



CITY OF BUNKER HILL VILLAGE
CITY COUNCIL
Agenda Request

Agenda Date:	November 17, 2020
Agenda Item Number:	XI
Subject/Proceeding:	CONSIDERATION AND POSSIBLE ACTION REGARDING RESOLUTION NO. 11-17-20B OF THE CITY COUNCIL OF THE CITY OF BUNKER HILL VILLAGE, TEXAS, APPROVING AMENDMENTS TO THE CITY'S PERSONNEL POLICY
Exhibits:	Resolution Personnel Policy - Redline
Approval(s):	Karen Glynn, City Administrator

Executive Summary

The City Administrator is working with the City Attorney to review the City's Personnel Policy. There are two issues which have come forward that are recommended to be amended:

1. Section 3.04 Nepotism
2. Section 7.03 Sick Leave

These items have come to light over the past few years as the City has pursued the hiring process and for discussions regarding family members.

The following amendments are recommended for City Council's consideration:

1. Nepotism

Currently, the policy does not allow for family members to work for the City. In the past, the City has used family members for various needs and seasonal help. This has typically been discussed prior with the Mayor.

Staff is recommending the opportunity to continue this practice by approval of the City Administrator for part time, seasonal or temporary help as needed. However, for any full-time employment, it is recommended that appointment be approved by the City Council.

2. Sick Leave

The current policy allows for the use of sick leave for family members in certain instances. The definition of family member has a stipulation that such immediate family member must have resided with the employee for the preceding six months or longer or considered a dependent on the employee's federal tax return. It is recommended that this stipulation be removed. The policy also references the Family and Medical Leave Act (FMLA) which will serve as a guide for this need.

RESOLUTION NO. 11-17-20B

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BUNKER HILL VILLAGE, TEXAS, ADOPTING AMENDMENTS
TO THE CITY'S PERSONNEL POLICIES.**

* * * * *

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BUNKER
HILL VILLAGE, TEXAS:

Section 1. The City Council of the City of Bunker Hill Village, Texas, hereby
adopts amendments to City of Bunker Hill Village Personnel Policies. A copy of such
amended Personnel Policies are attached hereto as Exhibit "A" and made a part hereof for
all purposes.

PASSED, APPROVED, AND RESOLVED this 17th day of November 2020.

Robert Lord, Mayor

ATTEST:

Karen Glynn, Acting City Secretary

PERSONNEL POLICIES

FOR THE

CITY OF BUNKER HILL VILLAGE, TEXAS

Effective October 18, 2006
Amended November 17, 2020

PERSONNEL POLICIES OF BUNKER HILL VILLAGE, TEXAS

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PERSONNEL POLICIES OF THE CITY OF
BUNKER HILL VILLAGE, TEXAS

ARTICLE 1

INTRODUCTION

1.01. Objectives.

These policies are designed to bring to the City of Bunker Hill Village a high degree of understanding, cooperation, efficiency, and unity for all City employees through the systematic, uniform application of modern personnel practices. Objectives of the City personnel management system, which includes these policies, are to:

- a. promote and increase productivity, efficiency, and responsiveness to the public, and economy in the City service;
- b. provide fair and equal opportunity for qualified persons to enter and progress in the City's service in a manner based on merit and fitness, as ascertained through fair and practical personnel management methods;
- c. maintain recruitment, advancement, and other practices to enhance the attractiveness of a City career and to encourage each employee to give his/her best effort to their job and the public;
- d. develop and maintain consistent, up-to-date position classification and compensation plans;
- e. develop high morale among City employees by fostering good working relationships, and by providing uniform personnel policies, opportunity for advancement, and consideration of employee needs and desires;
- f. retain employees on the basis of the adequacy of their performance, correct inadequate performance, and separate employees whose inadequate performance cannot be corrected; and
- g. assure that employees are protected against coercion for partisan political purposes and are prohibited from using their positions with the City for the purpose of interfering with or affecting the results of any kind of official election.

NOTHING CONTAINED IN THESE POLICIES SHALL CONSTITUTE A CONTRACT OR CREATE AN ENTITLEMENT TO, OR PROPERTY INTEREST IN, CONTINUED EMPLOYMENT WITH THE CITY.

1.02. Equal Employment Opportunity Policy.

Discrimination or harassment against any person in recruitment, examination, appointment, training, promotion, discipline, or any other aspect of personnel administration because of political or religious opinions or affiliations, membership or non-membership in employee organizations, or because of race, color, national origin, age, disability, veteran status, sex, or marital status is prohibited. Any employee discriminated against or harassed shall report such conduct to his or her immediate supervisor or Department Head; provided, however, if a Department Head is the alleged source of a claim of discrimination or harassment, the aggrieved employee may address such claim directly to the City Administrator, or if the City Administrator is the alleged source of a claim, then the aggrieved employee may address such claim directly to any member of City Council. Appeals from decisions of Department Heads may be taken in accordance with the procedures specified in Article 11 below.

1.03. Applicability.

These rules apply to all City employees, except where inconsistent with state or federal law or City ordinance. In the event of such inconsistency, the state or federal law or ordinance shall prevail.

1.04. Dissemination.

The City shall make every effort to thoroughly acquaint employees with the materials in these personnel policies and any subsequent revision. Copies of these policies and all amendments shall be furnished to each employee. Notwithstanding the foregoing, it is each employee's responsibility to become familiar with the contents of these policies, and to ask questions when necessary for a full understanding.

1.05. Division of Responsibility.

With the exception of matters reserved to the City Council by these policies, the general and final authority for personnel management rests with the City Administrator, who may delegate authority as necessary and proper.

The City Administrator, Department Heads, and supervisory personnel are responsible for enforcing the provisions of these policies. The City Administrator may, with approval by the City Council, adopt supplemental personnel policies, procedures, and work rules not in conflict with these policies.

1.06. Official Policies.

These policies and all amendments hereto shall be the official personnel policies of the City. All prior policies are hereby repealed.

1.07. At Will Employment.

THESE POLICIES AND THE BENEFITS DESCRIBED HEREIN DO NOT CONSTITUTE A CONTRACT OF EMPLOYMENT OR A CONTRACT BETWEEN THE CITY AND ANY EMPLOYEE TO PROVIDE ANY BENEFIT. THE CITY MAY ALTER, MODIFY, AMEND, OR TERMINATE ANY OF THE POLICIES OR BENEFITS SET FORTH HEREIN AT ANY TIME, WITH OR WITHOUT NOTICE. NOTWITHSTANDING ANY STATEMENT CONTAINED IN THESE POLICIES, OR IN ANY OTHER DOCUMENT OR STATEMENT ISSUED BY THE CITY OR ANY OF ITS REPRESENTATIVES TO THE CONTRARY, THE CITY SHALL HAVE THE RIGHT TO TERMINATE ANY EMPLOYEE FROM EMPLOYMENT WITH THE CITY, AT ANY TIME, WITH OR WITHOUT CAUSE.

ARTICLE 2

METHOD OF FILLING VACANCIES

2.01 Announcement of Vacancies.

The City Administrator shall provide, by appropriate means, public notification of vacancies to be filled within the City service other than those to be filled via promotion, transfer, temporary promotion, or reinstatement, and shall maintain a list of current announced vacancies for public inspection.

Each job announcement, insofar as practicable, shall specify the title, nature of the job, required minimum qualifications, and the deadline for and method of application. Each announcement shall contain a statement confirming the City commitment to a policy of equal employment opportunity.

2.02. Promotion Policy.

A promotion is the assignment of an employee from a position in one class to a position in another class having a higher maximum salary. It is City policy to promote from within whenever possible. At the discretion of the City, applications for any particular job may be limited to qualified City employees. Opportunities for promotion across organizational lines shall be maximized.

2.03. Temporary Promotions.

The City Administrator may authorize temporary promotions to ensure the proper performance of job functions if a position is vacant or its regular incumbent is absent.

Temporary promotions shall not be used to circumvent normal selection procedures. The employees involved shall not acquire any status or rights in the class to which temporarily promoted. Nothing in these rules shall be construed to prevent the temporary or intermittent

assignment of higher-level duties to an employee without additional compensation. Additional compensation shall be paid only in cases of formal temporary promotion effected in accordance with this Section.

2.04. Transfers.

A transfer is an assignment of an employee from one position to another, not involving promotion or demotion. Upon approval by the City Administrator, a transfer may occur for administrative convenience or upon the request of the employee. Transfers may be made administratively or in conjunction with an announced selection process.

2.05. Non-disciplinary Demotions.

A demotion is the assignment of an employee from a position in one class to a position in another class having a lower maximum salary. With the approval of the City Administrator, and if the employee is qualified to perform the duties of the lower level position, an employee may be administratively demoted at his/her own request or as an alternative to being laid off. Demotions of this nature shall not be considered disciplinary actions or disqualify the employee involved from consideration for later advancement. Demotions effected as alternative to layoffs may be fully or partially rescinded at any time.

2.06. Applications.

Forms of applications for employment, promotion, reinstatement, or other similar or related employment consideration shall be submitted as prescribed by the City Administrator. Only applications officially received in the prescribed manner shall be considered. Information submitted in connection with applications for City employment is subject to verification. The City Administrator may require supplemental information relevant to an applicant's qualifications as appropriate. Applications and/or resumes will not be accepted except when the City is filling a specific position of employment.

2.07. Evaluation.

The City Administrator shall determine the most appropriate means of evaluating applications against job requirements to identify the best qualified applicants. Interviews, background checks, written tests, and/or other screening procedures may be used as appropriate. Applicants shall be required to provide any job-related information necessary to demonstrate compliance with prescribed minimum qualification requirements for the positions involved. For positions that require certain skills, successful applicants may be required to undergo medical, psychological, and abilities evaluations to determine the applicant's ability to satisfactorily perform the essential functions of the position with or without reasonable accommodation.

2.08. Disqualification.

An applicant shall be disqualified from consideration if he/she:

- a. does not possess the qualifications necessary for performance of the duties of the position involved;
- b. has made a false statement of material fact on his/her application form or any supplements thereto;
- c. has committed or attempted to commit a fraudulent act at any stage of the selection process;
- d. is an alien not legally permitted to work in the United States;
- e. is below the minimum employable age prescribed by law or City rule, regulation, or policy;
- f. has established an unsatisfactory employment record of such nature as to demonstrate unsuitability for the position for which he/she has applied; or
- g. is a person related to any member of City Council within a prohibited degree under state nepotism laws (see Section 3.04 below).

An applicant may also be disqualified from consideration on other reasonable grounds relating to job requirements.

ARTICLE 3

APPOINTMENT

3.01. Basis.

Appointments shall be made based on the qualifications of applicants as ascertained through fair and practical selection methods.

3.02. Type.

Appointments shall be designated permanent or temporary. Permanent appointments shall ordinarily be of indefinite duration and may be made to full-time or part-time positions. All permanent appointments are subject to the policies covering probation.

Temporary appointments may be made to full-time or part-time positions requiring continuous, seasonal, or intermittent performance.

3.03. Emergency Temporary Appointments.

When an emergency exists, which requires the services of personnel who are not otherwise available, such personnel may be immediately appointed for a period not to exceed thirty (30) working days without regard to normal recruitment and selection requirements.

3.04. Nepotism.

No person shall be appointed to a position of employment in a department in which a member of such person's immediate family also holds a position of employment. For purposes of this Section, "immediate family" shall include a spouse, parent, stepparent, parent-in-law, child, stepchild, brother, sister, stepbrother, stepsister, brother-in-law, sister-in-law, grandparent, grandchild, aunt, uncle, niece, nephew, and first cousin, ~~and any other person living in the same household as the employee.~~

~~The City Administrator may apply the nepotism prohibition in the case of other organizational and/or personal relationships when, in the sole opinion of the City Administrator, failure to do so would be detrimental to the City.~~

Due to the City's limited staff, the City Administrator may approve the employment of a person in violation of this provision to a part-time, temporary or seasonal position. The City Administrator may approve the employment of a person in violation of this provision to a full-time position, subject to the approval of the City Council.

No person related within a prohibited degree under state nepotism laws to any member of City Council shall be employed or appointed to any position within the City.

3.05. Residence.

There shall be no residence requirement for City employment, except as may be provided by law. Employees likely to be called to work in cases of emergency may be required to reside within reasonable commuting ranges of their places of work.

3.06. Abilities Evaluations.

A person selected for initial appointment, reinstatement, transfer, or promotion to job classifications designated by the City Administrator as having certain abilities requirements shall undergo medical, psychological, and abilities evaluations at City expense in a manner prescribed by the City Administrator. Employment shall be contingent upon results of the evaluations in relation to the physical, psychological, and other abilities requirements for the position involved, and whether the applicant can satisfactorily perform the essential functions of the position with or without reasonable accommodation. No physical, psychological, or ability requirement shall be imposed that is not expressly provided in the job description for the position for which the applicant has applied. The City Administrator may waive or modify the medical, psychological,

or ability evaluation for any or all part-time positions or for reinstatements following short breaks in service as provided by law.

The City Administrator may require that a current employee undergo a medical, psychological, or abilities evaluation, at the City's expense, to determine if such employee is able to satisfactorily perform the essential functions of the employee's current position, and whether the employee can satisfactorily perform such functions with or without reasonable accommodation.

ARTICLE 4

TRAINING AND EVALUATION PERIOD

4.01. Training and Evaluation Period.

Every person appointed to City service, whether as an initial appointment or a promotional appointment, for full-time, non-temporary employment, shall be required to successfully complete a training and evaluation period of six (6) months. If the City Administrator determines that circumstances warrant an extension of the training and evaluation period, initial or promotional probation may be extended for a specified period not to exceed six (6) additional months. NOTWITHSTANDING THE FOREGOING, SUCCESSFUL COMPLETION OF THE TRAINING AND EVALUATION PERIOD, OR ANY EXTENSION THEREOF, SHALL NOT CREATE AN ENTITLEMENT TO, OR PROPERTY INTEREST IN, CONTINUED EMPLOYMENT WITH THE CITY.

4.02. Purpose.

The City Administrator, Department Heads, and supervisors shall use the training and evaluation period to closely observe and evaluate the work and fitness of employees and to encourage adjustment to their jobs and City service. Only those employees who meet acceptable standards during the training and evaluation period shall be retained in their positions.

4.03. Failure of Training and Evaluation Period.

An employee shall fail the training and evaluation period when, in the judgment of the City Administrator, the employee's fitness and/or quality of work are not such as to merit continuation on the job. Failure of the training and evaluation period (initial or promotional) may occur at any time within the training and evaluation period and shall not be considered part of the disciplinary process.

A promoted or transferred employee who fails training and evaluation may, at the discretion of the City Administrator, be returned to his/her former type of job or to any other type of job for which he/she is qualified, provided such job is available. The employee shall be eligible for consideration for advancement at a future date.

The City Administrator shall ensure that all cases of failure during the training and evaluation period, as well as any counseling or other efforts to help employees during such period, are properly documented.

ARTICLE 5

PERFORMANCE EVALUATION

5.01. Performance Evaluation Report.

The work performance of each permanent employee shall be evaluated annually. Evaluations for employees on probation shall be conducted upon completion of the probationary period. Additional evaluations may be conducted if warranted, as determined by the City Administrator. Evaluations shall be recorded in writing on forms approved by the City Administrator. A copy of such evaluation shall be provided to the employee to whom they relate, and a duplicate copy shall be placed in the employee's permanent personnel file.

5.02. Purpose.

The performance evaluation is designed to help supervisors and employees measure how well work is being performed and to provide a tool for management decisions regarding training, assignment, promotion, and retention of employees.

5.03. Counseling.

Following evaluations, the City Administrator, Department Head, or designated representative, as applicable, shall individually discuss such evaluations with the subject employees, and shall counsel them regarding their careers, any improvements that appear desirable or necessary, and goals for improvement or maintenance of their job performance.

ARTICLE 6

COMPENSATION

6.01. Basis.

The City shall have two types of employees (as defined under Federal Labor and Standards Act), to wit:

- a. Exempt Employees – are those employees not eligible for overtime and compensatory time.
- b. Non-exempt Employees – are those employees who are eligible for overtime and compensatory time.

Wages, salaries, and working schedules for various employees shall be in accordance with the provisions of the City budget currently in effect, including amendments, and within the limitations of the financial provisions of each department, as approved by the City Council for each fiscal year.

6.02. Overtime Pay.

Employees who are not exempt from the overtime provisions of the Fair Labor Standards Act shall be paid overtime pay at the rate of one and one-half (1-1/2) times the base rate of pay for all hours actually worked in excess of forty (40) hours in a work week. Hours taken as leave time shall be considered as time worked for purposes of calculating overtime. Overtime pay for work performed on holidays shall be calculated as provided in Section 7.01.f below. "Work week" shall be defined as a 7-day period beginning each Monday at 12:01 a.m., except the work week shall begin on Friday at 12:01 a.m. for Utility employees. Employees who are exempt from the overtime provisions of the Fair Labor Standards Act shall not be entitled to overtime pay. Each employee shall be responsible for notifying his or her supervisor if an assignment cannot be completed within the employee's regular work cycle. No employee shall work overtime unless the employee's supervisor has determined that such overtime is required.

6.03. Compensatory Time.

Employees who are entitled to overtime pay under Section 6.02 hereof may, at the discretion of the City Administrator and with the consent of such employee, be given compensatory time off in lieu of overtime pay. Compensatory time shall be calculated at the rate of one and one-half (1-1/2) hours for each hour of overtime worked. Compensatory time may be used only during the pay period in which the overtime is worked.

6.04. Method of Payment.

Paychecks or direct deposit for City employees shall be prepared on a bi-weekly basis and shall be distributed by the applicable Department Head. Paychecks shall not be given to third parties without the express written authorization of the affected employee. If an employee is absent or on vacation on a scheduled payday, his/her paycheck shall be held until his/her return unless a written request for other arrangements has been delivered to the City Administrator or the employee's applicable Department Head or supervisor prior to such payday.

6.05. Longevity Pay.

Full time personnel shall receive longevity pay as established from time to time by City Council. Calculation of longevity pay shall be based upon each employee's anniversary date with the City. If state or federal law requires a greater amount of longevity pay for a specific class of employee within the City, which increases the longevity pay otherwise established by City Council, such specific class of employees to which such law applies shall receive longevity pay in accordance with such law.

6.06. Benefits.

A. Health and Life Insurance. The City currently provides varying types of insurance coverage, which includes hospitalization, major medical, life, long-term disability, and dental for full-time personnel only. These types of insurance coverages, and the required employee participation, may vary from year to year. Upon employment, an application for coverage shall be completed on the employee and forwarded to the insurance company. The application must be submitted before coverage will become effective. Employees desiring information on coverages, effective dates, claim filing procedures, and other related issues should address such questions to the City Secretary.

B. Workers' Compensation Insurance. Workers' Compensation Insurance is provided for all employees on the regular City payroll. In the event of a job-related injury, a standard Workers' Compensation claim form must be completed and submitted to the City Secretary within forty-eight (48) hours of the accident causing the injury, or within forty-eight (48) hours from the time the employee is physically able to do so.

C. Retirement. Full-time employees are eligible for all benefits from the City Employees' Pension Fund. In addition, the City participates in the Federal Social Security program.

ARTICLE 7

LEAVE

7.01. Holidays.

Each full-time permanent employee of the City shall receive ten (10) paid holidays per year, including New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday after Thanksgiving Day, Christmas Eve and Christmas Day, and the Employee's Birthday.

- a. As many employees as possible shall be given time off for each holiday, consistent with the continuation of essential City functions.
- b. Part-time permanent employees and temporary employees shall not be entitled to paid holidays.
- c. An employee in a non-pay status on a designated holiday, or in a non-pay status on a scheduled workday immediately preceding or immediately following a designated holiday, shall not receive pay for the holiday.
- d. Employees desiring to observe religious holidays not coinciding with an officially designated holiday may be given time off without pay, or may be authorized to use accrued vacation leave or compensatory time.

- e. Non-exempt full-time permanent employees who are required to work on designated holidays that fall on such employee's regular scheduled work day shall be paid for such time worked at one and one-half (1-1/2) times the employee's regular rate of pay, or, in lieu thereof, may be given compensatory time off at one and one-half (1-1/2) hours for each hour worked. Provided, however, for the purposes of calculating overtime compensation for employees who work on designated holidays, only the hours actually worked on such designated holidays shall be used to determine the total number of hours worked in a work week. .
- f. Official holidays occurring during any leave shall not be charged to that leave time.

7.02. Vacations.

Only full-time permanent employees are entitled to vacation leave. Part-time, seasonal, temporary, or other employees hired to complete projects of a limited duration are not entitled to vacation leave.

The number of paid vacation days an employee receives depends on the number of years of continuous service with the City. An employee's date of employment shall be his/her anniversary date for purposes of vacation accrual.

Annual Vacation leave shall be accrued on the following basis:

- a. Full-time permanent employees shall earn .833 days of paid annual vacation leave per month of continuous employment. The employee shall be authorized to take up to five (5) working days of accrued vacation leave after six (6) months of continuous employment, and up to ten (10) working days of accrued vacation leave after the first anniversary of the date of employment.
- b. After five years of continuous employment, such paid annual vacation leave shall accrue at a rate of 1.25 days per month.
- c. After ten (10) years of continuous employment, such paid annual vacation leave shall accrue at a rate of 1.67 days per month.

Vacation leave shall be administered according to the following policies:

- a. Vacation leave shall not be earned for any time in which an employee is in time-without-pay status for the entire pay period unless otherwise required by law.
- b. Vacation leave may be split. Vacation leave may not be taken in less than one day increments.

- c. No payment in lieu of vacation leave shall be given to regular full-time employees.
- d. Vacation leave not used within one (1) year of its accrual shall be forfeited.
- e. Upon termination, separation, retirement, or death of an employee, the employee or his or her beneficiaries, as applicable, shall be paid for the earned but unused vacation leave to which he/she would have been entitled that year absent such termination, separation, retirement, or death.
- f. Department Heads shall schedule or approve vacations giving due consideration to the needs of the City and the interests of the employee. It is the responsibility of the Department Head to ensure that vacations do not unduly interfere with workflow and City service requirements.
- g. Vacation leave shall be charged only for time during which the employee would ordinarily have worked.
- h. Employees being transferred, promoted, or demoted shall retain accrued vacation leave.

7.03. Sick Leave.

Permanent employees shall be allowed paid sick leave in accordance with the following:

- a. Sick leave may be used for absences due to illness, non-emergency medical and dental care (with notice and approval) and, in certain instances, for illness within the immediate family.
- b. "Sick leave" is defined as any absence taken due to illness, injury, or doctor/dental appointments when such absences do not occur during the employee's own time.
- c. "Immediate family" is defined, for the purpose of using sick leave, as an employee's spouse, children, parents, grandparents and grandchildren, and includes step, half and in-law relationships. ~~To qualify, such immediate family member must have resided with the employee for the preceding six (6) months, or their entire life, whichever is less, or must be lawfully claimed as a dependent by the employee on the employee's federal tax return.~~
- d. Sick leave is not bonus time and may not be taken for other purposes or added to vacation time. Employees shall not be paid for unused sick leave.
- e. Employees unable to work because of unexpected illnesses shall notify their immediate supervisor as soon as reasonably possible.

The City may require a physician's verifying statement for any illness that exceeds three (3) working days, or in the event of excessive absences or absences of extraordinary duration.

- f. No remuneration shall be given for unused leave upon retirement, resignation, or dismissal.
- g. Sick leave shall not be considered as hours worked for the purposes of calculating overtime compensation.
- h. Part-time) employees(less than forty [40] hours per week) are not eligible for paid sick leave.

Paid sick leave shall be accrued as follows:

- a. New full-time employees who have completed at least thirty (30) days of continuous employment shall be eligible for up to two (2) days of paid sick leave.
- b. Full-time employees who have completed at least six (6) months of continuous employment shall be eligible for up to five (5) days of paid sick leave.
- c. Full-time employees shall accrue one (1) day of "employee-only" paid sick leave for each one (1) month of continuous employment beyond six (6) months, up to a maximum accrual of ninety (90) days of paid sick leave. Paid sick leave of over five (5) days during any calendar year shall be permitted only for the illness of the employee, and may not be used for the illness of other family members. Employee pay for eligible sick leave shall be as follows:
 - 0 – 30 days: 100% of base pay; and
 - 31 – 90 days: 60% of base pay.
- d. Employees who are ill or disabled for periods that extend beyond their accrued sick leave eligibility may apply for long-term disability insurance benefits.
- e. If an employee requesting sick leave does not properly notify his/her immediate supervisor or Department Head, he/she shall not be eligible to receive sick leave pay for the period unless circumstances exist justifying such failure to notify. An employee should give prior notice to his/her immediate supervisor or Department Head when sick leave is to be taken. Except in emergencies, notice shall be given not later than two (2) hours prior to such employee's regular reporting time on the day of absence.
- f. The City may request and obtain verification of the circumstances surrounding any use of sick leave.

7.04. Pregnancy and Maternity.

A pregnant employee is expected to make her own decision, in consultation with her physician, as to when she will cease working. Except in emergencies, at least ten (10) working days advance written notice of cessation of work shall be required. When giving notice of cessation of work, the employee shall also include a statement of her intentions concerning resumption of work.

Pregnant employees and employees with illnesses or disabilities arising from pregnancy or maternity shall be entitled to benefits on the same basis as employees with other types of illnesses or disabilities. Available sick leave or disability benefits may be used for the time during which the employee is medically unable to work. The City may require periodic medical reports concerning the employee's status and availability to return to duty.

7.05. Injury Leave.

An employee injured on the job shall receive workers' compensation and disability benefits as provided in the City's policies of workers' compensation insurance. Nothing herein shall prevent an employee from using accumulated sick leave, vacation leave, or compensatory time off during an absence due to injury.

An employee on injury leave due to a job-related injury shall continue to accrue sick leave and vacation leave and shall be entitled to all other benefits conferred upon City employees until the expiration of one hundred eighty (180) days from the date of injury. After such one hundred eighty day period, the City Administrator shall evaluate the employee's injury status. Long-term disability benefits, if any, under the City's long-term disability insurance program, shall expire in accordance with the policy in effect at the time of such injury.

Employees shall comply with the following requirements to be eligible for injury leave and supplemental injury leave benefits:

An employee shall immediately report any injury incurred in the line of duty, however minor, to his/her supervisor, and take such first aid treatment as may be necessary.

- a. An employee injured on the job shall submit a statement on his/her ability to work to be completed by the attending physician on a bi-weekly basis and returned to his/her supervisor immediately.
- b. An employee shall contact his/her supervisor while he/she is on injury leave on a weekly basis when physically able to do so.
- c. An employee shall be required to return to work after approval by the attending physician. Failure to return to work when properly released to do so shall be considered as a basis for termination of employment.

- d. An employee who is able to return to work on light duty status may be required to work in a different department and perform duties not contained within his or her current classification. For the purposes hereof, "light duty" shall mean the temporary occupancy of a position of service in the City that has less stringent physical requirements than those of the employee's former position. Nothing herein shall be construed to require placement of an employee on light duty status when no light duty position is available or necessary, or for an employee to stay on light duty status beyond the period of time during which such light duty position is necessary. An employee placed on light duty status shall receive pay at the same rate that the employee receives at his/her former position, even if the light duty position is of a lower pay class.
- e. Supervisors of employees who are on injury leave shall be responsible for working closely with their Department Heads to ensure that time off is properly charged and that proper pay is made for the duration of the leave.
- f. An employee, upon request, may be granted additional injury leave without pay to extend for such time as a physician shall certify that the injured employee is unable to return to work, but in no event shall such additional leave extend beyond one hundred eighty (180) days without a complete review by the employee's Department Head.
- g. An employee shall be paid his/her regular salary for the first seven (7) days that an employee is off work on injury leave. After the first seven (7) days, the injured employee shall be eligible for Workers' Compensation. For the next thirty (30) days, the City shall pay the employee the difference between his/her total salary and the employee compensation benefits under Workers' Compensation. Proof of the amount of the Workers' Compensation benefits shall be provided to the City Secretary prior to any such payment. At the end of the thirty (30) day period, the City shall discontinue issuance of payroll checks to the employee, with the only injury leave benefits being that received through the City's Workers' Compensation insurance.

7.06. Military Leave.

Military leave shall be granted, and pay status during any such leave shall be made, in accordance with applicable state and federal law. Employees preparing to take authorized military leave shall furnish their Department Heads or the City Administrator with copies of military orders or other appropriate certification promptly after receiving notice.

7.07. Emergency Leave.

The City Administrator may grant full-time employees up to three (3) working days of paid emergency leave in the event of a death within the employee's immediate family, spouse's

immediate family, or household. For the purpose of this Section, "immediate family" shall include a mother, father, sister, brother, spouse, child, grandparent, or grandchild, and a member of the "household" shall include any person who resides with the family unit of the employee and is regarded as a member of the family. Emergency leave shall not be charged against vacation or sick leave. The City may require verification of the circumstances surrounding any use of emergency leave.

The City Administrator may grant full-time employees up to one (1) working day of paid emergency leave to attend the memorial or funeral service of relatives of the employee or employee's spouse who were not members of the immediate family of the employee or the employee's spouse.

The City Administrator may grant full-time employees up to four (4) hours of paid emergency leave to attend the memorial or funeral service of a close personal friend or fellow City employee.

7.08. Administrative Leave with Pay.

Employees shall be granted paid administrative leave, as necessary to vote in official elections, and to report to calls for jury service. Employees granted administrative leave for jury service shall retain all juror fees. Employees excused or released from jury service during working hours shall report to their work stations unless otherwise instructed.

The City Administrator may grant an employee paid administrative leave to attend professional conferences, conventions, or other job-related training activities.

7.09. Authorized Leave Without Pay.

In circumstances not falling within other provisions of these policies, the City Administrator may authorize an employee to take leave without pay under such terms and conditions as may be mutually agreeable.

Except as otherwise required by law, benefits shall not accrue for any month during which an employee on leave without pay is in pay status for less than half the standard paid work days for his/her job duties. An employee returning to work after a leave without pay that extends for more than three (3) months shall be given an adjusted anniversary date. Except as otherwise required by law, an employee on leave without pay, who desires to continue insurance and/or retirement coverage, must arrange to make any payments required for such coverage.

7.10. Absence without Leave

An employee failing to report for duty or remain at work as scheduled without proper notification, authorization, or excuse shall be considered absent without leave and shall not be in pay status for the time involved. Being absent without leave constitutes abandonment of duties, which may result in dismissal.

7.11. FMLA

The Family and Medical Leave Act (FMLA) provides for leave ~~without pay~~ and certain benefit protection for employees ~~of employers with fifty (50) or more employees under certain circumstances as provided by the FMLA.~~ Information regarding the FMLA can be found on the employee bulletin board.

ARTICLE 8

CONDUCT

8.01. Attendance.

Punctuality in reporting for work and regular attendance is absolutely essential to the City's fulfillment of its mission to the citizens of our community.

Employees shall be at their places of work in accordance with City and departmental policies and regulations. Department Heads shall establish work schedules and maintain daily employee attendance records.

8.02. Work Standards.

It shall be the duty of each employee to maintain high standards of productivity, cooperation, efficiency, professionalism, and economy in his/her work for the City. Department Heads shall organize and direct the work of their departments in such a manner so as to achieve these objectives.

If the work habits, production, and/or personal conduct of an employee falls below appropriate standards, supervisors shall point out the deficiencies at the time they are observed. Counseling and warning the employee in sufficient time for improvement shall ordinarily precede formal disciplinary action, but nothing can or shall prevent immediate formal action as provided elsewhere in these policies whenever required for the best interest of the City.

8.03. Political Activity.

Except as may be otherwise provided by law, the following restrictions on political activity shall apply to City employees:

- a. Employees shall refrain from using their positions or influence as City employees for or against any candidate for public office in any jurisdiction or any referendum or petition on a public issue in any jurisdiction.
- b. Employees shall not use working hours or City property or uniforms in soliciting or receiving any subscriptions, contributions, or political service, or to circulate

campaign literature for or against any candidate for public office, in any jurisdiction or any referendum or petition on a public issue in any jurisdiction.

- c. No employee may hold or seek an appointive or elected City office or other office of public trust, partisan office in any jurisdiction, or any other office where service would constitute a conflict of interest with City employment, with or without remuneration. The assumption of any such office by an employee shall constitute an immediate resignation from City service.

8.04. Solicitation.

Solicitation of funds or anything of value shall not be permitted of or by City employees except with the approval of the City Administrator. No employee may be required to make any contribution or be penalized in any way in connection with his/her employment based on a response to a solicitation.

8.05. Outside Employment.

An employee shall not engage in outside employment, including self-employment, where such activity would constitute a conflict of interest or adversely affect the employee's performance in City service. Outside employment shall be promptly reported to the employee's applicable Department Head. If an employee's outside employment begins to interfere with the effective performance of assigned City duties, the employee shall be required to terminate the outside employment or to resign from City service.

8.06. Gifts.

No employee or appointive officer of the City shall accept any gift from any individual or firm doing business with, or whose business or property is the subject of any application to, or regulatory process of, the City.

ARTICLE 9

DRUG AND ALCOHOL-FREE WORKPLACE POLICY

9.01. Purpose.

The objective of this Article is to develop a drug and alcohol-free workplace. In order to further this objective, the following rules regarding alcohol and illegal drugs in the workplace have been established.

9.02. Policy.

- a. The unlawful manufacture, distribution, dispensing, possession, sale, purchase, or use of a controlled substance on City property is prohibited.

b. Being under the influence of alcohol or illegal drugs on City property is prohibited.

c. The unauthorized use or possession of prescription drugs on City property is prohibited.

d. Employees who violate these policies shall be subject to immediate disciplinary action, including termination.

e. All employees of the City shall be subject to these policies regardless of rank or position, or whether employed on a full-time, temporary, or part-time basis.

9.03. Definitions.

City property shall mean all property, real or personal, owned, leased, occupied, used, or controlled by the City, or used by employees of the City.

Controlled substance shall mean any substance listed in Schedules I-V of Section 202 of the Controlled Substance Act (21 U.S.C. § 812), as amended.

Drug shall mean any chemical substance that produces physical, mental, emotional, or behavioral change in the user.

Drug paraphernalia shall mean equipment, products, or materials used, or intended for use, in concealing an illegal drug, or for use in injecting, ingesting, inhaling, or otherwise introducing an illegal drug or controlled substance into the human body.

Illegal drug shall mean any drug or derivative thereof for which the use, possession, sale, transfer, attempted sale or transfer, manufacture, or storage is illegal or regulated under any federal, state, or local law or regulation, as well as any other drug, including, but not limited to, prescription drugs or inhalants that are used for any reason other than a legitimate medical purpose. Also included is marijuana or cannabis in all forms.

Under the influence shall mean a state of having a measurable blood alcohol concentration, or the state of not having the normal use of mental or physical faculties resulting from the voluntary introduction into the body of an alcoholic beverage or a controlled substance.

9.04. General Policy Provisions.

Any of the following actions shall constitute a violation of this Article and may subject an employee to disciplinary action, up to and including immediate termination:

- a. Using, selling, purchasing, transferring, possessing, manufacturing, or storing an illegal drug or drug paraphernalia, or attempting or assisting another in doing so,

or consuming alcoholic beverages upon or within City property while in the course and scope of employment.

- b. Working or reporting to work, conducting City business, or being upon or within City property while under the influence.

9.05. Preventative Acts.

Employees taking drugs prescribed by an attending physician shall advise their direct supervisor in writing of the possible effects of such medication on their job performance and physical/mental capabilities. This written information shall be communicated to the direct supervisor prior to the employee commencing work. All such medical information shall be kept confidential, and the City, without exception, shall punish any breach of privacy and confidentiality in this regard. All prescription drugs shall be kept in their original container.

9.06. Employee Assistance Program.

No employee assistance programs will be provided by the City except as may be provided under then current policies of insurance available to employees.

9.07. Education or Treatment Programs.

No drug or alcohol abuse education or treatment program will be provided by the City except as may be provided under then current policies of insurance available to employees.

9.08. Coordination with Law Enforcement Agencies.

The sale, use, purchase, transfer, or possession of an illegal drug or drug paraphernalia is a violation of the law. The City will report information concerning possession, distribution, or use of any illegal drugs to law enforcement officials and will turn over to the custody of law enforcement officials any such substances found during a search of an individual or property. Searches of individuals will only be conducted based on reasonable cause; and only of their assigned City vehicles, lockers, desks, or closets when based on reasonable suspicion. The City will cooperate fully in the prosecution and/or conviction of any violation of the law.

9.09. Reservation of Rights.

The City reserves the right to interpret, change, suspend, cancel, or dispute, with or without notice, all or any part of this policy, or the procedures or benefits discussed herein. Employees will be notified before implementation of any change.

Although adherence to this policy is considered a condition of continued employment, nothing herein alters an employee's status and shall not constitute or be deemed a contract or promise of employment. Employees remain free to resign their employment at any time for any or no

reason, without notice, and **THE CITY RETAINS THE RIGHT TO TERMINATE ANY EMPLOYEE AT ANY TIME, FOR ANY OR NO REASON, WITHOUT NOTICE.**

9.10. Other Laws and Regulations.

The provisions of this policy shall apply in addition to, and shall be subordinated to, any requirements imposed by applicable federal, state, or local laws, regulations, or judicial decisions. Unenforceable provisions of this policy shall be deemed to be deleted.

9.11. Drug and Alcohol Testing Following Accidents.

Post-accident testing may be conducted following any accident in which violations of safety procedures occur, resulting in either property damage or personal injury. Individuals to be tested in a post-accident situation shall include any individual directly involved in an accident whose order, action, or failure to act is determined to be, or cannot be ruled out as, a causative factor in the events leading to or causing such accident.

The supervisor having functional responsibility for the investigation of an accident shall make a timely, good faith determination as to whether the circumstances surrounding such accident subjects an individual employee to these procedures and, if so, to take all practicable steps to have such employee provide specimens in accordance with the City's alcohol drug testing policies. The time frame for obtaining specimens related to drug impairment is twenty-four (24) hours, and for alcohol impairment four (4) hours.

An individual who, because of injury, cannot provide a specimen within the schedules provided above shall provide the necessary authorization for obtaining hospital reports or other documents that would indicate whether drugs or alcohol was involved.

An individual being processed for testing under these procedures shall not be allowed to:

- a. operate a motor vehicle to or from the specimen collection site or from their place of work. Transportation for the individual shall be provided by the City at the direction of the supervisor involved; or
- b. engage in any safety sensitive activities unless and until negative test results have been received.

If an individual subject to such restrictions refuses to comply with a supervisor's prohibition against operation of a motor vehicle, the supervisor shall report such fact immediately to the Police Department, and such conduct shall further render such individual subject to immediate discharge.

ARTICLE 10.

VEHICLES

It is the intent of this Article to establish requirements for the use of City vehicles while on the job and while off-duty. All vehicles shall be operated in a reasonable, prudent, and safe manner, and in compliance with all applicable state and local traffic safety regulations.

10.01 Authorized Use.

Employees who have been assigned a City vehicle for use during such employee's working hours shall be authorized to use such vehicle for City-related purposes only.

Employees who have been assigned a City vehicle for twenty-four (24) hours a day use shall comply with all requirements stated above for use during normal working hours. Employees having twenty-four (24) hours a day use of a vehicle may use such vehicle for City-related emergencies while off-duty. Such employees may also use such vehicle to transport themselves to and from their place of residence and their workplace location.

10.02 Limitations on Use of City Vehicles.

- a. City vehicles shall not be used by employees for personal gain.
- b. No City vehicle shall be used for travel outside the Greater Houston area without prior approval by the employee's immediate supervisor.
- c. The consumption or possession of alcoholic beverages while in a City vehicle is strictly forbidden.
- d. Employees shall not use City vehicles for any personal or recreational purpose.
- e. No City employee shall allow a City vehicle to be driven by any person other than another City employee authorized to do so.
- f. No City employee shall operate a City vehicle unless such person possesses a valid Texas Driver's License, appropriate for the type of City vehicle being operated.
- g. Permanently assigned City vehicles shall be safely parked or stored at the employee's residence when not in use.
- h. City vehicles that are permanently assigned to an employee shall be made available for use by others whenever the employee is on vacation or other leave.

- i. Employees assigned City vehicles shall ensure that all required maintenance and inspections of the vehicles are adhered to as prescribed by the Department Head.

ARTICLE 11

HARASSMENT

11.01. Purpose.

Federal law protects employees from sexual and other harassment under Title VII of the Civil Rights Act of 1964, as amended. Specifically, Title VII prohibits employers from discriminating on the basis of race, color, religion, sex, or national origin on matters of hiring, discharge, compensation, classification, recruitment, and terms, conditions, or privileges of employment, and prohibits retaliatory discharge.

It is the policy of the City that all employees should be able to enjoy a work environment free from all forms of discrimination, including sexual and other harassment. The City prohibits harassment of any employee by any other employee or non-employee. The City will not tolerate harassment of any of its employees, and will take immediate steps to stop it when it occurs.

11.02. Definitions.

“Sexual harassment” shall mean unwelcome sexual advances, requests for sexual favors, or any verbal or physical conduct of a sexual nature that explicitly or implicitly constitutes a term or condition of an individual’s employment or the basis for an employment decision. Sexual harassment shall also mean sexual conduct that has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may include conduct directed by men toward women, by men toward men, by women toward men, and by women toward women.

Examples of sexual harassment include, but are not limited to:

- a. Leering or “undressing another person with one’s eyes”;
- b. Whistling or catcalling;
- c. Pinching or patting;
- d. Unwelcome hugging;
- e. Leaning over another person for a better view;

- f. Soliciting or pressuring another person to sit on one's knee, to hug, or to be friendly;
- g. Commenting on the clothing of another person in a sexual manner, for example, "Boy I sure like the way those pants fit";
- h. Purposely brushing up against another person;
- i. Telling of vulgar or obscene jokes, or using vulgar or obscene language;
- j. Telling jokes or making comments that put women or men in a disparaging light;
- k. Repeatedly asking another person for a date after having been previously refused;
- l. Recounting one's sexual exploits in the presence of other employees;
- m. Referring to another person in demeaning or affectionate terms, such as "girl," "sweetie," "honey," or "hunk";
- n. Displaying crude jokes and/or pictures, including pinups from magazines, such as Playgirl and Playboy;
- o. Revealing parts of one's body in violation of common decency;
- p. Taunting and/or spreading rumors about the sex life of another employee;
- q. Grabbing or tearing at someone's clothing; or
- r. Physically forcing sexual activity on another person, ranging from assault to rape.

Other prohibited harassment includes unwelcome or inappropriate comments, jokes, behavior or other on-the-job activities that are derogatory toward a person or group of people based upon their race, age, national origin, gender, or disability.

11.03. Policy.

This harassment policy shall apply to all employees of the City in their conduct and relationships with other City employees or members of the general public.

This policy shall be distributed to all employees of the City. Department Heads and supervisors shall be responsible for ensuring that all employees under their direction are familiar with this policy.

11.04. Reporting Harassment.

Any employee who feels he/she is being subjected to harassment should immediately report such conduct, in writing or orally, to the employee's immediate supervisor. If the employee's immediate supervisor is the source of the harassment, then to the employee's department head. The employee should be prepared to provide the following information:

- a. Employee/Complainant's name, department, and position title;
- b. Name of the person or persons committing the harassment, including their title(s), if known;
- c. Specific nature of the harassment, how long it has occurred, and any employment action (demotion, failure to promote, dismissal, refusal to hire, transfer, etc.) taken against the complainant as a result of the harassment, or any threats made against the complainant as a result of the harassment;
- d. Witnesses to the harassment (if any); and
- e. whether the complainant previously reported such harassment and, if so, when and to whom.

When an allegation of harassment is made by any employee, the person to whom the complaint is made shall immediately prepare a report of the complaint, according to the preceding section, and submit it to the City Administrator. The City Administrator shall investigate the allegations and determine what action shall be taken.

If the City Administrator determines that the complaint of harassment is founded, he/she shall take immediate and appropriate disciplinary action against the employee guilty of harassment, consistent with those pertaining to employee discipline.

The disciplinary action shall be consistent with the nature and severity of the offense and may also take into account other factors the City Administrator believes relate to fair and efficient administration of the City, such as the adverse effects of the offense on employee morale. A determination of the level of disciplinary action shall be made on a case-by-case basis, depending on the circumstances of the case. A written record of disciplinary action taken shall be kept in the employee's file, including notations of verbal reprimands, if any. An employee found guilty of harassment shall be warned not to retaliate in any way against the person making the complaint of harassment.

In cases of harassment committed by a non-employee against a City employee in the workplace, the City Administrator shall take all lawful steps to ensure that the harassment is brought to an immediate end.

Employees are not only encouraged to report instances of harassment; they are obligated to make such report. Employees are obligated to cooperate in every investigation of harassment, including, but not limited to, coming forward with evidence, both favorable and unfavorable, to a person accused of harassment, and fully and truthfully making a written report or verbally answering questions when required to do so by an investigator during the course of an investigation of harassment. Employees are also obligated to refrain from filing bad faith complaints of harassment. Disciplinary action may also be taken against any employee who fails to report instances of harassment, or who fails or refuses to cooperate in the investigation of a complaint of harassment, or who files a complaint of harassment in bad faith.

This policy is not intended to replace, but is in addition to, any rights or remedies an employee may have under state and federal laws. The City policy may be stricter than state and federal law and actions may violate City policy, and subject an employee to disciplinary action, even though the actions at issue may not violate state or federal law.

ARTICLE 12

DISCIPLINARY ACTION, APPEAL AND GRIEVANCE PROCEDURES

12.01. Policy - At Will Employment.

All employees of the City are at will employees. An employee may be discharged, demoted, transferred, suspended with or without pay, reprimanded, or otherwise disciplined, with or without cause, by the employee's Department Head or the City Administrator.

12.02. Policy – Disciplinary Action.

It is the policy of the City that before the imposition of discipline, the following measures should be taken in the interest of ensuring that the Department Head has all necessary information, and that mistakes in judgment are not made due to a lack of information. While the following steps and procedures should be taken in every case before discipline is imposed, failure to take any or all of the measures shall not give rise to a cause of action on the part of an employee.

12.03. Procedures and Notices.

The procedures for a disciplinary action or reprimand, suspension, demotion or dismissal include the following:

A. Pre-dismissal Meeting. Before an action of dismissal is taken against an employee, the Department Head should meet with the employee, tell the employee of the charges and that discipline could be imposed, and give the employee the opportunity to explain or defend the employee's actions or omissions.

B. Reprimand, Suspension, Demotion and Dismissal. A Department Head has the authority to reprimand, suspend, demote, or dismiss an employee. When one of these

disciplinary actions is taken against an employee, the employee must be given written notice stating the basis for the action.

12.04. Appeal.

If the disciplinary action is dismissal, demotion, or suspension, the employee may appeal by filing written notice with the City Secretary within three (3) working days from the time the employee is notified of the action. The City Administrator will allow the employee an opportunity to provide him/her with any information relevant to the appeal, within a reasonable time after the appeal notice. The City Administrator will then decide whether to sustain, modify, or reverse the action. The City Administrator's decision is final.

12.05. Grievances.

A. First Step. An employee, who has a complaint concerning conditions of employment, may present a grievance in writing to his supervisor. The supervisor will conduct an interview with the employee and make a determination regarding the grievance.

B. Second Step. If a resolution of the complaint is not reached with the supervisor, the employee may request in writing within three (3) working days that the matter be referred to his/her Department Head for hearing and review of the determination.

C. Third Step. If the employee does not agree with the Department Head's solution, an appeal must be made in writing within three (3) working days requesting that the City Administrator consider the merits of the complaint. The decision of the City Administrator is final.

12.06. Documentation.

Department Heads shall forward documentation of all disciplinary actions and the surrounding circumstances to the City Secretary for placement into the employee's personnel file.

ARTICLE 13

NON-DISCIPLINARY SEPARATION

13.01. Resignation.

An employee desiring to leave the City service in good standing should submit his/her resignation in writing at least ten (10) working days in advance of the date service with the City is to be discontinued. The Department Head may waive any portion of the notice period.

13.02. Layoff.

An employee may be laid off because of changes in duties, departmental reorganization, or for lack of work or funds. An employee laid off from one City department shall be transferred to a suitable position elsewhere within the City if a vacancy in another position exists and the employee can meet the minimum job requirements. Whenever possible, at least two (2) weeks notice shall be given an employee prior to layoff.

Layoffs shall be carried out on the basis of demonstrated job performances with the most proficient employees being retained the longest period. Seniority within the City service may be used to determine the order of layoff among employees with substantially equivalent records of job performance, and part-time employees shall be laid off before full-time employees performing similar duties. Probationary employees shall be laid off before employees performing similar duties who have completed their probationary periods. A layoff shall not be considered disciplinary action.

13.03. Incapacity.

An employee may be separated if such employee is unable to perform the functions of his/her position, as expressly provided in the job description for such position, with or without reasonable accommodation. A finding that an employee is unable to perform his/her job functions shall be made only through individual medical determination by a competent medical authority as prescribed by the Department Head. Separation for such purposes shall not be considered disciplinary action and shall not operate to deny an employee the use of accrued illness, injury, disability, or other benefits.

13.04. Retirement.

Eligible employees may be separated by retirement in accordance with the applicable programs.

SECTION 14

REINSTATEMENT

14.01. After Separation.

A person who is separated in good standing may be reinstated, with loss of seniority, to his/her former type of position, provided the person remains qualified to perform the duties of the position, and provided the person was separated for not more than six (6) months. However, Department Heads may establish separate policies for their respective departments prohibiting consideration of former employees for re-hire.

14.02. After Layoff.

A person who has been laid off, including a temporary employee separated upon completion of duties, may be routinely recalled to work at any time, provided the person remains qualified to perform the duties of the position.

14.03. Re-employment.

Former employees not eligible for reinstatement under specific conditions of these Policies may be considered for employment on the same basis as other members of the general public. However, Department Heads may establish separate policies for their respective departments prohibiting consideration of former employees for re-hire.

SECTION 15

PERSONNEL FILES AND REPORTS

15.01. Personnel Files.

The City Secretary shall be the chief custodian of the official personal files for all City employees. An employee shall have the right to inspect his/her official personnel file under procedures prescribed by the City Secretary.

15.02. Status Changes.

Department Heads shall report changes in the official and personal status of their employees in writing, to the City Secretary, and shall submit such reports for filing in the employee's personnel file.

15.03. Personnel Reports.

The City Secretary shall prepare such rosters, narrative reports, statistical summaries, and other reports as are necessary or desirable to provide useful information to management.

15.04. Application Forms.

All persons seeking employment in the City service shall complete an employment application form. Application forms shall require background information concerning training, experience, and other pertinent job-related matters. All applications must be signed. A Department Head may require proof of statement or claims on an application as he/she deems appropriate. Employment application forms shall only require information necessary to process the applications, directly related to job purposes, or necessary to evaluate the effectiveness of the City equal employment opportunity program. Certain race/ethnic/sex information may be obtained for statistical and program evaluation purposes, but shall not be used in the selection process.

15.05. Exit Interviews.

With the cooperation of the employee, an exit interview shall be conducted upon an employee's separation from the City service regardless of length of service, position, or the circumstances of separation.

The applicable Department Head or his/her designee shall be responsible for conducting exit interviews. The Department Head shall ensure, if possible, that an exiting employee is interviewed prior to his/her separation from City employment. Results of exit interviews shall be recorded on prescribed forms.

At the time of the exit interview or just prior to the employee permanently leaving his/her department, all City property such as keys, identification cards, and uniforms shall be returned by the employee. No final paycheck or payment for accrued benefits, if any, shall be made to the employee until such City property is returned.

SECTION 16

TRAVEL AND EXPENSE

16.01 General.

Reimbursement for education, training, conference, and other business related expenditures incurred by City employees and officials in the performance of their duties and responsibilities will comply with standard, uniform procedures. Expenses of family members who accompany employees on business trips may not be charged to the City. Employees are expected to expend City funds for education, training, and business-related activities in a prudent manner, always keeping in mind the taxpayer's interest.

16.02 Reimbursable Expenses.

Reimbursements may be made for the following types of expenditures, upon submittal of an expense report along with the receipts:

- a. Travel – Coach rate air fare, toll roads, out-of-pocket expenses incurred during use of a City vehicle, mileage at the current Internal Revenue Service established rate.
- b. Lodging – Actual cost of room, plus appropriate taxes.
- c. Meals – Cost of meal reimbursement will be based on actual charges and should be reasonable and prudent, not extravagant.

- d. Gratuity – Not to exceed 15% of the cost of the meal.
- e. Telephone – Telephone expenses for official calls; personal calls are not reimbursable.
- f. Taxi Fares – Cost of any taxi fare incurred, plus gratuity.
- g. Parking – Cost associated with parking of personal or City vehicles resulting from travel or conduct of City business.
- h. Registration Fees – Fees charged for registration for conferences meetings, or seminars are allowed for prepayment or reimbursement. Invoices, registration forms, and supporting information providing documentation of fees or rates must be submitted with the request for payment.

16.03. Reports.

An employee must complete a “Travel Expense Report” to receive reimbursement. Only those expenses allowable for reimbursement should be included on the form. The report is due within seven (7) calendar days of the employee’s return to work. Receipts are required to be attached to such report in a manner that will facilitate easy review and approval.

16.04. Report Approval

The employee shall submit a completed report to the Department Head for review and approval. The Department Head shall indicate approval by signing in the appropriate space. If funds are due to the City, the employee shall make payment to the City and attach the reimbursement to the report.

16.05. Employee Development and Educational Reimbursement.

In order to provide more effective and efficient service delivery, the City encourages, and may sometimes require, employees to attend workshops, seminars, training sessions, or classroom instruction aimed at increasing their professional knowledge and ability. All courses, seminars and professional training sessions will be attended with prior approval by the employee’s supervisor.

In the event an employee is required to attend a workshop, seminar, or training session, the City will pay one hundred percent (100%) of the costs related to the course, as described in Section 16.01 hereof, before or at the start of the course. If the employee requests to attend a job-related course or seminar, upon supervisor approval, the City will pay one hundred percent (100%) of the costs as described in Section 16.02 hereof.

16.06. Pre-Registration.

Pre-registration for any school, conference, or seminar shall be accomplished by submitting a letter or "Request for Payment" form with completed registration forms attached, approved by the Department Head, and forwarded to the City Secretary's Office.

16.07. Mileage Expense.

Employees may request reimbursement for mileage expenses when using their personal vehicles on approved City business. Mileage reimbursement will be based on the current Internal Revenue Service (IRS) approved mileage rates. All requests for reimbursement may be made by submitting a letter or "Request for Payment" form showing beginning and ending mileage, the total miles traveled, the reason for use of his/her personal vehicle, and must be approved by the Department Head. The appropriate information will be forwarded to the City Secretary's Office.

CITY OF BUNKER HILL VILLAGE, TEXAS

PERSONNEL POLICIES

Acknowledgement of Receipt

I certify that I have received a copy of the City of Bunker Hill Village, Texas, Personnel Policies, and I understand that compliance with the Policies, rules, and regulations contained therein is a condition of employment with the City. THESE POLICIES ARE NOT INTENDED TO IMPLY ANY CONTRACT OR CONTRACTUAL RIGHTS, and may be revised or modified by the City at any time.

I agree to keep my copy of the Personnel Policies current by inserting or removing pages as noted in updates to be issued from time to time by the City, and to return the Policies to the Department Head at such time as I cease to be a City employee.

Signature

Date: _____