimbursement.

Reimbursement of eligible tuition and course fees require the presentation of satisfactory grades, tuition/course fees receipts, and an executed continued employment agreement. Grade transcripts must be submitted no later than 45 days following completion of the course taken. An employee must receive a "C" or better, "P" (pass) or better, or "S" (satisfactory) or better for courses under these grading systems to be eligible for tuition reimbursement and to be considered for future tuition assistance. Courses must be completed at an appropriately accredited institution of higher learning.

SUBJECT: WORKERS' COMPENSATION

The City shall provide state-mandated workers' compensation coverage for all individuals to which the North Carolina Workers' Compensation Act applies. Under the advice and consent of approved legal counsel, the City Manager (or designee) shall be responsible for compliance with all provisions of the North Carolina Workers' Compensation Act. The City shall follow those laws, court decisions, and other binding rulings that apply to the administration of workers' compensation for covered employees.

This coverage provides medical care and partial income payments in case you suffer from a work-related injury or illness. There is no cost to you for this protection. **If you suffer a work-related injury or illness (no matter how minor it may appear), you must report it to your supervisor as soon as reasonably possible, but in no event, later than leaving the facility, or within 8 hours of the illness or injury, whichever is earlier.** This will enable you to obtain any necessary medical attention and qualify for coverage as quickly as possible.

Except where such laws, decisions, or rulings conflict, the City will abide by the following:

1. On the day of a compensable injury, the City will pay the injured employee for the balance of the scheduled workday if the employee is seeking medical treatment for the injury or if the employee is relieved of duty by a physician or the Department Head (or designee) for recuperation.
2. If an employee is unable to return to work due to a compensable injury, the employee may elect to use accumulated sick leave or annual leave to receive remuneration for those workdays which the employee would normally have worked but-for the compensable injury during the first seven days immediately following the compensable injury.
3. An employee on workers' compensation leave without pay shall continue to be eligible for health benefits, but the employee will be responsible for making payment of premiums. Employee deductions from regular paychecks or supplemental insurance

payments will need to be addressed to the vendor's satisfaction by the employee. The City will not advance any payments to these vendors. Employees may use accrued time to offset premium payments. Under no circumstance can the employee be paid more than his/her regular weekly wages (i.e., accruals + WC weekly payments cannot be more than regular weekly wages). An employee will not accrue annual or sick leave while on workers' compensation leave without pay.

4. Employees who are on workers' compensation leave without pay may be asked to return to work in a light-duty or modified-duty job. Employees who refuse a light-duty or modified-duty job may lose his/her workers' compensation disability payments; however, the employee may still be eligible for approved leave in accordance with City policy or other applicable law (e.g., under the Family and Medical Leave Act or the Americans with Disabilities Act). Employees refusing light-duty or modified duty that are not eligible for approved leave under City policy or other applicable law can be disciplined up to and including termination.
5. Workers' compensation leave without pay and/or any other approved leave will run concurrent with FMLA.

Coordination with the National Smallpox Vaccination Program

On June 12, 2003, the State of North Carolina passed Session Law 2003-169, "Adverse Reactions to smallpox vaccination" amending the North Carolina Workers' Compensation act to include smallpox related conditions as occupational diseases within the meaning of the Workers Compensation Act. Specifically included is infection with smallpox, infection with vaccinia (the virus in smallpox), or any adverse medical reaction when the infection or adverse reaction is due to the employee or volunteer receiving in employment vaccination against smallpox incident to the Administration of Smallpox Countermeasures by Health Professionals, section 304 of the Homeland Security Act.

Covered employees shall be informed of the potential risks and side effects of receiving the smallpox vaccine prior to receipt of this voluntary vaccination. Covered employees under the Homeland Security Act include police officers, fire personnel, and other first responders. Acceptance of the vaccine is strictly voluntary and subject to medical contraindication. Absences as a bona-fide result of illness or adverse reaction arising from in employment vaccination against smallpox as provided by the Homeland Security Act shall be addressed in the same manner as all other covered occupational injuries or illnesses under the Workers' Compensation Act as provided in sections (b), (c), and (d) of this policy, except that the first seven days absence resulting from receipt of the vaccine shall be paid as "other leave pay". Absences as a result of illness arising from non-employment related exposure to smallpox are not covered by the City's workers' Compensation program.

SUBJECT: RELOCATION EXPENSES

Assistant Director (or above) positions are eligible for a one-time relocation reimbursement to assist with moving expenses and is available up to one year from the start date of employment. Other positions eligible for relocation expenses will be at the discretion of the City Manager

when the position is likely to be difficult to fill in the absence of an incentive. If employment ends for any reason other than medical or military reasons within twenty-four (24) months of date of hire, the employee is responsible for and invoiced for repayment of all relocation fees incurred. This repayment (or a portion of it) may be deducted from any available annual leave at time of separation.

The City will pay for expenses incurred for one house hunting trip for employee and one guest. The City will pay for up to a maximum of two (2) nights lodging.

Storage charges for household effects for up to sixty (60) days are allowable at the point of origin or destination, but not both.

Once the employee secures a minimum of two (2) quotes, the City will pay for the actual moving expenses incurred for packing, loading and unloading clothes, linen, kitchenware, furniture and other similar household effects necessary for residence. Special charges for transporting personal effects such as boats, campers, weapons, jewelry, sporting equipment, collectibles, etc. are not reimbursable.

If the relocation residence is inside City limits, reimbursement is 100% or a maximum of \$7,000 whichever is less. If the relocation residence is outside City limits, the amount of reimbursement is based on radius for emergency response times (within 15 miles to City Hall is 75% and within 25 miles to City Hall is 50% or a maximum of \$7,000 whichever is less).

The City must pre-approve all quotes and contracts prior to execution. Provide all quotes and company information to the City. The City will coordinate direct payment to the vendors on the employee's behalf. The City follows IRS guidelines on taxable fringe benefits.

SUBJECT: LEAVES POLICY ADMINISTRATION RULES

Accrued time requested in a workweek or work period cannot result in paid hours that exceed the scheduled hours for the week or period. Leave hours requested but not needed to complete a scheduled workweek or work period will remain in the employee's accrued leave balance.

All paid leave shall be taken, recorded, and rounded off to the nearest quarter hour (15-minute increments).

An employee continues to accrue vacation and sick leave while on an authorized paid leave (i.e. annual leave, paid caregiver leave, paid military leave, short-term disability benefit during FMLA protected leave period). For purposes of vacation and sick leave accrual, authorized paid leave status is defined as being in paid status 50% of a biweekly pay. An employee will not accrue annual or sick leave while on workers' compensation leave without pay.

The City maintains a general policy and practice of shutting off City network access to any employee that is approved or placed on any type or combination of leaves for thirty

(30) continuous days or more. The employee should work with their supervisor to ensure that an out-of-office message is communicated, so that external contacts and co-workers know whom to contact during the employee's absence.

The City Manager may authorize and implement leave administrative policies and procedures in response to extenuating circumstances such as an infectious disease outbreak, a pandemic, safety and security, a state or federal mandated emergency leave directive or law.

SUBJECT: HOLIDAYS

For City holidays also designated as a State of North Carolina holiday, the City shall follow the holiday schedule set by the State of North Carolina for holidays to be observed and the dates for each holiday to be observed.

The following holidays have been designated for observance:

Holiday	Number of Days
New Year's Day	1
Martin Luther King, Jr. Day	1
Good Friday	1
Memorial Day	1
Independence Day	1
Labor Day	1
Veterans Day	1
Thanksgiving	2
Christmas	3
Floating Holidays	2

Floating Holidays Use: The two annual floating holidays are paid holidays that employees may choose as a day of personal significance to them (examples include and are not limited to religious or cultural holidays, employee birthdays, or other state or federal holidays). Floating holidays are available at the beginning of each calendar year for all current employees or at time of hire for new employees. These days do not roll over calendar years and are not paid out upon departure from the City. The request must be scheduled and approved in advance by the employee's immediate supervisor. These days *must* be used in full holiday pay increments as defined below (i.e., 8, 8.4, or 10.6 hours); no partial days are allowed as defined by these stated hours.

Paid holiday time is provided for full-time employees (2A) only. All other staff (2B, 2C, and service-limited) are not afforded paid holiday accrued time but may be scheduled off in accordance with their business unit practice.

Holiday pay is defined as follows for full-time employees:

2,080 FLSA hour-a-year employees (40-hour workweek) = 8 hours

2,184 FLSA hour-a-year employees (non-exempt 7(k) sworn law enforcement) = 8.4 hours

2,756 FLSA hour-a-year employees (non-exempt 7(k) fire protection) = 10.6 hours

When the paid holiday observation falls on an employee's regular day off, such an employee will be paid holiday pay at their regular hourly rate.

Employees who are required to perform work on regularly scheduled holidays shall record the actual hours worked. They will be paid for the actual hours worked on the holiday and the holiday pay as defined in this policy section.

An employee who is on leave without pay on the day immediately preceding or following a holiday shall lose the holiday as well as pay for that day.

Employees may wish to be away from work on a certain day for religious observances. Department heads should attempt to arrange the work schedule so that an employee may be granted use of a floating holiday or vacation leave if requested for a religious observance. Time off for religious observances may be denied only when granting leave would create an undue hardship for the City.

SUBJECT: VACATION LEAVE

All full-time employees shall accrue and utilize annual leave in accordance with the schedule and procedures established within this policy.

The primary purpose of paid vacation is to allow employees to renew their physical and mental capabilities and to remain a fully productive employee. Employees are encouraged to request leave during each year in order to achieve this purpose.

Examples of uses of vacation leave include vacation, rest and relaxation, other periods of absence for personal reasons, absences due to adverse weather conditions, cultural or religious observances or celebrations, and personal or immediate family illness (in lieu of sick leave). Vacation leave may be used for sickness if the employee chooses. Vacation leave may be used for time lost for late reporting only upon supervisory approval. Unapproved leave without pay deductions should be made from employee's pay where excessive or a pattern of tardiness or absenteeism occurs.

Eligibility and Accrual. Annual leave shall, on the last day of the pay period, accrue for each pay period of continuous employment from the last date of hire in accordance with City policies and limitations. For each pay period thereafter, annual leave shall accrue on the last day of the pay period according to the established rate schedule in accordance with City policies and limitations. The employee's full-time creditable service date (including any required waiting period) shall be used for determining the rate of vacation leave accrual.

40 Hour Workweek Employees (2080 hour-a-year employees)

Years of Creditable Service	Hours Earned Each Pay Period
Less than 5	4.32 hours
5 but less than 10	5.24 hours
10 but less than 15	6.16 hours
15 but less than 20	7.09 hours
20 years or more	8.00 hours

Non-Exempt 7(k) Sworn Law Enforcement Employees (2184 hour-a-year employees)

Years of Creditable Service	Hours Earned Each Pay Period
Less than 5	4.54 hours
5 but less than 10	5.50 hours
10 but less than 15	6.47 hours
15 but less than 20	7.44 hours
20 years or more	8.4 hours

Non-Exempt 7(k) Fire Protection Employees (2756 hour-a-year employees)

Years of Creditable Service	Hours Earned Each Pay Period
Less than 5	5.52 hours
5 but less than 10	6.74 hours
10 but less than 15	7.96 hours
15 but less than 20	9.18 hours
20 years or more	10.42 hours

Vacation leave shall not accrue during authorized extended leaves of absence without pay.

Maximum Accrual of Vacation Leave. Vacation leave may accumulate unlimited until the last day of the pay period for the 2nd pay date of January each year. Vacation time accrued in excess of 240 hours (252 hours for non-exempt 7(k) sworn law enforcement officers and 318 for non-exempt 7(k) fire protection employees) shall be transferred to sick leave on the last day of the pay period for the 2nd pay date of January each year.

An employee will accrue vacation for the pay period in which he/she separates employment only after working through the last day of the last pay period.

Use of Vacation Leave. *Vacation leave shall be taken, recorded, and rounded off to the nearest quarter hour.* Vacation leave pay is payment in lieu of time worked when an employee is absent from work on approved leave. Except for terminal pay, vacation leave shall only apply to periods of absence from an employee's scheduled workday. Vacation leave hours shall not be paid for time missed from work when an employee has worked sufficient hours within the work period to cover the requested time off.

It is the responsibility of each department head or designated supervisor and the employee to ensure the provisions of this policy are observed. Department heads will ensure any vacation leave used will be requested and accurately reflected with the submission of time sheets. Corrective action should be taken in instances of abuses or misrepresentation of the use of vacation leave on time sheets.

Notification of the desire to use vacation leave shall be submitted to the employee's supervisor or department head in advance. Vacation leave requests must be approved by the employee's supervisor or department head and will be taken at such times as the supervisor or department head finds most suitable after considering the leave request and the operational needs of the department. Failure to attain prior approval may result in denial of such leave. Due to the necessity of keeping all City functions in operations, a large number of employees cannot be

granted vacation leave at any one time. Paid holidays occurring during vacation are not charged to vacation.

Vacation leave requests for two or more weeks (14 consecutive calendar days of no work hours) must be requested a minimum of 60 days in advance (excluding FMLA protected leave and life/family emergency type situations where advance planning is not possible). Employees are obliged to plan and arrange proper coverage of responsibilities during the leave period; effective communication is vital to make such leave requests work for everyone.

Terminal Pay. For employees separating from employment, the payment for accumulated vacation leave shall not exceed 240 hours (252 hours for non-exempt 7(k) sworn law enforcement officers and 318 for non-exempt 7(k) fire protection employees), less any debts outstanding to the City. Vacation leave balance in excess of 240 (252 hours for non-exempt 7(k) sworn law enforcement officers and 318 for non-exempt 7(k) fire protection employees) hours will be converted into sick leave balance upon employment departure. This provision also applies to employees terminated due to reduction in force.

Employees that do not give a mandatory three (3) week notice will receive accumulated vacation leave. The notice requirement may be waived by the City Manager when deemed to be in the best interest of the City. Employees who are involuntarily separated shall receive payment for accumulated vacation leave not to exceed the maximum established in this policy. At the discretion of the City Manager, an employee dismissed for serious violations of personal or criminal conduct may be determined ineligible to receive vacation pay.

Vacation leave may not be used in lieu of working a notice. Terminating employees may decline payment of unused accumulated vacation leave hours upon written request with written documentation the employee's new employer will accept the leave balance.

SUBJECT: SICK LEAVE

Sick leave with pay is not a right that an employee may demand but a privilege for the benefit of an eligible employee when sick and for other authorized purposes.

All full-time employees shall, upon approval of the supervisor or department head, be granted the use of accrued sick leave when absent from work for any of the following reasons:

Any of the following that prevents the employee from performing his/her regular duties: physical or mental sickness/illness/injury/health condition; medical (physical or mental), behavioral health, or dental appointments to receive preventative care and to diagnose, care for, or treat a physical, mental, or behavioral illness, injury, or health condition; temporary disability; quarantine; or exposure to a contagious disease when continuing work might jeopardize the health of others.

To care for a member of immediate family as defined by this policy or for an unmarried partner due to illness, injury, or medical/dental appointments. Sick leave may *not* be used to

care for a healthy infant or child (i.e. daycare or school is closed, childcare arrangement issues, inclement weather closures).

For approved FMLA leave.

After bereavement leave is exhausted, sick leave may also be used for death (as outlined in the bereavement leave policy) in the employee's immediate family but may not exceed 40 hours (42 hours for 7k sworn law enforcement and 53 hours for 7k fire protection) for any one occurrence.

An employee who is collecting Worker's Compensation Benefits as a result of an on-the-job injury may use accrued sick leave during the first seven (7) calendar days following the injury/illness or prorated amount for premium payments if being compensated at 2/3 rate by Workers Compensation.

The City Manager may authorize the use of accrued sick leave for additional extenuating circumstances.

For purposes of this sick leave section and policies, the definition of immediate family includes spouse, child, parent, brother, sister, grandparents, grandchildren, or guardian plus the various combinations of half, step, in-law and adopted relations derived from those named. Foster children under the care of an employee shall be deemed immediate family for these purposes.

Notification of the desire to take sick leave should be submitted to the employee's supervisor or department head prior to the leave or not later than 30 minutes after the beginning of the scheduled workday. Failure to do so may result in denial of such leave pay and require leave without pay for the absence.

The supervisor or department head may ask basic questions regarding the nature of the illness and the expected duration. The supervisor should consult with human resources to determine if the sickness falls under the provisions FMLA. Please refer to the City's FMLA policy for additional guidance.

If a question arises concerning the legitimacy of the use of sick leave, a certifying statement from a practicing physician or other acceptable verification may be required. Failure of an employee to provide a physician's statement, or other acceptable verification, or claiming sick leave under false pretenses to obtain a day off, or failure to follow the above guidelines, shall constitute a reason for non-payment of the days taken and is grounds for disciplinary action up to and including dismissal.

An employee who is on sick leave shall keep his/her supervisor or department head advised in a timely manner as to condition and expected date of return to duty. Medical documentation concerning an employee's capacity to resume duties may be required.

Eligibility and Accrual. Full-time employees shall be entitled to accrue sick leave bi-weekly at the rate of 3.70 hours (3.89 hours for 7k sworn law enforcement and 4.90 hours for 7k fire protection). Sick leave shall accrue on the last day of the pay period. Sick leave shall not

accrue during authorized extended leaves of absence without pay. Unused sick leave will be cumulative for an indefinite period.

No employee who separates employment from the City of Kannapolis shall be paid for unused sick leave.

Retirement Credit for Accumulated Sick Leave. Those employees retiring from the City under provisions of the Local Governmental Employees' Retirement System will have unused sick leave applied toward creditable service at retirement as regulated by the North Carolina Local Governmental Employees' Retirement System or Law Enforcement Officers' Benefit and Retirement Fund.

SUBJECT: ANNUAL VACATION AND SICK LEAVE – TRANSFER OF NC GOVERNMENT AGENCY BENEFIT

New hire employees who were previously employed (without retiring, including retirement disability) by a participating governmental entity in one of the following retirement systems that is administered by the NC Department of State Treasurer Retirement System Division:

- North Carolina Local Government Employee's Retirement System (LGERs)
- Teachers' and State Employees' Retirement System (TSERS)
- Legislative Retirement System (LRS)
- Consolidated Judicial Retirement System (CJS)

may be eligible to receive the following leave credits, transfers, or accrual rates as outlined in this policy.

In all circumstances obtaining and submitting any and all written verifications from previous employers by the policy designated deadline is the responsibility of the employee.

Determining and Verification of the Years of Creditable Service for Rate of Annual Leave Accrual.

New hires who transfer to the City of Kannapolis from one of the following systems identified directly above in this policy will receive years of service credit in determining eligibility for vacation leave accrual.). Previously withdrawn service time is not included in the calculation of years of creditable service.

The new employee will provide a written statement proving creditable service from any eligible retirement system listed above. The accrual rate adjustment based on years of creditable service will be effective on the first pay period following receipt of the required documentation and will not be retroactive. All documentation will be submitted to the Human Resource Director (or designee) who will verify active years of creditable service. **Written acceptable verification is the responsibility of the employee and Human Resources must receive within six (6) months of employment.**

Credit for Accumulation from Previous Employment – Vacation Leave.

New hires who were previously employed by a participating governmental entity in one of the following retirement systems that is administered by the NC Department of State Treasurer Retirement System Division immediately prior to being employed with the City of Kannapolis may receive credit with the City of Kannapolis for up to 80 hours **unused/unpaid** accumulated vacation leave earned at the immediate preceding NCLGERS, TSERS, LRS, or CJS employer, provided:

- the entity participating in the retirement system was the employee's most recent full-time employer immediately preceding the employee's employment with the City of Kannapolis;
- the employee presents to the Human Resource Director (or designee) a written statement on agency letterhead confirming the employee's ending vacation leave balance within **60 days of employment**; and
- the employee was not paid out for the unused hours.

Credit for Accumulation from Previous Employment – Sick Leave.

Option A: New hires who were previously employed by a participating governmental entity in one of the following retirement systems that is administered by the NC Department of State Treasurer Retirement System Division immediately prior (defined as no break in employment with a NC governmental entity – 31 days or less) to being employed with the City of Kannapolis may receive credit with the City of Kannapolis for unused accumulated sick leave earned each pay period or monthly from one of the following systems identified directly above in this policy, provided the employee presents a statement from the entity confirming the employee's ending sick leave balance and that the employee was not reimbursed for these days nor was the balance transferred to another entity. This only applies to governmental entities that were the employee's most recent place of employment immediately preceding their employment with the City of Kannapolis (this includes part-time employment where the employee was earning sick leave).

Option B: New hires who were previously employed by a one of the following systems identified directly above in this policy and had a break in employment (more than 31 days) but less than five (5) years may receive credit with the City of Kannapolis for unused accumulated sick leave earned each pay period or monthly from one of the following systems identified directly above in this policy *only from employers where the last date of employment is within the last five (5) years*, provided the employee presents a statement from the entity confirming the employee's ending sick leave balance and that the employee was not reimbursed for these days nor was the balance transferred to another entity. This includes part-time employment where the employee was earning sick leave.

Written acceptable verification is the responsibility of the employee and Human Resources must receive within 60 days of employment.

SUBJECT: HEALTH AND WELL-BEING LEAVE

City employees will receive up to 12 hours of paid health and well-being leave per calendar year for qualifying activities. Time must be during the employee's regularly scheduled workweek.

The purpose of this leave is to support employee's physical, mental and/or emotional well-being. While advance notice is always preferred, this time could include more spontaneous needs that are not addressed by other accrual banks of time including employee health clinic visits, EAP visits, preventative wellness, mental health/recovery time, accessing crisis support services, and/or immediate family concerns. Time may be taken as either a full day or less. These paid leave hours will be established on an annual basis and will not carry over or be paid out if not used during the calendar year.

Employee Health Clinic Visits and Leave Time

Health and Well-Being leave may be used for time spent at the employee health clinic during the employee's regularly scheduled work hours (if the visit is for the employee or a dependent minor child). If the employee has exhausted his/her health and well-being leave for the calendar year, sick leave will be used. If the employee is advised to go home, sick leave must be used from the time the employee is released from the clinic.

SUBJECT: BEREAVEMENT LEAVE

The City understands that the loss of a loved one is a significant and distressing event. Our bereavement policy is designed to provide support and time off for employees to grieve, plan/attend/travel funeral services/visitation/burials/celebration of life events, and manage affairs related to the bereavement.

The following guidelines provide a framework for bereavement leave:

- Full-time employees are eligible for paid bereavement leave.
- Bereavement leave taken during an employee's probationary period will result in an extension of probation equal to the amount of bereavement leave used.
- Up to forty (40) hours (60 hours for 12-hour sworn law enforcement and 120 hours for sworn fire suppression personnel) in the event of the death of an immediate family member. This time will be placed in the employee's paid bereavement leave bank each calendar year from which employees can draw if needed. Immediate Family includes spouse, child, domestic partner, parent, sibling, grandparents, grandchildren, or guardian plus the various combinations of half, step, in-law and adopted relations derived from those named. Recognizing the emotional impact of a miscarriage, the City allows for available paid bereavement leave to be used for such circumstances should the employee choose.

Spousal/Child/Parental bereavement leave extension:

- Up to an additional eighty (80) hours (120 hours for sworn law enforcement and 240 hours for sworn fire suppression personnel), in addition to the initial bereavement allocation of paid bereavement leave in the event of the death of an employee's child or spouse for any one occurrence with no calendar year limitations.
- Up to an additional forty (40) hours (60 hours for 12-hour personnel and 120 hours for sworn fire suppression personnel), in addition to the initial bereavement allocation of paid

bereavement leave in the event of the death of a parent for any one occurrence with no calendar year limitations. If the employee has available paid bereavement leave in their calendar year bank, that leave is included in this paid bereavement leave allowance. This leave includes a stillborn child.

- In the event of the death of other family members (i.e. aunt, uncle, niece, nephew, cousins, or an adult who stood in loco parentis to the employee during childhood; plus the various combinations of half, step, in-law and adopted relations derived from those named) as well as close friends or family friends employees may utilize up to five days of sick leave.
- In the event of the death of a fellow employee, City retiree, elected official, or appointed board members, the City Manager in consultation with the Human Resources Director will determine and approve the appropriate use of City time or leave to allow employee attendance of visitation/funeral for those that desire.
- Bereavement leave is frequently taken close to the death of the loved one. The City recognizes that each bereavement and its surrounding circumstances and responsibilities are unique; therefore, necessary leave (as defined in this policy) may be taken during the first year following the loss and need not be taken in full days.

Additional leave options: Employees may utilize their accrued sick and/or vacation leave or available health and well-being leave. Leave without pay is a last resort and should not be used unless extenuating circumstances exist.

If additional time is necessary, it must be approved with advance authorization by the appropriate Department Head and/or the City Manager.

Notification process: Employees must notify their direct supervisor about their need for bereavement leave as soon as possible. The City recognizes and respects the diverse cultural practices and beliefs surrounding death and bereavement. Employees are encouraged to communicate any specific needs or observances required during their time of bereavement.

We trust our employees to use bereavement leave appropriately and do not typically require proof of death; if a question arises concerning the legitimacy of the use of bereavement leave acceptable verification may be required. Claiming leave under false pretenses to obtain a day off, or failure to follow the above guidelines, shall constitute a reason for non-payment of the days taken and is grounds for disciplinary action up to and including dismissal.

Transition back to work: The City supports a phased return to work for employees after bereavement, considering the circumstances surrounding the loss and each individual's readiness and capacity to resume work. The City provides access to counseling services and other support mechanisms through our Employee Assistance Program. The impact of bereavement on an employee's concentration and wellbeing will be considered in health and safety assessments, especially for roles requiring high levels of attention or operating machinery.

SUBJECT: VOLUNTEERISM LEAVE

The City encourages employees to:

- become involved in their communities, lending their voluntary support to programs that positively impact the quality of life within these communities; and/or
- Become involved in their children's education and school functions/meetings.

City employees will receive up to 12 hours of paid volunteerism leave per calendar year for qualifying volunteer activities. Time must be during the employee's regularly scheduled workweek. An employee's job responsibilities take precedence over volunteer activities. Volunteer time should not conflict with the peak work schedule and other work-related responsibilities, create the need for overtime or cause conflicts with other employees' schedules. Prior approval by the employee's supervisor is required for time away from work. Unused employee volunteerism leave will not carry over into a new calendar year or be paid out.

Examples of qualifying events include school events such as tutoring, guest lecturer, EOG and exam proctoring, mentoring unrelated to the employee's child/ren, Special Olympics, Habitat for Humanity, Boys and Girls Club, NC DOT Litter Sweep events, Adopt-A-Highway, federal, state, or local government sponsored volunteer opportunities in the state of North Carolina (non-City of Kannapolis sponsored event), non-City sponsored volunteer events such as a non-city sponsored blood drive, and other 501(c)(3) non-profit community programs in the state of North Carolina.

The City may require written verification from the organization that the employee was involved with during the leave time.

Volunteer leave with pay may not be used for volunteering with agencies that discriminate based on race, color, age, gender, religious creed, veteran status, marital status, sexual orientation, pregnancy, childbirth, national origin, or ancestry, mental or physical disability, medical condition or genetic information, or political affiliation.

Policy Note:

Employees participating in City-sponsored community volunteer events such as blood drives may remain clocked-in and participate in the event with prior supervisor approval.

SUBJECT: MILITARY LEAVE

An employee entering active military duty shall have his/her job status protected in full compliance with federal and state requirements.

The City commends the dedication and self-sacrifice of the employees serving in the uniformed services. It recognizes the hardship experienced by these employees and their families for the public good.

The City is committed to protecting the job rights of employees covered by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA). USERRA protects employees that serve in the Uniformed Services of the United States, which includes the Army, Navy, Marine Corps, Air Force, Coast Guard, Space Force, Public Health Service

Commissioned Corps, and National Oceanic and Atmospheric Administration Commissioned Corp, as well as the reserve components of each of these services. USERRA also protects employees who serve as members of the National Urban Search and Rescue Response System, reservists for the Federal Emergency Management Agency (FEMA), and members of the National Disaster Medical System.

In accordance with federal and state law, it is the City's policy that no employee will be subjected to any form of discrimination on the basis of his or her membership in or duty to perform service for any of the Uniformed Services of the United States or covered federal disaster services. No employee will be denied reemployment, promotion or other benefits or employment on the basis of such membership. Furthermore, no employee will be subjected to retaliation or adverse employment action because of his or her rights exercised under this policy.

Employees who are protected by USERRA will be allowed 120 hours of Military or Federal Disaster Service Leave per calendar year for training or activation. The employee shall receive his or her base salary during this leave. The employee must provide a copy of their duty orders. If military or federal disaster service duty is required beyond the available Military or Federal Disaster Service Leave, the employee may take accrued vacation leave or leave without pay. Military or Federal Disaster Service Leave must be exhausted before Leave Without Pay (LWOP) will be granted.

If an employee meeting the above condition is deployed beyond the 120 hours of fully paid time AND is paid more with the City than in their military role, the employee may receive a pay differential (difference between city pay and military pay) for up to 6 months. The employee must provide proof of military pay in addition to military orders required above within 30 calendar days of the end of the 120 hours of fully paid time and any changes/updates in the military pay during this period within 14 calendar days of the military pay date change. This supplemental pay will be processed through the normal payroll cycle timing. While taking military leave with partial pay or without pay, the employee's leave credits and other non-monetary benefits shall continue to accrue as if the employee physically remained with the City during this period. For those choosing LWOP status, the credits will be added when the employee returns or begins receiving city pay.

Resources: <https://www.esqr.mil/> <https://www.dol.gov/agencies/vets/programs/userra>

SUBJECT: PARENTAL SCHOOL INVOLVEMENT LEAVE

Employees are granted four (4) hours per year (interpreted as a calendar year for tracking purposes) of unpaid leave, in accordance with applicable law, to any employee who is a parent, guardian, or person standing in loco parentis of a school-aged child so that the employee may attend or otherwise be involved in that child's school. You are required to schedule this time off in advance with your supervisor and provide a written request to take the leave at least 48 hours before the time of the leave. Reference: [NCGS 95-28.3](#)

Full-time employees may choose to use available paid volunteerism or vacation leave in lieu of unpaid leave.

SUBJECT: CIVIL LEAVE

Jury/Court: Any employee called for service for jury duty, or as court witness for the federal or state governments or quasi-judicial body or a subdivision thereof, may be granted leave with full pay for the duration of the period for which called, without charge against leave.

The employee may keep fees and travel allowances received for jury or witness duty in addition to regular compensation except that employees must turn over to the City any witness fees or travel allowance awarded by the court for court appearances in connection with official duties. The employee must provide documentation to the City confirming jury duty or court witness and attendance for all days of jury duty or court witness. While on civil leave, benefits and leave shall accrue as though on regular duty.

Time spent in work related legal proceedings by employees acting within the official scope and capacity of their employment is considered time worked.

Employees may use accrued leave for non-work related legal proceedings that do not qualify for paid civil leave including non-government subpoenas for testimony.

Employees are to return to work after jury duty although no more than the regularly scheduled number of hours for both jury duty and work shall be required. If excused as a juror on any given day, the employee is expected to contact his/her supervisor and to report to work as instructed.

Civic Duty: Civil leave with pay may be granted when an employee serves as a Cabarrus or Rowan County election worker, a census worker in Cabarrus or Rowan County, or similar type of governmental activity that does not create a conflict of interest with a maximum of two (2) days per calendar year if the required times are during the employee's normal work schedule and no other alternative arrangements are possible. To request civil leave an employee must present written evidence of an appointment to serve and the dates/times scheduled to serve/train a minimum of ten days in advance of their need for time off in order to accommodate the necessary rescheduling of work periods. Such requests should be discussed in advance with the employee's supervisor to determine if the request for leave may be accommodated. The employee's City of Kannapolis duties will take precedence. The employee may keep stipends, allowances, and pay received for such volunteer duty in addition to regular City leave compensation. While fulfilling such volunteer civic duty, the individual is not serving in a City of Kannapolis employee capacity and should not present their selves in any such manner.

SUBJECT: DISASTER RESPONSE LEAVE

Employees who are members of volunteer fire departments, rescue squads, the North Carolina National Guard, or emergency medical services agencies called into service after the Governor or the General Assembly has proclaimed a state of disaster may take leave without pay to provide emergency services. Employees may, but are not required to, use vacation or other accrued leave. An employee should provide the City with a letter requesting the services of the employee from the director of the Division of Emergency Management or by the head of a local emergency management agency. If the City needs the services of the employee to address the

City's on-going emergency or disaster relief activities, the employee may be exempted from the leave. Reference: [NCGS 166A-19.76](#)

Employees directed to participate as part of their required job duties will be considered on-the-job and will be paid the same salary as working for the City. Pay from other sources must be turned over to the City.

SUBJECT: DOMESTIC VIOLENCE VICTIM LEAVE

Employees are permitted a reasonable time off from work to obtain or attempt to obtain assistance as a victim of domestic violence. An employee must follow the City's usual procedures and policies regarding time off except in cases of an emergency. The City may request documentation regarding such an emergency. The employee may choose to use accrued annual leave or unpaid leave. Reference: [NCGS 50B-55](#)

SUBJECT: JUVENILE ORDER LEAVE

All employees who are parents, guardians or custodians of juveniles will be given leave to comply with juvenile court orders issued by a court of competent jurisdiction. Employees subject to such orders must notify their supervisor immediately upon being served with an order and provide a copy of the order. Leave under this policy is unpaid; however, exempt employees will be paid as required by law. Employees may opt to use paid time benefit in place of unpaid leave. Reference: [NCGS 7B-2705](#)

SUBJECT: SHARED LEAVE

The City recognizes that employees may have a family medical emergency resulting in a need for additional time off in excess of their available leave. To address this need, all eligible employees will be allowed to donate accrued paid annual or sick leave hours from their unused balance to their co-workers in need of additional paid leave through the establishment of a **"shared leave bank,"** in accordance with the policy outlined below. This policy is strictly voluntary. It is not the intent of this policy to apply to incidental, normal, short-term medical conditions.

Definitions and Guidelines

Employees must be employed with the City for a minimum of one year to be eligible to donate and/or receive donated leave to/from the shared leave bank.

Leave donations to the shared leave bank are accepted at any time during the year. Human Resources may conduct share leave bank donation campaigns periodically, including when there is a specific need for leave in excess of the shared leave bank balance. Donations of vacation or sick leave at the time of separation from employment cannot be accepted.

Every effort is made to keep donor names confidential; however, due to the nature of the process, confidentiality cannot be guaranteed.

Employees who would like to make a request to receive donated shared leave must have a medical emergency situation. For the purposes of this shared leave policy, **medical emergency** is defined as a documented medical condition of the employee or his/her spouse, child, or parent (family members as defined by the Family Medical Leave Act) that will require the prolonged/extended absence of the employee from work for a period of three weeks or more and will result in a substantial loss of income to the employee due to the exhaustion of all available paid leave. The employee must have exhausted all forms of paid leave which would have otherwise covered the requested leave time. This definition also includes extended time off following the loss of a spouse or child (including pregnancy loss, miscarriages, stillbirths, or death of an infant).

An employee receiving employer provided short-term disability (STD) is eligible to apply for shared leave in accordance with the policy to supplement the STD paid benefit in accordance with the STD plan document and City leave policies, with the intent support the employee in covering continuation of benefit payroll deductions.

Illustrative examples of non-qualifying situations include, but not limited to:

- Sporadic, short-term recurrences of chronic conditions;
- Short-term absences due to contagious diseases;
- Accidents/illnesses for which Workers' Compensation benefits are payable;
- Cosmetic treatment as defined by the City's health plan; or
- Pregnancy. Note: Severe or extraordinary complications related to pregnancy of an extreme or life-threatening nature that are expected to extend beyond the typical post-partum recovery period *may* be considered.

These examples are illustrative, not all inclusive; each application is reviewed and a decision rendered based on its conformity to policy intent and is handled consistently and equitably.

In reviewing requests the City considers multiple factors including, but are not limited to:

- The request must meet the policy standards and definitions;
- Length of employment with the City, overall attendance, and use of leave;
- Employee's intent/ability to return to work;
- Information provided concerning the overall medical emergency situation;
- Expected length of leave period and leave without pay period;
- Requesting employee has ever donated leave; and
- Prior amount of leave share requests granted to employee (if any).

Once a leave recipient has had time to rebuild leave balances, donations to the leave bank are encouraged and appreciated for future leave share applicants in need.

Receipt of shared leave is not job protected leave and in no way creates any job protection beyond those provided by the Family Medical Leave Act (FMLA). Nothing in this policy will be construed to limit or extend the maximum allowable absence under the Family and Medical Leave Act. Nothing in this policy will be construed to be a guarantee or expectation that the employee's request will be approved for any specific amount of shared leave or to cover the

entire period of leave without pay. If an application is not approved, an employee may submit a second request for the same situation with additional information to be considered or reapply if the situation changes.

Under no circumstances shall an employee receive any form of compensation, monetary or otherwise, for donated leave. The use of vacation or sick leave on a shared basis for any purpose other than specified by this policy is prohibited. An employee may not directly or indirectly (or attempt to) intimidate, threaten, or coerce any other employee for the purpose of interfering with any right which such employee may have with respect to donating, receiving or using leave under this program. Such action by an employee shall be grounds for disciplinary action up to and including dismissal in accordance with City policies.

Share Leave Bank Administration

Requesting Shared Leave. Employees requesting donated leave are required to complete the application and release form. If the employee is not able to complete the request, a Department Head or supervisor may submit the request on behalf of the employee. The Department Head reviews the merits of the request and forwards it to the Human Resources Director with a recommendation to approve or disapprove. The employee must provide Human Resources with a physician's statement of the medical emergency including the date it began and its probable duration. If an employee is on FMLA, the FMLA medical certification form will normally meet this requirement. Human Resources will contact the employee to obtain additional/missing pertinent information needed to make an approval/denial decision. The City Manager (or designee), with the recommendations of Human Resources Director and the Department Head, makes the final decision.

If the recipient employee has available leave in his/her balance, this leave must be exhausted prior to receiving any shared leave. Employees may receive no more than 480 hours of shared leave within a rolling 12-month period. Total lifetime shared leave should not exceed 2,080 hours.

Donation of Annual or Sick Leave. The donation of leave is strictly voluntary. Donated leave is surrendered to the City and in turn distributed to eligible recipient employees through the Shared Leave Bank. Employees voluntarily donating leave completes the form and submits to Human Resources. The donation of leave is on an hourly basis, without regard to the dollar value of the donated or used leave; as is with all other paid leave the dollar value of the leave is not realized until utilization. **The minimum number of hours that an eligible employee may donate is two (2) hours per fiscal year; the maximum donations are 80 hours of vacation leave and eight (8) hours of sick leave per fiscal year.** The donation cannot reduce the employee's annual leave or sick leave balance below 40 hours for either leave balances. Employees who are currently on an approved leave of absence cannot donate leave.

Accounting and Usage Procedures

Human Resources maintains a system of leave accountability which accurately records leave donations and recipients use. Such accounts should provide a clear and accurate

record for financial and management audit and reporting purposes. Donations are accepted and applied in a first-in, first-out accounting method. The approved amount(s) of shared leave will only be added to the recipient's sick leave balance after all paid leave is exhausted. Shared leave will be applied to the recipient employee's payroll as needed. If a recipient employee separates from the City, participation in the shared leave program will end immediately and any unused shared leave will be deducted from the sick leave balance and returned to the Shared Leave Bank. Donated leave will remain in the Shared Leave bank for future needs of eligible employees with qualifying medical conditions.

SUBJECT: LEAVE WITHOUT PAY

When an employee is absent from work and does not have sufficient accrued paid leave to cover the hours in their work period, Leave Without Pay (LWOP) must be utilized to close out the pay period. The employee must have exhausted all forms of accrued paid leave which would have otherwise covered the requested leave time. LWOP is not to be used on a regular basis; if a pattern occurs, disciplinary action may be taken.

Approval of Leave Without Pay is an administrative decision and may be granted only in extraordinary situations. Requests are reviewed on a case-by-case basis. Illustrative reasons for the leave without pay may include, but are not limited to:

- Suspensions (including investigatory or disciplinary);
- Military service (The employee does not have to exhaust other available leave.);
- Educational;
- The employee is not able to return at the end of FMLA due to a serious medical condition, but is certified by his/her medical provider as being able to return after some limited additional leave;
- The employee is not able to return at the end of FMLA, and needs more time for the physician to provide additional medical information to determine if the employee can return;
- An employee with workers' compensation injury is unable to return at the end of FMLA;
- A qualified individual with a disability as defined under the ADA has exhausted FMLA leave or not eligible for FMLA and is certified by his/her medical provider as being able to return after some limited additional leave;
- An employee has a serious health condition and is not eligible for FMLA and is certified by his/her medical provider as being able to return after some limited leave; and
- Personal leave of absence. Job performance, absenteeism and departmental requirements will all be taken into consideration before a personal leave request is approved.

The employee shall apply in writing to the Department Head and supervisor. The Department Head reviews and renders a decision to:

- Approve or deny the request if 3 workdays or less.
- If the request is more than 3 workdays, forward the request with his/her recommendation to the City Manager through Human Resources.

The employee is obligated to return to work within or at the end of the time approved. Employees are required to respond to communications from the City during the absence and notify Human Resources of any changes in situations during the absence within two (2) business days. If the employee decides not to return to work, the supervisor or Human Resources should be notified immediately. Failure to report at the end of the expiration of a leave of absence will be considered a voluntary resignation. Except for mandated benefits extensions associated with FMLA, military leave laws, or other laws, an employee in Leave Without Pay status will not accrue benefits (such as annual leave and sick leave).

Any employee on an approved leave of absence without pay may continue his or her medical, dental, and life insurance coverage by submitting to the City the full cost (amount paid by the City) of such benefits by the fifth day of each month he/she is absent, subject to limitations set by the insurance carrier. When in a paid status, employees do not typically pay for employee only coverage; when the employee is on LWOP for a full pay period or more, he/she must pay the employer portion of the insurance cost.

SUBJECT: ADMINISTRATIVE LEAVE

In some circumstances it may be necessary to place an employee on paid or unpaid administrative leave not otherwise outlined in this policy. Unless specifically authorized in this policy, the administrative leave must be authorized by the City Manager or Human Resources Director. This does not limit or restrain the Department Head or supervisor's authority to send an employee home with pay for the remainder of a day for workplace safety and investigation initiation situations.

Examples of when administrative leave may be authorized by the City include and are not limited to workplace investigations, safety, policy/compliance situations, emergencies, funeral/visitation attendance for a co-worker, elected official or appointed board members, early closure of City offices before a holiday or after an All-City staff development event, and Employee Assistance Program manager's referral.

Department Heads with Human Resources Director consultation may place employees on investigatory suspension. Each situation will be reviewed to determine if it is a paid or unpaid status.

SUBJECT: PAID SABBATICAL LEAVE

It is the policy of the City to allow eligible employees to take paid sabbatical leave to focus on self-development, professional development, or a specific work project for a specified period of time. A paid sabbatical leave is a break from the normal day-to-day work schedule to allow space for reflection and "reset." The purpose is for longer-employed, high-performing employees to refresh themselves and to enhance their leadership, productivity, creativity, and passion for the work of the City. In addition, the program allows staff members, who cover the work of the individual on sabbatical, to learn and grow as they take on those responsibilities. A sabbatical is not just a longer vacation; there are expectations of the "sabbatical." Employees eligible for sabbatical leave will be held accountable for the activities or materials they choose to

conduct or create during this leave. All intellectual property created during an employee's sabbatical leave will be deemed property of the City.

Eligibility: Assistant Department Heads and above employees may apply for sabbatical leave after 5 years of continuous full-time service with the City of Kannapolis and not have had other extended leave in the preceding 12 months. These employees may apply to take sabbatical leave for two weeks at full pay every three years.

After an employee has completed sabbatical leave, he/she is obligated to return to the City for a full year of work at the conclusion of a sabbatical.

Employees on approved sabbatical leave will receive pay and continued benefits during the period of leave. Employees on sabbatical leave are not eligible for tuition reimbursement or any sabbatical activity reimbursement.

Procedures: Eligible employees who wish to apply for sabbatical leave are required to submit a letter to the City Manager describing the reason for the sabbatical and the specific project during sabbatical. Some examples of projects during sabbatical include continuing education, conducting research for a City project, developing, writing, or revising major City documents/workflows, or other similar work. The requesting employee is responsible for identifying and communicating a plan to cover essential functions during their sabbatical. Sabbatical proposals may be approved based on the City's business needs, staffing needs, and other factors identified by the City Manager.

After an employee's return from sabbatical leave, the employee will be required to produce evidence of the activities conducted during this time. In some instances, this may include a class syllabus with a reported grade for the class. In other instances, it may mean the submission of completed work. Upon return, the employee will also share lessons learned from the experience. The report may be presented in various ways. Failure to produce evidence of work during this period will result in the employee becoming ineligible to participate in future sabbaticals. The City also reserves the right to take disciplinary action against employees who fail to conduct any meaningful work or activities during this period.

Time off taken for approved Family and Medical Leave Act (FMLA) leave will not be counted against the employee when determining eligibility or "continuous service."

Employees on sabbatical leave will not be required to use any accrued leave during this period. Employees on sabbatical who are enrolled in benefits will continue to have deductions made from their pay during the sabbatical period.

SUBJECT: FAMILY MEDICAL LEAVE ACT (FMLA)

This policy provides basic information concerning FMLA entitlements and obligations. For questions concerning FMLA leave, employees should contact Human Resources. The City posts the DOL publication 1420 FMLA Notice in compliance with U.S. Department of Labor (DOL) on Employee Rights and Responsibilities under the Family and Medical Leave Act on City employee bulletin boards.

Employees Eligible for FMLA Leave

FMLA leave is available to "eligible employees."

To be eligible, an employee must:

- (1) have been employed by the City for at least 12 months (which need not be consecutive); and
- (2) have worked for the City for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and
- (3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

All periods of absence from work due to or necessitated by service in the uniformed services are counted as hours worked in determining eligibility.

Employee Rights for FMLA Leave

As described below, the FMLA provides eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration for certain family and medical reasons.

Amount of and Reasons for Leave

The FMLA provides eligible employees up to 12 workweeks of paid/unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period for determining leave entitlement will be a rolling 12-month period. The 12 months immediately preceding the current leave request will determine the entitlement. Eligible employees are entitled to up to 12 weeks of FMLA leave less any leave used for a qualifying FMLA purpose during the preceding 12 months. Employees may not take more than 12 weeks paid/unpaid FMLA leave for a qualifying FMLA purpose in any 12-month period.

Leave may be taken for anyone, or for a combination, of the following reasons:

- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son, daughter, or parent (but not in-law) who has a serious health condition;
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care, or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job; and/or
- Because of any qualifying exigency arising out of the fact that an employee's spouse, son, daughter or parent is a military member on covered active duty or call to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserve component of

the Armed Forces for deployment to a foreign country in support of a contingency operation, or the Regular Armed Forces for deployment to a foreign country.

FMLA leave eligibility for birth, adoption or foster care of a child must be taken within one year of the birth or placement of the child.

When spouses are both employed by the City and eligible for FMLA leave, **they will be limited to a combined total of 12 weeks** of leave during any 12-month period if the leave is taken for the birth of the employee's child or to care for the child after birth, for the placement of a child with the employee for adoption or foster care or to care for the child after placement, or to care for the employee's parent with a serious health condition.

A "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves:

- An overnight inpatient stay in a medical care facility, or
- Continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen (i.e. a prescription) of continuing treatment, or
- Incapacity due to pregnancy, or
- Incapacity due to a chronic condition (examples: asthma, diabetes, epilepsy), or
- Permanent or long-term conditions (examples: cancer, Alzheimer's disease), or
- Conditions requiring multiple treatments and recovery from treatments (examples: dialysis, physical therapy, chemotherapy treatment and recovery), or
- Other conditions may meet the definition of continuing treatment.

Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

1. Military Caregiver Leave Entitlement (Injured Servicemember Leave)

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a covered servicemember is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember is available only during a single-12-month period and, when combined with other FMLA-qualifying leave, may not exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember. If a husband and wife both work for the City and each wish to take leave to care for a covered injured or ill servicemember, the husband and

wife may only take a combined total of 26 weeks of leave.

A "covered servicemember" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces." A covered servicemember also includes a veteran who was discharged or released from military service under conditions other than dishonorable at any time during the five (5) year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

Note: The FMLA definitions of "serious injury or illness" applicable to current members of the Armed Forces and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.

2. Intermittent Leave or a Reduced Leave Schedule

FMLA leave is usually taken for a period of consecutive days, weeks, or months. However, employees also are entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember. Qualifying exigency leave also may be taken on an intermittent basis.

The City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, in instances when leave for the employee or employee's family member is foreseeable and for planned medical treatment, including recovery from a serious health condition, to care for a covered service member, or to care for a child after birth or placement for adoption or foster care.

3. Protection of Group Health Insurance Benefits

During FMLA leave, eligible employees are entitled to maintain group health plan coverage on the same terms and conditions as if they had continued to work.

4. Restoration of Employment and Benefits

At the end of FMLA leave, subject to some exceptions, including situations where job restoration of "key employees" will cause the City substantial and grievous economic injury, employees have a right to return to the same or equivalent position with equivalent pay, benefits, and other employment terms. The City will notify employees if they qualify as "key employees" and advise them of their rights if it intends to deny reinstatement.

Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

5. Notice of Eligibility and Designation of FMLA Leave

Employees requesting FMLA leave are entitled to receive written notice from the City telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible, employees are entitled to receive written notice of:

- a. Their rights and responsibilities in connection with such leave;
- b. The City's designation of leave as FMLA-qualifying or non-qualifying and, if not FMLA-qualifying, the reasons why; and
- c. The amount of leave, if known, that will be counted against the employee's leave entitlement.

When the City learns that the employee's reason for leave/absence (even if the employee has not requested FMLA leave) qualifies as a FMLA leave reason, the City initiates the required FLMA written notices.

If the City lacks sufficient information on the reason for the leave, the City may inquire further of the employee or representative to determine if the leave qualifies for FMLA protection. The City is responsible for initiating the process for FMLA leave even if the employee has not asked for it; the employee does not have to expressly request FMLA leave. **Employees cannot decline FMLA job protection designation for qualifying events.**

For leave that has not previously been designated as Family Medical Leave, the City may **retroactively** designate leave as FMLA leave with appropriate written notice to employees provided the City's failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, the City and employee can mutually agree that leave be retroactively designated as FMLA leave.

Employee FMLA Leave Obligations

1. Provide Notice of the Need for Leave

Employees must timely notify the City of their need for FMLA leave, as described below.

Content of Employee Notice: To initiate FMLA leave protections, employees must inform the City by notifying Human Resources of the need for leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave to allow the City to determine that the leave is FMLA-qualifying.

For example, employees might explain that:

- A medical condition renders them unable to perform the functions of their job;

- They are pregnant;
- They or a covered family member have been hospitalized overnight;
- They or a covered family member are under the continuing care of a health care provider;
- The leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active-duty status to a foreign country; or
- If the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered servicemember with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave is not sufficient notice under this policy. Employees must respond to the City's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave or to provide necessary paperwork in a timely fashion, the leave may be denied. When employees seek leave due to FMLA qualifying reasons for which the City has previously provided FMLA protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

The City prohibits subjecting you to interference, restraint, discriminating, retaliation, discipline, or harassment for the good faith usage of your benefits, including FMLA leave. However, employees engaging in fraud, misrepresentation or providing false information will be subject to loss of benefits, denial or termination of leave, and corrective action, up to and including termination of employment.

Timing of Employee Notice: Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide the City notice of the need for leave as soon as practicable under the circumstances. Employees who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

3. Cooperate in the Scheduling of Planned Medical Treatment and Intermittent Leave or Reduced Leave Schedules

When planning medical treatment, employees must consult with the City and make a reasonable effort to schedule treatment so as not to unduly disrupt the City's operations. Employees must consult with the City prior to the scheduling of treatment to work out a treatment schedule which best suits the needs of both the City and the employees. If the employee providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, the City may require the employee to attempt to make such arrangements. All such treatment schedules and arrangements are subject to the approval of the employee's health care provider.

When employees seek intermittent leave or a reduced leave schedule for reasons

unrelated to the planning of medical treatment, upon request, employees must advise the City of the reason why such leave is medically necessary. In such instances, the City and employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting the City's operations, subject to the approval of the employee's health care provider.

For the birth, adoption or foster care of a child, the City and the employee must mutually agree to the schedule before the employee may take the leave intermittently or work a reduced-hour schedule.

3. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave)

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave.

There are three general types of FMLA medical certifications:

- (1) an initial certification
- (2) a recertification
- (3) a return to work/fitness for duty certification.

The employee is responsible for any fee charged by the health care provider for completion of the forms.

It is the employee's responsibility to provide the City with timely, complete, and sufficient medical certifications. Employees must provide medical certifications within **15 calendar days** after the City requests certification, unless it is not practicable to do so despite an employee's diligent, good-faith efforts. The City will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. The City may deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, the City (through individuals other than an employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to authorize the City to clarify or authenticate certifications with health care providers, the City may deny FMLA leave if certifications are unclear.

Whenever the City deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

Initial Medical Certifications: Employees requesting leave because of their own, or a covered family member's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of the covered family member or servicemember. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. **A new initial medical certification will be required on an annual basis for serious**

medical conditions lasting beyond a single leave year.

If the City has reason to doubt an initial medical certification, it may require the employee to obtain a second opinion at the City's expense. If the opinions of the initial and second health care providers differ, the City may, at its expense, require the employee to obtain mutually agreed upon by the City and the employee third, final and binding certification from a health care provider.

Medical Recertifications: Depending on the circumstances and duration of FMLA leave, the City may require employees to provide recertification of medical conditions giving rise to the need for leave. The City will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

Return to Work/Fitness for Duty Medical Certifications: Unless notified otherwise, employees returning to work from FMLA leaves taken because their own serious health conditions made them unable to perform their jobs must provide the City medical certification confirming they are able to return to work and to perform the essential functions of their positions, with or without reasonable accommodation. The City may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

The City may require an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

4. Submit Certifications Supporting Need for Military Family Leave

Upon request, the first-time employees seeking leave due to qualifying exigencies arising out of the covered active duty or call to covered active-duty status of a military member, the City may require employees to provide:

- a) A copy of the military member's active-duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to active-duty status and the dates of the military member's covered active-duty service; and**
- b) A certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. The City may also require employees to provide copies of new active-duty orders or other documentation issued by the military for leaves due to qualifying exigencies arising out of a different covered active duty or call to covered active-duty status of the same or a different military member.**

When leave is taken to care for a covered servicemember with a serious injury or illness, the City may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, the City may request that employees submit certifications setting forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

5. Substituting Paid Leave for Unpaid FMLA Leave

Employee Own Serious Health Condition

An employee taking FMLA leave because of the employee's own serious health condition must exhaust all available paid sick and vacation time before changing to Leave Without Pay (LWOP) status. If the employee is in paid status (using accrued leave for at least 50% of the bi-weekly pay period) then the employee will continue to accrue sick and vacation leave.

NOTE: An employee taking FMLA leave because of the employee's own serious health condition and receiving employer provided short-term disability (STD) paid benefit may choose (not required) to utilize available paid sick or vacation leave to supplement the STD paid benefit in accordance with the STD plan document and City leave policies.

Illustrative Example:

- Employee uses 80 hours of accrued leave during a bi-weekly pay period; the employee will continue to accrue sick and vacation leave.
- Employee is on intermittent FMLA; the employee works 20 hours, uses 60 hours of accrued leave. The employee will continue to accrue sick and vacation leave.
- Employee is on intermittent FMLA; the employee works 30 hours and has exhausted all accrued leave. The employee will go on LWOP status and will not accrue additional leave time.

Serious Health Condition of Family Member, Birth or Adoption

An employee taking FMLA leave because of the serious health condition of a family member or birth, adoption, or foster care of a child the following options are available:

(1) Paid Caregiver Leave

(2) Sick and/or vacation time

Employees must exhaust all available sick and vacation time before changing to Leave Without Pay (LWOP) status.

Please see the applicable paid leave policy to determine if that paid leave may be used for the leave reason.

City Holidays

If an employee is on FMLA leave and is in paid status (including intermittent leave) the day before and the day after a city recognized holiday falls, the employee is entitled to holiday pay in accordance with the holidays policy.

If the employee is on FMLA leave and in unpaid status the day immediately preceding or following a holiday, the employee is not entitled to holiday pay.

For purposes of determining the amount of FMLA leave used by an employee, holidays that occur during a week taken as FMLA have no effect; the week is counted as a week of FMLA leave. However, if an employee is using FMLA leave in increments of less than one week, the holiday does not count against the employee's FMLA entitlement unless the employee was otherwise scheduled and expected to work during the holiday

The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leave. **The paid time runs concurrently with the FMLA protected leave.** Once all unused accrued holiday and leave is exhausted, the remainder of the FMLA leave time will be unpaid. **An FMLA covered absence also runs concurrently with a Workers' Compensation absence or a short-term disability (STD) paid absence. FMLA begins on the 8th day of absence (the waiting period).**

Illustrative Example:

- An employee is injured on the job, and it is a compensable claim under the Workers Compensation Act. The employee has completed the 7-day waiting period. The employee is out of work and is receiving workers compensation benefits. FMLA will run concurrently beginning on day 8 until the employee exhausts the 12 weeks of FMLA or returns to work whichever is sooner.
- An employee is injured outside of work. The employee has completed the 7-day waiting period for short-term disability. FMLA will run concurrently beginning on day 8 until the employee exhausts the 12 weeks of FMLA or returns to work whichever is sooner.
- An employee is injured on the job, and it is a compensable claim under the Workers Compensation Act. The employee is working modified duty for 20 hours per week. FMLA will run concurrently with the remaining hours of the week that the employee is not at work.

6. Pay Employee's Share of Health Plan Premiums and other Voluntary Benefits

Paid Leave

During FMLA leave, employees are entitled to continue group health plan coverage under the same conditions as if they had continued to work. The City will continue to make contributions for the employee's group health plan coverage including any dependent coverage, provided that the employee continues to pay his/her portion of the premiums. Unless the City notifies employees of other arrangements, whenever employees are receiving pay from the City during FMLA leave, the City will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If the employee contributes to a life, disability, or other voluntary benefit plans, the employer will continue making payroll deductions while the employee is on paid leave.

Unpaid Leave

While on unpaid leave, the employee must continue to make this payment, either in person or by mail. The payment must be received in the Finance Department by each pay date or by the 1st day of the month. Payment of premiums can be made by cash or check.

While the employee is on unpaid leave, the employee may request continuation of such benefits and pay his/her portion of the premiums. If the employee does not continue these payments, the employer may discontinue coverage during the leave.

Unpaid Insurance Premium

The City's obligation to maintain health care coverage ceases if an employee's premium payment is more than 30 days late. If the payment is more than 30 days late, the employee's health care coverage will be moved to COBRA for the duration of the leave retroactive to the last period for which premiums were paid (generally the 30th of the month). The City will provide 15 days' notification prior to the employee's loss of coverage.

Employees That Do Not Return After FMLA Ends

If the employee does not return to work within 30 calendar days at the end of the leave period (unless employees cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse the City for the total cost of the premiums the City paid for maintaining coverage during their unpaid FMLA leave. Employees will be billed by the Finance Department.

Definitions

Note: To the extent that any provisions of these definitions may conflict with federal FMLA laws, the City will abide by the applicable/current federal FMLA definition.

For additional information:

[FMLA Employee Guide](#)

[FMLA Fact Sheets](#)

Spouse means a husband or wife as defined or recognized in the state where the individual was married and includes individuals in a common law or same-sex marriage. Spouse also includes a husband or wife in a marriage that was validly entered into outside of the United States if the marriage could have been entered into in at least one state.

Child means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability" at the time that FMLA leave is to

commence.

Parent means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a child. This term does not include parents “in law.”

In Loco Parentis includes those in the role of a parent with day-to-day responsibilities to care for or financially support a child. Employees who have no biological or legal relationship with a child may stand in loco parentis to the child and be entitled to FMLA leave. Additionally, an eligible employee is entitled to FMLA leave to care for a person who stood in loco parentis to that employee when the employee was a child, even if the person does not have a biological or legal relationship to the employee.

Next of kin for a covered servicemember is the nearest blood relative, other than the current servicemember’s spouse, parent, or child. Servicemembers may specifically designate another blood relative as their next of kin for FMLA purposes in writing

Coordination of FMLA Leave with Other Leave Policies

The FMLA does not affect any federal, state, or local law prohibiting discrimination, or supersede any state or local law which provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult the City’s other leave policies within this Personnel Policy or contact Human Resources.

The function of this policy is to provide employees with a general description of their FMLA rights. If you have questions, concerns, or disputes regarding this FMLA policy, please contact Human Resources. The City is committed to complying with the FMLA, and whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain, or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact Human Resources immediately. The City will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation.

SUBJECT: PAID CAREGIVER LEAVE

A growing segment of the workforce consists of employees with family caregiving responsibilities. For the City of Kannapolis to remain competitive, we must be able to attract and retain talented and productive employees. Such employees are more likely to join and stay with the City and be productive when they can continue to meet their caregiver obligations. For this reason, the City offers the family-friendly option to its employees of Paid Caregiver Leave (PCL) within the parameters outlined in this Policy.

Eligibility and Paid Caregiver Leave (PCL)

Any full-time 2A employee who qualifies for Family and Medical Leave Act (FMLA) coverage under Section 600.05 of the City's Personnel Policies and Procedures is eligible to receive paid caregiver leave within any rolling twelve-month period for the care of an immediate family member, including the birth, adoption, or placement of a foster child. An employee's eligibility for PCL for birth, adoption, or foster care expires at the end of the 12-month period beginning on the date of birth or placement.

Paid Caregiver Leave maximums within any rolling twenty-four-month period will be based on total annual hours worked excluding overtime.

General Full Time Employees	=	240 hours will be paid
Sworn Police / Sworn Telecommunicators	=	252 hours will be paid
Fire Suppression	=	318 hours will be paid

- Paid Caregiver Leave will run concurrently with the employee's Family and Medical Leave.
- A qualifying employee is entitled to paid caregiver leave once within any rolling twenty-four-month period.
- Eligible employees are not required to exhaust other paid leave prior to application/usage of this paid leave. An employee may choose not to access paid caregiver leave and to use other paid leave even if the leave situation qualifies for paid caregiver leave depending on the employee's individual circumstances.

Qualifications

Paid caregiver leave is available to any regular employee who qualifies as a primary caregiver of an immediate family member under the "Family Member's Serious Health Condition" certification definition, which includes care of a family member who is pregnant.

Immediate family member, serious health condition, spouse, child, and parent for purposes of this policy are defined by Family Medical Leave Act (FMLA). See the City's FMLA Policy for more information and definitions.

Married Couples Employed at City

In cases where caregiver leave is used for pregnancy, birth or adoption or foster care placement of a child where a married couple is employed by the city each employee is entitled to 240 hours of paid caregiver leave or the maximum outlined above.

Birth or Placement of More than One Child

The birth or placement of more than one child (i.e., twins or siblings) at the same time does not entitle the employee to additional paid leave above the 240-hour maximum (or another maximum listed above). Adoption of a stepchild or stepchildren does not qualify for paid caregiver leave.

Procedures

Advanced Notice

An employee requesting paid caregiver leave must contact Human Resources in writing at least thirty days in advance of taking such leave, when possible and practicable, and submit both a Caregiver Leave Request form and acceptable supporting documentation that establishes the qualifying event for eligibility.

Unexpected Leave

For unexpected leave, you're required to report your need for leave on the same or next day leave is taken. Submission of both the Caregiver Leave Request form and acceptable supporting documentation that establishes the qualifying event for eligibility are still required.

Birth, Adoption, or Foster Care (including in loco parents)

In birth, adoption, or foster care related leave requests, the City also requires submission of both the Caregiver Leave Request form and acceptable supporting documentation that establishes the qualifying event for eligibility.

Supporting Documentation

In addition to the Caregiver Leave Request form, an employee must also submit supporting documentation that establishes the qualifying event for eligibility. Examples of supporting documents include, but are not limited to:

- Birth of child – A certificate of live birth, hospital birth confirmation, or similar issued document, listing the requesting employee as a legal parent;
- Placement of a child – Documentation from a Court, Agency, Attorney, or similar granting legal custody/guardianship or similar of the child to the requesting employee;
- Non-legal placement/In Loco Parentis – A notarized statement from the employee asserting that the employee is assuming and discharging the obligations of a parent to a child. The statement must include the age of the child, the date when non-legal placement occurred, the degree to which the child is dependent on the employee, the amount of support, if any provided by the employee and the extent to which the employee exercises duties commonly associated with parenthood and a reasonable record/documentation establishing the employee as a named caregiver of the child (e.g. school enrollment, insurance records, medical records, power of attorney, or similar).
- Completion of Certification of Health Care Provider for Family Member's Serious Health Condition (FMLA) form by the attending certified medical provider to confirm the serious health condition of the ill family member and Caregiver status of the employee involved in the care of and necessary attention to the covered family member. Depending upon individual situation circumstances and the information provided by the health care provider on the certification form, an updated/renewed certification form may be required during the leave or rolling eligibility period.

Approval of PCL

Forms are available from the Human Resources Department and should be submitted to that department. Leave must be approved by the employees' Department Director and Human Resources.

Providing the employee has completed the PCL request form and meets all other eligibility and qualification requirements, PCL may be approved pending receipt of documentation with a grace period of 14 calendar days. If the supporting documentation is not received within the grace period, PCL will be denied, and the employee may use other paid or unpaid leave until the event is certified/reapproved. Retroactive edits will not be made past the current pay period.

Failure to provide acceptable documentation in a timely manner will result in the denial or recoupment of the PCL.

In the event of a hardship or extreme emergency a historical edit for leave time and/or acceptance of similar or other documentation may be considered.

Note: Employees will receive separate communications/forms regarding FMLA eligibility, requirements, and approval/denial in accordance with the Family Medical Leave Act and City policies.

How is the pay received?

Employees approved for caregiver leave must ensure that any paid leave requests are submitted for approval by their supervisor in the City's time and attendance system. While on leave, employees will receive approved caregiver leave pay, not to exceed the hours listed above in the same manner and on the same schedule as employees are normally paid while not on leave status. The employee's usual payroll deductions and contributions and the City's usual payroll contributions will continue.

Benefit Continuation

All benefits provided to the employee per City policy prior to paid caregiver leave will continue. Any employee contributions for benefits, 401(k) loans, or other employee obligations normally paid by the employee through payroll deduction shall continue. Employees using paid caregiver time continue to accrue service time as well as sick and vacation leave according to City policy.

Holiday(s)

If a holiday occurs during the paid caregiver leave period, the holiday will be paid and will not count against the paid caregiver leave hours.

Types of Leave

Leave may be taken either consecutively or intermittently in accordance with the FMLA medical certification; however, employees applying for consecutive and/or intermittent leave must communicate in advance with their supervisor(s) to ensure continuity of operations within their department. Standard call-in and requests for time off procedures must be followed.

Scheduling of Leave

To help minimize the disruption to City operations, you're expected to try scheduling foreseeable care needs, like, routine doctor's appointments, medical tests, or non-emergency surgery outside of your regular work schedule or, at a minimum, at the start or end of your scheduled work shift. Caregiver leave may be used when foreseeable care needs can't be done outside of your regular work schedule or when the need for care is unexpected and you need to miss work. An employee is expected to return to work at the end of their approved paid

caregiver leave unless the employee has received approval to extend the time away from work with other types of accrued leave. Employees should notify Human Resources and their supervisor or Department Director if there is any anticipated change in their original return-to-work date.

Transition Back to Work

The City desires to support employees in a successful transition back to work after a period of extended consecutive paid caregiver leave (vs. short periods of PCL or intermittent), considering the life adjustments when returning to work after paid caregiver leave. Supervisors and Department Heads are encouraged and expected to:

- Reach out to the returning employee to discuss support in his or her successful transition back to work.
- Be familiar with City employee-friendly policies and programs that support employees in these circumstances including and not limited to Reasonable Accommodations for Pregnant Workers and Lactation, Flexible Work and Telework Schedules, leave policies, and services available through our Employee Assistance Program (EAP) to all employees experiencing life changes and adjustments .
- Provide re-onboarding support to the returning employee ensuring he or she can get up to speed on changes and current work tasks.
- Provide access and breaks as needed to utilize the City's lactation space, if applicable.

Disciplinary Action

The City prohibits subjecting you to discipline, harassment, or retaliation for the good faith usage of your benefits, including paid caregiver leave. However, you may be subject to disciplinary action, up to and including termination of employment, if you're found to have taken absences under this policy fraudulently. Fraudulent leave includes, but is not limited to, working a secondary job or self-employment during the employee's regular work schedule hours and/or in conflict with information in the certification of health care provider form while taking paid caregivers leave. This paid leave benefit is designed to accommodate employees who have family caregiving responsibilities during their regular work schedule.

Caregiver leave is not paid out at employment separation.

Illustrative examples when Paid Caregiver Leave isn't available:

- To stay home with a child whose school or daycare is closed due to a scheduled break, weather emergency, or illness.
- To care for a family member who's not your child, spouse, or parent as defined above.
- To care for an eligible family member while you're on a paid sick day or leave of absence for your own health condition.
- To care for an eligible family member whose health care provider fails to complete a medical certification outlining the family member's health condition and care needs.
- To care for a new or ill pet.

Illustrative examples when Paid Caregiver Leave is available:

- Nelle uses FMLA leave when her eight-year-old daughter has an accident at school, is treated by an emergency room physician, and is admitted to the hospital for observation

until being released the following day. Nelle continues to use FMLA leave to care for her daughter as she recovers at home.

- Ghalen intermittently needs FMLA leave to care for his 10-year-old daughter, who has asthma.
- Andrea uses FMLA leave for two to three days every few months to care for her spouse when her spouse has Multiple Sclerosis flare-ups.
- Maurice uses FMLA leave to care for his spouse who is in the terminal stages of cancer.
- Nia takes FMLA leave for three weeks to travel to another state and provide care, including emotional support and comfort, for her father, who has Alzheimer's disease.
- Bryan's mother has severe arthritis in her knees. He uses FMLA leave one day a week to transport her to physical therapy and care for his mother after.
- Naomi uses FMLA leave every Wednesday for dialysis for her father.
- Matt uses FMLA leave for chemotherapy treatment and recovery for his child.

**CITY OF KANNAPOLIS
PERSONNEL POLICY
UPDATE**

**WHAT ARE WE DOING?
WHY ARE WE DOING IT?**

- Original Personnel Policy
Adopted January 1, 1995
 - Over the last 30 years updates have been at various times
 - Updated Policy will be effective January 1, 2026 (30 years later) and will aid the city in future employee growth
- The current policy no longer reflects the growing needs of our workforce
 - 440 FT positions
 - 200+ PT positions



WHAT WE NEED FROM YOU

- We need you to voice your opinion about policies that will be liked, disliked or controversial in your respective departments.
- Looking for feedback, blind spots, etc.
- This will be a lot of information – we tried to break it up and make it “fun”



WHAT ARE THE CHANGES

GENERAL PROVISIONS

AUTHORITY

ADMINISTRATION OF POLICIES

- **Clarifies at-will employment**
 - Policy does not grant contractual employment outside of what is required under GS
- **Designates the City Manager the City's Chief Executive Officer and gives authority of the Deputy City Manager as the designee**
 - No additional authority delegated prior
- **Clarifies personnel records**
 - Exception for CJ Standards audits in police
- **Updates language for reasonable accommodation including pregnant workers and lactation**
 - Compliance with the Pregnant Workers Fairness Act

REASONABLE ACCOMMODATION

SEARCH OF CITY AND EMPLOYEE PERSONAL PROPERTY

WORKPLACE VIOLENCE

WEAPONS PROHIBITED

- **Updates language for reasonable accommodations for religious beliefs and practices**
 - No prior language for this included in the policy
- **Allows for searches of city and employee personal property at work**
 - Employer has always had this authority and practiced it; now makes the authority formal
- **Updated language for workplace violence prevention**
 - Standard language that violence in the workplace is prohibited
- **Weapons prohibited on city property under our Code of Ordinances**
 - Cites the ordinance for prohibition of weapons in the workplace on city property

EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

TYPES OF EMPLOYMENT

HIRING PROCESS

- **Updates Equal Employment Opportunity language**
 - Updates the language and removes conflicting language with the federal EEOC requirement for grants
- **Clarifies probationary status, regular employees and limited-service (temporary/seasonal) employees**
 - 2A, 2B and 2C
 - 2B is limited to 1,500 hours annually (no “real” limit prior)
- **Establishes the requirement of 200 hours must be worked each calendar year by all employees.**
 - Mirrors the SOP for Parks and Recreation
 - This is a new requirement for reserve officers
- **Updates the hiring process including recruitment and selection, testing, interview process, pre-employment screenings, background check and applicant notifications**
 - More broad-based language with less procedures

REINSTATEMENT

- **Reinstatement**
 - **Rehired and in good standing and returns within one year upon recommendation of the department head and city manager, shall be credited with previous service for vacation and previously unused sick leave.**
 - Prior these employees were treated as new hires and vacation rates started at the lowest accrual and sick balance was not kept on the books for one year.
 - All sick balance will kept in Munis for one year after termination
 - Compensation paid to a reinstated employee returning to the same position shall be as close to reasonable possible. If moving to a new position will be evaluated appropriately.

EMPLOYMENT OF RELATIVES AND OTHER CLOSE RELATIONSHIPS

Updated language for employment of relatives and other close relationships cannot work in the same department

- Expanded definitions for immediate family members
- Grandfathered language for immediate family members within the same department considered exempt.
- Exemption for 2C employees in the same department. All other rules apply – cannot be under influence in any way on pay, supervision, where one family member audits another family members work or there is conflict of interest
 - Specifically addressing parks and recreation part-time employees
 - Number of sibling working together

RECRUITMENT AND RETENTION INCENTIVES

- **City Manager is authorized to initiate recruitment and retention incentives not already authorized in the policy**
 - Must comply with IRS regulations and be in line with financial policies and budget
 - Examples include: hiring bonuses, retention bonuses, salary adjustments, flexible work (outside the policy), professional development stipends, additional paid leave for vacation rate or additional vacation days and/or performance-based incentives linked to productivity, efficiency, or achievement.

PROBATIONARY PERIOD

- Only 2A and 2B employees serve a probationary period.
- Sworn LEOs that are hired with a condition of completing BLET serve a 16-18 month probationary period.
- 2C do not serve a probationary period
- If terminated during the probationary period, no pre-dismissal conference is required and no right to file a grievance

**REGULAR WORK
PERIOD**

**WORK
SCHEDULES/HOURS
OF WORK**

- Establishes the work period for non-exempt LEOs
 - 14 days, 84 hours and 2184 hours annually
 - Work period begins on Wed and ends on Tuesday
 - Normally work 12-hour shift will normally have 36 or 44 hours of work regularly schedule
- Establishes the work period for non-exempt fire
 - 14 days, 106 hours and 2756 annually
 - Work period begins on Wed and ends on Tuesday
- Establishes work period for all other City employees begins on Wed at 12:00AM and ends on Tuesday at 11:59PM and max hours is 2080 for purpose of OT
- **Exempt employees shall work the number of hours necessary to assure the satisfactory performance of their duties and will not receive hours in excess**
- Dept. Directors establish work schedules with approval of City Manager to meet the operational needs of the dept.

FLEXIBLE WORK AND TELEWORK SCHEDULES

- Allows department directors to identify methods of implementation that meet the service and operational needs of the department
 - No longer need formal agreement paperwork
- Some positions cannot be flexible
- Employee must have completed the probationary period, must have a satisfactory attendance record, must meet all performance expectations and demonstrate the ability to complete tasks and assignments
- **Telework cannot exceed 50% of scheduled work hours**
- Employees on approved leave are not eligible for telework unless the request is an approved accommodation under ADA
- **Telework can be ended at any time by the employee, supervisor or the dept. director.**

UNPAID BREAKS

ATTENDANCE AND PUNCTUALITY

- Encourages employees to take rest breaks to re-charge; employees receive two paid breaks per day
- Employees are allowed an unpaid break period during their shift.
 - 30 minutes (never less) during which an employee is completely relieved of duty and free to use the time for his/her own purposes
- Police, Fire, WTP and telecommunications may be paid during their meal break.
- Explains the 7-minute rule and clarifies that non-exempt employees may never work off the clock or unrecorded.
- **If an employee is out of work for more than 3 months, the absence may be considered during the performance evaluation merit increase (i.e., may warrant a proration).**
 - This happens occasionally when someone is on WC or extended leave of absence

ADVERSE
(INCLEMENT)
WEATHER
ATTENDANCE

SEPARATION FROM
EMPLOYMENT

- Any deviation from normal work hours shall be issued by the City Manager
- Regardless if offices are open or closed, in the case of inclement weather each employee must make a personal decision regarding safety traveling to and from the workplace.
 - Administrative procedures need to be updated; forthcoming meetings. These procedures are not HR related.

Resignation or Retirement

- Reiterates that employees are at-will
- Asked to give **three weeks** notice for voluntary resignation
- Asked to give **four weeks** notice for department heads
- Retirees are asked to give minimum of 60 days notice
- **Failing to report to work for 3 consecutive days shall be considered as a voluntary resignation**
- Sick leave will only be approved during the notice period with a physician's certification.
- **Using vacation during the notice period is discouraged**

SEPARATION FROM EMPLOYMENT

Dismissal

- Involuntary separation from employment

Separation during probation

- May be dismissed any time during the probationary period and **creates no right to a grievance**
- Clarifies the process taken if someone with reasonable accommodations is unable to complete the essential job functions can be separated

Separation Due to Unavailability When Leave is Exhausted

- If the employee remains unavailable after leave is exhausted and leave without pay has not been extended. **LWOP must be extended to someone. It is not implied.**
- **PT employees may be separated for this reason when he/she is not available to work as needed for City business operations.** This is a frequent occurrence in P&R.
- Not a disciplinary dismissal.

SEPARATION FROM EMPLOYMENT

Death and Reduction in Force

- Provides clarifying language

Final compensation, benefits and out processing

- Provides more level of detail for this
- Adds necessary language for NC Debt Setoff to collect amounts owed to the city (i.e., for uniforms and tools not returned)

Award of Badge and Service Sidearm

- Details the requirements under GS 20-187.2 and allows City Manager to waive all requirements (except those in state law).
- Provides details about who can be awarded the sidearm including surviving spouses, retiring officers and officers approved for disability retirement as a direct result of an illness or injury sustained in the line of duty.

CONDUCT

GENERAL PERFORMANCE AND CONDUCT STANDARDS

Provides information about city-wide culture and understanding:

- Showing up each day with commitment and involvement in our work
- Creating a shared understanding of the similar challenges and issues we all face in public service
- Continually striving to remove work silos and encourage interdepartmental interaction to accomplish our goals
- Contributing to being a place where we make people feel welcome every day
- Having a strong work ethic: people that get stuff done
- Exceeding expectations in our shared goal of improving the City and providing residents a positive experience

Establishes reporting of crimes outside of traffic citations (unless driving a city vehicle)

Establishes language to use unpaid time for running errands, doing personal work or numerous or lengthy calls/texts/emails/social media

Provides illustrative list of conduct that is not intended to be all-inclusive or exhaustive of misconduct.

NO HARASSMENT – NO DISCRIMINATION – NO RETALIATION

No Harassment / No Discrimination

- Harassment defined
- Sexual harassment defined
- Reporting harassment, discrimination, or retaliation procedures
 - Supervisors are to immediately report
- Investigation must occur thoroughly and promptly for all claims of harassment, and no retaliation can occur because of reporting

No Sexual or Other Abuse

- The city will not tolerate sexual or other abuse and must be reported immediately
- Outlines expectation with children including:
 - Should not put him or herself in a one-on-one situation involving a child who not their own
 - Should not provide unwarranted gifts, trips and affection to individual children who are not their own.

NO HARASSMENT – NO DISCRIMINATION – NO RETALIATION

The wearing or displaying (i.e., lunch boxes, bags, office items, or other similar personal property) of **symbols which may intimidate, ridicule, demean or belittle a person because of their protected status** (race, religious creed, color, age, sex, sexual orientation, national origin, ancestry, citizenship status, religion, marital status, disability, military service or veteran status, genetic information, on the basis of actual or perceived gender as expressed through dress, appearance or behavior, or any other classification protected by applicable federal, state, and local laws) while on City property or performing City work is not allowed.

Employees are responsible for bringing any form of harassment or discrimination to our attention.

- Employees that experience harassment, becomes aware of any other employee experiencing a problem of this sort, must immediately report to supervisor
 - If the employee is uncomfortable reporting, the employee should report to the HR Director or Assistant HR Director.

No Retaliation

- No retaliation including any form of discipline will be issued due to reporting harassment

NO SEXUAL OR OTHER ABUSE

No Form of Sexual Abuse

The City will not tolerate any form of sexual abuse or other abuse. The policy affirms the City's commitment to provide to provide a safe place for citizens and customers, and for employees, and condemns any instance of sexual or other abuse.

This includes instances of sexual or other abuse in City children, youth and vulnerable adults.

- There should never be a situation where an employee puts him or herself in a one-on-one situation involving a child who is not their own
- Should not provide unwarranted gifts, trips, attention and affection to individual children who are not their own.
- All claims of abuse or inappropriate behavior will be investigated **WITHOUT REPRISAL TO THE PERSON REPORTING THE CONDUCT.**

Violation of this policy will subject you to disciplinary action up to and including immediate dismissal

NO VIEWING OR SAVING PORNOGRAPHY

No Viewing Or Saving Pornography

- The viewing or saving of pornography by employees, elected officials, or appointees on any device owned, leased, maintained, or otherwise controlled by the City is prohibited.
- Adheres to definition in G.S. 14-190.13.
- Exceptions to employees that are engaged in any of the following activities: investigating or prosecuting crimes, identifying potential security or cybersecurity threats, etc.
- No later than August 1 in the format required by the State Chief Information Officer, the City's Director of Information Technology shall report information as required by law.

Violation of this policy will subject the employee who is not an elected official to disciplinary action up to and including immediate dismissal

DRUG AND ALCOHOL FREE WORKPLACE

- The illegal or unauthorized use, being under the influence of, sale, distribution, or possession of narcotics, drugs, or controlled substances while on the job (on or off City property) will result in immediate disciplinary action, up to and including termination of employment.
- Alcohol cannot be consumed on City property unless at an authorized social function sponsored by the City, in which case consumption must be reasonable and responsible.
- City conducts pre-employment screenings, reasonable suspicion drug and alcohol and post-incident. Employee in safety sensitive positions are subject to random drug and alcohol testing.
 - Adheres to administrative procedures for drug and alcohol-free workplace.

APPROPRIATE WORK ATTIRE & IDENTIFICATION BADGES

Employees expected to present a professional image and be identifiable as City employee at all times.

Identification Badges

Identification badges are required to be **worn by non-uniformed employees so that they are easily seen**. All employees must have their identification badge available to display/show while working

Appropriate Attire

Employees who do not require uniform should dress conservatively, in good taste, and according to requirements of their position. Departments may have additional standards based on the business needs, environment, and nature of work.

Business casual or Class A uniform is the minimum standard that must be observed when you are representing the City.

**PERSONAL VISITS,
TELEPHONE CALLS,
EMAILS, AND SOCIAL
MEDIA**

While the City values family life and seeks to provide a family-friendly environment for employees, we must recognize that the City first priority is to serve the public while at work.

Excessive or extended presence of children and personal visitors during work hours are inappropriate and not allowed.

Frequent, excessive, or extended personal telephone calls, emails use of social media, etc. are inappropriate, a misuse of work time, and not allowed during work time.

Personal use of social media and posts should be on the employee's own personal electronic device, not the City's electronic device, and on the employee's own time.

**PERSONAL VISITS,
TELEPHONE CALLS,
EMAILS, AND SOCIAL
MEDIA**

Employee's personal use of social media and posts should not represent their opinions or comments as that of the City of Kannapolis or as official of the City of Kannapolis.

We encourage you to write a disclaimer such as, "The postings on this site are my own and do not necessarily reflect the views of any other entity or person."

The City shall consider on a case-by-case basis the impact of any social media posting's impact on the efficiency or integrity of the operation of the City and may take action if the postings is in violation of the City's personnel policy, other City policy, or laws.

TOBACCO USE

The use of tobacco products for local government buildings in Cabarrus County are regulated by the Cabarrus Health Alliance Rules. The use of tobacco products is prohibited by this Rule in Local Government Buildings and Transportation Vehicles.

Unable to enforce this in Rowan County facilities until local ordinance is adopted

OUTSIDE (SECONDARY) EMPLOYMENT

- Outside or secondary jobs being held by a City employee should not conflict with or compromise, in any way, the position that the employee holds with the City.
- **All full-time (2A) City employees must submit written request for outside employment, including self-employment, to the Supervisor and/or Department Head.**
- The Department Head will review such employment in consultation with the Human Resources Director.
 - This will be an upload to NEOGOV describing the secondary employment by the employee, routed to the department head and then to HR for final sign-off
- Outside employment-related activities and conduct away from the City must not compete with, conflict with or compromise the City's interests or adversely affect job performance and the ability to fulfill all responsibilities to the City
- Cannot use paid sick leave to perform work for another employer.

All employees with outside or second jobs will need to comply within 60 of the effective date of the policy.

POLITICAL ACTIVITY

The City encourages an employee to exercise civic responsibility in supporting good government practices at all levels by voting for the political candidate and issues of his/her choice.

- Employee shall not:
 - Engage in political activity while on duty, through phone calls, emails, letters, meetings, social media, etc.
 - Be required to contribute funds or support political partisan purposes as a condition of employment, pay raises, promotion or tenure of office.
 - Use official authority or influence for the purpose of interfering with or affecting the result of an election or a nomination of office;
 - Use City-owned supplies, equipment or facilities to prepare or display political slogans, posters or stickers and the like for any other political purpose; and
 - Shall not hold a political office for the City.

SOLICITATIONS

To maintain efficient and safe operations and to encourage employees to give their full attention to their jobs, the City must limit solicitation and distribution of literature on City premises and via electronic devices and networks.

- With the exception approved activities, peddling or soliciting for sale or donation of any kind on City premises during working hours is not allowed.

GIFTS, GRATUITIES, AND HONORARIUMS

- Compliance with NCGS 133-32
 - Preparing plans, specifications or estimates for public contracts
 - Awarding or administering public contracts; or
 - Inspecting or supervising construction to willfully receive or accept gifts or favors from any contractor, subcontractors or supplier prohibited by NCGS 133-32 from making such gifts or favors.
- Not intended to prevent gift and receipt of honorariums for participating in meetings, advertising items or souvenirs of nominal value (**valued at less than \$50**), or meals furnished at banquets.
- Speeches and presentations which are related to City Services delivered by City employees to community and professional organizations are made without charge.

GIFTS, GRATUITIES, AND HONORARIUMS

All gifts knowingly made or received are required to be reported to the Dept. Head if the gift are made by a citizen/customer, contractor, subcontractor, or supplier doing business or desiring to do business directly or indirectly with the City to ensure policy compliance, conflicts of interest do not arise, and upholding ethical steward standards.

USE OF CITY PROPERTY AND EQUIPMENT

- No employee of the City shall request, use, or permit the use of City owned vehicle, clothing, equipment, material, or other property for unauthorized personal convenience, for profit, for private use, or as part of secondary employment.
- **No passengers may be transported in a City vehicle except as required for official duties or as approved by the Department Director or employee's supervisor if the request is from Department Director or above.**
 - This is shift from our current policy and allow latitude to the department head for passenger travel
- Employees are responsible for the IRS tax liability imposed for commuting in vehicles that do not fall with the IRS categories of non-personal use.

TECHNOLOGY AND ELECTRONIC COMMUNICATIONS

- Technology resources are the property of the City of Kannapolis and include, but not limited to, computer equipment, software, software as a service, operating systems, storage media, telephone equipment, wireless/portable equipment, office equipment, email, voicemail, etc.
- Technology resources and their use are subject to Public Records Law and **may be monitored, reviewed, and analyzed for business purposes and compliance.**
- Refer to the Kannapolis Technology Appropriate Use administrative policy.

DISCIPLINARY ACTION

Reiterates that employment at the City is “at-will”

Duty of all supervisory personnel to **promptly** discuss improper or inadequate performance with employees to **correct deficiencies during the ongoing performance feedback and coaching process.**

- Great place to store this is NEOGOV Journal Entries
- When circumstances permit, **discipline should ordinarily be of an increasingly progressive** nature for each successive instance of employee misconduct but is not required.

DISCIPLINARY ACTION

In recognition of the fact that each instance of misconduct differs in some respect and that the severity of an individual situation may warrant no progressive discipline, the City has a right to treat each occurrence individually without setting a precedent for future cases.

*The disciplinary procedures are not to be construed as a limitation of the **City's right to take any form of disciplinary action, including dismissal, when deemed appropriate.***

WRITTEN WARNING/ REPRIMAND

Written Warning / Reprimand

Supervisor may issue a written warning after consultation with department head or designee.

It should include:

- Nature and date of the offense
- The corrective action needed by the employee
- A notice to the employee that continued unsatisfactory performance may result in dismissal.

Employee should be requested to sign the reprimand to acknowledge the he/she has seen the warning. Then the reprimand should be placed in the personnel file.

This process is being updated in NEOGOV with the fields above. This is a slight change from the current policy where coaching and oral warnings

DISCIPLINARY SUSPENSION

Suspension

An employee may be suspended by their department head in consultation with HR for causes related to personal conduct determined to be detrimental to city service

- (1) To avoid undue disruption of work
- (2) To protect the safety of persons or property
- (3) For other serious reasons

Disciplinary suspension is always unpaid.

DISCIPLINARY SUSPENSION

An employee who is suspended for disciplinary reasons shall be temporarily relieved of all duties and responsibilities and shall receive *no compensation*, including pay for accumulated vacation and sick leave, for the period of suspension. **Disciplinary suspension shall be for no less than one workday or shift, but normally not more than ten full workdays.**

- A written reprimand from the supervisor or Department Head must be issued to the employee, with a copy placed in the employee's personnel file. The reprimand should be reviewed by the Human Resources Director. The written reprimand/suspension should indicate:

The reasons for the disciplinary action; and

The employee's right of appeal under the grievance procedure.

- **In rare situations, a disciplinary suspension by the Department Head(or designee) may occur immediately and without notice in order to avoid undue disruption of work, to protect the safety of persons or property, or for other serious reasons.** When a Department Head suspends an employee immediately, he/she shall tell the employee to leave City property at once and remain away for the specified time. The Department Head will immediately notify the Human Resources Director (or designee). Additional disciplinary action may be taken in such cases if deemed appropriate.

DEMOTION DISMISSAL

Demotion

Demotion may be used in those instances where an employee has been promoted to a position where they are unwilling or unable to perform the responsibilities of that position. Demotion is not to be used as a substitute for dismissal, when dismissal is warranted. See also Compensation Policies section of this Policy.

Dismissal

- An employee may be dismissed due to the frequency or nature of work deficiencies, misconduct, or because of continued substandard performance. Also, violations of such a degree that continued employment of the individual may not be desirable may be grounds for immediate dismissal without prior disciplinary actions.
- **Immediate removal of an employee from the job site pending review for dismissal may be warranted in instances involving serious insubordination, theft, serious illegal or destructive acts while on the job, or other substantial reasons deemed appropriate by the City Manager.**

LAST CHANCE AGREEMENT (NEW)

- In lieu of terminating employment of an employee for serious violations of City policies, procedures and rules and for other inappropriate behavior or conduct, the **City reserves the right to offer the employee a final opportunity to continue employment.**
- A last chance agreement is an agreement between the City and an employee setting out the terms the employee must comply with to remain employed.
- The agreement may include a period of leave without pay beyond the unpaid disciplinary suspension period in which the employee must meet certain requirements, take specific actions, or participate in and successfully complete specific standards, education programs, counseling, or any other steps deemed appropriate for the situation in order for the employee to remain employed with the City.

**NON-DISCIPLINARY
SUSPENSION FOR
INVESTIGATORY
PURPOSE
(ADMINISTRATIVE
LEAVE)**

A non-disciplinary suspension for investigatory purposes may be **with or without pay or a combination of the two.**

Automatically paid on first day, then City Manager approval

Typically, the **first day of non-disciplinary suspension for investigatory purposes will be paid** and continuance of (or decision of) the pay status will be determined with City Manager (or designee) approval and consultation with the Human Resources Director (or designee).

If the **allegation proves false or if no disciplinary or other action is taken based on the results of the investigation, the employee will return to active work status without loss of pay and benefits.**

An investigatory suspension usually should not **exceed 45 calendar days.** Unless approved by City Manager.

PRE-DISMISSAL CONFERENCE

What is a pre-dismissal conference?

The City representative (usually the employee's supervisor) shall present to the employee and the City's pre-dismissal representative (usually the department head) with the specific reasons for the proposed dismissal and a brief summary of the information which is believed to support the dismissal. The employee shall have a right to respond to the written notice of proposed action in the conference.

Pre-D dismissal Notice

A statement of employee conduct and/or performance issues and notification of time and place of the pre-dismissal conference shall be provided **twenty-four (24) hours in advance of conference**. Once the employee is given this notice, the supervisor typically places the employee on paid Administrative Leave until the conclusion of the pre-dismissal conference; prior City Manager approval is not required.

PRE-DISMISSAL CONFERENCE

Pre-Dismissal Conference Additional Information

A pre-dismissal conference shall not be held under the following circumstances:

- When the employee is physically unable to attend a conference.
- When the employee waives the conference either through expressed intent or implied actions.
- When to conduct a conference would otherwise not be practical.

GRIEVANCE

What is a Grievance?

- Providing employees with a procedure by which their complaints can be considered promptly, fairly, and without reprisal;
- Encouraging employees to express themselves about the conditions of work which affect them as employees;
- Promoting better understanding of policies, practices, and procedures which affect employees;
- Increasing employees' confidence that personnel actions taken are in accordance with established, fair, and uniform policies and procedures;
- Increasing the sense of responsibility exercised by supervisors in dealing with their employees;
- Encouraging conflicts to be resolved between employees and supervisors who must maintain an effective future working relationship, and therefore, encouraging conflicts to be resolved at the lowest level possible of the chain of command; and
- Creating a work environment free of continuing conflicts, disagreements, and negative feelings about the City or its leaders, thus freeing up employee motivation, productivity, and creativity.

GRIEVANCE

Illustrative Examples:

- Disciplinary or adverse actions involving dismissals, demotions, suspensions, reduction in pay, involuntary transfer, or lay off;
- An event or condition which affects the circumstances under which an employee works;
- Allegedly caused by misrepresentation, unfair application, or lack of established policy pertaining to employment conditions;
- Alleged safety or health hazards, unsatisfactory physical facilities, surroundings, materials or equipment;
- Alleged unfair or discriminatory supervisory or disciplinary practices, unjust treatment by fellow coworkers, unreasonable work quotas;
- Acts of reprisal as the result of utilizing the grievance procedure;
- Complaints of discrimination, harassment or retaliation; or
- Any other grievance relating to conditions of employment.

GRIEVANCE

Process:

Informal Resolution

Prior to the submission of a formal grievance, the employee and supervisor are encouraged to meet to discuss the problem and seek to resolve it informally. Either the employee or the supervisor may involve the respective Department Head as a resource to help resolve the grievance.

New!

In addition, the employee or supervisor may request mediation support through Human Resources. Mediation may be used at any step in the process when mutually agreed upon by the employee and relevant City supervisor or Department Head. Mediation is the process where a neutral party assists the parties in conflict with identifying mutually agreeable solutions or understandings.

GRIEVANCE STEP #1

Step # 1

An employee who has a grievance should present the problem to his/her **immediate supervisor in writing**. The employee must present his/her initial grievance to his/her immediate supervisor within fifteen **(15) calendar** days of the complaint occurrence or of the time of learning of its occurrence. The immediate supervisor should and is encouraged to consult with any employee deemed necessary to reach a correct, impartial, and equitable determination and should respond to the employee in writing within fifteen (15) calendar days.

GRIEVANCE STEP #2

Step #2

If the employee is **not satisfied** with the response of the immediate supervisor from Step 1, or if the employee does not receive a response within the time frame specified, the **employee may file, within ten (10) calendar days, a written grievance with his/her Department Head. The Department Head should respond to the employee within fifteen (15) calendar days after receiving the employee's written grievance.** The Department Head may request additional information from the employee and/or schedule a meeting with the employee to obtain additional information related to the grievance.

GRIEVANCE STEP #3

Step #3

- If the employee is not satisfied with the response of the Department Head, the employee may file, **within fifteen (15) calendar days of receipt of the Department Head's response, a request for review by the City Manager.** In this case, the City Manager shall hear the grievance and shall provide a written decision with regard to the grievance within fifteen (15) calendar days. **The City Manager may postpone issuance of the decision for up to 30 additional days to further investigate, consult with the City Attorney, or seek advice from other responsible sources.**
- In providing the written decision to the grievant, **the City Manager may seek the advice and consent of the City Attorney or other legal counsel to examine all ramifications and liabilities that may be associated with the decision. All decisions made by the City Manager are final.**
- In the case of a Department Head filing a grievance or a direct report of the City Manager, **the City may wish to obtain a neutral outside party to act as a mediator to assist in resolving the conflict.**

COMPENSATION

City Manager with City Council approval shall make all assignments of positions to classes and of classes to pay grades.

- City Manager is authorized to reclassify positions and approve position title changes if the needed arises with the following limitation. Allowed to modify up to two-pay grade changes provided that budgetary allocations are available.
- City Manager must approve employees hired above the 15% hiring rate.
- Clarifies that pay changes are effective on the first day of pay period.

PERFORMANCE MANAGEMENT MERIT PAY INCREASES

March 1, 2025 – February 28, 2026: Pay increases will be based on City Manager recommendation to City Council and not tied to performance.

Beginning March 1, 2026, the following new policy on performance (merit) pay increases will become effective and the above current policy will be removed from the Personnel Policy at that time.

The performance pay increase scale for each of the overall annual performance evaluation ratings is established by the City Manager in conjunction with the Human Resources Director's recommendations. The annual scale is determined by considering the following factors:

- Consumer Price Index (CPI)
- Inflation Rate
- Merit Increases Occurring in the Market and Surrounding Communities
- Private Sector
- Additional Percentage Dependent Upon the Budget
- Funding for performance increases is contingent upon Council approval. Generally, award amounts are announced after the approval of the annual budget.

PERFORMANCE MANAGEMENT MERIT PAY BONUS

MARKET ADJUSTMENTS

- Employees who are at the maximum amount of the pay range for their position classification are eligible to be considered for a performance pay bonus. The employee's overall annual performance evaluation rating must be at least at "Achieving" to be eligible for a performance pay bonus.
- The City Council shall, based on the recommendation of the Director of Human Resources and the City Manager, adjust base pay amounts and/or the minimums and maximums of the pay grade ranges in recognition of the need for a market adjustment or when other conditions exist which warrant a general pay adjustment

DISCRETIONARY BONUS/AWARDS

Typically, these are lump-sum bonuses (or spread across multiple installments) expressed in flat amounts (non-salary percentage based) or non-monetary awards such as vacation or other leave, recognition awards, points redeemable in the Kannapolis NC 360 Recognition program for merchandise or Kannapolis branded items, career development opportunities or similar.

Examples of significant accomplishments include but are not limited to:

- (1) meeting assigned performance or major project goals and objectives as agreed upon by the City Manager, Department Director, and /or Supervisor;**
- (2) outstanding work achievement;**
- (3) use of innovative efficiency techniques and cost saving measures;**
- (4) technical or professional competence**
- (5) consistently serving as a role model for others, displaying desirable characteristics and workplace behaviors such as outstanding customer service, positive approach to work, effective and cooperative team member without regard to silos, and team leadership, and**
- (6) other exceptional job related performance.**

PAY EQUITY ADJUSTMENTS NEW!

Pay Equity Adjustments are pay changes up to maximum-in-hire (based on the employee's qualification and tenured experience at the City of Kannapolis) that is outside the other normal pay programs such as promotions, reclassifications, lateral transfers, etc.

Pay Equity Adjustments **are used to correct unacceptable internal (not market) pay disparities between employees in the same department, job title and job grade with equivalent experience or to correct an unacceptable pay inequity between an employee's pay and the average pay of similar positions in the market when it has been determined that the position(s) is/are not able to be filled at the current pay rate (hard-to-fill positions).**

HOLIDAY PAY

*All part-time and limited-service (temporary and seasonal) employees who are required to work on the following dates will receive holiday premium pay (**compensation for hours worked at a premium rate of pay equivalent to double the employee's normal hourly rate**).*

Employees that traditionally work normal business hours are discouraged from working on a holiday unless prior supervisor approval is granted.

TEMPORARY ASSIGNMENT

Temporary/Interim Duties Typical Temporary Increase Range

- Executive Department or Division Leader Duties
 - 5 – 20% or flat amount
- Supervisor or Crew Leader Duties
 - 5 – 15% or flat amount
- Other Key Duties
 - 5 – 10% or flat amount

**COMPENSATION
DURING DECLARED
STATE OF EMERGENCY
OR OTHER
EMERGENCY
SITUATION**

In the case of a severe and unusual circumstance including, but not limited to, natural or man-made disasters the City Manager may declare a “State of Emergency for Operational Purposes” (this is not to be confused with N.C.G.S.166A-19.22).

In the case of a State of Emergency for Operational Purposes, all adverse weather procedures *generally* apply.

Essential personnel are critical to ensure public safety, provide limited services at a minimum to the City of Kannapolis citizens and customers, and to restore the City of Kannapolis to normal operation. Emergency situations may necessitate employees to perform overtime work without any limitation on the number of days or hours.

The City Manager is authorized to approve temporary supplemental pay or benefits for identified groups of employees (excluding the City Manager) involved in or responding to the circumstance.

COMPENSATION DURING DECLARED STATE OF EMERGENCY OR OTHER EMERGENCY SITUATION

In the event of emergency situations including but not limited to an **Executive Order of the State, local governmental authority during a declared State of Emergency, a State of Emergency for Operational Purposes, or other emergency situations** employees assigned and required to work the emergency situation will be compensated as outlined below:

- Non-Exempt Employees: In emergency situations, non-exempt employees will be compensated at their usual overtime rate of time and one half for hours worked in excess of their standard FLSA work period hours and double time for hours worked on weekends and holidays.
- Exempt Employees: For exempt employees (including Department Heads) required to work extended hours during an emergency, they will be compensated for hours worked over and above the regular workweek at their regular hourly rate.

OVERTIME DISCRETIONARY LEAVE

- Clarity provided for overtime pay.
- **Employees must not engage in off-the-clock or unrecorded work.** “Off-the-clock” work means work performed but not reported on the timesheet.
- According to the Fair Labor Standards Act, “hours worked” are actual hours worked during the FLSA work period; in no event will any leave types, paid holidays, or other similar non-work paid hours be included in the computation of hours worked for FLSA purposes.
- Discretionary leave may be granted occasionally in hourly increments up to two (2) workdays by Department Heads or above.
- At the request of a Department Head or above and upon approval of the City Manager, discretionary leave may be granted in increments of more than two (2) workdays when an exempt employee has worked significant extended hours in a concentrated period of time due to critical deadlines, City supported or sponsored events, or peak workload periods. *It is not the City’s intent to replace time worked on an hour-for-hour basis.*

**ON-CALL (STAND-BY)
ON-CALL
(RESTRICTED)
CALL BACK**

- **Increases the pay amount for on-call (stand-by)**
 - M-F is 1 hour per 24 hours
 - Sat & Sun is 1.5 hours per 24 hours
 - Holidays and other city closures is 2 hours per 24 hours
- **Clarifies restricted on-call**
 - Inability to have any freedom due to the frequency of calls
- **Call Back**
 - Clarifies that that if you are receiving on-call pay that you are eligible (minimum of two hours).

TIMEKEEPING, PAYROLL PREPARATION, DEDUCTIONS, AND GARNISHMENTS

- **Non-Exempt employees** must record their actual time worked for payroll and benefit purposes. Time worked includes all time that an employee is required to perform duties for the City.
- **Exempt employees** are required to record their daily work attendance and report absence from work (full days and partial hours) for reasons such as leaves of absence, sick leave, vacation leave, or personal business.
- **Non-exempt employees** must record the time work begins and ends, as well as the beginning and end time of any departure from work for any non-work-related reason, in the timekeeping system as prescribed by the City. **Employees must not engage in off-the-clock or unrecorded work.**

Clarifies that direct deposit is required for current employees, retirees receiving separation allowance and account on file for payment of retiree premiums

LONGEVITY

- **No significant changes**
- Longevity will now be based on January 1 date for those that retire instead of July 1
 - Example: Sally is going to retire April 1. She will receive her longevity based on the number of years of service on January 1 as part of her payout in April.
- Clarifies to be eligible for longevity you must have continuous service to the City.

PUBLIC SAFETY EDUCATION PREMIUM

- **Removes partial/prorated education incentive going forward**
 - Those that are receiving this partial/prorated incentive received an email that the amount was being rolled into base pay on the 9/22 paycheck.
- Law Enforcement Officers: Credits must be earned in a declared criminal justice related degree program.
- Fire Personnel: Credits must be earned in a declared fire protection or medical related degree program.
- A grade of “C” (satisfactory) or better (or similar depending on the educational system’s grading mechanisms) must be attained.

This is the first phase for education premiums and additional revisions will be completed in Spring 2026. The amounts for education incentives may increase based on market data.

We will also determine if the degree is required for the position which would make the incentive ineligible for some (generally higher ranked positions). Consideration to move to one-time lump sum amount into base pay.

INCENTIVE PAY PROGRAMS

Incorporates general language for the incentive pay programs that are in the fire, police and water resources department.

These will no longer separate policies by department but an all encompassing policy about the incentives offered through out the organization.

BENEFITS

CITY HEALTH & DENTAL PLAN

PRE AGE 65 RETIREE INSURANCE

POST AGE 65 MEDICARE SUPPLEMENT

Significant Change:

Hire date on or after January 1, 2026, will be ineligible for retiree health insurance

Clarifies pre-65 benefits and post-65 benefits. New hires after June 30, 2021, are ineligible for the Medicare Supplement currently.

Clarifies that premium payments that are 30 days late while on paid or unpaid leave will be terminated and moved to COBRA

When an employee's absence, whether paid or unpaid, exceeds **six months**, the employee and any covered dependents will be terminated from the active plan and extended an option to continue their coverage under COBRA. The employee and any eligible dependents may be reinstated to the active plan upon the return to an active employment status.

Previously our policy it was exceeds 12 months of leave.

SEPARATION ALLOWANCE

RETIREES RETURN TO WORK WHILE RECEIVING SEPARATION ALLOWANCE

- Separation allowance policy **will still be available** for employees hired on or before December 31, 2025
 - Those that are currently receiving separation allowance will now be able to return to work in part-time capacity; prior the employee had to wait until age 62 to return part-time with the City of Kannapolis.

RETENTION ALLOWANCE NEW!

Significant Changes:

- Beginning January 1, 2026, Retention Bonus will **begin**
 - This allows employees to receive the same amount previously under the separation allowance benefit into NC457b plan, and the employee can continue working
 - We are experiencing employees having to make difficult decision about leaving work to receive separation allowance or forgo the benefit. This allows the City to continue to retain institutional knowledge while giving the employee a financial incentive to stay
 - Each year the employee continues to work it add another service year to their pension benefit.
 - Only the last five years of service must be with Kannapolis or 30 years at any age

What if the employee wants to stop working and collect separation allowance when he/she becomes eligible?

If the employee was hired prior to December 31, 2025, the employee still has that option. LEOs always have that option regardless of hire date.

RETENTION
ALLOWANCE
EXTENSION

- When the original separation allowance policy was adopted, the intention was to help fill the gap between retirement and social security age. The age to receive social security is now much higher.
- Effective January 1, 2026, employees eligible to retire, age 62+ and continue to work for the City of Kannapolis will be rewarded for long term loyalty to the City.

Our goal is to incentivize long-term employees to stay working at the City and allow us to maintain institutional knowledge

- Employees that are still currently employed will receive regular pay and retention bonus extension into 457b based **only** on years of service with Kannapolis until age 67

<u>Years of Service</u>	<u>Payment as Percentage of Base Retention Allowance</u>
25 or more years of City of Kannapolis creditable service	50%
20 - 24.99 years of City of Kannapolis creditable service	25%
Less than19.99 years of City of Kannapolis creditable service	n/a

TUITION REIMBURSEMENT

Simplifies the tuition reimbursement policy to be less cumbersome for the employee. Increases the amount of \$500 per course (up to two courses per year) based on a sliding grade scale to flat \$2,500 per FISCAL year with the following criteria:

- (1) Complete the course.
- (2) Achieve a minimum of grade "C" or better, "P" (pass) or better, or "S" (satisfactory) or better for courses under these grading systems.
- (3) Remain employed at the City's for one year following completion of the course. The employee will reimburse the City for all expenses paid by the City if employment is ended sooner than one year.

Reimbursement will be waived in the event employment is terminated by the City.

The employee shall sign a statement authorizing the city to withhold payment from the employee's pay in the event the City is due reimbursement.

WORKERS' COMPENSATION

If you suffer a work-related injury or illness (no matter how minor it may appear), you must report it to your supervisor as soon as reasonably possible, but in no event, later than leaving the facility, or within 8 hours of the illness or injury, whichever is earlier.

Runs concurrent with FMLA – prior policy was silent on this.

Adds the necessary language for the Coordination with the National Smallpox Vaccination Program

RELOCATION EXPENSES

Department Head and Assistant Director (or similarly classified) positions are eligible for a one-time relocation reimbursement to assist with moving expenses and is available up to one year from the start date of employment. Or other hard to fill positions.

Includes:

- The City will pay for expenses incurred for one house hunting trip for employee and one guest. The City will pay for up to a maximum of two (2) nights lodging.
- Storage charges for household effects for up to sixty (60) days are allowable at the point of origin or destination, but not both.

If the relocation residence is inside City limits, reimbursement is 100% or a maximum of \$7,000 whichever is less. If the relocation residence is outside City limits, the amount of reimbursement is based on radius for emergency response times (within 15 miles to City Hall is 75% and within 25 miles to City Hall is 50% or a maximum of **\$7,000** whichever is less).

GENERAL POLICY FOR LEAVE

Accrued time requested in a workweek or work period **cannot** result in paid hours that exceed the scheduled hours for the week or period. Leave hours requested but not needed to complete a scheduled workweek or work period will remain in the employee's accrued leave balance.

The City maintains a general policy and practice of shutting off City network access to any employee that is approved or placed on any type or combination of leaves for thirty (30) continuous days or more. The employee should work with their supervisor to ensure that an out-of-office message is communicated, so that external contacts and co-workers know whom to contact during the employee's absence.

HOLIDAY

- All holidays remain the same with the exception of the birthday leave and an additional floating holiday. Birthday leave has been converted into a floating holiday.

Holiday pay is defined as follows for full-time employees:

- 2,080 FLSA hour-a-year employees (40-hour workweek) = 8 hours
- 2,184 FLSA hour-a-year employees (non-exempt 7(k) sworn law enforcement) = 8.4 hours
- 2,756 FLSA hour-a-year employees (non-exempt 7(k) fire protection) = 10.6 hours

Employees may wish to be away from work on a certain day for religious observances. Department heads should attempt to arrange the work schedule so that an employee may be granted use of a floating holiday or vacation leave if requested for a religious observance. Time off for religious observances may be denied only when granting leave would create an undue hardship for the City.

VACATION LEAVE

- One significant change for LEOs. They will now receive vacation time based on 2184 hours worked annually which equates to approximately 5 – 10 more hours of vacation time depending on years of service.
- Updates the maximum accrual amounts for police (252 hours) and fire (318).
- Vacation leave balance over the maximums outlined in the policy will be converted to sick leave.

Employees that do not give a mandatory three (3) week notice will receive accumulated vacation leave

- Vacation leave may not be used in lieu of working a notice.
- Terminating employees may decline payment of unused accumulated vacation leave hours upon written request with written documentation the employee's new employer will accept the leave balance.

SICK LEAVE

Any of the following that prevents the employee from performing his/her regular duties: physical or **mental sickness/illness/injury/health condition**; medical (physical or mental), behavioral health, or dental appointments to receive preventative care and to diagnose, care for, or treat a physical, mental, or behavioral illness, injury, or health condition; temporary disability; quarantine; or exposure to a contagious disease when continuing work might jeopardize the health of others.

To care for a member of immediate family as defined by this policy or for an unmarried partner due to illness, injury, or medical/dental appointments. **Sick leave may *not* be used to care for a healthy infant or child (i.e. daycare or school is closed, childcare arrangement issues, inclement weather closures).**

Notification of the desire to take sick leave should be submitted to the employee's supervisor or department head prior to the leave or not later than 30 minutes after the beginning of the scheduled workday

SICK LEAVE

Accruals for sick leave accruals for LEOs have been updated from 3.7 to 3.89.

Retirement Credit for Accumulated Sick Leave. Those employees retiring from the City under provisions of the Local Governmental Employees' Retirement System will have unused sick leave applied toward creditable service at retirement as regulated by the North Carolina Local Governmental Employees' Retirement System or Law Enforcement Officers' Benefit and Retirement Fund.

ANNUAL VACATION AND SICK LEAVE – TRANSFER OF NC AGENCY GOVERNMENT BENEFIT

Unused/unpaid accumulated vacation leave earned at the immediate entity proceeding employment at the City of Kannapolis. Must be an NCLGERS, TSERS, LRS or CJS. Employee has 60 days to transfer the time from date of employment

Now allows for two options to transfer sick leave:

Option A

- No break in employment (less than 31 days) may receive credit with the City of Kannapolis for unused accumulated sick leave earned.

Option B

- Had a break in employment over 31 days but less than 5 years may receive credit with the City of Kannapolis for unused accumulated sick leave *only from employers where the last date of employment is within the last five (5) years.*

Written acceptable verification is the responsibility of the employee and Human Resources must receive within 60 days of employment.

HEALTH AND WELL- BEING LEAVE

City employees will receive up to **12 hours** of paid health and well-being leave per calendar year for qualifying activities. Time must be during the employee's regularly scheduled workweek.

Employee Health Clinic Visits and Leave Time

Health and Well-Being leave may be used for time spent at the employee health clinic during the employee's regularly scheduled work hours (if the visit is for the employee or a dependent minor child). If the employee has exhausted his/her health and well-being leave for the calendar year, sick leave will be used. If the employee is advised to go home, sick leave must be used from the time the employee is released from the clinic.

Employees will see this time in Kronos on the second payroll in January. It resets each year. Use it or lose it.

BEREAVEMENT LEAVE

Enhanced Policy

40 hours for general employees, 60 hours for sworn law enforcement and 120 hours for fire personnel in the event of the death of an immediate family member.

Immediate Family includes spouse, child, domestic partner, parent, sibling, grandparents, grandchildren, or guardian plus the various combinations of half, step, in-law and adopted relations derived from those named.

Recognizing the emotional impact of a miscarriage, the City allows for available paid bereavement leave to be used for such circumstances should the employee choose.

Full-time employees are eligible for paid bereavement leave.
Must complete probationary period.

Spousal/Parental bereavement leave allowance : **Up to eighty (80) hours (120 hours for sworn law enforcement and 240 hours for sworn fire suppression personnel) of paid bereavement leave in the event of the death of an employee's child or spouse for any one occurrence with no calendar year limitations.** If the employee has available paid bereavement leave in their calendar year bank, that leave is included in this leave paid bereavement leave allowance. This leave includes a stillborn child.

VOLUNTEERISM LEAVE

The City encourages employees to:

City employees will receive up to **12 hours** of paid volunteerism leave per calendar year for qualifying volunteer activities. Time must be during the employee's regularly scheduled workweek. An employee's job responsibilities take precedence over volunteer activities.

Examples of qualifying events include school events such as tutoring, guest lecturer, EOG and exam proctoring, mentoring unrelated to the employee's child/ren, Special Olympics, Habitat for Humanity, Boys and Girls Club, NC DOT Litter Sweep events, Adopt-A-Highway, federal, state, or local government sponsored volunteer opportunities in the state of North Carolina (non-City of Kannapolis sponsored event), non-City sponsored volunteer events such as a non-city sponsored blood drive, and other 501(c)(3) non-profit community programs in the state of North Carolina.

MILITARY LEAVE NEW!

Previously only paid the difference of pay between the base pay and military pay up to specific number of weeks.

Employees who are protected by USERRA will be allowed **120 hours** of Military or Federal Disaster Service Leave per calendar year for training or activation. The employee shall receive his or her base salary during this leave.

If the 120 hours is exhausted and base military pay is less than City base pay – may receive the pay differential for up to 6 months.

Keeps the City competitive with Cabarrus County and City of Charlotte.

CIVIC LEAVE

Jury/Court: Any employee called for service for jury duty, or as court witness for the federal or state governments or quasi-judicial body or a subdivision thereof, may be granted leave with full pay for the duration of the period for which called, without charge against leave.

Civic Duty: Civil leave with pay may be granted when an employee serves as a Cabarrus or Rowan County election worker, a census worker in Cabarrus or Rowan County, or similar type of governmental activity that does not create a conflict of interest with a maximum of two (2) days per calendar year if the required times are during the employee's normal work schedule and no other alternative arrangements are possible.

The employee may keep stipends, allowances, and pay received for such volunteer duty in addition to regular City leave compensation.

DISASTER RESPONSE LEAVE

Employees who are members of volunteer fire departments, rescue squads, the North Carolina National Guard, or emergency medical services agencies called into service after the Governor or the General Assembly has proclaimed a state of disaster may take leave without pay to provide emergency services.

An employee should provide the City with a letter requesting the services of the employee from the director of the Division of Emergency Management or by the head of a local emergency management agency.

Employees directed to participate as part of their required job duties will be considered on-the-job and will be paid the same salary as working for the City. Pay from other sources must be turned over to the City.

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DOMESTIC VIOLENCE VICTIM LEAVE

JUVENILE ORDER LEAVE

Domestic Violence Victim Leave

Employees are permitted a reasonable time off from work to obtain or attempt to obtain assistance as a victim of domestic violence. An employee must follow the City's usual procedures and policies regarding time off except in cases of an emergency. The City may request documentation regarding such an emergency. **The employee may choose to use accrued annual leave or unpaid leave.**

Juvenile Order Leave

All employees who are parents, guardians or custodians of juveniles will be given leave to comply with juvenile court orders issued by a court of competent jurisdiction. Employees subject to such orders must notify their supervisor immediately upon being served with an order and provide a copy of the order. **Leave under this policy is unpaid; however, exempt employees will be paid as required by law.**

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SHARED LEAVE BANK

Significant Enhancements and Less Administrative Headache

- Must be employed for one-year
- Leave donations to the shared leave bank are accepted at any time during the year.
- Donations of vacation or sick leave at the time of separation from employment cannot be accepted.
- The employee must have exhausted all forms of paid leave which would have otherwise covered the requested leave time.
- An employee receiving employer provided short-term disability (STD) is eligible to apply for shared leave
- Employees may receive no more than 480 hours of shared leave within a rolling 12-month period. Total lifetime shared leave should not exceed 2,080 hours.
- **The minimum number of hours that an eligible employee may donate is two (2) hours per fiscal year; the maximum donations are 80 hours of vacation leave and eight (8) hours of sick leave per fiscal year.**
- The donation cannot reduce the employee's annual leave or sick leave balance below 40 hours for either leave balances.
- There is no hourly rate equation involved. It is hour for hour.

LEAVE WITHOUT PAY

Examples:

- Suspensions (including investigatory or disciplinary);
- Military service (The employee does not have to exhaust other available leave.);
- Educational;
- The employee is not able to return at the end of FMLA due to a serious medical condition, but is certified by his/her medical provider as being able to return after some limited additional leave;
- The employee is not able to return at the end of FMLA, and needs more time for the physician to provide additional medical information to determine if the employee can return;
- An employee with workers' compensation injury is unable to return at the end of FMLA;

LWOP is not to be used on a regular basis; if a pattern occurs, disciplinary action may be taken. Currently, we are experiencing abuse of LWOP when employees simply run out of accruals and need the day off. This will be prohibited if a pattern begins.

Requests go through HR for approvals; not City Manager as in the past. Generally, these requests are going to fall under ADA.

ADMINISTRATIVE LEAVE

Examples of when administrative leave may be authorized by the City include and are not limited to:

- workplace investigations
- Safety
- policy/compliance situations
- Emergencies
- funeral/visitation attendance for a co-worker
- elected official or appointed board members
- early closure of City offices before a holiday or after an All-City staff development event
- Employee Assistance Program manager's referral.

Department Heads with Human Resources Director consultation may place employees on investigatory suspension. **Each situation will be reviewed to determine if it is a paid or unpaid status.**

PAID SABBATICAL LEAVE NEW!

Eligibility: **Assistant Department Heads and above employees** may apply for sabbatical leave after **5 years of continuous full-time service** with the City of Kannapolis and not have had other extended leave in the preceding 12 months. These employees may apply to take sabbatical leave for two weeks at full pay every three years.

After an employee has completed sabbatical leave, he/she is obligated to return to the City for a full year of work at the conclusion of a sabbatical.

Employees on approved sabbatical leave will receive pay and continued benefits during the period of leave. Employees on sabbatical leave are not eligible for tuition reimbursement or any sabbatical activity reimbursement.

Procedures: Eligible employees who wish to apply for sabbatical leave are required to submit a letter to the City Manager describing the reason for the sabbatical and the specific project during sabbatical. Some examples of projects during sabbatical include continuing education, conducting research for a City project, developing, writing, or revising major City documents/workflows, or other similar work.