



CITY OF PARKS

Granite Shoals, Texas Personnel Policies

Adopted: April 8, 2008
Amended: September 27, 2011
Amended: October 9, 2012

AMENDED: Resolution #445 May 13, 2014
AMENDED: Resolution #491 Aug 11, 2015

This manual is designed to acquaint you with the City of Granite Shoals and provide you with information about working conditions, employee benefits, and some of the policies affecting your employment. You should read, understand, and comply with all provisions of the manual. It describes many of your responsibilities as an employee and outlines the programs developed by the City of Granite Shoals to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee manual can anticipate every circumstance or question about policy. As the City of Granite Shoals continues to grow, the need may arise and the City of Granite Shoals reserves the right to revise, supplement, or rescind any policies or portion of the manual from time to time as it deems appropriate, in its sole and absolute discretion. The only exception to any changes is our employment-at-will policy permitting you or the City of Granite Shoals to end our relationship for any reason at any time.

The City of Granite Shoals operates under the legal doctrine of **voluntary employment-at-will** and, within requirements of state and federal law regarding employment, can dismiss an employee at any time, with or without notice, for any reason or no reason. No representations to the contrary by any employee will be binding unless reduced to writing and signed by the City Manager. Texas law allows the City of Granite Shoals to maintain this at-will employment relationship with its employees.

No policies or procedures contained in this document or in any other City of Granite Shoals memorandum, manual, or publication may be construed to create a contractual employment relationship, nor do policies and procedures contained in this manual give rise to any contractual rights of any kind. This document is not intended to, nor does it, create a contract of employment between an employee and the City of Granite Shoals. Further, this guide and its contents do not modify the City of Granite Shoals' employment-at-will relationship with each of its employees.

These policies and procedures may be modified or withdrawn at any time, with or without notice. Although printed copies will be distributed to City of Granite Shoals employees, the most current version of the *Personnel Policies Manual* will be the copy maintained in the City Secretary's office. It will also be provided on the city website.

If any statement in these personnel policies is not completely clear to you, ask the City Secretary.

Definitions

Accident: an occurrence happening inadvertently, un-planned, possibly unusual which places a person in an unusual degree or position of peril or causes injury to a person or damage to any object, tool, device, equipment or vehicle with which the person is operating, using, or upon which the employee is working. (Common accidents include: trips, burns, falls and collisions)

City: the word ‘City’ means the City of Granite Shoals, Texas, Home Rule City located in Burnet County.

City Council: the Mayor and six members of the City Council of Granite Shoals, Texas

City Manager: references to ‘City Manager’ shall be defined as the City Manager of Granite Shoals or his/her designee – unless otherwise noted.

City Secretary/Human Resources Manager: Shall mean the City Secretary of Granite Shoals, or the person responsible for performing the duties of Human Resources Manager.

Hours worked: Shall mean hours physically worked, hours actually worked.

Safety Sensitive Position: is one in which the employee holding the position is responsible for the employee’s own safety or for the safety of others, including, without limitation, all employees who drive city vehicles or operate city machinery.

Spouse: a legally married partner, a partner recognized by ‘common law’ as spouse, or a domestic partner / individual with whom the relationship is of the substance to reflect a marital arrangement.

Table of Contents

Granite Shoals Personnel Policies

- 1.0 General Policies PG 10-18**
 - 1.01. About the City
 - 1.02. Authority to Establish and Enforce Policies
 - 1.03. Severability
 - 1.04. Responsibility for Implementation
 - 1.05. Purpose
 - 1.06. Applicability
 - 1.07. Employees receive the Personnel Policy
 - 1.08. At-Will Employees
 - 1.09. Equal Employment Opportunity
 - 1.10. Sexual Harassment
 - 1.10.10 Restroom Accommodations – Gender Identity
 - 1.11. Employment of persons with disabilities
 - 1.12. City Property
 - 1.13. Violence in the Workplace
 - 1.14. Weapons Prohibited
 - 1.15. Searches may be conducted
 - 1.16. Smoking and Tobacco Products

- 2.0 Employee Responsibilities PG 19-28**
 - 2.01 In General
 - 2.02 Professional Appearance required
 - 2.03 Personal visitors in the workplace
 - 2.04 Timeliness and Attendance required
 - 2.05 Outside Employment
 - 2.06 Gifts and Gratuities prohibited
 - 2.07 Conflict of Interest
 - 2.08 Political Activity limited
 - 2.09 Communications to and from city employees
 - 2.10 Chain of Command
 - 2.11 Office Donations
 - 2.12 Computers and Electronic communication devices for city business
 - 2.13 Request for job clarification encouraged
 - 2.14 Retaliation Prohibited
 - 2.15 Secret Recordings

- 2.16 Relationships between city employees
- 2.17 Media Relations and Social Media Policies

3.0 Employment Practices PG 29-35

- 3.01 Recruitment and Selection Methods
- 3.02 Announcement of Position openings
- 3.03 Qualifications for City jobs
- 3.04 Selection of Employees
- 3.05 No Underage Employment
- 3.06 Application for Employment Required
- 3.07 Nepotism
- 3.08 Physical Standards for city jobs
- 3.09 Performance Testing
- 3.10 Verification of Eligibility to Work
- 3.11 Driving Record
- 3.12 Disqualification
- 3.13 Prior Service with the City
- 3.14 Orientation and Training
- 3.15 Medical Records

4.0 Types of Employment PG 36-37

- 4.01 Categories
- 4.02 Introductory Period

5.00 Employee Compensation/Advancement PG 38-41

- 5.01 Job Classification
- 5.02 Class and Pay Administration
- 5.03 Pay Group Assignments
- 5.04 Paydays
- 5.05 Check Delivery
- 5.06 Payroll Deduction
- 5.07 Other Deductions
- 5.08 Promotions
- 5.09 Demotions
- 5.10 Disciplinary Suspensions for violating serious rules
- 5.11 On-Call Pay

6.00 Work Schedule and Time Reporting PG 42-48

- 6.01 Administrative Workweek**
- 6.02 Law Enforcement Work Periods**
- 6.03 Firefighter Work Periods**
- 6.04 Schedule Adjustments**
- 6.05 Number of hours worked**
- 6.06 Overtime worked**
- 6.07 Exemptions from FLSA**
- 6.08 Explanation of exemptions from FLSA**
- 6.09 Compensatory Time**
- 6.10 Overtime Compensation**
- 6.11 Holidays Worked**
- 6.12 Leave or Holidays taken and Overtime**
- 6.13 Time Reporting**
- 6.14 Weather and Other Emergencies**

7.00 Benefits PG 49-50

- 7.01 Medical and Life Insurance**
- 7.02 Social Security**
- 7.03 Retirement**
- 7.04 Workers Compensation**
- 7.05 Unemployment Ins.**
- 7.06 Leave Time – General**

8.00 Leave Time PG 51-61

- 8.01 Definitions**
- 8.02 Approval of Leave**
- 8.03 Vacation Leave**
- 8.04 Sick Leave**
- 8.05 Sick Leave Pool**
- 8.06 Illness on Vacation**
- 8.07 Cancellation of Sick Leave upon termination**
- 8.08 Outside employment / Sick Time**
- 8.09 Family and Medical Leave (FMLA)**
- 8.10 Military Leave**
- 8.11 Citizenship Leave**
- 8.12 Leave of Absence**

- 8.13 Emergency Bereavement Leave
- 8.14 Administrative Leave
- 8.15 Injury Leave

- 9.00 Holidays PG 62-63**
 - 9.01 Holidays – General
 - 9.02 Work during Holidays
 - 9.03 Holidays during vacation
 - 9.04 Personal Day Holiday policy

- 10.00 Health and Safety PG 64-67**
 - 10.01 Safety Policy
 - 10.02 Employee Responsibilities and Reports
 - 10.03 Employee Safety and suggestions
 - 10.04 On the Job Injuries and Workers Compensation
 - 10.05 Employee ID cards and badges

- 11.00 Drug and Alcohol Abuse PG 68-71**
 - 11.01 Drug Free and Alcohol Free Workplace
 - 11.02 Purpose of Drug Testing Program
 - 11.03 General Policy
 - 11.04 Drug and Alcohol Test
 - 11.05 Positive Test Results
 - 11.06 Policy Parameters

- 12.00 Use / Accountability for City Equipment
And Property PG 72-73**
 - 12.01 Use of City Property – General
 - 12.02 Use of tools, equipment and etc.
 - 12.03 Valid Driver’s License
 - 12.04 Accident Reporting

- 13.00 Discipline PG 74-76**
 - 13.01 Discipline in General
 - 13.02 Criminal History
 - 13.03 Progressive Discipline
 - 13.04 Investigative Leave

14.00	Separations	PG 77-80
14.01	Definitions of Separations	
14.02	Resignation	
14.03	Retirement	
14.04	Reduction in Force	
14.05	Dismissal	
14.06	Disability	
14.07	Calculation of Separation Pay	
14.08	Exit Interviews and Records	
14.09	Continuation of Group Insurance	
15.00	Resolution of Disputes and Grievances	PG 81-82
15.01	Grievance Policy	
15.02	Final Authority	
15.03	Procedure	
16.00	Job Classifications, Descriptions and Performance Evaluations	PG 83
16.01	Job Descriptions	
16.02	Distribution	
16.03	Requests for Clarification	
16.04	Employee Performance Evaluations	
17.00	Personnel Files	PG 84-85
17.01	In General	
17.02	Contents	
17.03	Leave Records	
18.00	Professional Development / Education and Reimbursement	PG 86-87
18.01	Professional Development	
18.02	Required Attendance	
18.03	Tuition Reimbursement	

19.00	Travel	PG 88-89
19.01	Purpose	
19.02	Scope	
19.03	Responsibility	
19.04	Definitions	
19.05	Approval of Travel	
19.06	Personal Vehicle	
19.07	General Reimbursement Policy	
19.08	Rooms and Meals	
19.09	Guest on Trip	
19.10	Combined Business and Personal	
19.11	Credit Card	
19.12	Travel Advance	
19.13	Requesting re-imbursement of expenses	

CITY OF GRANITE SHOALS PERSONNEL POLICIES

1.00 GENERAL POLICIES

1.01 ABOUT THE CITY

1.01.01 The City of Granite Shoals is a Home Rule City. First operating under general laws of the state, the voters approved a Home Rule Charter on November 8, 2005. The charter provides that the City will operate as a council/manager form of government.

1.01.02 The City is governed by the City Council which is composed of a Mayor and six Council Members. The City Council appoints a City Manager who is the Chief Administrative Officer of the City and is responsible for hiring and firing of all city employees and for personnel administration. City appointees are hired and fired by the City Council.

1.02 AUTHORITY TO ESTABLISH AND ENFORCE PERSONNEL POLICIES

1.02.01 These policies are established by the City Council, and any deletions, amendments, revisions, or additions to the policies must be approved by the City Council.

1.02.02 These policies completely replace and supersede any and all personnel policies previously adopted, individually or as a set of policies, by the City Council.

1.03 EACH POLICY STANDS ON ITS OWN (“SEVERABILITY”)

The provisions of these policies are severable, and if any provision or part of a provision is held invalid, illegal, or unenforceable, this shall not affect the validity of the remaining provisions or parts of provisions, which shall remain in force and effect.

1.04 RESPONSIBILITY FOR IMPLEMENTATION OF PERSONNEL POLICIES

Responsibility for implementation and enforcement of these personnel policies rests with the City Manager.

1.05 PURPOSE

These policies set forth the primary rules governing employment with the City. The policies inform employees of the benefits and obligations of employment with the City. They are adopted to promote fair treatment of employees and to insure that the City of Granite Shoals complies with state and federal laws and regulations applying to employment by a city.

1.06 POLICIES APPLY TO ALL EMPLOYEES

1.06.01 These personnel policies apply equally to all employees unless a class of employees is specifically exempted by these policies.

1.06.02 Unless specifically stated, these policies do not apply to the City Council; volunteers (except Public Safety / Reserve volunteers), members of city boards, commissions or independent contractors. The policies do apply to the City Manager and non-elected officers of the City to the extent that the policies do not conflict with statutory requirements for these positions or to the provisions of ordinances or agreements established by the City Council for these positions.

1.06.03 In cases where federal or state laws or regulations supersede these policies for specific groups of employees, such laws or regulations will substitute for these personnel policies only insofar as necessary for compliance.

1.07 EMPLOYEES RECEIVE PERSONNEL POLICIES

1.07.01 The City Secretary maintains the official set of the personnel policies with all revisions for reference by employees. In addition, the City Secretary/Human Resources Manager will distribute a complete copy of this manual and copies of subsequent revisions to each employee. If a question arises about a particular policy, the official set of policies maintained by the City Secretary/Human Resources Manager should be consulted and will control. Questions about interpretation of any personnel policy should be addressed to the City Secretary/Human Resources Manager or to the City Manager.

1.07.02 Each employee is provided a copy of the personnel policies upon entering employment with the City and is required to read the manual carefully and to adhere to the rules and regulations established in the policies. Within two weeks of employment, each employee is required to sign a form stating that he or she has received and read the personnel policies and acknowledging that he or she understands the policies contained in it.

1.07.03 The City has the right to change these policies at any time, without prior notice to employees. Revisions and amendments will be distributed to employees. There will also be a copy of these policies maintained on the official city website.

1.07.04 Employees are encouraged to make constructive suggestions for improvements in these policies or in work procedures or conditions.

1.08 AT-WILL EMPLOYMENT

1.08.01 The City of Granite Shoals operates under the legal doctrine of “employment-at-will.” This means that either the employee or the

City can decide that the employee's job is terminated without either party having to give a reason. The City will attempt to ensure that employee discipline actions, including dismissals, are not made in an arbitrary or capricious manner; however, these personnel policies do not constitute or imply a contract, agreement, promise, or guarantee of employment or of continued employment. State and federal laws do require that the City not act in a discriminatory or retaliatory way in dismissing an employee.

1.08.02 "Employment-at-will" also means that the City, within requirements of state and federal law regarding employment, can transfer, demote, or dismiss an employee or administer any other form of employment discipline to an employee at any time, with or without notice, for any reason or without giving a reason.

1.09 EQUAL EMPLOYMENT OPPORTUNITY AND NON-DISCRIMINATION

1.09.01 It is the City's policy to prohibit discrimination and harassment against any person in job structuring, recruitment, examination, selection, appointment, placement, training, upward mobility, discipline, or any other aspect of personnel administration based on a person's race, age, religion, color, disability, national origin, sex, sexual orientation, gender identity, political affiliation or belief, or any protected status.

1.09.02 An employee will not engage in conduct at work that involves joking, derogatory remarks, or the display of images or symbols that demonstrate discrimination or harassment based on a person's race, age, religion, color, disability, national origin, sex, sexual orientation, political affiliation or belief, or any protected status. Complaints of prohibited discrimination or harassment should be made with the City Secretary/Human Resources Manager or the City Manager. If the complaint is against the City Manager, the complaint should be filed with the City Attorney. All complaints of prohibited discrimination or harassment will be promptly investigated, and disciplinary action will be taken, if appropriate, up to and including termination.

1.09.03 The City prohibits retaliation or discrimination against any employee for opposing an unlawful or discriminatory employment practice, or for alleging such a practice or participating in an investigation of an allegation of discrimination or harassment.

1.10 SEXUAL HARASSMENT

1.10.01 It is the City's policy to provide and maintain a work environment which is free of sexual harassment, sexual exploitation, and intimidation by employees, contractors, vendors, members of the

City Council, or visitors to the workplace. All employees are expected to comply with this policy; failure to do so will result in disciplinary action up to and including termination.

1.10.02 In this section, "sexual harassment" means unwelcome sexual advances, requests for sexual favors, or other physical or verbal conduct of a sexual nature when submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or the submission to or rejection of such conduct is used as a basis for an employment decision affecting the employee, or such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

1.10.03 It is illegal and against the City's policy for anyone, male or female, to harass a city worker or to create a hostile working environment by either committing or encouraging any of the following. This policy extends to city employees, contractors, vendors, members of the City Council, or visitors to the workplace.

1. Physical assaults on another employee, including but not limited to, rape, sexual battery, molestation, or attempts to commit these assaults; or
2. Intentional physical contact that is sexual in nature, including but not limited to, touching, pinching, patting, or brushing up against another employee's body; or
3. Unwanted sexual advances, propositions, or sexual comments, including sexual gestures, jokes, or comments made in the presence of any employee who has indicated in any way that such conduct in his or her presence is unwelcome; or
4. Posting or displaying pictures, posters, calendars, graffiti, objects, images, or other materials that are sexual in nature or pornographic.

1.10.04 The creation of an intimidating, hostile, or offensive working environment includes such actions as persistent sexual comments or the display of obscene or sexually oriented photographs, images, or drawings. However, actions that arise out of a personal or social relationship and are not intended to have a discriminatory employment effect might not be viewed as harassment. The City will determine whether such conduct constitutes sexual harassment, based on a review of the facts and circumstances of each situation.

1.10.05 If an employee is either subjected to or witnesses sexual harassment, he or she is expected to notify the City

Secretary/Human Resources Manager or the City Manager. If the City Manager is the source of the alleged harassment, the employee should report the problem directly to the Mayor.

1.10.06 The City will investigate such reports immediately. The City Manager will arrange for each complaint of sexual harassment to be investigated. As soon as an employee reports an incident to the City Secretary/Human Resources Manager or City Manager, the City Manager is responsible for investigating it. All complaints of sexual harassment will be maintained and kept confidential to the extent possible without jeopardizing the effectiveness of the investigation.

1.10.07 The City prohibits retaliation against any person who has filed a complaint of sexual harassment, cooperated in the investigation of a complaint of sexual harassment, filed a charge of sexual harassment against the City, or cooperated in the investigation of a charge of sexual harassment against the City.

1.10.08 To emphasize the importance of this policy and ensure employees' understanding, the City requires each employee to sign a statement acknowledging receipt and understanding of this Sexual Harassment Policy. The signed acknowledgement is kept in the employee's personnel file.

1.10.09 Also to emphasize the importance of this policy, the City may require that employees attend a 'Sexual Harassment Prevention' course periodically during the course of employment.

1.10.10 **RESTROOM ACCOMODATIONS – The City of Granite Shoals does not discriminate on the basis of gender identity and seeks to make such reasonable accommodations as are fair to all employees with regards to restroom facilities**

1.10.11 Employees may use the restrooms that correspond with their full-time gender presentation. An employee should never be required to use the restroom of his/her designated sex at birth once he /she has begun transitioning and has changed their full-time gender presentation.

1.10.12 A transitioning employee may opt to use single-occupancy or unisex facilities. If available and reasonably accessible, single-occupancy or unisex facilities can serve as a facility for transitioning employees.

1.10.13 Coworkers uncomfortable with a transgender employee's use of the same restroom may use separate restroom facilities, as available.

1.11 EMPLOYMENT OF PERSONS WITH DISABILITIES

- 1.11.01** It is the policy of the City to make its employment application process, employee activities, working environment, employee benefits, employee training, and employee advancement process accessible to persons with disabilities and to make reasonable accommodations to a qualified individual with a disability who is an applicant or employee, unless that accommodation will place an undue hardship on city finances or operations, or will pose a danger to the applicant, the employee, or others.
- 1.11.02** It is also illegal, and against city policy, to discriminate against a person because of his or her relationship or association with an individual with a known disability.
- 1.11.03** The Americans with Disabilities Act (ADA) defines disability as:
- A physical or mental impairment which substantially limits one or more of a person’s major life activities;
 - A record of such an impairment; or
 - Being regarded as having such impairment.
- 1.11.04** Persons with disabilities will be provided equal access to the hiring process. Persons with disabilities who perform the essential functions of their job will be provided equal access to promotion, training, and other benefit opportunities. No person will be subject to any form of retaliation for pursuing a complaint based on disability-related discrimination.

1.12 CITY PROPERTY

“City Property” means any real or personal property owned, leased, or used for city business. This includes facilities, buildings, premises, land, parks, vehicles, sites of city-sponsored events, office furniture, machines, equipment, devices and tools.

1.13 VIOLENCE IN THE WORKPLACE AGAINST CITY POLICY

- 1.13.01** The safety and security of all city employees and other persons on city property or work sites is of primary importance to the City of Granite Shoals. Threats, threatening or abusive behavior, fights or acts of violence

against citizens, employees or officials, visitors, or other individuals on city property or equipment is prohibited.

1.13.02 This policy applies to city employees, city officials, city contractors and vendors, and any other person present on city property or worksites or at city-sponsored events.

1.13.03 Violators of this policy are subject to administrative actions and to prosecution.

1.13.05 Any person who makes threats, exhibits threatening behavior, or engages in violent acts on city property or equipment will be removed from the city property as quickly as safety permits. The City of Granite Shoals' response to violent acts, threats, or behavior may include, but is not limited to, employment suspension or termination, suspension or termination of business relationships, or criminal prosecution of the persons involved and/or request of a restraining order from the appropriate judicial official.

1.13.06 City employees are responsible for notifying the City Manager of any threats, or threatening behavior, fights, or other acts of violence that they witness or receive, in addition to any threats that they are told another person witnessed or received, that occurred on city property, or while on city equipment, or in relation to city business. Employees are responsible for making these reports regardless of the relationship between the individual initiating the threat or threatening behavior and the person(s) being threatened.

1.13.07 A city employee or official who applies for or obtains a protective or restraining order which lists the City of Granite Shoals property or equipment as protected areas, must immediately provide the City Manager with a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order that is made permanent. Unless otherwise required by law, any information of this nature will be released on a need to know basis only to the appropriate law enforcement, management, and/or administrative personnel.

1.13.08 The lawful and justified use of force by a peace officer employed by or assigned to duty with the city shall not be construed as a violation of this section.

1.14 WEAPONS PROHIBITED

1.14.01 The City of Granite Shoals prohibits city employees and officials from carrying weapons of any kind on city property or on city

equipment, or while representing the City in any capacity. Prohibited weapons include, but are not limited to, the following:

1. All firearms;
2. Knives with blades more than five inches in length;
3. Any form of explosive weapon or other explosive device; or
4. Any knife, chain, club, axe, or instrument when carried or displayed as a weapon.

1.14.02 This policy does not apply to a peace officer employed by, or assigned to duty with, the City; to city officials who legally carry a weapon for self-protection and have given notice to the City Manager and Chief of Police; or to employees who receive the express written approval of the City Manager and Chief of Police to carry a weapon.

1.14.03 If an employee is unsure whether an item is covered by this policy, he or she should contact the City Manager for verification. Any violation of this policy will result in disciplinary action up to and including termination.

1.14.04 While the City has a policy prohibiting weapons, nothing in this policy shall be construed as creating any duty or obligation on the City's part to take any actions beyond those required of an employer by existing law.

1.15 SEARCHES MAY BE CONDUCTED BY CITY

1.15.01 Unless otherwise expressly prohibited by state or federal statute, the City reserves the right to make general or random searches of city property, such as city vehicles, lockers, closets, and desks, for alcohol, prohibited drugs, drug paraphernalia, pornography, explosives, firearms, knives, or other prohibited weapons without the consent of the employee. Employees have no expectation of privacy in their use of any city property.

1.15.02 The use of privately owned padlocks or other locking mechanisms for city property is prohibited, unless the key or the combination to the lock is provided to the City Manager. If an employee does use a privately owned padlock or other locking mechanism on any city property, the City may remove it at any time, and the employee will not be entitled to any reimbursement for damage to the mechanism. The use of any privately owned padlock or other locking mechanism for city property does not create an expectation of privacy with regard to any contents within the locked city property.

1.15.03 Objects brought into the workplace by an employee, such as

personal effects, purses, briefcases, vehicles, bags, boxes, or electronic devices, may be subject to search at any time if a reasonable suspicion exists that alcohol, prohibited drugs, drug paraphernalia, pornography, explosives, prohibited weapons, or unauthorized city property may be found. If the employee is available, he or she will be asked to consent to the search. No search of materials brought into the workplace by the employee will be conducted in the employee's absence.

- 1.15.04** Any search will be conducted as privately as possible, involving only persons with a need to know and only with the authorization of the City Manager.

1.16 SMOKING AND TOBACCO PRODUCTS PROHIBITED

In keeping with the City of Granite Shoals' intent to provide a safe and healthy work environment, the use of tobacco products is prohibited within city buildings, in city vehicles and on city equipment. Smoking and use of tobacco products, including electronic (or vapor) cigarettes, is permitted outside of buildings in designated areas only.

2.00 EMPLOYEE RESPONSIBILITIES

2.01 EMPLOYEE RESPONSIBILITIES – GENERAL

The City is a public organization. Its employees are expected to adhere to high standards of service that emphasize professionalism, courtesy, and avoidance of even the appearance of illegal or unethical conduct at all times. Employees are required to give a full day's work, to carry out efficiently the work tasks assigned as their responsibilities, to maintain good moral conduct, and to do their parts in maintaining good relationships with the City's customers, their supervisors, and their fellow employees.

2.02 PROFESSIONAL APPEARANCE REQUIRED

While the City does not have a formal dress code, employees are expected to exercise regular hygiene care and to dress and groom themselves in a neat and tasteful manner which is appropriate to the particular job being performed. Expensive clothes are not necessary, but a neat, well-groomed appearance and a courteous attitude are necessary in creating and maintaining a professional, favorable image of the City's work force. Employees in certain departments are required to wear uniforms which must be maintained and worn in a clean, neat manner.

2.03 PERSONAL VISITORS IN THE WORKPLACE LIMITED

Personal visits with city employees, are subject to approval by the department head for specific areas and at specific times. In the event that a non-work related person visits an employee during working hours, the employee is responsible for the conduct and safety of his or her visitor(s). Personal visits with city employees should be limited as so not to be unduly disruptive of the work environment.

2.04 TIMELINESS AND ATTENDANCE REQUIRED

2.04.01 Employees are to be punctual in reporting for work, keeping appointments, and meeting schedules for completion of work.

2.04.02 An employee who expects to be late for or absent from work must report the expected tardiness or absence to his or her supervisor not later than one hour, or as specified by departmental policy, following the start of the employee's work day. Fire and police personnel must report an expected absence or tardiness as per department policy in advance of the start of their workday or shift. In an emergency, the employee or a representative should notify the City as soon as permitted by the emergency circumstance. Incidental knowledge of the planned absence by the City as a result of comments of other employees, emails, or information from public communications sources does not constitute notice to the City from the employee or his or her designee. See also the **Leave Time** chapter of these policies for matters involving planned absences; police personnel should also refer to the **Police Department Standard Operating**

Procedures for additional departmental requirements.

2.04.03 Unless otherwise approved by the City Manager, employees are expected to call in to the employee's direct supervisor on each day of absence. Unless emergency circumstances exist, the employee should call in personally. If the supervisor is not available, the employee must call the next person in command or, in that person's absence, the City Secretary/Human Resources Manager. Where the nature of the absence necessitates more than two weeks off, longer reporting intervals may be approved by the City Manager. Frequent tardiness or unexcused absence is not permissible and is grounds for disciplinary action up to and including termination.

2.05 OUTSIDE ACTIVITIES MUST BE APPROVED

2.05.01 Employees may not engage in any outside employment, activity, or enterprise determined by the City Manager (1) to be inconsistent or incompatible with employment with the City; or (2) to affect the employee's job performance adversely. Law enforcement personnel must receive the express written authorization of the Chief of Police for any outside employment in law enforcement or security work.

2.05.02 A position with the City of Granite Shoals is a position of public trust, and all full-time employees shall give precedence to their city job, regardless of any other position they are allowed to hold. A full-time employee, who works in departments other than law enforcement, must have advance approval in writing from the City Manager to engage in any outside employment. Self-employment that creates a conflict of interest with city business or which prevents the employee from giving full attention to city business during office hours is also prohibited.

2.05.03 If a city employee is injured on the job in the course of employment outside of his or her employment with the City, the employee is not eligible to file a workers' compensation claim against the City for benefits related to the injury, regardless of the fact that the City may have approved of the outside employment.

2.05.04 Approval for outside employment as set out in this policy does not authorize an employee on sick leave, disability leave, workers' compensation leave, or an unpaid leave of absence, to engage in outside employment. Under no circumstances may an employee on sick leave, disability leave, workers' compensation leave, or an unpaid leave of absence, engage in outside employment as defined in this policy unless expressly authorized in writing by the City Manager.

2.06 GIFTS AND GRATUITIES PROHIBITED

2.06.01 Subject to exceptions listed in section 2.06.03, below, a city employee may not solicit or accept any gift, cash, negotiable instrument, or free service from a person or entity that does business with the City, that wants to do business with the City, or that is subject to regulation, inspection, or investigation by the employee or by the City. Gifts received by an employee and that do not fall within one of the exceptions listed in section 2.06.03 should be returned. A city employee may not accept anything of value that might tend to influence his or her official actions or impair his or her independence of judgment in the performance of duties for the City. See "Conflict of Interest" section below.

2.06.02 Employees (and their relatives and significant others) may not receive any income or other material gain from anyone outside the City for services provided by the employee in the performance of his or her job with the City. Individual employees are prohibited from soliciting, accepting, or agreeing to accept any gift, gratuity, favor, benefit, or anything else of value from any person, organization, or other entity who has done business, is doing business, or seeks to do business, with the City.

2.06.03 An employee will not be considered in violation of this policy for accepting an unsolicited item listed below:

1. A non-financial award publicly presented in recognition of public service;
2. An occasional meal where business is discussed, a gift of food or sweets when given as a small holiday gift, or a gift of food or sweets given with the intention that it be shared by the entire department or work site;
3. Transportation and lodging in connection with a conference or similar event in which the employee renders services, such as addressing an audience or engaging in a seminar, to the extent those services are more than merely perfunctory, or from accepting meals in connection with such an event.
4. Tee-shirts, caps, and other similar insignificant promotional material; or

5. A gift which would have been offered or given to the employee by virtue of a family or personal relationship not connected with the employee's position at the City.

2.07 CONFLICT OF INTEREST

2.07.01 An employee of the City may not have a financial interest in the profit of any contract, service, or other work performed for the City or derive personal profit directly or indirectly from any contract, purchase, lease, sale, or service between the City and any person or company.

2.07.02 An employee may not: (1) solicit or accept or agree to accept a financial benefit, other than from the City, that might reasonably tend to influence his or her performance of duties for the City or that he or she knows or should know is offered with intent to influence the employee's performance; (2) accept employment or compensation that might reasonably induce him or her to disclose confidential information acquired in the performance of official duties; (3) accept outside employment or compensation that might reasonably tend to impair independence of judgment in the performance of duties for the City; (4) make any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and duties for the City; or (5) solicit or accept or agree to accept a financial benefit from another person in exchange for having performed duties as a city employee in favor of that person.

2.08 POLITICAL ACTIVITY LIMITED

2.08.01 Employees of the City are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies.

2.08.02 An employee may not:

1. Use his or her official authority or influence to interfere with or affect the result of an election or nomination for office; or
2. Directly or indirectly coerce, attempt to coerce, command, or advise a local or state officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political purpose; or
3. Participate in any way in any partisan political activity while wearing a city uniform, shirt, nametag, or emblem, regardless of whether the employee is on duty or on his or her own time; or

4. Use city-owned property, vehicles, and equipment for creating, promoting, communicating or displaying campaign materials or for conducting any partisan political activity.

2.08.03 The provisions of Section 2.08.02 section 3. do not apply to an employee who only: 1.) informs another as to the time, date, location, or process of voter registration or voting. 2.) encourages another to register or vote without expressing an opinion as to how the other should vote; or 3.) registers, votes or accompanies a family member to register or to vote.

2.08.04 In addition, a city employee who is subject to the provisions of the federal Hatch Act may not be a candidate for elective office in a partisan election. (A partisan election is an election in which candidates are to be nominated or elected to represent a party whose candidates for presidential electors received votes in the last preceding election at which presidential electors were selected). City employees are subject to this additional Hatch Act restriction if their principal employment is in connection with an activity which is financed in whole or in part by loans or grants made by the federal government.

2.08.05 An employee's political activity, not in violation of this section, will not be considered in determining his or her compensation, eligibility for promotion or demotion, work assignment, leave or travel request, or in applying any other employment practices to the employee. Likewise, no employee will be threatened or otherwise coerced, disciplined, terminated, or deprived of his or her employment rights for refusing to participate in such activities.

2.09 COMMUNICATIONS TO AND FROM CITY EMPLOYEES

2.09.01 From time to time, an employee may be given directions from persons outside the normal chain of command. In such cases, it is the employee's responsibility to notify his or her department head about the direction, its purpose, and the relevant facts of the situation. Failure to do so in a timely manner may result in disciplinary action.

2.09.02 In the event that an employee is given conflicting instructions from more than one person who occupies a position which is higher than the employee's position in the city's hierarchy, the employee is required to notify his or her supervisor and the City Manager of the conflicting instructions.

2.09.03 Communication with the public and with the news media about city issues or problems is the responsibility of the City Manager and the City Council. Employees are to refer members of the public or the news media to the department head or to the City Manager if a

question is non-routine, controversial, or outside of the scope of the employee's normal duties.

2.10 CHAIN OF COMMAND TO BE FOLLOWED

Individual employees are responsible to the City Manager through their department head or supervisor. The City Manager is responsible to the City Council. Directions regarding work to be done, expected results, the adequacy of work performance, and grievances will follow the chain of command.

2.11 OFFICE DONATIONS

No employee will be forced to contribute or make donations to any fund or collection. Any voluntary office collection must be approved by the City Manager.

2.12 COMPUTERS AND ELECTRONIC COMMUNICATION DEVICES ARE FOR CITY BUSINESS

2.12.01 City computers and electronic communication devices, including telephones, two-way radios, voice mail, cellular telephones, e-mail and messaging, internet connections, and fax machines, are to be used for city business. There is no expectation of privacy for an employee using these systems even for personal business of the employee. Any form of electronic communication creates a written business record that can be subpoenaed and used as evidence in litigation or regulatory investigations, or can be subject to a Public Information Request from the public.

2.12.02 Occasional use of local telephone service for personal communications is permissible if the length and number of such communications are kept to a minimum and if there is no charge to the City for a metered service.

2.12.03 Use of city communications systems, including telephones, computers, internet, and fax machines, for sending or receiving offensive or harassing statements, sexually oriented materials, illegal transactions, or private business transactions is strictly prohibited.

2.12.04 City employees and officials may not place personal long distance telephone calls on city telephone equipment. A call to notify family of city requirements to work unscheduled overtime is a city business call. If an emergency long distance call is made on a city telephone, the employee must reimburse the City for the call.

2.12.05 Where job needs demand immediate access to an employee, the City may issue a city-owned cellular telephone to an employee for work-related communications. These phones are intended to be used for business purposes and incidental personal calls should be as brief as

possible. If personal cellular usage results in a charge to the City the employee shall reimburse the City within 10 days after notification from the City Manager. Abuse of city issued cellular phones can result in disciplinary actions, up to and including termination.

2.12.06 Electronic mail and messaging and internet access systems, and are efficient and valuable business tools. They are also property of the City. City computer systems, including internet access and electronic mail and messaging systems, are to be used for city business. Because all electronic communications systems are city property, there is no expectation of privacy for an employee using these systems. Employees who have excessive computer or internet usage for personal communication will be subject to disciplinary action, up to and including termination.

2.12.07 Any form of electronic communication creates a written business record that can be subpoenaed and used as evidence in litigation or regulatory investigations, or can be subject to a Public Information Request from the public.

2.12.08 Flash drives or other portable storage devices may be used in the workplace only if purchased by the City and issued to the employee. The City Manager, without notice, what is on an employee's flash drive or other storage device unless otherwise specifically prohibited by state or federal law. City-issued portable storage devices are city property and must be returned to the City when requested. No city records may be downloaded on to personal electronic storage devices.

2.12.09 City computer systems, internet access, voice mail, e-mail, and electronic storage devices may not be used for transmitting, retrieving, or storing any communications, images, or other content of a discriminatory or harassing nature or any materials that are obscene, X-rated, or otherwise inappropriate. Harassment using these devices is prohibited. (See Policy on Sexual Harassment). No messages with derogatory or inflammatory remarks about an individual's race, color, age, disability, religion, national origin, sex, physical attributes, or sexual orientation may be transmitted or forwarded using the city systems. No abusive, profane, or offensive language may be transmitted through the City's electronic communications systems. The City's harassment policy applies in full to electronic communications systems. Employees have no expectation of personal privacy regarding any matter created, received, retrieved, stored, or sent from or on the City's computers or electronic communications systems.

2.12.10 The City's computers and electronic communications systems may not be used for a purpose that is illegal, against city policy, or contrary to the City's best interest. Solicitation of non-city business

or any use of the city's computers or electronic communications systems for personal gain is prohibited. Employees are prohibited from opening spam messages received on city electronic communications systems and should consider carefully the source before opening e-mail attachments.

- 2.12.11** The City's guidance is that employees should not use city electronic communications systems to say or write anything that they would not want someone other than the intended receiver to hear or read. Employees should keep in mind that even when an e-mail, instant message, or voice mail message has been deleted from a location, it is still possible to retrieve that message. In addition, the City may identify and monitor the content of internet sites accessed from any city computer.
- 2.12.12** Each employee is responsible for the content of all text, audio, or images that he or she accesses, places, or sends over the City's voice mail, e-mail or internet systems (including bulletin boards, online services, or internet sites). Employees must include their name in all messages communicated on the City's voice mail, e-mail, or internet system.
- 2.12.13** If an employee receives unsolicited voice mail or e-mail messages that appear to violate this policy, the employee should notify his or her supervisor immediately. Similarly, if an employee accidentally accesses an inappropriate web site in the normal course of business, the employee should notify his or her supervisor immediately.
- 2.12.14** If an employee receives or has access to a message that is not addressed to him or her, the employee is not authorized to read or use information contained in that message.
- 2.12.15** The City Secretary/Human Resources Manager, as Records Management Officer of the City, will advise employees regarding the proper storage time requirements for electronic mail and for records created or maintained electronically. City employees should familiarize themselves with the requirements for managing, safeguarding and storing the city records under their control. Purposefully deleting a record to hamper correct retention of the record is prohibited
- 2.12.16** Every employee shall provide the City Manager, upon request, all employee passwords for software, websites and 'locked' documents. No city accounts shall be established, no software utilized and no records shall be locked, or otherwise encrypted, by any employee without authorization of his or her Supervisor or Department Head. The passwords of the Chief of Police may be provided to the City Manager or, at the Chief's option, to the Police Captain

2.13 REQUESTS FOR JOB CLARIFICATION ENCOURAGED

Employees are encouraged to ask supervisors and department heads for clarifications of their job duties. In the absence of any request for clarification, the City will assume that each employee understands and accepts the responsibilities assigned to the position which he or she occupies, as set out in the City's job description for that job.

2.14 RETALIATION PROHIBITED

An employee of the City who reports a violation of the law to his or her supervisor or to a law enforcement authority will not be retaliated against by the City for making the report.

2.15 SECRET RECORDINGS

With the exception of law enforcement recordings properly authorized, the City discourages audio or video tape recordings by employees. If an employee elects in the course of city business to tape record any conversation with an outside party, between the employee and any other city employee, or among two or more other city employees, the employee wishing to make the recording must first notify the other person(s) of his or her intent to record the conversation and must obtain the other person(s)' verbal authorization to make the recording. Any unauthorized recording of any conversation may result in immediate disciplinary action, up to and including termination.

2.16 RELATIONSHIPS BETWEEN CITY EMPLOYEES

To avoid actual or perceived favoritism, the City will not assign a person to be supervised by a relative, spouse or by a person who he or she is dating or with whom the employee has a close personal relationship.

2.17 MEDIA RELATIONS AND SOCIAL MEDIA POLICY

The City Manager will assign designees with access to the Social Media administration or with responsibilities related to media relations. Employees with media relations responsibilities or responsibilities for maintenance of City-sanctioned Social Media presence(s), shall adhere to Granite Shoals Media Relations and Social Media policy, currently Resolution # 478.

All personnel that engage in social media activities on the City's behalf and all City-sanctioned social media sites shall adhere to applicable federal, state and local laws, regulations and policies, including the Texas Public

Information Act, copyright laws, and the city's records retention schedule.

City sanctioned social media sites must be operated according to the specific platform's user agreement. All content must be managed, stored and retrieved to comply with the user agreement.

Administrators shall use an abundance of caution when working on-line. Passwords should be strong, and any evidence found of 'hacking' attempts should be reported to the City Manager.

City employees should remember that they are bound to processes and procedures that govern the use of sensitive, confidential, proprietary and medical information that may come into their custody in the course of conducting city business. There is a risk of personal liability if information is released via personal Social Media activities.

While on duty, the use of City equipment or internet service by personnel must be limited to work related tasks. City employees have no expectation of privacy while utilizing city networks, equipment or devices. All personnel who engage in social media activities on the City's behalf will adhere strictly to the City of Granite Shoals Ord. 635, as codified, the City Electronics Use Policy.

3.00 EMPLOYMENT PRACTICES

3.01 METHODS OF RECRUITMENT AND SELECTION

- 3.01.01** The City has two methods of recruiting and selecting persons to fill vacancies: (1) promotion from within and (2) public announcement and competitive consideration of applications for employment. The City Manager, determines the method(s) of selection to be used in filling each vacancy. It is the city's policy to promote qualified employees whenever possible.
- 3.01.02** If two or more applicants have substantially equal qualifications and one is a current city employee, the current employee will be given preference over the other applicant(s).
- 3.01.03** The city **does not** accept applications for employment unless a specific vacancy exists. Persons wishing to apply for a job with the city when a specific vacancy does not exist are informed of the manner of advertising city job announcements and that they may file an application at any time an advertised vacancy exists for which they consider themselves to be qualified.

3.02 ANNOUNCEMENT OF POSITION OPENINGS

Public announcements of position openings at the city, for which there will be competitive consideration, are disseminated by the City Secretary/Human Resources Manager's office in the manner most appropriate for the particular position being filled. Current employees are permitted to apply for positions for which they believe themselves to be qualified. The length of time during which applications will be accepted will be determined by the City Manager in accordance with the circumstances that exist at the time.

3.03 QUALIFICATIONS FOR CITY JOBS

- 3.03.01** The city maintains a job (class) description which establishes the required knowledge, skills, and abilities for each type of city job along with the acceptable levels of experience and training for each job. The job description sets forth the minimum acceptable qualifications required to fill the position.
- 3.03.02** If the job description requires that the employee obtain a particular license within a specific period of time, the employee must meet those requirements within the specified time frame or be subject to termination.

3.03.03 All job positions at the City of Granite Shoals require a high school diploma, General Equivalency Diploma (GED) or equivalent.

3.04 SELECTION OF CITY EMPLOYEES

3.04.01 In accordance with state law and city policy, the City Council appoints and may remove the City Manager. The City Manager appoints all City employees and appointed administrative officers, except the City Secretary, Municipal Judges, and a City Attorney who, in accordance with the City Charter, are selected by the City Council.

3.04.02 Vacancies in the city workforce are filled, by promotion or by initial appointment, on the basis of merit as demonstrated by education, experience, and personal interview. Selections of the best qualified persons are made on the basis of occupational qualifications and job-related factors such as skill, knowledge, education, experience, and ability to perform the specific job.

3.04.03 Neither the City Council nor any of its members shall in any manner dictate the appointment or removal of any city employees whom the City Manager or any of his or her subordinates is authorized to appoint or remove. However, the City Council or its members may express their views and opinions on such matters freely to the City Manager.

3.05 NO UNDERAGE EMPLOYMENT BY CITY

3.05.01 Persons under 18 years of age will not be employed by the city.

3.05.02 Other age limitations will be applied only as required by state or federal law applicable to the City.

3.06 APPLICATION FOR EMPLOYMENT REQUIRED

3.06.01 Each person desiring employment with the City must, before employment, fill out the City's official application form and submit other pertinent information regarding his or her education, training and experience. The City will make appropriate inquiries to verify education, experience, character, and required certificates and skills of an applicant prior to employment. In the case of applicants for positions which require driving a vehicle, the City will check the prospective employee's driving record prior to offering the applicant employment. All job applicants must sign a release form permitting the employment history and reference check. The release form is a part of the City's job application form.

3.06.02 Certain positions at the City will require a criminal background check. Job applicants for these positions must sign a release form

permitting the criminal background check. The release form is a part of the City's job application form.

3.06.03 Any willful misrepresentation of facts or failure to report pertinent data on the application form or any official employment record may result in dismissal from city employment.

3.06.04 The City will retain each employment application according to the City's adopted record retention schedule.

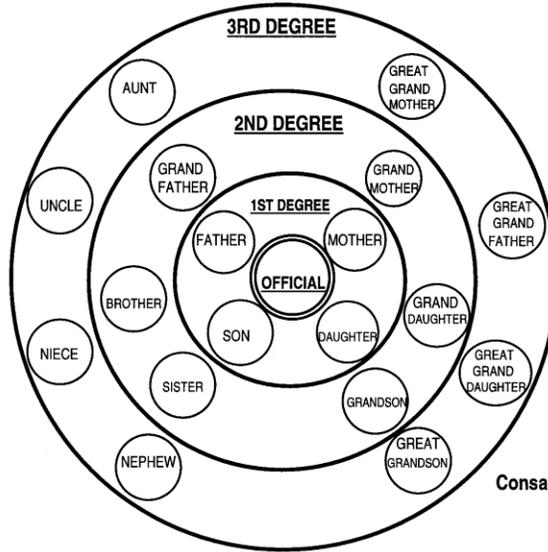
3.07 EMPLOYMENT OF RELATIVES RESTRICTED (NEPOTISM)

3.07.01 Nepotism is the showing of favoritism toward a spouse or relative. The practice of nepotism in hiring personnel or awarding contracts is forbidden by the City. For the purposes of this policy, family member also includes former spouse, co-parent of child(ren) and significant others (e.g., engaged couples or relationships between individuals of which the substance reflects a marital arrangement).

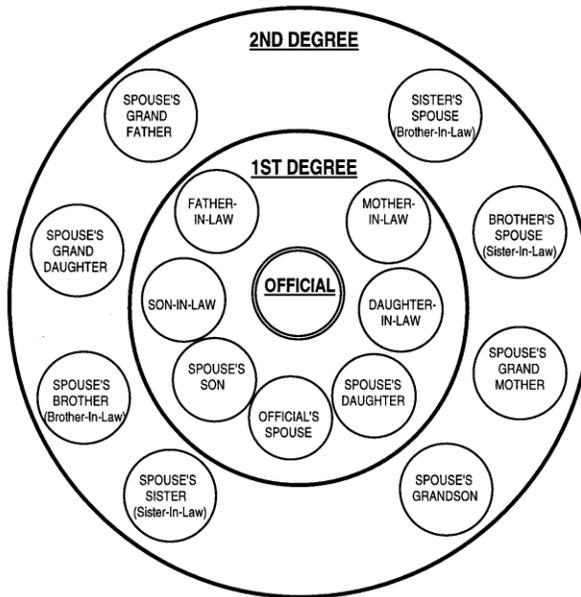
3.07.02 No person may be hired who is related within the second degree by affinity (marriage) or within the third degree by consanguinity (blood) to any member of the City Council, City Manager, or any other officer of the City. No person may continue in city employment who is related in one of the prohibited degrees to the City Manager or to a member of the City Council unless the employee has been employed continuously by the City for a period of:

1. At least 30 days, if the officer, council member, or City Manager is appointed; or
2. At least six months, if the council member is elected.

Prohibited degrees of relationship are defined in the Nepotism Charts on the following page.



Consanguinity Kinship Chart (Blood)



Affinity Kinship Chart (Marriage)

NEPOTISM CHARTS

NOTE: Spouses of relatives within the first or second degree of consanguinity (e.g., son-in-law, mother-in-law, brother-in-law, sister-in-law, etc.) are also included in the prohibition; and adopted relatives also are considered to be related by consanguinity.

3.07.03 In addition, no personnel action will be taken that would result in any employee's supervising or auditing another employee who is related within the second degree of affinity or the third degree of consanguinity to the supervisory employee. Prohibited degrees of relationship are defined in the charts on the preceding page.

3.08 PHYSICAL STANDARDS FOR CITY JOBS

The City may offer conditional employment to an individual subject to the provision of certain medical history and/or successful completion of a medical examination. The City Manager designates those positions requiring medical history and/or a physical examination. Typically, prospective employees who will be placed in physically demanding positions are required to undergo a pre-employment medical examination at the City's expense. The medical exam will be conducted only after an applicant has been conditionally offered the position. The purpose of this examination is to determine if the applicant is physically able to perform the essential functions of the job for which he/she is being considered, with or without reasonable accommodation.

The medical examination will typically consist of a personal health history and a physical examination. The physician will be provided with a current job description for the position that lists the job's essential functions.

3.09 PERFORMANCE TESTING

Except for tests that may be required by state law, the only performance tests administered for employment or promotion will be standard typing tests, where applicable, or specifically job-related ("piece-of-the-job") tests (e.g., operating equipment, lifting something heavy required in the job, tabulating columns of numbers, or performing or providing writing samples).

3.10 VERIFICATION OF ELIGIBILITY TO WORK

In order to comply with the Immigration Reform and Control Act of 1986, each new employee will be required to complete and sign an INS Form I-9 within three days of his or her first day of employment to provide proof of his or her identity and employment eligibility. In the event the employee has not provided evidence of eligibility to work within the first three days of employment, the employee will not be allowed to continue working and is subject to immediate termination.

3.11 DRIVING RECORD

Each city employee who is required to drive a vehicle or operate a piece of equipment which requires a valid driver's license must maintain a safe driving record. For this reason, the City will check a prospective employee's driving record

prior to offering the applicant employment in a capacity which requires operating a vehicle or piece of equipment that requires a valid driver's license. The City Secretary/Human Resources Manager is responsible for seeing that employees' driving records are checked at least once annually.

Applicants and employees are required to provide the City with any authorizations necessary for the City to perform such a check. An employee who is required to drive as an essential function of his or her job must maintain a driving record satisfactory to the City's general liability insurance carrier. An unsatisfactory driving record, or suspension or revocation of the driver's license of an employee who must operate a motor vehicle as a work requirement will result in dismissal. (See also section 12.03)

3.12 DISQUALIFICATION

An applicant or employee is disqualified from employment if the City finds that he or she (1) does not meet the minimum qualifications for performance of the duties of the position involved; (2) knowingly has made a false statement on the application form; (3) has committed fraud during the selection process; (4) is not legally permitted to hold the position; (5) has offered or attempted to offer money, service, or any other thing of value to secure an advantage in the selection process; (6) does not meet physical requirements as a result of the required physical examination; or (7) has not provided proof of citizenship or legal work status in the United States within the first three days of employment.

3.13 PRIOR SERVICE WITH THE CITY

Employees entering service with the City who have had prior service with the City may, with approval of the City Manager, be considered for appointment above the customary entry salary level. A break in continuous service with the City, however, forfeits vacation and sick leave benefits earned prior to the break.

3.14 ORIENTATION AND TRAINING

3.14.01 Before a regular employee begins performing his or her actual duties, he or she will be given a brief orientation by the City Secretary/Human Resources Manager or his or her designee. The purpose of the session is to enable a new employee to understand better his or her job and its relationship to the overall operation of the City. During the orientation, employees are given a copy of the Personnel Policies and Procedures Manual to be read within two weeks, are informed of its continued availability to them and the reference locations, and are given information about the City's benefits programs.

3.14.02 Training an employee is the responsibility of his or her department head, or the City Manager. Whenever possible, employees receive on-the-job training under close supervision.

3.15 MEDICAL RECORDS

All records relating to the medical condition, medical testing, or drug testing of an employee or prospective employee are maintained separately from employee personnel files. These medical files are confidential and are not released to anyone unless a “need to know” has been clearly established. Only the City Secretary/Human Resources Manager and City Manager have routine access to employee medical records, and any other access is on a “need-to-know” basis.

4.00 TYPES OF EMPLOYMENT

4.01 CATEGORIES OF EMPLOYMENT

4.01.01 There are four categories of employment with the City:

4.01.02 Regular Full-Time. A regular full-time employee is appointed to an authorized position that involves, except in public safety departments, on the average, 40 work hours per week and that is expected to last at least six months. Regular full-time employees may be either hourly or salaried employees.

4.01.03 Regular Part-Time. A regular part-time employee is appointed to an authorized position that normally involves less than 1,000 hours per year and that is expected to last at least six months. Part-time employees are paid on an hourly basis.

4.01.04 Temporary Full-Time. A temporary full-time employee is an employee hired to work, except in public safety departments, an average of 40 hours per week for a period expected to last less than six months. Temporary full-time employees may be either hourly or salaried employees.

4.01.05 Temporary Part-Time. A temporary part-time employee is an employee hired to work an average of fewer than 40 hours per week and less than 1,000 hours per year, for a period expected not to exceed one year. Part-time employees are paid on an hourly basis.

See **Benefits** chapter of these policies for details of benefits available to each category of employees.

4.01.06 Volunteer / Reserve. There are also present in some Public Safety worksites at the City, Volunteer / Reserve Workers. These workers earn no pay and receive no city benefits. They are allowed in the workplace as authorized by the City Manager and are expected to observe all department regulations, as applicable.

4.02 INTRODUCTORY PERIOD

4.02.01 All new regular non-police employees serve a 90-day introductory period. Licensed peace officers serve a one-year introductory period.

4.02.02 The introductory period gives a new employee the opportunity to learn fully the requirements of his or her new job. It gives the City an opportunity to provide on-the-job training and formal training; to evaluate closely the new employee's work; and to make any adjustment to the job or the employee's status necessary to meet the needs of the City.

- 4.02.03** At the end of the introductory period, an employee's performance is reviewed by his or her supervisor. If the employee receives a satisfactory performance evaluation, he or she has successfully completed the introductory period. However, if a department head or the City Manager feels more time is necessary to evaluate fully the employee's work, or if the employee's performance is not fully satisfactory, the employee may be put on continued introductory status.
- 4.02.04** At any time during an introductory period, as at any other time during employment, the department may dismiss a new employee, with or without notice, for any reason or no reason within state and federal statutory restrictions. See **Separations** chapter of these policies for additional details.
- 4.02.05** After 90 days the employee may be eligible for some city insurance benefits. The City Secretary/Human Resource Manager is available for questions regarding benefit 'waiting periods.'

5.00 EMPLOYEE COMPENSATION AND ADVANCEMENT

5.01 JOB CLASSIFICATION AND PAY POLICY

The City maintains a job classification plan by which each position in the classified service is assigned to a class (job title) and the job titles are assigned to a pay group based on (1) the principle of equity among positions requiring similar knowledge, skills, and abilities and having similar levels of responsibility, and (2) market compensation factors. The pay range for each pay group is set out on a pay schedule which is approved by the City Council.

5.02 CLASSIFICATION AND PAY ADMINISTRATION

New employees are hired into classified positions unless the position is specifically designated as unclassified by the City Council. A new employee normally is hired at the entry rate of the pay range to which the job is assigned. A department head can approve the hiring of a new employee in any of the first three steps above the entry level rate to which the new employee's job is assigned. The City Manager's approval is required for hiring new employees above Step 3 in the pay schedule.

5.03 PAY GROUP ASSIGNMENTS AND REASSIGNMENTS

The City Manager is authorized to reallocate a job title to a lower or higher pay group based on equity considerations and job market conditions. When a new job title is established, the City Manager assigns that job title to a pay group.

5.04 PAYDAYS

City employees are paid bi-weekly (once every two weeks). Timesheets for all employees will be submitted according to department policy. If an hourly employee earns time during the pay period after payroll has been submitted, adjustments will be made the following pay period. If the date checks are to be issued falls on a holiday or weekend, checks will be issued on the last working day preceding the holiday or weekend.

5.05 CHECK DELIVERY

5.05.01 Pay checks are delivered on paydays by the Director of Finance at a time and in a manner determined by the City Manager. Pay checks will not be delivered earlier than on paydays.

5.05.02 No salary advances or loans against future salaries will be made by the City to any employee for any reason.

5.05.03 An employee must bring any discrepancy in a paycheck (such as overpayment, underpayment, or incorrect deductions) to the attention of the Director of Finance before the next pay day. The employee shall notify the Director of Finance of the discrepancy in writing. If the discrepancy is detected after the next payday, the discrepancy shall be reported to the Director of Finance and the City Manager in writing.

5.06 PAYROLL DEDUCTIONS

5.06.01 Deductions will be made from each employee's pay for the following:

- Federal social security;
- Federal income taxes;
- Retirement program;
- Court-ordered child support; and
- Any other deductions required by law.

5.06.02 An employee may authorize deductions from his or her paycheck for:

- The portion not paid by the City for group health/medical for the employee or dependents; and
- Such other insurance deductions as may be authorized by the City Council.
- For employees required to wear safety boots or hats, any amount over and above the \$150 to cover the cost of the boots and up to \$35 for a hat annually that is allowed by the City;

5.06.03 If there is a change in the employee's family status, address, or other factor affecting his or her payroll withholding or benefits status, the employee must obtain, complete, and return to the City Secretary/ Human Resources Manager the appropriate forms for communicating these changes.

5.07 OTHER DEDUCTIONS FROM PAY

5.07.01 **Employees Covered by FLSA.** Employees whose positions are covered (non-exempt) from the federal Fair Labor Standards Act will be paid only for actual hours worked unless they are eligible for and authorized to receive benefits under one of the City's paid leave benefits policies.

5.07.02 **Employees Exempt from FLSA.** Employees whose positions are exempt from the federal Fair Labor Standards Act are paid on a salary basis and, in general, must be paid their full salary for any week in which they perform work. Their pay may be reduced only in the following circumstances:

1. Unless they are eligible for and authorized to receive benefits under one of the City's paid leave policies, employees who are absent for at least a full day because of sickness, disability, or personal reasons will not be paid for that day. If an exempt employee has exhausted his or her earned leave, the employee's pay will not be reduced if the employee is absent for less than a full day.
2. If an exempt or a non-exempt employee violates a safety rule of major significance, his or her pay may be reduced in an amount

to be determined by the City as a penalty for that violation. (See also the section in this chapter titled “Disciplinary Suspensions for Violating Serious Workplace Conduct Rules.”) When this occurs, the employee’s paycheck will be reduced in an amount that is proportionate to the number of days suspended as compared to the full pay period.

3. Employees who work fewer than 40 hours during their first or last week of employment with the City will be paid a proportionate part of their full salary for the time actually worked.
4. **Improper Deductions from Pay.** Improper deductions from an exempt employee’s pay are strictly prohibited. Any employee who believes he/she has been subject to an improper pay deduction must immediately notify the Finance Director. The City will investigate the propriety of the deduction, will promptly reimburse an exempt employee for any improper deduction, and will make a good faith commitment to comply in the future.

5.08 PROMOTIONS

5.08.01 A promotion is a change in the duty assignment of an employee which results in advancement to a higher position requiring higher qualifications and involving greater responsibility. A promoted employee will always receive a pay increase.

5.08.02 Promotions are recommended by department heads and approved by the City Manager within the staffing pattern and budget limits approved by the City Council.

5.08.03 Upon promotion, an employee serves an introductory period of 90 days in the new position and may be returned to a lower position at any time during the introductory period if performance is inadequate as documented by the City Manager. The employee who is serving an introductory period of 90 days for a promotion will not have any change in eligibility status for benefits if he/she is already eligible.

5.09 DEMOTIONS

A demotion is a change in duty assignment of an employee to a lower paid position. Demotions may be made by the City Manager for the purpose of voluntary assumption of a less responsible position; as a result of a reclassification of the employee's position; or as a disciplinary measure, because of unsatisfactory performance in a higher position. Disciplinary demotions may involve a decrease in pay.

5.10 DISCIPLINARY SUSPENSIONS FOR VIOLATING SERIOUS WORKPLACE CONDUCT RULES

5.10.01 If an employee is found to have violated one of the City's policies regarding proper workplace conduct, he or she will be subject to discipline in the form of an unpaid suspension. Unpaid suspensions will not be used as disciplinary action in cases involving performance or attendance issues. Both exempt and non-exempt employees may be suspended without pay when they violate any of the following policies:

1. Workplace harassment
2. Discrimination
3. Dress and grooming (serious violations only)
4. Electronic Device or Computer usage
5. Substance abuse
6. Weapons in the workplace and workplace violence
7. Confidential and proprietary information
8. Conduct unbecoming of a city employee
9. Other policies that prohibit workplace misconduct, including fighting and gambling.
10. Violations of the purchasing policies of the City.
11. Disregard of safety policies
12. Failure to report workplace accident(s) or injury(ies)
13. Falsification of city records, including time sheets

5.10.02 This policy also extends, as applicable, to off-site and after working hours conduct that has a bearing on the employee's employment with, and/or the reputation of, the City.

5.11 ON-CALL PAY

Employees in the Utilities and Streets/Parks Department are required to be on-call for emergencies on a periodic, rotational basis. Each employee who is placed in on-call status is paid an additional amount while on-call per departmental policy.

6.00 WORK SCHEDULE AND TIME REPORTING

6.01 ADMINISTRATIVE WORKWEEK

- 6.01.01** The official work week for non-public safety employees is a seven-day period beginning at 12:01 a.m. on Monday and ending seven calendar days thereafter at midnight on Sunday night.
- 6.01.02** Normal working hours for most employees are Monday through Friday, 8:00 a.m. to 5:00 p.m., for a total of 40 hours per workweek. Law enforcement Public Safety employees work shifts as established by the department (see below). Other employees may be required to work shifts, other than 8:00 a.m. to 5:00 p.m. as may be established by department heads.
- 6.01.03** City employees are expected to report punctually for duty at the beginning of their assigned workday or shifts and to work the full workday or shift.
- 6.01.04** Other hours of work and official work periods for individuals or groups of employees may be set by the City Manager or department heads.
- 6.01.05** Other than public safety department personnel, employees who are non-exempt (hourly) shall leave the work area during any non-working time such as during meal times and breaks.

6.02 LAW ENFORCEMENT OFFICIAL WORK PERIOD

- 6.02.01** **Police Officer Work Schedules.** The police chief, in consultation with the City Manager, sets the work schedule annually for police personnel and notifies them in writing of their work schedule assignments prior to the beginning of each calendar year.
- 6.02.02** **207(k) Exception.** Employees of the City's police department work in shifts. In accordance with the exception allowable under Section 207 (k) of the Fair Labor Standards Act (FLSA), the City has established the following work period for its police officers.
- 6.02.03** **Official Work Period.** The official work period for police officers consists of 14 days with each shift consisting of 12 scheduled work hours per day. Each officer on each shift is allowed 30 minutes for each meal break during the shift, during which time he or she must remain in his or her vehicle or in contact with the department, thus counting as work time, for a total of 86 scheduled hours worked per 14-day work period.
- 6.02.04** **Regular and Overtime Hourly Rate.** Each officer's regular hourly rate for the purpose of computing the time and one-half overtime pay rate is based on 86 working hours per 14-day work period; and time and one-half overtime compensation or compensatory time will commence after the 86th hour worked in a 14 day period. The City utilizes the 207(k) exemption for the police department.

6.03 FIRE FIGHTER OFFICIAL WORK PERIODS

- 6.03.01** Fire Fighter Work Schedules. The Fire Chief, in consultation with the City Manager, sets the work schedule annually for fire personnel and notifies them in writing of their work schedule assignments prior to the beginning of each calendar year.
- 6.03.02** Section 7(k) Exception. Most employees of the City's fire department work in shifts. In accordance with the exception allowable under the Fair Labor Standards Act (FLSA), the City has established the following work period for its fire fighters.
- 6.03.03** Official Work Period. The official work period for fire fighters consists of 48 hours 'on' shift and 96 hours 'off' shift. Each fire fighter on each shift is allowed 30 minutes for each meal break during the shift, during which time he or she must remain in contact with the department, thus counting as work time.
- 6.03.04** Regular and Overtime Hourly Rate. Each fire fighter's regular hourly rate for the purpose of computing the time and one-half overtime pay rate is based on 212 working hours per 28-day work period; and time and one-half overtime compensation or compensatory time will commence after the 212th hour worked in a 28-day period.

6.04 SCHEDULE ADJUSTMENTS

Adjustments to the normal hours of operation of city facilities and the work schedules for affected employees may be made by the department heads in order to serve the public better.

6.05 NUMBER OF HOURS WORKED

The department head determines the number of hours worked by an employee for the compensation to be received subject to the City Manager's authorization, laws governing pay and working hours, and the provisions of the City's budget.

6.06 OVERTIME WORKED

The policy of the City is to keep overtime to a minimum. However, employees may be required to provide services in addition to normal hours or on weekends or holidays. Overtime is defined as hours worked in excess of the allowable number of hours under the Fair Labor Standards Act (FLSA). In the City, this is 40 hours per seven-day workweek for most non-public safety personnel.

6.07 EXEMPTIONS FROM FLSA (OVERTIME COMPENSATION)

- 6.07.01** The City Manager, department heads and other executive employees of the City are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and are expected to render necessary and reasonable overtime services with no additional compensation. The salary of an exempt position is established with this assumption in mind.
- 6.07.02** Each city job description designates whether persons hired in that classification are exempt from or covered by (nonexempt) the overtime provisions of the FLSA.
- 6.07.03** Extra hours worked by executive, administrative, and professional employees may be used as a factor in granting or denying paid leave other than vacation or sick leave.
- 6.07.04** Exempt employees will be eligible for overtime pay for hours worked in excess of 40 hours per week during and due to a formally declared disaster or emergency event.

6.08 EXPLANATION OF EXEMPTIONS FROM FLSA (OVERTIME COMPENSATION)

- 6.08.01** ‘Exempt’ and ‘Non-exempt’ are the two designations which indicate whether an employee is eligible for overtime compensation.
- 6.08.02** **Nonexempt.** (also known as ‘hourly’) A nonexempt employee is one whose position is covered under the overtime pay provisions of the Fair Labor Standards Act (FLSA) and will be compensated for overtime as required by law.
- 6.08.03** **Exempt.** (also known as ‘salary’) The term exempt employee refers to an employee who is not eligible for overtime pay under the provisions of the Fair Labor Standards Act (FLSA).

6.09 COMPENSATORY TIME

- 6.09.01** In accordance with the Fair Labor Standards Act (FLSA), the City may grant non-exempt employees compensatory time off (comp time) in lieu of compensation for hours worked in excess of 40 hours a week,
- Non-exempt employees may earn compensatory time off at one and one-half times the number of overtime hours worked up to a maximum of 40 hours. Compensatory time balances are carried over from year to year.
 - As a general rule, any compensatory time earned preferably should be used within three months of the date on which it is earned.
 - If an employee has substantial compensatory time on the books and has not requested time off, the City Manager may require the employee to take time off to reduce the balance in the employee's compensatory time account, provided that the City's work can be accomplished without the employee during that time.
 - In addition, if an employee requests other leave time off for any reason other than illness, and that employee has compensatory time on the books, then the requested leave must be charged to compensatory leave, unless or until the balance is depleted, before vacation or other leave may be used.

6.10 OVERTIME COMPENSATION

- 6.10.01** Exempt employees will not earn overtime or accumulate compensatory time.
- 6.10.02** Regular and temporary full-time employees who are in non-exempt positions and are not public safety employees are compensated for overtime worked by being given (by City's preference):
1. Compensatory Time Off (Comp Time), at one and one-half times the number of hours worked, up to a maximum of 240 hours, or
 2. Payment at the rate of one and one-half times the employee's regular hourly rate, if specifically authorized by the City Manager.
- 6.09.03** Regular and temporary part-time employees who are in non-exempt positions, and are not public safety personnel are not entitled to overtime compensation until they have worked in excess of 40 hours in a single work week, "Hours worked" for purposes of determining whether overtime or compensatory time in lieu of overtime is due does not include any hours not physically worked such as holidays, vacation or sick leave time, or unpaid absences. For Public Safety personnel, see charts for sections 6.02 and 6.03.

6.10.04 If it is not possible for the employee to use the compensatory time earned, the employee will be paid at the employee's regular, straight-time rate of pay for the total number of hours on the employee's compensatory time record at the time of termination.

6.11 HOLIDAYS WORKED

6.11.01 The City's basic policy is that each regular full-time employee receives a specified number of paid holiday days per year, as set forth in this manual. In most instances, if a regular employee is required to work on a scheduled holiday, he or she will be paid as described in section 9.02.02, or given an alternate day off, preferably within the same workweek or work period at the discretion of the department head. (See "Work During Holidays" section for a more detailed discussion of this policy.)

6.11.02 A non-exempt employee in a non-public safety department, subject to the overtime provisions of FLSA who is required to work a full 40 hours during a week in which he or she takes a paid holiday (does not work on the paid holiday) will be compensated for the holiday hours and, in addition, will be paid straight time for the hours worked over and above the regular weekly non-holiday hours for that week. No overtime is earned until a non-exempt employee actually works in excess of 40 hours in a single work week.

6.12 LEAVE OR HOLIDAYS TAKEN AND OVERTIME

If a full-time employee who is subject to the overtime provisions of FLSA is required to work extra hours during a workweek in which he or she has used sick leave, vacation leave, or any other type of released time (including holiday time off), the employee will be given either hour-for-hour time off or pay for the extra hours at the employee's regular straight-time rate of pay, at discretion of the department head. However, if the extra hours worked are more than the number of leave time hours taken, the employee will be compensated at one and one-half times the regular rate of pay for the number of extra hours worked which were not offset by the leave time hours taken.

6.13 TIME REPORTING

6.13.01 Employees must keep records of all hours worked, released time taken, and, where appropriate, hours credited to particular projects. Forms for this purpose are provided by the Director of Finance.

6.13.02 City employees are required to prepare city-approved timesheets reflecting the hours worked each day. Department heads are required to review and approve the time records for their department's employees before the time records are submitted to the Director of Finance for payroll purposes.

6.13.03 Department heads are responsible for ensuring that all hours worked and leave time taken are reported on the time sheets for payroll purposes. The Director of Finance also ensures that leave time earned and used by each employee is reflected on each employee's pay stub.

6.14 WEATHER AND OTHER EMERGENCIES

6.14.01 **Policy.** It is the City's policy during inclement weather, natural or man-made disasters, and other public emergencies, that each city employee may be designated as an essential employee necessary to provide for the safety and well-being of the general public. This determination is made by the City Manager or Emergency Management Coordinator. Each city employee designated essential is expected to report to work and remain at work until released by the authorized official.

6.14.02 **City Facilities Assumed Open.** In the case of a weather emergency, (e.g. snow, ice, or other weather event), a disaster, or other emergency on a workday, and unless a closing is announced in advance of reporting time, city personnel are required to report to work as usual unless the emergency conditions make it impossible to report safely to duty.

If city facilities are not closed and if weather or other emergency conditions make it impossible for an employee to report to work, the employee must notify his or her supervisor as soon as possible that the employee finds it impossible to report to duty safely. Time absent may be charged to available vacation, compensatory time, personal time, or leave without pay.

6.14.03 **Closing of City Facilities.** In the case of a weather emergency (e.g., snow, ice, or other weather event), disaster, or other emergency on a workday, the City Manager is authorized to designate the closing of city facilities. The City Manager is responsible for initiating the process of contacting employees. If city facilities are closed, city personnel who are not required to work that day will be paid for the actual time or day(s) that the City was officially closed. The City Secretary will attempt to have any closure of city facilities reported in the media and posted upon the official website of the City. Each employee is responsible for assuring that their Supervisor has the correct contact information to use to notify them of emergency procedures or closings. Failure of the employee to update contact information is an infraction of policy and may subject the employee to disciplinary action.

1. If an official city facility closing for weather or other emergencies occurs during an employee's scheduled vacation or personal day, that day will not count against the employee's vacation or personal leave balance.
2. If an employee reports to work and the City Manager or department head sends the employee home because of inclement weather or other emergency, the employee will be given credit for a full workday.

6.14.04 **Required Work During An Emergency.** The City has an Emergency Management Plan in place, the employees are encouraged to consult this Plan and familiarize themselves with their likely role(s) in the event of a major disaster. The City Manager, Mayor or Emergency Management

Coordinator may require employees to work during an emergency or disaster regardless of whether city facilities are open or closed and regardless of the extent or duration of the emergency. Employees may be required to provide services to protect the public's health and safety and to assure the continuation of, or recovery of, normal city business processes. An employee who refuses a directive from the City Manager, appropriate authorized official or a department head to report to work for all or part of an emergency period is subject to discipline by the City, up to and including termination.

7.00 BENEFITS

7.01 MEDICAL AND LIFE INSURANCE

7.01.01 Regular full-time employees of the City are eligible after 90 days of employment for group hospitalization, medical, life, and dental insurance coverage as allowed by the insurance plan(s). Premiums for full-time employees are paid by the City for the employee, except for dental.

A regular, full-time employee is enrolled in the City's group medical and life plan at no charge to the employee.

Eligible employees may add additional coverage and/or dependent coverage at the employee's expense as allowed by the medical plan.

7.01.02 Upon employment, each employee who is expected to be eligible for insurance coverage is given information about the City's insurance programs and amendments as provided by the City's insurance carrier(s). See the section on Continuation of Group Insurance for information on continued coverage after certain status changes.

7.02 SOCIAL SECURITY

Employees of the City are covered by Social Security. The City contributes to the social security system for each employee.

7.03 RETIREMENT

The City provides a retirement program for its employees through the Texas Municipal Retirement System (TMRS). Membership in the retirement system is mandatory for employees who work or are expected to work 1,000 hours or more, as determined by the City, during a 12 consecutive month period. Retirement deductions begin with the first day of employment. Both the employee and the City contribute to the employee's retirement account. At the time of employment, each new employee receives information about the City's specific retirement coverage and options.

7.04 WORKERS' COMPENSATION

All employees of the City are covered by the workers' compensation insurance program, and the City pays the premium. This coverage provides medical and salary continuation payments to employees who receive bona fide, on-the-job, work-related injuries. Detailed information about workers' compensation benefits is found in the sections of this manual under the main heading Health and Safety.

7.05 UNEMPLOYMENT INSURANCE

Employees of the City are covered under the Texas Unemployment Compensation Insurance program, and the City pays for this benefit. This program provides payments for unemployed workers in certain circumstances.

7.06 LEAVE TIME

Regular full-time city employees are eligible for holidays, vacation leave, sick leave, and other types of released time under certain circumstances. Detailed information about leave and other types of released time is found in the sections of this manual under the main headings Leave Time and Holidays.

8.00 LEAVE TIME

8.01 DEFINITIONS

- 8.01.01 Leave Time.** Leave time is time during normal working hours in which an employee does not engage in the performance of job duties. Leave time may be either paid or unpaid.
- 8.01.02 Holidays.** Holidays are days designated by the City Council when the city government is closed or on a limited work schedule on what otherwise would be regular business days.
- 8.01.03 Unauthorized Absence.** An unauthorized absence is one in which the employee is absent from regular duty without permission. Employees are not paid for unauthorized absences and such absences may be cause for disciplinary action.

8.02 APPROVAL OF LEAVE

- 8.02.01** If an employee is unable to report to work, he or she must notify his or her department head or the City Manager not later than one hour, or as required in department policy, of the employee's starting time unless an emergency exists. An employee of the Police Department or Fire Department must notify his or her immediate supervisor or the Chief according to the department policy, unless an emergency exists. In the case of an emergency, the employee or a designee should notify the City as soon as possible.
- 8.02.01** Leave taken by city employees must be approved by the employee's department head or by the City Manager Providing the required notification does not automatically excuse the absence or guarantee that the time off will be paid.
- 8.02.02** The Director of Finance is responsible for determining what leave has been earned and is available for use in the amounts requested by an employee. In addition, the Director of Finance is responsible for ensuring that all leave usage is recorded on employee time records for payroll purposes. Leave earned, used, and leave balances also are shown on each employee's pay stub each pay period. If an employee's absence after the cut-off date of the time reports would affect the amount of salary due, any necessary adjustments will be made in the employee's paycheck for the following pay period.

8.03 VACATION LEAVE

- 8.03.01** Regular full-time employees are eligible to earn paid vacation leave. Employees are encouraged to take regular vacations at least annually.
- 8.03.02** A new employee is not eligible to use vacation leave benefits until he or she has worked for the City for 90 consecutive days; however, the employee begins earning vacation leave from the first day of employment.
- 8.03.03** After completion of 90 consecutive calendar days, vacation hours earned become available to the employee. Vacation leave payment will not be made to any employee who separates during the first 90 days of employment with the City.
- 8.03.04** Regular part-time employees and temporary employees (full-time or part-time) do not earn vacation leave.

8.03.05 Accumulation of Vacation Leave. Employees are encouraged to use their earned vacation leave each year as it is earned. Unused vacation leave of up to 200 hours can be carried over to the next calendar year. Vacation is earned each pay period according to the following schedule for all regular, full-time employees:

Non Public Safety Employees

Length of Service	Hours Earned Per Pay Period
0 – 5 years	3.07 Hours
More than 5 years – Fewer than 10 years	4.61 Hours
More than 10 years	6.15 Hours

Law Enforcement Employees (working 12 hour shifts)

Length of Service	Hours Earned Per Pay Period
0– 5 years	3.30 Hours
More than 5 years – Fewer than 10 years	4.96 Hours
More than 10 years	6.61 Hours

Fire Fighters (working 48 hour shifts)

Length of Service	Hours Earned Per Pay Period
0 – 5 years	4.30 Hours
More than 5 years – Fewer than 10 years	6.45 Hours
More than 10 years	8.62 Hours

- 8.03.06** Annually, on the last day of the calendar year, any vacation leave balance in excess of the maximum (200 hours) is reduced to the maximum without compensation to the employee.
- 8.03.07** **Payment for Unused Vacation Leave Upon Separation.** When a regular employee leaves the service of the City, he or she will be paid for earned but unused vacation leave not to exceed 200 hours. The rate of pay will be determined by the salary rate in effect at the time of termination. In addition, a retiring employee may use up to 200 hours of unused vacation leave immediately prior to retirement.
- 8.03.08** **Scheduling Vacation Leave.** Employees should schedule their vacations and request leave well in advance, and vacation schedules must accommodate the city's work schedule. Provided city workloads will permit, employees will be allowed to select their desired vacation periods. If there is a conflict in vacation schedules involving two or more employees, employees are granted their preference on a "first come, first served" basis. If two requests are received at approximately the same time and cover the same requested vacation period, the employees will be granted their preference in accordance with their seniority. If the desired leave schedules conflict with city requirements, the city's requirements are given first consideration.
- 8.03.09** An employee may take earned vacation leave in increments of one hour or more.
- 8.03.10** **Use of Vacation Leave.** Regular, full-time employees are charged with vacation leave in the amount of the number of hours they work in a customary shift for each full day they are absent on approved vacation leave. Use of vacation leave for any time period(s) less than a full day is recorded in increments of one hour or more.

8.04 SICK LEAVE

- 8.04.01** A regular, full-time employee with earned sick leave may use it if the employee is absent from work due to:
1. Personal illness or physical or mental incapacity;
 2. Medical, dental, or optical examinations or treatments;
 3. Medical quarantine resulting from exposure to a contagious disease; or
 4. Illness of a member of the employee's immediate family who requires the employee's personal care and attention. For this purpose, immediate family is defined as the employee's spouse, child(ren), parents, or any relative who resides in the employee's household and is dependent on the

employee for care.

- 8.04.02 Accrual/Accumulation of Sick Leave.** Part-time regular employees and temporary employees (full-time or part-time) do not earn sick leave. Regular full-time employees are entitled to paid sick leave. Sick leave is earned at a rate of 4 hours every biweekly pay period for Administrative, Utility, Street/Park and Police personnel. For Fire Fighters, the accrual is 5.17 hours per pay period. Unused sick leave of up to 960 hours (approximately 120 days) can be carried over to the next calendar year. Annually, on the last day of the calendar year, any sick leave balance in excess of the maximum is reduced to the maximum without compensation to the employee.
- 8.04.03 Use of Sick Leave.** Earned sick leave can be used as it is needed and as approved by an employee's department head or the City Manager. An employee may take earned sick leave in increments of one hour or more.
- 8.04.04 Notification Requirements.** Approval of sick leave for non-emergency medical, dental, or optical appointments must be secured at least one day in advance. In all other instances of use of sick leave, the employee must notify his or her department not less than one hour before the scheduled work time on the first day of absence, unless emergency conditions exist, and must request that approval of sick leave be granted. In the case of an emergency, the employee or a designee should notify the City as soon as possible. The employee or, in emergencies, a designee also must contact the department head each subsequent day he or she will be out on sick leave unless other arrangements are made.
- 8.04.05** Failure to provide the required notice may result in the employee's being placed on leave-without-pay status and could result in disciplinary action. Employees are expected to return to work as soon as their reason for leaving has been accomplished.
- 8.04.06** Regular, full-time, employees are charged with eight hours of sick leave for each full day they are absent on approved sick leave. Police and Fire Department personnel are charged for the number of hours in a shift for each workday absent.
- 8.04.07** Sick Leave is not a form of vacation leave and should be used prudently and judiciously. The frequent, routine and/or immediate use of sick leave as it is earned, may be considered an indicator of 'Sick Leave Abuse'. Use of sick leave without adequate justification is cause for disciplinary action, including dismissal.
- 8.04.08 Medical Statement.** When an employee has used three or more consecutive days of sick leave, the employee must furnish a physician's statement stating that the employee has been under doctor's care and has been unable to report to work. An employee returning from a sick leave absence of 5 or more consecutive days must also provide a 'release to work'

or fitness for duty statement from a physician that states that the employee is able to perform the essential functions of the employee's position and stating any limitations that may apply. A copy of the employee's job description may be provided for the physician's reference. It is the obligation of the employee to provide the job description to the physician.

8.04.09 Exhaustion of Sick Leave. An employee who has exhausted earned sick leave benefits may request to use accumulated vacation or other paid leave or may request leave of absence without pay. No advance of unearned sick leave benefits will be made for any reason.

8.05 Sick Leave Pool. Basic Policy: The Sick Leave Pool is intended to lessen hardship caused to an employee and/or the employee's immediate family by providing a source of additional sick leave for those employees who have exhausted all leave time earned because of a catastrophic injury or illness suffered by the employee and/or a member of the employee's immediate family, "Employee" is defined for purposes of this policy as a full-time employee regularly scheduled for a minimum of 36 hours per week, are eligible for group benefits and who have worked for the City for at least six months. "Immediate family" members are those individuals related by kinship, adoption, marriage or foster children who are certified by the Texas Department of Human Services. This includes the employee's spouse, children of any age, parents, and any legal dependents who are living in the same household as the employee or, if not in the same household, are totally dependent on the employee for personal care or services on a continuing basis. A catastrophic injury or illness is defined as a severe condition or combination of conditions affecting the mental or physical health of the employee, or qualified family member that requires the services of a licensed practitioner for a prolonged period of time and that forces the employee to exhaust all leave time earned by the employee and therefore to lose compensation.

- . A severe condition or combination of conditions is one that:
 - will result in death or is a severely debilitating condition that will result in the individual not meeting the essential functions of their job if not treated promptly or at regularly scheduled intervals (e.g. chemotherapy treatments, radiation treatments, etc.);
 - has been designated as terminal; or
 - fully incapacitates the employee from working for more than ten business days.

Use of Sick Pool Leave is intended for employees who have catastrophic injury or illness, most likely of an unexpected nature. Elective surgery that is scheduled in advance and is performed without complications is not a sufficient cause for request of Sick Leave Pool hours

08.05.01 Special Provisions and Restrictions:

- a) If an employee does not use all Sick Leave Pool hour which they have been granted, the unused time will be returned to the Sick Leave Pool.
- b) Sick Leave Pool hours should be requested before the hours are needed, or as soon as possible when the employee is aware that his/her benefit hours are becoming exhausted. Also, the granting of sick leave from the pool cannot alter or otherwise change the terms and expected duration of employment of the employee or other conditions and rules related to employment.
- c) Exceptions to the Sick Leave Pool Policy may be granted at the discretion of the City Manager.
- d) Estate Entitlement. The estate of a deceased employee is not entitled to payment for unused sick leave acquired by that employee from the Sick Leave Pool or previously donated to the pool.
- e) Equal Treatment. All eligible employees will have equal access to the Sick Leave Pool, and employees absent on sick leave through the Sick Leave Pool will be treated for all purposes as if the employee were absent on earned sick leave. Additionally, decisions to allocate pool resources to eligible employees will be equitable, consistent, and without regard to employee classification or any other legally impermissible reason.
- f) All City of Granite Shoals restrictions on permissible uses of sick leave apply to the use of Sick Leave Pool hours. Additionally:
 - a. In no case may Sick Leave Pool hours be used in conjunction with a Workers' Compensation claim.
 - b. The employee cannot be eligible for or receiving disability benefits from any employee benefit program.
 - c. The catastrophic injury cannot be one sustained during the commission of a crime.

08.05.02 Contributing to the Sick Leave Pool. The Sick Leave Pool is administered by City Secretary/Human Resources Manager. Employees are invited to contribute to the sick leave bank to assist fellow co-workers in their time of need. Contributions are strictly voluntary. An employee wishing to donate hours must fill out a Sick Leave Pool Contribution Form, available from the City Secretary/Human Resources Manager specifying the type and amount of leave to be donated. When a Contribution Form is received by the City Secretary/Human Resources Manager, the number of days donated will be credited to the Sick Leave Pool and deducted from the accrued leave of the employee making the contribution. An employee wishing to donate hours must maintain a balance of 160 hours of combined sick and annual leave for his or her own use. Employees may contribute in

increments of one full day from 8 to 80 hours each fiscal year to the sick leave pool if they have the appropriate leave balances. Employees cannot stipulate who receives the contribution, nor can they get contributed sick leave back unless they are eligible to use hours from the pool and a valid request is approved. Employees may contribute, at the time of separation of employment, up to forty (40) hours of sick leave.

08.05.03 Withdrawals of Leave. An employee wishing to withdraw leave from the Sick Leave Pool must fill out a Sick Leave Pool Withdrawal Form, available from the City Secretary/Human Resources Manager and submit it to the City Secretary/Human Resources Manager. A medical certification will be required to support the existence of a catastrophic illness or injury as defined by this policy. **The medical certification must be submitted with the Withdrawal Form.** Withdrawals from the Sick Leave Pool are subject to the approval of the City Manager. Eligible employees may withdraw up to forty-five (45) days of leave or 1/3 of the total amount of leave credited to the Sick Leave Pool, whichever is less. Withdrawals are limited to one per calendar year.

8.06 **Illness While on Vacation Leave.** When an illness or physical incapacity occurs during the time an employee is on vacation leave, earned sick leave may be granted to cover the period of illness or incapacity and the charge against vacation leave reduced accordingly. Application for such substitution must be supported by a medical certificate or other acceptable evidence, and application must be made immediately, in writing to the Department Head, upon the employee's return to duty.

8.07 **Cancellation Upon Termination.** Unused sick leave is canceled upon termination of employment, without compensation to the employee.

8.08 **Outside Employment.** Employees who are on approved sick leave may not work a second job including self-employment while on sick leave, even if they have written authorization from the City Manager to work a second job. Any exception to this policy must be obtained in writing from the City Manager.

8.09 FAMILY AND MEDICAL LEAVE

All governmental employees are covered under the Family and Medical Leave Act (FMLA). However, in order to be eligible to receive FMLA leave, an employee, among other criteria, must work for an employer with 50 employees within 75 miles of the worksite. The City of Granite Shoals does not currently have 50 employees. Therefore, no employee of the City of Granite Shoals is eligible to take FMLA leave.

8.10 MILITARY LEAVE

- 8.10.01** Regular employees who are members of the State Military Forces or members of any of the Reserve Components of the Armed Forces of the United States are entitled to a temporary leave of absence from their duties, without loss of time or efficiency rating, vacation time, or salary on all days during which they are engaged in authorized training or duty ordered by proper authority, normally not to exceed 15 days in any one federal fiscal year. Employees will continue to receive pay from the City during this authorized training.
- 8.10.02** Requests for approval of military leave must have copies of the relevant military orders attached. Confirmation that military duty was performed must be provided by the employee. Unused military leave does not carry over to the next year.
- 8.10.03** Regular employees who are ordered to extended active duty with the state or federal military forces are entitled to all of the reemployment rights and benefits provided by law upon their release from active duty. Before returning to duty, the employee must provide the City with the appropriate notice and documents specified in the state and federal statutes in effect at the time.
- 8.10.04** The City will abide by the provisions of the Uniformed Services Employment and Re-Employment Rights Act (USERRA) and will grant military leave to all eligible full-time and part-time employees. Military leave will be granted to full-time and part-time employees for a period of four years plus a one-year voluntary extension of active duty (five years total) if this is at the request and for the convenience of the United States government.
- 8.10.05** As with any leave of absence, employees must provide advance notice to the City Secretary/Human Resources Manager of the employee's intent to take a military leave and must provide appropriate documentation unless giving such notice is impossible, unreasonable, or precluded by military necessity.
- 8.10.06** An employee's salary will not continue during a military leave unless required by law. However, an employee may request to use any earned vacation, compensatory time, or personal leave time during military leave. Benefit coverage will continue for 31 days as long as the employee pays the normal portion of the cost of benefits. For leaves lasting longer than 31 days, an employee will be eligible to continue health benefits under COBRA and will be required to pay 102 percent of the total cost of health benefits if he or she wishes to continue benefits.
- 8.10.07** Upon return from military leave, an employee will be reinstated with the same seniority, pay, status, and benefit rights that he or she would have had if the employee had worked continuously. Employees must apply for employment within 90 days of discharge from the military. Employees who fail to report for work within the prescribed time after completion of military service will be considered to have voluntarily terminated their employment.

- 8.10.08** If the employee's military service was for less than 90 days, the City will restore the employee to the same job the employee held at the time the leave commenced. If military service was longer than 90 days, the employee will be restored to the same job or a similar job. There are special extensions of time for returning employees who are hospitalized for or convalescing from injuries that incurred or were aggravated by military service.
- 8.10.09** If the employee participated in the City's TMRS retirement plan at the time the military leave commenced, the employee will be permitted to make additional contributions to the plan. Employees may initiate these additional payments as of their reemployment date and continue them for the period of time permitted by law.
- 8.10.10** If a city employee requests extended military leave, the City Manager will seek the advice of the City's legal counsel to ensure the City's compliance with both the state and federal laws regarding employees called to military service. Likewise, when an employee returns from military service, the City Manager will consult the City's legal counsel to ensure that all rights and privileges of re-employment are provided to the employee.

8.11 CITIZENSHIP LEAVE

- 8.11.01** Employees are granted citizenship leave with pay for jury duty, for serving as a subpoenaed witness in an official proceeding, and for the purpose of voting. In the case of jury duty and witness duty, the employee must present evidence of the requirement to attend.
- 8.11.02** When an employee has completed citizenship leave, he or she must report to the City for duty for the remainder of the workday. If the employee will be absent from work for more than one workday on civil leave, he or she must notify his or her department daily at the beginning of each workday.

8.12 LEAVE OF ABSENCE

- 8.12.01** A leave of absence (LOA) is an approved absence from duty of more than ten (10) working days and may be with, or without pay. Such leave will not be authorized unless there is a reasonable expectation that the employee will return to employment with the City at the end of the approved period. All requests for LOA must be submitted on a Leave Request form and must be authorized by the City Manager. Any documentation supporting the need for the leave must be submitted with the leave request. If the need for the leave is medical, this means a physician's statement regarding the need for the leave and the expected duration of the leave. If approved, information regarding the leave, including the request and supporting documentation, the City's Manager's approval including the approved duration and conditions, and any documents pertaining to an extension of leave, if any, will be placed in the employee's personnel file. All accrued leave and

compensatory time must be exhausted and runs concurrently with a LOA. Accrued sick leave may be used only in connection with a LOA based on medical necessity. After exhaustion of all paid leave, the remaining LOA, if any, is unpaid. Employees on leave of absence without pay receive no compensation and earn no benefits. However, previously earned leave balances, benefits, and seniority are retained during authorized leaves of absence unless otherwise prohibited by the terms or provisions of the benefit programs. Granting a leave of absence is at the discretion of the City Manager taking into consideration the reason for the leave, the anticipated length of absence, and the operational needs of the City.

- 8.12.02** During an authorized leave of absence without pay, medical insurance can be continued if the employee pays the premiums (including the City's portion) in full in a timely manner.
- 8.12.03** **Revocation of Leave.** A leave of absence may be revoked upon receipt of evidence submitted that the cause for granting such leave was misrepresented, or has ceased to exist.
- 8.12.04** **Authorized Reasons for Leave.** A leave of absence may be appropriate for the following reasons:
1. Military service (see also section on this type of leave);
 2. Recovery from extended illness or temporary disability (see also section on this type of leave);
 3. Educational purposes, when successful completion will benefit the City;
 4. Public service assignments; or
 5. Any other reason which, in the judgment of the City Manager, merits a leave of absence.
- 8.12.05** **Return to Work After Leave Without Pay.** Upon returning to work after an authorized leave of absence without pay, an employee receives an adjusted employment date and adjusted anniversary date which reflect the period of time that the employee used for leave of absence. This adjusted date will be used for the purpose of calculating vacation leave accrual and any other benefits that may be based on longevity.
- 8.12.06** **Fitness for Duty Statement:** If a LOA was approved for a medical reason, the employee must provide a physician's fitness for duty statement which states that the employee can perform the essential functions of his or her job and which identifies any physical limitations that apply. A copy of the employee's job description will be provided for this purpose.

8.13 EMERGENCY (BEREAVEMENT) LEAVE

8.13.01 A regular, employee is eligible for paid emergency (bereavement) leave of up to three days to arrange for or to attend the funeral of a member of the employee's or the employee's spouse's immediate family. For this purpose, immediate family is defined as the employee's spouse; a child of the employee or of the employee's spouse; brothers, sister, parents or grandparents of the employee or the employee's spouse; or a relative who resides in the employee's household and is dependent on the employee for care.

8.13.02 Emergency leave must be approved by the employee's Department Head.

8.14 ADMINISTRATIVE LEAVE

The City Manager may authorize administrative leave, with or without pay, when warranted by unforeseen circumstances not otherwise provided for in these policies.

8.15 INJURY LEAVE

For information on occupational disability or injury leave for bona fide, on-the-job, work-related injuries, please see the sections in this manual under the main heading Health and Safety, Section 10.00.

9.00 HOLIDAYS

9.01 HOLIDAYS – GENERAL

9.01.01 Paid holidays are days established each year by the City Council. The following normally are observed as paid holidays for regular full-time and regular part-time employees (up to 12 work days/shifts):

- New Year's Day (January 1st)
- Martin Luther King, Jr. Day
- Good Friday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day After Thanksgiving Day
- Day before Christmas (December 24)
- Christmas Day
- One personal day (any day upon approval of the department head, see Section 9.04))

9.01.02 Regular part-time employees are eligible for holiday pay for the number of hours they would ordinarily have been scheduled to work. Should a holiday fall on Saturday or Sunday and be observed on the preceding Friday or the following Monday, regular part-time employees shall be compensated if the rescheduled holiday is a day they would ordinarily have been scheduled to work.

9.01.03 Whenever an approved legal holiday falls on a Saturday or Sunday, it will be observed on the Friday preceding or the Monday following, as determined by the City Manager.

9.01.04 An employee who is absent without approved leave on the workday immediately preceding or following a holiday will not be paid for the holiday.

9.02 WORK DURING HOLIDAYS

9.02.01 It is not always feasible to grant holidays at the scheduled time. The City Manager or a department head may find it necessary to direct some or all employees to report for work on any holiday. Public Safety employees work holiday schedules as established by the Chief

of Police or the Fire Chief, as appropriate.

9.02.02 All non-exempt employees who are required to work on a holiday will be paid holiday hours for their regular shift at the regular rate of pay, and will receive additional pay for the hours actually worked on the holiday, also at the employee's regular rate of pay. (See Section 6.10 Holidays Worked)

9.02.03 If a holiday falls on a regular, full-time, fire department employee or law enforcement officer's regular day off, the fire fighter or officer will be paid straight-time for the number of hours in the employee's customary shift for the holiday.

9.03 HOLIDAY DURING VACATION

If an official holiday falls within a regular employee's vacation, the employee will be granted the holiday and not charged for a day of vacation.

9.04 PERSONAL HOLIDAY

Per calendar year, each full-time employee is granted one (1) Personal Day for use as a holiday. This holiday must be used during the calendar year it is earned; it cannot 'roll over' to a new calendar year. The Personal Day holiday can be taken with prior approval of the Department Head. The Personal Day holiday should be taken in one-shift-day increments – just as any other holiday. Full time employees who have worked for the City for six (6) months and who are not currently on probation or working under a performance improvement plan are eligible to request use of their Personal Day Holiday. Employees leaving the employ of the City are not eligible to receive payment for an unused Personal Day Holiday.

10.00 HEALTH AND SAFETY

10.01 SAFETY POLICY

It is the policy of the City to make every effort to provide healthful and safe working conditions for all of its employees.

10.02 EMPLOYEE RESPONSIBILITIES AND REPORTS

10.02.01 Employees are responsible for conducting their work activities in a manner that is protective of their own health and safety, as well as the health and safety of other employees and the customers served by the City. Employees must comply with all city safety rules and regulations as applicable.

10.02.02 An employee must report every on-the-job injury, no matter how minor, to his or her department head as soon as possible following such an occurrence. The department head is responsible for notifying the City Secretary/ Human Resources Manager and the City Manager and for filing a written accident report with the City Secretary's office within 24 hours of being made aware of an accident.

10.02.03 Failure to report an on-the-job injury, no matter how minor, is grounds for disciplinary action. An injured employee has to notify his employer of an injury not later than the 30th day after the date on which the injury occurred.

10.03 EMPLOYEE SAFETY SUGGESTIONS

10.03.01 Employees are to report immediately to their department head any conditions that in their judgment threaten the health and safety of employees and visitors.

10.03.02 Employees are encouraged to make suggestions to their department head or to the City Manager for improvements that would make the city workplace safer or more healthful.

10.04 ON-THE-JOB INJURIES AND WORKERS' COMPENSATION

10.04.01 **Insurance.** The City provides workers' compensation insurance for its employees. This insurance provides medical expenses and a weekly payment if an employee is absent from work because of a bona fide, on-the-job, work-related injury for more than one week. All workers' compensation insurance claim forms must be submitted to the City Secretary/Human Resources Manager or City Manager immediately for appropriate action to be taken.

- 10.04.02** **Medical Attention.** An employee who sustains a bona fide, on-the-job, work-related injury may seek medical attention from a medical facility or professional on the Workers Compensation carrier's list of doctors (currently Alliance website, www.pswca.org) unless it is an emergency, in which case the employee can seek care from nearest facility. Any follow up appointment must be with a doctor on the city's Workers Compensation carrier (currently Alliance) list of doctors. The City encourages employees to return to work as soon as they are able to do so. An employee returning to work must submit a physician's statement of release to return to work, listing any limitations. As determined by the City Manager, at the City's expense, an employee may be required to submit to examination by an independent physician.
- 10.04.03** **Initiation of Injury Leave.** Injury leave begins on the first scheduled workday of absence due to an on-the-job injury and continues until the employee returns to work, his or her eligibility expires, the employment is terminated or the employee is removed from injury leave coverage by the City Manager.
- 10.04.04** **Compensation.** If a full-time employee sustains a bona fide, on-the-job, work-related injury which renders him or her unfit for performing the duties of the job, and if earned sick leave is available, the employee is placed on sick leave status and receives full pay minus deductions for up to one week.
- 10.04.05** After the one-week waiting period, the employee is taken off of the City's payroll and receives only the workers' compensation payment. The employee may not use earned sick leave to supplement workers' compensation payments. Employees may use earned, accrued vacation leave during periods of workers' compensation leave upon request.
- 10.04.06** An employee receiving workers' compensation payments does not earn vacation or sick leave and is not entitled to receive holiday pay.
- 10.04.07** Employee Responsibilities.
- An employee on injury leave and receiving workers compensation payments from the city's workers' compensation carrier, will be required to provide periodic reports to the workers' compensation carrier appropriate representative (usually the adjuster), as requested. The employee must notify the workers' compensation carrier representative of any change in the treatment, prognosis or status in ability to return to work (this is usually handled by having the medical provider send a DWC 73 report regularly to the carrier). The workers' compensation carrier representative customarily communicates directly with the injured employee.

- An employee on leave and receiving workers compensation payments from the city's workers' compensation carrier, will be required to maintain contact with the City Secretary/Human Resources Manager for filing reports.
- The injured employee must maintain communications with the Department Head and City Manager regarding status of the employees leave.
- Employee must notify city if he/she quits their position while on workers' compensation, or if, at the time of resignation, he/she has a claim pending.
- If an employee is earning any income while on workers comp he must notify the workers' compensation carrier representative so he/she can adjust the weekly compensation checks.

10.04.08 City Responsibilities.

- The City Secretary/Human Resources Manager, will provide guidance for employee regarding contacting the appropriate representative at the city's workers' compensation carrier (usually the adjuster).
- The City Secretary will, upon receipt of the report of injury from the Department Head, instigate the process of filing the report(s) of injury and any supplemental reports requested by the workers compensation carrier.
- Upon request, the City Secretary will update medical providers with appropriate billing information for filing workers' compensation claims.
- The City Secretary maintains a copy of the status report showing an employee is released for light duty or full duty.

10.04.09 Light Duty Status. During the course of an occupational disability leave of absence, if an employee is released by his or her doctor for light duty, the employee's job or alternative job assignment(s) will be evaluated for a determination of whether a position is available in which the City can use the employee's limited services for an interim period of time not to exceed 90 days. If such position is available, the employee will be sent a Bona Fide offer of employment letter which the employee will be required to sign and return to the City Secretary. The letter will contain information about job tasks, location, supervisor, rate of pay and other specifics of the modified duty position.

If no modified-duty assignment can be found, the employee will be placed on inactive status until released by the doctor and by workers' compensation to return to his or her previous job.

An employee who is able to return to work in light duty status may be required to work in a different department and perform duties not contained within his or her regular job duties. When an employee is assigned to light duty status and is performing different duties, he or she will be paid according to the level of pay that he or she would receive for the light duty job. In addition, the employee may receive workers' compensation payments in a reduced amount.

10.05 EMPLOYMENT IDENTIFICATION CARDS/BADGES

- 10.05.01** The City may issue employee identification cards or badges to regular full-time and regular part-time employees. Badges or cards may also be issued to other employees who require city identification while working on city projects.
- 10.05.02** The identification cards/badges should be worn or carried at all times when an employee is acting in an official capacity (on duty). The badge/card is to be used as identification if requested by a member of the public or another city employee.

11.00 DRUG AND ALCOHOL ABUSE

11.01 DRUG-FREE AND ALCOHOL-FREE WORKPLACE

- 11.01.01** The following policy has been adopted to implement the City of Granite Shoals' desire to establish itself as a Drug-Free and Alcohol-Free Workplace. In all instances where reference is made to alcohol, drugs, or other controlled substances, the references include inhalants.
- 11.01.02** All employees of the City are hereby notified that the manufacture, distribution, dispensing, possession, or use of a controlled substance or alcoholic beverage is prohibited in the workplace of the City or while representing the City off premises. Employees who violate this policy will be subject to immediate disciplinary action up to and including termination. Notwithstanding the foregoing, employees attending city events or on behalf of the city may drink alcoholic beverages at the event so long as they do not drink to excess or in a manner that damages the reputation of the City. Underage, or over-the-limit alcohol consumption while representing the City off premises is prohibited.
- 11.01.03** At the City's discretion, an employee may be required to obtain substance abuse education, substance abuse counseling, and/or enter and complete a substance abuse treatment program.
- 11.01.04** All employees of the City will abide by the terms of this policy and will notify the City of any misdemeanor or felony drug conviction no later than five days after such conviction.
- 11.01.05** The City will notify any funding agency providing federal funds to the City of a conviction by a covered employee for violation of this policy within 10 days after receiving notice under the above paragraph from an employee, or otherwise receiving actual notice of such conviction.
- 11.01.06** An employee convicted of violation of a criminal drug statute is subject to discipline including termination.
- 11.01.07** The City will make a good faith effort to continue to maintain a drug-free and alcohol-free workplace through the implementation of this policy.
- Employees taking prescription medication and/or over-the-counter drugs must report such use to the department head if there is a probability that the medication will impair the employee's ability to perform the essential functions of the job, or if the employee feels impaired, or if there is a probability that the medication will impair the employee's ability to exercise judgment or discretion, or if alcohol or drug test results would be positive as a result of such use.

11.02 PURPOSE OF DRUG TESTING PROGRAM

11.02.01 The purpose of this policy is to ensure a safe working environment and to protect the health and safety of the public by requiring that employees and applicants be free from drug dependence, illegal drug use, and drug abuse.

11.02.02 The intent of the policy is as follows:

1. To provide clear guidelines and consistent procedures for handling incidents of employees' use of alcohol, drugs, or controlled substances that affect job performance, and to make every effort to institute and maintain a drug-free workplace;
2. To ensure that employees conform to all state and federal regulations regarding alcohol, drugs, or controlled substances; and
3. To provide substance abuse prevention education for all employees.

11.03 GENERAL POLICY

11.03.01 City employees shall not take any narcotic or dangerous substance unless prescribed by a person licensed to practice medicine. Any statutory-defined illegal use of drugs by an employee, whether during or outside City employment hours, will not be tolerated.

11.03.02 City employees who have a reasonable basis to believe that another employee is illegally using drugs or narcotics must report the facts and circumstances immediately to their supervisor.

11.03.03 Failure to comply with the intent or provisions of this policy may be used as grounds for disciplinary action. Refusal by an employee to take the required drug test or follow this general policy will result in immediate relief from City duties pending disposition of any administrative personnel action.

11.03.04 If a covered employee fails a drug or alcohol test, the City may terminate the employee immediately, in which case the City will inform the employee where he/she can get help.

11.04 DRUG AND ALCOHOL TESTS

11.04.01 Employees who occupy safety sensitive positions are subject to five types of testing for both drugs and alcohol: pre-employment, post-accident, random, reasonable suspicion, and return to duty. All other city employees are subject to four types of testing: pre-employment, post-accident, reasonable suspicion, and return to duty. A "safety sensitive position" is one in which the employee holding the position is responsible for the employee's own safety or for the safety of others, including without limitation all employees who drive city vehicles or operate city machinery.

11.04.02 **Pre-Employment Testing.** The City performs pre-employment drug/alcohol tests on all new employees, after extending a conditional offer of employment, but prior to the first day of work. In addition, the

City must and will request the results of U.S. Department of Transportation (DOT) drug tests from previous employers for employees required to hold a commercial driver's license.

- 11.04.03 Post-Accident Testing.** The City shall test an employee involved in any city vehicle or motorized equipment accident, for drug and alcohol use.
- 11.04.04 Random Testing.** For vehicle operator positions requiring a commercial driver's license (CDL), the City may perform unscheduled, random tests of employees. All safety sensitive positions are subject to random testing.
- 11.04.05 Reasonable Suspicion Testing.** All employees are subject to drug and alcohol testing based upon a reasonable suspicion that the employee is under the influence of a drug or alcohol while on duty. All supervisors of employees whose positions require that the employee possess a commercial driver's license (CDL) are required to attend two hours of U.S. Department of Transportation-approved training in how to identify the symptoms of drug and alcohol abuse. If a supervisor believes a reasonable suspicion exists that an employee under his or her supervision is abusing alcohol or drugs, the supervisor must obtain the concurrence of the department head or the City Manager, or in both of their absences, of one other department head, before sending an employee to be tested.
- 11.04.06 Return-to-Duty Testing.** If an employee is allowed to return to duty after having been sent home or suspended as a result of a drug or alcohol test, he or she will be tested for illegal drugs and alcohol and may not return to duty unless found to be drug and alcohol free. In addition, an individual randomized drug-testing schedule will be developed for the employee or driver for a time period not to exceed 60 months.
- 11.04.07** An employee who refuses to submit to testing will be discharged.

11.05 POSITIVE TEST RESULTS

A positive test means either the presence of a drug or of alcohol in prohibited concentrations. Sample testing procedures shall conform to scientifically accepted analytical methods and procedures and shall include confirmation of any positive test result by gas chromatography/mass spectroscopy, or other comparably reliable analytical method, before the results of any test may be used as a basis for any action. Both screening and confirmatory urine testing will follow the guidelines adopted by the United States Department of Transportation.

11.06 POLICY PARAMETERS

- 11.06.01** The following parameters have been established by the City for implementing the Drug and Alcohol Testing Program:

1. For confidentiality, only city department heads who have a need to know will be informed of positive results of fitness for duty examinations. Employee privacy will be protected and the employer, without exception, will punish any breach of the workers' privacy and confidentiality.
2. The City will use only laboratories that are certified under appropriate federal and/or state regulations. The laboratories should follow the guidelines adopted by the United States Department of Transportation for workplace urinalysis.
3. Only conclusive results are to be reported to the City. A positive urinalysis test will be confirmed by a second test using gas chromatography/mass spectroscopy. Both tests must be positive or the results are considered inconclusive thereby causing a negative presence of substances to be reported to the City.

12.00 USE OF AND ACCOUNTABILITY FOR CITY EQUIPMENT AND PROPERTY

12.01 USE OF CITY PROPERTY – GENERAL

Within the limits of budgets and available technology, the City's policy is to provide each employee with the equipment and tools to conduct his or her city business in a safe and effective manner. For some employees, this includes use of vehicles and motorized equipment.

12.02 USE OF TOOLS, EQUIPMENT, PROPERTY, AND VEHICLES

12.02.01 Each employee is responsible for the proper use and maintenance of and equipment, devices, tools, machinery, vehicles, or motorized equipment assigned to the employee for use in city operations.

12.02.02 Use of city equipment, tools, devices, vehicles, machinery, motorized equipment, or supplies for private or political purposes is prohibited. Employees authorized by the City Manager to take a city-owned vehicle home, shall use the city vehicle for city purposes only.

12.02.03 City computers, electronic equipment, and software are to be used for city business. No software other than software approved by the City Manager or an employee's department head may be installed, kept, or used on a city computer or other electronic hardware. This limitation on software is to avoid software that may interfere with the operation of the City's computer systems and other electronic hardware or may contain computer viruses that could cause operational problems or the loss of city data. Access to the internet, e-mail and messaging, and voice mail through city computers and other electronic hardware is for city business only. See also the sections of these policies relating to **Communications** in the chapter on **Employee Responsibilities**.

12.02.04 City property, including facilities, desks, files, vehicles, motorized equipment, telephones, and computers, is subject to city inspection and removal of illegal or unauthorized items. There is no expectation of privacy. See also the section of these policies relating to **Searches**.

12.03 VALID DRIVER'S LICENSE

12.03.01 Operators of vehicles and motorized equipment used in city business are required to have the valid State of Texas driver's license necessary for legal operation of that vehicle or equipment and to notify their department head of any changes of status in licenses. A department head, the City Manager, or City Secretary may conduct periodic checks of the driving records of employees who operate city vehicles or are required to use their personal vehicle to conduct city business. Failure to maintain a safe driving record may be grounds for disciplinary action including dismissal. An employee who has two or more moving

violations in a single year, is arrested for and charged with driving under the influence, or has a driver-caused motor vehicle accident while driving a city vehicle has an unsafe driving record for purposes of this policy.

12.03.02 Suspension, revocation, or lapse in the validity of the required driver's license of an employee who operates vehicles or motorized equipment in the conduct of city business will result in termination of employment. (See also Section 3.11)

12.04 ACCIDENT REPORTING

An employee working on city business who is operating a city vehicle or city motorized equipment which is involved in an accident, no matter how minor, must notify the Police Department and the employee's department head. The department head must notify the City Secretary/Human Resources Manager immediately. Failure to make the required notification immediately is grounds for disciplinary action.

13.00 DISCIPLINE

13.01 DISCIPLINE – GENERAL

At-Will Employment. Employees of the City serve "at will" and, within the provisions of state and federal law regarding public employment, can be disciplined or may be dismissed at any time, with or without notice, for any reason or no reason. Some of the actions that may result in discipline or termination include, but are not limited to, the following:

- **Insubordination;**
- **Absence Without Leave**, including absence without permission, failure to notify the City of sick leave, and repeated tardiness or early departure;
- **Endangering the Safety of the Employee and/or Other Persons**, through negligent or willful acts including fighting;
- **Use of Alcohol or Illegal Drugs** while on duty or in a vehicle being used for city business;
- **Alcohol or Drug Abuse** while on or off duty which may affect the performance or safety of the employee or of other persons;
- **Unauthorized Use or Theft of Public Funds or Property;**
- **Unsatisfactory Performance or Conduct;**
- **Violation of any of the Requirements of These Personnel Policies;**
- **Conviction** of a felony;
- **Conviction of Official Misconduct**, oppression, or perjury;
- **Possession of Unauthorized Firearms or Weapons** in the workplace;
- **Falsification of Documents or Records;**
- **Unauthorized Use of Official Information** or unauthorized disclosure of confidential information;
- **Unauthorized or Abusive Use of Official Authority;**
- **Sexual Harassment** by a city employee;
- **Failure to Observe the City's Policies Regarding Communications** with the public (see "Communications" section in **Employee Responsibility** chapter);
- **Incompetence or Neglect of Duty;**
- **Failure to maintain professional behavior toward a co-worker or the public.**
- **Violation of tobacco and smoking policies of the City;** or
- **Disruptive Behavior**, including profanity or abusive language, which impairs the performance of others.
- **Failure to obey city safety policies.**

13.02 CRIMINAL HISTORY

An employee must immediately report to the City Secretary/Human Resources Manager any misdemeanor or felony arrest, charge, indictment, conviction, deferred adjudication or a plea of nolo contendere, whether related to on-duty or off-duty conduct. However, employees who do not drive as part of their job duties with the City are not required to report misdemeanor traffic violations. While charges are pending, the City Manager, upon the recommendation of the department head, will determine whether the employee will remain in his or her current position, be placed on administrative leave, transferred, demoted, or released from city service. An employee will not be placed on administrative leave unless it appears that the matter will be resolved within a minimum of forty (40) working days. In that event, the employee may be placed on leave without pay for up to 40 working days. If the matter is resolved by charges being dropped or the employee being acquitted of the charge, the employee may return to work and will receive back pay for the period of the administrative leave. An employee who fails to timely report any events described here may be disciplined up to and including termination.

13.03 PROGRESSIVE DISCIPLINE

13.03.01 The City Manager may approve or take disciplinary action against an employee at any time. The severity of the discipline depends upon the nature of the infraction. The City may, but not necessarily will, use a progressive discipline system.

13.03.02 While the disciplinary steps may not occur in the following order, the progressive discipline system may include, but is not limited to, any or all of the following steps when appropriate to the circumstances. The level of discipline will vary according to the nature of the infraction.

- **Oral Warnings** with written records of each warning maintained by the department head or City Secretary/Human Resources Manager;
- **Written Reprimands** which the City Manager must in all cases cause to be placed in the employee's personnel file;
- **Reduction in Pay** without demotion;
- **Suspension from duty**, with or without pay, which is only permissible for workplace misconduct infractions, for up to 30 days and renewable after informal review of the circumstances;
- **Demotion**; and/or
- **Separation** by involuntary dismissal.

13.03.03 The progression of disciplinary measures listed above is a general guideline only. The City may deviate from this progressive system, skip or eliminate any step(s), or apply any other form or process of discipline,

at its sole and absolute discretion, at any time.

13.03.04 Disciplinary action does not automatically or permanently disqualify an employee from consideration for future promotion, pay increases, commendations, or other beneficial official personnel actions.

13.03.05 For additional information regarding procedures to be followed if the discipline results in separation by involuntary dismissal (see the following sections of these policies relating to **Separations**).

13.04 INVESTIGATIVE LEAVE

During an investigation into alleged offenses or violations of city policies, the City may, in its sole discretion, place the charged employee on administrative leave without pay for up to ten (10) working days. If the investigation results in a finding that the employee did not commit the offense or violation under investigation or if there is insufficient evidence to support a finding of an offense or violation, the employee will be returned to duty and paid for the period of administrative leave.

14.00 SEPARATIONS

14.01 SEPARATIONS

Separations from employment with the City are designated as one of the following types:

- Resignation;
- Retirement;
- Reduction in Force;
- Dismissal;
- Disability; or
- Death.

14.02 RESIGNATIONS

14.02.01 An employee who intends to resign is requested to notify the City Secretary/Human Resources Manager in writing at least 10 working days prior to the last day of work.

14.02.02 An unauthorized absence of three or more working days constitutes abandonment of position and will be treated as a voluntary resignation not in good standing.

14.02.03 Failure to return from leave of absence as arranged with the City constitutes abandonment of position and will be treated as a voluntary resignation not in good standing..

14.02.04 Unless the City Manager determines otherwise and notes the same in the employee's personnel file, the employee who abandons his or her position is not eligible for reemployment.

14.02.05 **An absence in excess of 180 days** - An employee who is absent from work for more than 180 calendar days, for any reason, will be terminated, except as provided below or prohibited by state or federal law. Brief appearances at work during an overall absence of 180 days will not prevent the City from terminating an employee if determined to be in the City's best interest. Likewise, any employee who reports to work (e.g., in a light duty capacity) but is unable to perform the duties of his or her actual position for a period of 180 days may be terminated.

14.02.06 Nothing in this policy guarantees an employee ongoing employment for 180 days (or for any other period of time) if it is determined that the employee will be unable to return to full-time active duty within a 180-day period. In other words, the City may elect to end the employee's employment before the expiration of 180 days if it is unlikely that the employee will be able to return to full-time active duty at the end of 180 days. An employee who has a paid vacation leave balance remaining at the end of 180 days will be terminated and paid for the leave balance. This policy will be administered

consistently with the City's obligations under the Americans with Disabilities Act, including considering extending leave as a reasonable accommodation.

14.03 RETIREMENT

An employee eligible for retirement must notify the City Secretary/Human Resources Manager before his or her planned date of retirement. Notice requirements of the retirement system must be met if the retiring employee wishes to begin retirement benefits immediately upon separation from the City.

14.04 REDUCTION IN FORCE

14.04.01 An employee may be separated when his or her position is abolished, or when there is either a lack of funds or a lack of work.

14.04.02 When reductions in force are necessary, decisions on individual separations will be made after considering (1) the relative necessity of each position to the organization, (2) the performance record of each employee, (3) qualifications of the employee for remaining positions with the City, and (4) the employee's length of service with the City.

14.04.03 Employees who have been laid off may reapply to the City for other positions. Qualified former employees will be given priority consideration in the event of a vacancy.

14.04.04 When a regular employee who has completed the introductory period is dismissed as a result of a reduction in force, he or she will be given written notice and will be paid in full to the time of separation, including payable earned benefits. In addition, the department head will attempt to guide the employee to any available, suitable job openings in the area for which the employee qualifies.

14.05 DISMISSAL

The City of Granite Shoals operates under the legal doctrine of "employment-at-will" and, within requirements of state and federal law regarding employment, can dismiss an employee at any time, with or without notice, for any reason or no reason. Every effort will be made to ensure that employee dismissals are not made in an arbitrary and capricious manner; however, these personnel policies do not constitute an employment agreement between the City and any of its employees and in no way limit or restrict the at-will nature of employment. The City has the right to change these policies at any time, without prior notice to employees.

14.06 DISABILITY

In cases of long-term disability during which an employee is unable to return to work for a period of time that would cause an undue hardship for the City to hold the position open, and if no position is available which the employee could perform with a reasonable accommodation by the City, the employee will be separated from employment with the City.

See the chapter of these policies on **Health and Safety** for details on occupational disability resulting from bona fide, on-the-job, work-related injuries.

14.07 CALCULATION OF SEPARATION PAY.

14.07.01 Upon separation from city employment, a regular employee who has completed his or her introductory period will be paid for earned and unused vacation leave up to the maximum allowable accumulation limit.

14.07.02 Payment for such leave balances will be included in the employee's final paycheck and will be calculated in the following manner:

- The total work time and allowable vacation (see section on "Vacation Leave" to determine allowable vacation) and compensatory leave time for nonexempt employees will be calculated as a total number of hours for which compensation is due. The regular hourly rate will be determined by dividing the employee's regular annual salary by 2080 working hours per year. Any amount paid for unused vacation will be based on the hourly rate in effect for the employee at the time of termination.
- For employees who are subject to the Fair Labor Standards Act, any overtime hours worked during the employee's final pay period, which have not been compensated through any of the time-off methods described under the "Overtime Compensation" section in these policies, will be paid in the final paycheck at a rate of one and one-half times the employee's regular hourly rate for each overtime hour worked.
- Unused sick leave will be canceled upon termination of employment, and the employee will not be compensated for it.

14.07.03 The employee will receive his or her final paycheck on the City's first regular payday following the employee's separation.

14.08 EXIT INTERVIEWS AND RECORDS.

Each employee who leaves city employment is requested to participate in an exit interview, at which time the City Manager, restates the type of separation (resignation, retirement, reduction-in-force, disability, or dismissal) and, in the case of voluntary separations, documents the reason(s) the employee is leaving and seeks suggestions about employment-related matters. These comments are documented on an exit interview form.

14.09 CONTINUATION OF GROUP INSURANCE.

14.09.01 The federal Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, allows certain individuals the option of continuing their group health insurance, at the individuals' full expense, under specific conditions. An employee must notify the City Secretary/Human Resources Manager of any qualifying event, and the City Secretary/Human Resources

Manager will notify the City's health insurance plan administrator. The following paragraphs summarize the benefits provided under COBRA.

14.09.02 **Eligible Employee**. To be eligible for continuation coverage, an individual must be an employee of the City covered by the City's group health plan or an individual who is otherwise covered under the plan.

14.09.03 **Eligible Circumstance**. An eligible employee has the right to choose continuation coverage if he or she loses group health coverage because of a reduction in his or her hours of employment or the termination of his or her employment (for reasons other than gross misconduct on the employee's part).

14.09.04 The spouse of an employee or other worker covered by the City's group health plan has a right to choose continuation coverage if he or she loses coverage under the City's group health plan for any of the following reasons:

1. The death of the employee;
2. Termination of the employee (for reasons other than gross misconduct);
3. Divorce or legal separation from the employee; or
4. The employee applies for and becomes entitled to Medicare.

14.09.05 The dependent child of an employee or other worker covered by the City's group health plan has a right to choose continuation coverage if he or she loses coverage under the City's group health plan for any of the following reasons

1. The death of a parent;
2. The termination of a parent's employment (for reasons other than gross misconduct), or reduction in a parent's hours of employment with the City;
3. Parents' divorce or legal separation;
4. A parent applies for and becomes entitled to Medicare; or
5. The dependent ceases to be a "dependent child" under the City's group health plan.

15.00 RESOLUTION OF DISPUTES/GRIEVANCES

15.01 GRIEVANCE POLICY

- 15.01.01** It is the policy of the City, insofar as possible, to prevent the occurrence of grievances and to deal promptly with those which occur. The purpose of the grievance system is to resolve any dispute between the City and an employee as quickly as possible, and at as low an administrative level as possible, to ensure efficient work operations and maintain employee morale. No adverse action will be taken against an employee for reason of his or her exercise of the grievance right.
- 15.01.02** A grievance may be filed by a regular employee on one or more of the following grounds: improper application of rules, regulations, and procedures (but not the rules, regulations, and procedures themselves); unfair treatment; disciplinary action; improper application of pay or fringe benefits; or improper working conditions.
- 15.01.03** The City follows a progressive grievance procedure.

15.02 FINAL AUTHORITY

A grievance can be appealed through an employee's department head to the City Manager. A grievance decision by the City Manager is final. If the grievance by an employee involves the City Manager, the employee can appeal to the Mayor whose decision on the grievance is final.

15.03 PROCEDURE

- 15.03.01** The following procedures are applicable to regular employees.
- 15.03.02** **Informal Grievances.** The first step in the grievance procedure is for the employee to attempt to resolve the grievance by informal conference with his or her supervisor. If this informal conference does not result in a resolution of the problem(s) that is satisfactory to the employee, he or she must file a formal, written grievance.
- 15.03.03** **Formal Grievances.**
- Formal grievances must be in writing, signed by the employee, and presented to employee's department head within 10 working days after the incident occurred that is the basis of the grievance. A statement of the specific remedial action requested by the employee must be included in the written grievance.
 - After being presented with a written and signed grievance, the department head will (1) meet with the employee and such other persons as may be necessary to gather the facts within 10 working days after the grievance is filed; (2) attempt to resolve the grievance

with the employee, and, if requested by the employee, with the employee's representative; and (3) communicate the decision to the employee in writing within 10 working days after the meeting with the employee. The written decision must also inform the employee of his or her right to appeal the decision within three working days of receipt of the notice. The City Manager may have a representative present at the meeting.

- If the employee either receives no written resolution from the department head within 10 working days from the date the appeal was filed, or the employee is not satisfied with the proposed resolution, he or she may file a written appeal with the City Manager within 10 working days. The City Manager will review the facts and the file, may meet with the parties involved, and will respond in writing to the employee within 15 working days of the date on which the appeal was received. The decision of the City Manager is final.

15.03.04 Maximum Time Periods. At each stage of the grievance process, the time periods specified are maximums. Grievances should be dealt with promptly and written responses provided as quickly as possible, preferably within five working days in simple grievance matters

15.03.05 Grievances Relating to Sexual Harassment or Discrimination. If the employee's grievance is related to alleged sexual harassment or discrimination, the City's policy on prohibited discrimination and harassment should be followed..

15.03.06 Documentation. Copies of all documentation relating to the grievance will be filed by the City Secretary/Human Resources Manager in the employee's personnel file immediately upon conclusion of each step in the grievance process.

15.03.07 Requirement for Appeal if Dissatisfied. If the employee is dissatisfied with a City-proposed resolution during the grievance process, he or she must appeal to the next step within the established time period. Failure to appeal presumes that the employee is satisfied with the latest proposed resolution.

16.00 JOB (CLASS) DESCRIPTIONS AND PERFORMANCE EVALUATIONS

16.01 JOB DESCRIPTIONS

The City Manager establishes and periodically reviews an official job (class) description for each position in the City.

16.02 DISTRIBUTION

The job description for each employee's position will be (1) given to the employee, (2) reviewed by the employee, and (3) placed in the employee's personnel file along with a certification that the employee has reviewed it. In addition, each employee is given a copy of the job description to keep.

16.03 REQUESTS FOR CLARIFICATION

In the absence of any request for clarification, each employee is considered (1) to understand the responsibilities assigned to the position that he or she occupies, and (2) to agree to perform the responsibilities shown on the job description.

16.04 EMPLOYEE PERFORMANCE EVALUATIONS

The City Manager will provide for department heads and supervisors to conduct a written performance evaluation of, and an evaluation interview with, each city employee at least annually. Performance evaluation records are maintained in each employee's personnel file.

17.00 PERSONNEL FILES

17.01 PERSONNEL FILES – GENERAL

- 17.01.01** Personnel files are maintained in the City Secretary/Human Resources Manager's office.
- 17.01.02** Information in an employee's personnel file is public information and must be disclosed upon request unless specific items are excepted from disclosure by law. No information from any record placed in an employee's file will be communicated to any person or organization except by the City Secretary/Human Resources Manager, the City Manager, or by another employee authorized to do so by the City Manager
- 17.01.03** Each employee may choose whether the City discloses the employee's home address, telephone number, and the identities of persons residing with the employee. A form for this purpose is available from the City Secretary/Human Resources Manager. If a new employee does not request confidentiality within the first 14 days of employment, the home address, telephone number, and identities of persons residing with the employee on file are considered public information. Employees may change their elections for disclosure or confidentiality at any time by contacting the City Manager. Non-disclosure of certain personal information of police officers is confidential by law and excepted from disclosure under the Texas Public Information Act without the requirement of election.
- 17.01.04** An employee or his or her representative designated in writing may examine the employee's personnel file upon request during normal working hours at the city offices. The employee may request copies of items or materials in his or her personnel file but may not remove anything from the file.
- 17.01.05** It is the responsibility of the employee to provide the City Secretary/Human Resources Manager with any changes in or corrections to information recorded in their individual personnel files such as home address, telephone number, person to be notified in case of emergency, or other pertinent information.

17.02 CONTENTS OF PERSONNEL FILES

- 17.02.01** An employee's official personnel file contains:
- An employment record;
 - A copy of the employee's application for employment/resume;

- A copy of the employment offer letter;
- Copy of I-9 form (original of I-9 form is maintained in a separate file);
- A signed copy of the employee's acknowledgment of having reviewed a copy of the *Personnel Policies* and the job (class) description for the position he or she currently occupies;
- The employee's job description(s);
- The election to disclose or keep confidential home address, home telephone number, and identities of persons residing with the employee form;
- Personnel action forms;
- Records of any citations for excellence, awards for good performance, or job-related training/education;
- Records of any disciplinary action(s);
- Performance evaluations;
- Copies of any grievances and related materials;
- Any other pertinent information having a bearing on the employee's status; and

Any written statements from the employee explaining, rebutting, or clarifying other items in the file.

17.02.02 An employee's personnel file **does not** contain information regarding an employee's medical record(s), nor does it contain any information relating to drug or alcohol testing. These medical files are confidential and are not released to anyone unless a "need to know" has been clearly established. Only the City Secretary/Human Resources Manager and the City Manager have routine access to employee medical records.

17.03 LEAVE RECORDS

Official records of vacation leave and sick leave accrual and of leave usage are kept for each employee by the Director of Finance. Leave records are updated at the close of each pay period. Leave balances are shown on the official record and on the employee's paycheck to reflect any remaining leave to which an employee is entitled.

18.00 PROFESSIONAL DEVELOPMENT AND EDUCATIONAL REIMBURSEMENT

18.01 PROFESSIONAL DEVELOPMENT – GENERAL

The City encourages its employees to take advantage of educational or training opportunities and professional memberships which are related to and will enhance their performance of their work with the City.

18.02 REQUIRED ATTENDANCE AT SEMINARS AND CONFERENCES

When the City requests an employee to attend any educational or training course, conference, or seminar, the City will provide the necessary time off with pay and will reimburse the employee for associated costs, including tuition or registration fees and authorized and documented travel, meals, and lodging. When appropriate, the City may prepay registration fees, hotel costs, and/or airline or other public transportation costs directly to the entity involved. See additional information in the sections of these policies under the main heading **Travel and Business Expenses**.

18.03 TUITION REIMBURSEMENT

At the discretion of the City Manager and within approved budget limits, the City may reimburse an employee for tuition payments and fees necessary to attend a course that will prepare the employee to better serve the City.

18.04 OPTIONAL CONFERENCES AND TRAINING

At the discretion of the City Manager and within approved budget limits, the City may reimburse an employee for cost of fees, travel, and related expenses to attend professional and technical education and training conferences.

18.05 WORK SCHEDULE WHILE TRAINING OUT OF TOWN

Travel Time

Travel time is not counted as “hours worked” for purposes of calculating overtime compensation if the time is spent in commuting;

- from the employee’s home to the office and back
- to a different job site at the beginning of the day or from a different job site to home at the end of the day
- if the employee is traveling on city business, commuting from the employee’s home to a point of departure for public transportation (*e.g.*, the airport or Amtrak Station) and back
- If an employee travels out of town on city business and returns home in a single work day, all hours spent traveling and working in that day are “hours worked” except for meal times.

- If an employee travels out of town on city business and must stay away from home overnight, all time spent traveling during normal working hours (e.g., 8:00 a.m. to 5:00 p.m., Monday through Friday) are “hours worked”. The same hours are considered to be “hours worked” if the travel is during normal working hours but on a weekend (e.g., 8:00 a.m. to 5:00 p.m., Saturday or Sunday). When an overnight stay is involved, travel outside of normal working hours is considered to be “hours worked” unless it is as a passenger on an airplane, train, boat, bus, or car. If public transportation is available but the employee requests to drive and the City Manager approves the request, the city, at its discretion, may count as “hours worked” the time spent driving or the time that would have had to be counted if the employee had used public transportation.

19.00 TRAVEL AND BUSINESS EXPENSES

19.01 PURPOSE

The purpose of this policy is to establish guidelines for business travel.

19.02 SCOPE

Employees traveling on city business are covered by this policy.

19.03 RESPONSIBILITY

The City Manager is responsible administration of this policy. The City Manager also is responsible for ensuring that city employees review this policy prior to departing on their first business trip for the City.

19.04 DEFINITIONS

19.04.01 Business Travel. Out of town travel on city business includes the following:

- **Routine Travel** – Any out of town travel required as part of the usual duties of the employee such as meetings, or delivery or pick up of police evidence, vehicles, equipment, parts, or other supplies.
- **Training Travel** – Any out of town travel, not voluntary, to attend approved seminars, training events, or conferences; to be tested for a certification; or to attend other approved and City- related training.
- **Overnight Travel** – Any routine or training travel that requires an overnight stay away from home.

19.05 APPROVAL OF TRAVEL

Department heads approve routine travel in advance by specifying this required travel as a part of the employee's job duties. Training travel must be individually approved by an employee's department head.

19.06 PERSONAL VEHICLE

Employees traveling by personal vehicle on city business will be reimbursed at the maximum mileage rate authorized by the Internal Revenue Service at the time of the travel. Tolls and necessary parking charges are also reimbursable. Travel distances are calculated using any standard mapping website unless the employee submits other mileage documentation satisfactory to the City Manager.

19.07 GENERAL REIMBURSEMENT POLICY

19.07.01 The policy of the City is that employees are to be reimbursed for actual necessary and reasonable job-related expenses incurred in the authorized conduct of city business, including business-related travel. Expense reimbursement requests are subject to requirements of documentation and reasonableness, and will be honored in

conformance with adopted policies and procedures, provided that the expense was properly authorized and that funds are available in the City's budget. In some cases, the City may prepay such expenses as registration fees, hotel costs, and/or airline or other public transportation costs directly to the entity involved using a credit card.

19.07.02 Employees are expected to use sound business judgment in selecting accommodations. In many cases, a special city (governmental) rate may be available and should be requested.

19.07.03 Expenses which are not permitted under the terms of grants, contracts, or agreements with other agencies will not be charged as costs to those grants, contracts, or agreements.

19.08 ROOMS AND MEALS

19.08.01 Employees must submit an original hotel receipt in order to be reimbursed for lodging and other hotel expenses. Receipts are required for the reimbursement of meals.

19.08.02 Overnight travel is authorized only for meetings or training events that are more than 60 miles away from City headquarters. If business travel for a single seminar or event at a location less than 60 miles from City headquarters covers more than one day, the City Manager may authorize overnight travel reimbursement for the trip.

19.08.03 If a registration fee includes a meal or meals, an attending employee is not entitled to additional reimbursement for meals included in the registration fee.

19.09 GUEST ON TRIP

If an employee has a guest on an approved business trip, any additional expense incurred is personal and not reimbursable by the City.

19.10 COMBINED BUSINESS AND PERSONAL TRAVEL

If an employee or City Council Member adds personal time, activities or events to a city business trip, only allowed expenses incurred during the portion of the trip that is business related will be reimbursed.

19.11 CREDIT CARDS

The City Manager or his designee is responsible for issuance and for control of the use of any credit cards issued in the name of the City.

19.12 TRAVEL ADVANCE

Travel advances may be approved by the City Manager on a case by case basis.

19.13 REQUESTING REIMBURSEMENT OF EXPENSES

Employee business expense reimbursements are to be submitted to the City for reimbursement within 10 days of the date the expense was incurred.