

Personnel Policy and Procedure Manual

City of Stephenville  
298 West Washington  
Stephenville, Texas 76401



Personally Responsible in Developing Excellence

Council Approved: March 6, 2018

Council Approved Revisions: March 5, 2019



## TABLE OF CONTENTS

### **Introduction**

Welcome from our City Administrator  
Introductory Statement  
Organization Description  
Organizational Structure  
Customer Service

### **Chapter 1: EMPLOYMENT**

Employment Classifications  
Employee Relations  
Equal Employment Opportunity  
Work Ethics  
Nepotism  
Personal Relationships  
Compensation  
Incentives and Bonuses  
Employee Medical/Psychological Examinations  
Mandatory Referral  
Outside Employment  
Job Posting  
At-Will Employment  
Americans with Disabilities (ADA) Policy  
Introductory Period

### **Chapter 2: PERSONNEL ACTIONS & RECORDS**

Personnel Files  
Employment Reference Checks  
Performance Reviews (Quarterly Conversations)  
Classification Compensation Guidelines  
Job Descriptions  
Separation of Employment  
Retirement

### **Chapter 3: EMPLOYEE BENEFITS**

Employee Benefits  
Health Insurance  
Air Ambulance Insurance  
Life Insurance  
Workers' Compensation Insurance  
Workers' Compensation Wage Supplement  
Consolidated Omnibus Budget Reconciliation Act (COBRA)  
Deferred Compensation Plan



### **Chapter 3: EMPLOYEE BENEFITS CONTINUED**

TMRS Retirement Plan  
Tuition Reimbursement  
Employment Assistance Program  
Uniforms  
Opt Out  
Certification Pay  
Bilingual Pay

### **Chapter 4: LEAVE OF ABSENCE**

Sick Leave  
Vacation Leave  
Holiday Leave  
Family and Medical Leave Act (FMLA)  
Personal Leave without Pay  
Military Leave  
Funeral/Bereavement Leave  
Jury & Witness Duty Leave  
Voting Time Off  
Administrative Leave

### **Chapter 5: COMPENSATION**

Timekeeping  
Pay Periods  
Pay Deductions  
Overtime  
Alternate/Compressed Schedule  
Longevity Pay  
On Call/Emergency Call Back Pay

### **Chapter 6: WORK ENVIRONMENT**

Safety  
Internet Access & Electronic Mail (E-mail)  
Telephone and City Issued Wireless Telephone Devices  
Meal & Rest Periods  
Tobacco Use  
Temporary Restricted Duty  
Take-Home Vehicles  
Notification of Closure/Delays  
Travel  
Identification (ID) Badges  
Visitors in Workplace  
Workplace Monitoring  
Workplace Violence Prevention



## **Chapter 6: WORK ENVIRONMENT CONTINUED**

Weapons – Concealed and Open Carry

Security Access

Social Media Policy

Breastfeeding Policy

Personal Identity Information (PII) Security, Notification, and Confidentiality

## **Chapter 7: EMPLOYEE CONDUCT**

Corrective Procedures

Employee Conduct and Work Rules

Employee Appeal Process

Grievance

Drug Free Workplace

Substance Abuse and Testing

Harassment & Discrimination

Minimum Driving Standards

Attendance and Punctuality

Dress Code and Personal Appearance

Political Activity

## **Chapter 8: MISCELLANEOUS**

Media Relations

Solicitation Policy

## **APPENDICES**

**Appendix A:** Nepotism Chart

**Appendix B:** Positions Subject to DOT Regulations

**Appendix C:** Safety Sensitive Positions

**Appendix D:** Motor Vehicle Standard

**Appendix E: Forms**

Request for Outside Employment

Sick Leave Buy Back

Voluntary Resignation Notice

Change of Status

Supervisor's Checklist for Separated Employee

Application for Degree Plan Approval

Tuition Reimbursement Agreement

Course Pre-Approval Request

Reimbursement Request

Wage Deduction Authorization Agreement

Leave Request Form

FMLA

Alternate/Compressed Schedule Request

Temporary Restricted Duty Agreement



**Appendix E: Forms – Continued**

Travel Request  
Request for Check  
Performance Correction  
Employee Grievance  
Supervisor’s Report of Reasonable Suspicion  
Discrimination and/or Harassment Complaint  
Employer Notification of Traffic Violation for CDL  
Waiver of Group Health Insurance (Opt Out)  
Retiree Notification  
Employee Request for ADA Accommodation  
Take Home Vehicle Request  
Social Media Approval/Agreement  
Performance Improvement Plan  
City Issued Wireless Device Acknowledgement  
Vehicle Accident Report  
Bilingual Certification Request  
Direct Deposit Authorization  
Workers Compensation First Report of Accident/Injury/Incident  
Workers Compensation Preventable Action Plan  
Introductory New Employee Review

**Appendix F:** Chart  
Discipline Options Chart

**Welcome to the Family! A message from our City Manager**



On behalf of the City Council, citizens and your new peers, it is my pleasure to congratulate you on your new position and welcome you to the city family. We are excited and honored that you have chosen to share your unique gifts and talents with our organization. Our purpose for being is simple. We strive every day to make people's lives better and partner with our citizens to build the kind of city they want to live in and want their children to inherit.

Stephenville is a distinctive, progressive community that is truly unlike any other. With its rich heritage, diverse and engaged citizenry, unique natural beauty, and strong faith and service communities, the town has established itself as a regional leader and one of the best places anywhere to live, work and raise a family. Our community is strongly values-based, and focuses on people and relationships, stewardship, the highest level of ethics, integrity and behavior, and servant leadership.

As an organization, we reflect the values and priorities of the community we serve and enjoy a unique, family oriented culture dedicated to excellence, collaboration, innovation and achievement. We focus on the things we have in common, and work every day to serve our citizens and customers with excellence, integrity, and heart. Stephenville's citizens, our sole reason for being, are special, and deserve the absolute best care we can provide. Put another way, we treat our citizens and customers like family. It's the Stephenville way.

It is my hope and prayer that you find the privilege of serving this very special community every bit as rewarding as I have. I am looking forward to your contributions and serving with you.

Allen Barnes

A handwritten signature in black ink, appearing to read "Allen L. Barnes". The signature is written in a cursive style.



## **Introductory Statement**

The city's Personnel Policy manual is designed to acquaint the employee with the City of Stephenville and provide information about working conditions, employee benefits, and policies affecting employment. These policies apply to all employees of the city unless specified otherwise. It describes many of the employee's responsibilities and outlines the programs developed by the city to benefit employees. It is the employee's responsibility to review the manual and comply with the policies as well as all other rules, guidelines and regulations implemented in accordance with these policies.

It is important to understand that no employee manual can anticipate every circumstance or question. Due to changes in state and federal employment laws, portions of these policies may be superseded by such new legislation and it is the intent of the city to monitor and follow any such legislation. The city reserves the right to revise, supplement, or rescind any policy or portion of the Personnel Policy Manual from time to time as it deems appropriate, at its sole and absolute discretion, with the exception of the employment-at-will policy. Employment-at-will means that the employee or the city may end the employment relationship at any time for any reason or no reason. When there are revisions, supplements or other changes to the manual, directors, managers, supervisors and employees will be notified of such changes as they occur.

The language used in any statement, policy or procedure herein, is not intended to create, nor is it to be construed to create, a contract between the city and any one or all of the city's employees.

Should there be any questions as to the interpretation or understanding of any policy, procedure or practice, please visit the Human Resources Department. The Human Resources Department administers the city's personnel functions and employment policies in accordance with applicable federal and state law. As a matter of policy, all personnel records and policy administration shall be the responsibility of the Human Resources Department. All references to Stephenville Personnel Policy shall mean the most recent revision.

The City wishes, at the outset, to relay some of its rights, which includes, but are not limited to, the following:

- Hiring, directing, assigning, discharging, disciplining, and recalling employees.
- Establishing wages, hours, working conditions, allocating, and assigning work.
- Determining the quantity and quality of work to be performed.
- Management and control of premises and equipment.



### **Individual Department Rules and Policies:**

Each individual department may have departmental policies and procedures which are separate from or are in addition to the policies and procedures listed in this manual. All departmental policies and procedures must have the approval of the city administrator or designee. Departmental policies and procedures are to be followed; however, no policy or procedure shall be inconsistent with this Personnel Policy Manual. Should such a situation exist, the city's Personnel Policy Manual shall supersede the conflicting department policy.

With the exception of matters of appointment and other personnel actions reserved for the city council by statute, charter, or ordinance, the final authority on personnel decisions is reserved for the city administrator or designee. Although major areas of policy are defined in this manual, there may be situations, which are not specifically cited. In these instances, the city administrator retains the right to establish policy.



## Organization Description

### MISSION

Making Stephenville an unusually good place to be

### VISION

To create a community that is ready for what the future holds. It will be innovative, financially stable, safe, and attractive. Stephenville will remain the family oriented Cowboy Capital of the World and the City of Champions.

### CORE VALUES

#### *Nice SPIRIT*

- Be Nice** – Serve with Sincerity
- Be Selfless** – Serve with Compassion
- Be Professional** – Serve with Pride
- Have Integrity** – Serve with Character
- Be Respectful** – Serve with Humility
- Be Innovative** – Serve with Creativity
- Be Transparent** – Serve with Accountability



## **Culture Statement**

The City of Stephenville has a team-oriented work environment that is focused on achieving the highest level of customer satisfaction, providing a family-oriented and fun work environment while pursuing excellence at all levels in the organization. Stephenville envisions being the city that peer cities strive to emulate by exuding professionalism, exceptional pride and the love Stephenville has for its colleagues, citizens and community. Stephenville has a culture that is second to none; one that can only be understood through experience.

## **Services Provided**

The primary objective and purpose of municipal government is to provide the most effective, cost-efficient, and courteous service possible to its citizens. Employees are selected for their positions because they have demonstrated the knowledge, skills, and abilities to fulfill the overall city mission of providing excellent city services.

## **City Building(s) and Locations**

- City Hall, 298 W. Washington St.
- City Landfill, 669 CR385
- City Library, 174 N. Columbia Street
- City Park and Recreation Center, 378 W. Long St.
- Stephenville-Clark Airport, 1050 Airport Road
- Fire Administration and Fire Station #2, 1301 Pecan Hill Road
- Fire Station #1, 212 W. Tarleton Street
- Municipal Court, 112 W. College
- Municipal Service Center, 1201 Glen Rose Highway
- Public Safety Building, 354 N. Belknap Street
- Senior Citizens Center, 164 E. College
- Splashville (Aquatic Center), 850 S. Graham Avenue
- Waste Water Treatment Plant, CR454
- Water Department, 298 W. Washington Street



## History of the City

Stephenville is the county seat of Erath County, is on the North Bosque River at the junction of U. S. highways 67, 377, and 281, 100 miles southwest of Dallas. It is named for John M. Stephen, who settled there in 1854 and donated the land for the town site laid out by George B. Erath when the county was organized in 1856. Stephen donated an additional fifty acres of timber to promote the development of the community and became the first postmaster in 1857. By 1858, when the population had grown to 766, Comanche raids were common. The turmoil caused by these Indian raids and by the Civil War and its aftermath reduced the population to 300 by 1871. Thereafter, the town grew steadily as a center for agricultural and livestock production. After 1886 the area was also a center for coal mining, an important industry there for the next thirty years. The *Texas Pacific*, the county's first newspaper, began in Stephenville in 1870. The town was permanently incorporated in 1889, the year the Fort Worth and Rio Grande Railway arrived. Most of the stone buildings on the town square date from the 1890s, the decade in which John Tarleton Agricultural College (now Tarleton State University) opened. Another newspaper, the *Tribune*, also began at that time; it later merged with the town's original paper, which had become the *Empire*, to form the *Empire-Tribune*.

Stephenville and Erath County had an oil boom from 1918 to 1920, but the important fields lay outside the county, and the expectations of great fortunes in petroleum soon faded. The town grew slowly in the next decades, from a population of 3,891 in 1920 to 4,768 in 1940. In 1953 an industrial foundation was formed there, and with ten years Stephenville had industries including a creamery, hatcheries, feed mills, meat-packing plants, a garment factory, and nurseries. By the early 1970s the town had more than 200 businesses and a population of more than 9,000. In 1983 a population of 11,881 supported 320 businesses. Industrial products included coated abrasives, clothing, automobile parts, mobile homes, and electrical products. Tarleton State University was the town's largest employer. In 1990 the population was 13,502. By 2000 the population reached 14,921. By 2017 the population reached 20,607.



## About Stephenville

Stephenville is located 1-2 hours from the Dallas/Fort Worth Metroplex, 1.5 hours from Waco, 2.5 hours from Austin, and 4 hours from Houston. Stephenville is the home of Tarleton State University and offers each student a traditional college experience. Tarleton offers students more than 18 on campus living options, an opportunity for field learning and internship experience with many of the local businesses. Stephenville allows students to earn a high quality education, while staying in an area that feels just like home and with a lot of history. Tarleton currently has 13,011 enrolled students and 1,586 for faculty/staff as of fall 2017.

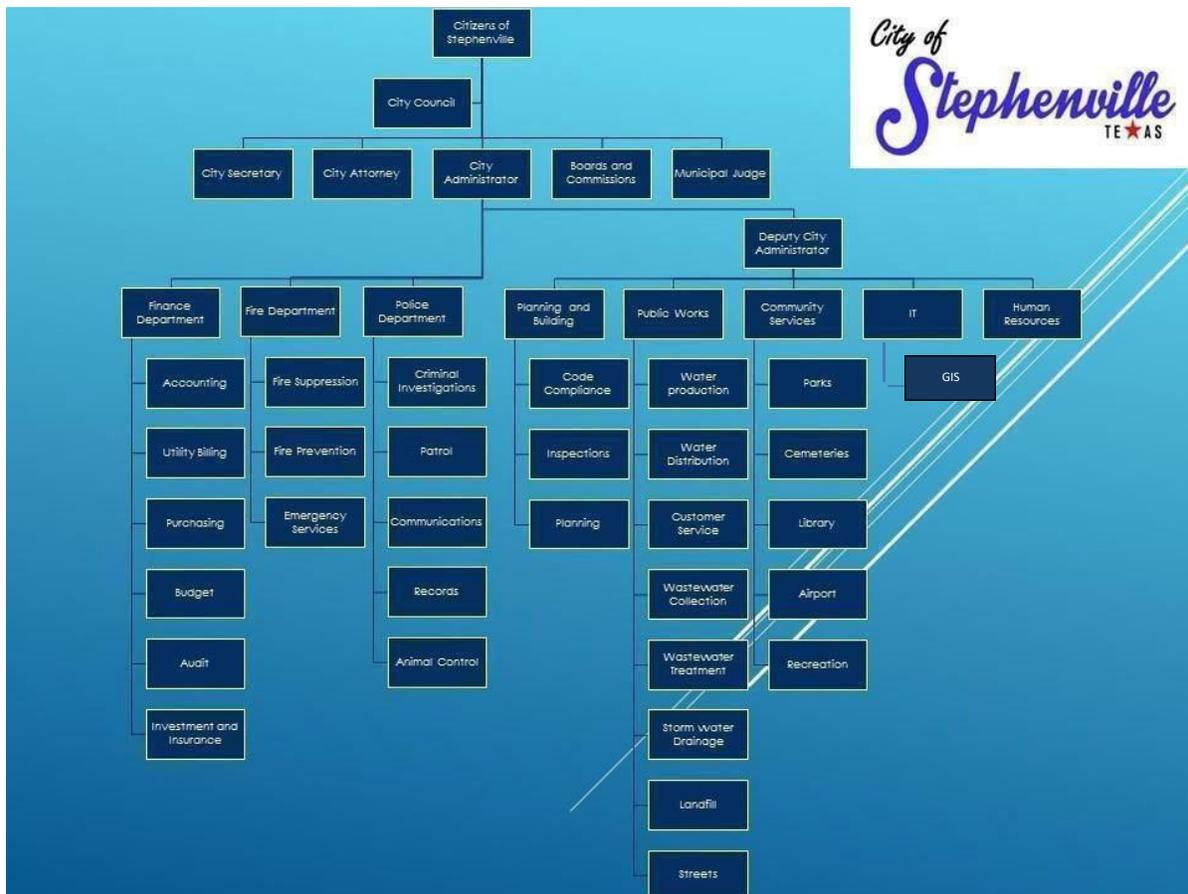
Stephenville also offers their community two (2) public parks: Jaycee Park and Stephenville City Park, two (2) golf courses: Legends Country Club and Tejas Municipal Golf Course, eight (8) tennis courts: four of which are located on the Tarleton State University campus, Cinemark Movie Theater, Splashville, Stephenville Youth Center, 281 Speedway, Stephenville Disc Golf Course, Bosque River Trail, Shopping, Dining and Entertainment; at various establishments.

Stephenville is also known as the '*Cowboy Capital of World*', '*City of Champions*', '*Texas Music Friendly*', and home of '*Moo-La*', Stephenville takes pride in having small town values, where a strong work ethic, family- values, and a giving heart still matter.

This just proves that if you are looking for a small town community, you have found one of the best!

## Organizational Structure

Stephenville uses a council-manager form of government. The city council is comprised of an elected Mayor and eight elected council members. The city manager is appointed by the city council and serves as policy advisor to the council, as well as, Chief Executive Officer of the city. The city manager and deputy city manager share in the responsibility of managing the city and carrying out the policies and the vision of the council. The chart below illustrates the organizational structure of the city.





## Customer Service

As part of the City of Stephenville's mission, customer service is a priority. Every employee of the organization is expected to assist in the continual effort toward prompt, high quality service delivery, and to embrace the philosophy of fulfilling the mission of the city.

In an effort to accomplish the mission, employees should follow certain general guidelines when interacting with customers. City employees are to treat customers with respect, regard, and courtesy with every contact, no matter where or when these contacts occur and without unnecessary delay.

General customer service guidelines shall be followed, such as:

- **S**ervice with a smile
- **T**eamwork
- **A** "can-do" attitude
- **R**esponsiveness

Customers who wish to make specific comments or complaints regarding formal employees should be directed to the Human Resources Department. All other complaints should be directed to the appropriate division director.



## Chapter 1: EMPLOYMENT

### 1.01 Employment Classification

#### **PURPOSE:**

To define the classifications of employment in the City of Stephenville.

#### **POLICY:**

The city will maintain standard definitions of employment and will classify employees in accordance with the following definitions:

#### **A. Full time Employees**

A full time employee holds an authorized position budgeted for at least 2080 hours per fiscal year.

#### **B. Part Time Employees**

A part time employee holds an authorized position, budgeted for fewer than 1000 hours per fiscal year.

#### **C. Part time Employee with Retirement Benefits**

A part time employee with retirement benefits holds an authorized position, budgeted for fewer than 2080 hours, but may work over 1,000 hours per fiscal year consistently. If this occurs the employee will be required to contribute to the City's retirement.

#### **D. Temporary/Seasonal**

A temporary/seasonal employee holds a job established for a specific period of time or for the duration of a project, season, or assignment. Note: Temporary employees may work various temporary assignments with the city and still retain temporary status.

#### **E. Exempt**

Employees in non-exempt jobs must be paid overtime, generally for hours worked over forty (40) hours per week. This means that non-exempt employees' time worked must be recorded to be in compliance with FLSA.



## **Chapter 1: EMPLOYMENT**

### **1.02 Employee Relations**

#### **PURPOSE:**

To outline expected employee relations that create a working environment where services are provided to citizens in an efficient, effective, and economical manner.

#### **POLICY:**

High productivity and efficiency are a result of individual job satisfaction. To work together successfully, employees must realize that harmonious relationships are not entirely a matter of rules, but are the outgrowth of daily decisions and professional behavior.

Employees are expected to establish and maintain effective professional working relationships with fellow employees, supervisors, elected and appointed officials, citizens, consultants, contractors, and others doing business with the city.

To create a positive work environment, employees and supervisors shall communicate openly and directly. If employees have concerns, they are strongly encouraged to voice them openly and directly to their supervisor or department director.



## Chapter 1: EMPLOYMENT

### 1.03 Equal Employment Opportunity

#### **PURPOSE:**

To affirm the city's position regarding non-discrimination in matters relating to employment in the organization.

#### **POLICY:**

To help ensure that equal employment and advancement opportunities are available to all individuals, employment decisions at the city will be based upon merit, qualification, and abilities. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training. The city does not discriminate in employment opportunities or practices on the basis of race, color, religion, gender, national origin, ethnic affiliation, age, disability, veteran status, or any other characteristic protected by law.

In accordance with the Americans with Disabilities Act (ADA), the city will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship.

In compliance with Genetic Information Nondiscrimination Act (GINA), the city prohibits discrimination and retaliation based on genetic information in employment opportunities or practices.

Employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring those issues to the attention of their immediate supervisor, department director, or the Human Resources Department. Employees can raise concerns and make reports without fear of reprisal or retaliation. Anyone found to be engaging in discrimination or retaliation will be subject to corrective action, up to and including termination of employment.

The city will not tolerate derogatory remarks or actions by employees regarding race, color, religion, gender, national origin, ethnic affiliation, age, disability, veteran status, or any other characteristic protected by law.



## Chapter 1: EMPLOYMENT

### 1.04 Work Ethics

#### **PURPOSE:**

To define ethical conduct for employees and representatives of the city.

#### **POLICY:**

The City will comply with all applicable laws and regulations and expects its directors, officers, volunteers, and employees to conduct business in accordance with the letter and spirit of relevant laws and refrain from dishonest or unethical conduct.

Employees shall, during both working and non-working hours, act in a manner which will inspire public trust in their integrity, impartiality, and devotion to the best interests of the city, its customers, and citizens.

To ensure ethical and impartial business, it is prohibited for city employees to:

1. Offer, or solicit money, property, service, or other items of value by way of gift, favor, inducement, or loan with the intent that the offer would influence or the recipient would be influenced by such conduct in the discharge of public duties. Use their official position, uniform, or badge to secure special advantage in business, personal gain, or other benefit derived from such relationship.
2. Use any city-owned facility, building, equipment, materials, or vehicle for their personal use of benefits, or for the personal use or benefit of any other individual. No employee shall have unauthorized possession of city property.
3. Invest or hold a financial interest, directly or indirectly, in any business entity, transaction, or business endeavor that would create a conflict between the city employee's duty to uphold the public trust and the individual's private interest. An employee or employee's immediate family may not be a vendor of the city.
4. Gifts should never be offered in exchange for a city official or employee's vote or similar exercise of discretion because that is bribery. Assuming the gift is not given in exchange for any particular action, the most conservative practice is to avoid ever giving city officials or employees gifts that exceed \$50 in value. (A gift below \$50 may never be in the form of cash, a check, or gift card.)
5. Gifts or drawings that are open to everyone in attendance for a function are acceptable.

City employees may be offered honorariums, a payment given for professional services that are rendered nominally without charge. If the employee is being paid by the city for the time for which the honorarium will be received, the honorarium will be rejected.

In general, the use of good judgment, based on high ethical principles, will be the guide with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter must be disclosed to the immediate supervisor and/or the department director. The department director shall immediately inform the city administrator for the purpose of precluding any real or apparent conflict of interest.



## Chapter 1: EMPLOYMENT

### 1.05 Nepotism

#### **PURPOSE:**

To clearly define the hiring, transfer and promotion standards when any relationship through blood, marriage, adoption, cohabitation or as roommates presents a conflict of interest or conflict of work related decisions for the City of Stephenville.

#### **POLICY:**

The employment of individuals related through blood, marriage, adoption, cohabitation or as roommates within the City may cause serious conflicts and problems with favoritism and employee morale within the organization. Employees who are relate through blood, marriage, adoption, cohabitation or as roommates may work in the same department; however, not in the same work unit, division or work in a capacity that poses or may pose a conflict of interest. Additionally, they shall not work directly for, or be supervised by any individual related through blood, marriage, adoption, cohabitation or as roommates. Further, no relative or any employee related through blood, marriage, adoption, cohabitation or as roommates shall be placed in positions allowing for financial signature approval of any purchasing or payroll transactions for one another. Such employees shall not work in a capacity that poses or may pose a conflict of interest.

This policy applies to all employees. The city reserves the right to take prompt and appropriate action to eliminate the conflict or potential conflict including termination or employment.

The city prohibits employees from the involvement in the selection, placement or discipline process of those with whom they are related through blood, marriage, adoption, and cohabitation or as roommates.

The city reserves the right to take prompt action if an actual or potential conflict of interest arises concerning employees related through blood, marriage, adoption, cohabitation or as roommates who occupy positions at any level (higher or lower) in the same line of authority that may affect employment decisions.

#### **A. Definitions**

1. **Relatives:** Individuals related through blood, marriage or adoption; these include but are not limited to persons related through the first, second and third degree of consanguinity (blood relations) and the first and second degree of affinity (marriage relations). See the Nepotism Chart (**Appendix A**)
2. **Cohabitants:** Individuals living together in an intimate or sexual relationship but are not married, or declared to be married, including relationships that may be considered common law marriages.
3. **Roommates:** Individuals sharing the same residence.

## **B. Procedures**

1. All applicants for employment at the time of hire must disclose the relationship with elected city officials or any individual working for the city in any capacity. Non-disclosure may result in corrective action up to and including termination.
2. When a relationship is created which is not allowed by city policy, it is the responsibility and obligation of the employees involved to promptly disclose the relationships to the department manager or director. Failure to notify management may result in corrective action up to termination.
3. When a relationship is created which is not allowed by city policy, the affected employees will be provided thirty (30) calendar days to consider which employee will vacate his or her position. The affected employee may resign, apply for another position, voluntarily demote or transfer to a vacant position. After thirty (30) calendar days, the department manager or director may decide which employee(s) to demote, transfer or terminate.

## **C. Grandfather Clause**

1. The city is aware that, as of the above revision date of this policy, a number of city employees are related, by blood or by marriage, to other city employees. These employees will be "grandfathered" under this policy, meaning they will be permitted to continue their employment with the city as long as the requirements set out in subsection B of this policy are met. Please be informed that the above "grandfathered" provision is for family relationships as they exist as of the revision date of this policy.

## **D. Periodic Review**

1. Periodically, the city manager (or designee) will review the job descriptions and interrelationships between the affected jobs and determine whether they meet the requirements set out in subsection B. If one or more of these requirements are not met, one or both of the affected employees must immediately seek a transfer to another position within the city for which he or she is qualified and that meets the requirements of subsection B of this policy. If a suitable transfer cannot be made within ninety (90) days, one or both of the affected employees will be required to resign from employment.

## **E. Application of Policy**

This policy applies to all full-time and part-time employees of the city.



## Chapter 1: EMPLOYMENT

### 1.06 Personal Relationships

#### **PURPOSE:**

To provide guidance in areas where personal relationships overlap with working relationships and avoid potential conflicts of interest in the workplace.

#### **POLICY:**

**Personal relationship** is defined as a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. Supervisors are strictly prohibited from having personal relationships with subordinates; dating or intimate, regardless of frequency. The city reserves the right to take prompt action if an actual or potential conflict of interest arises concerning individuals who occupy positions at any level (higher or lower) in the same line of authority that may affect employment decisions. If it has been determined that a supervisor is dating or intimate with a subordinate, the supervisor may be disciplined, up to and including termination. Any employee who is in violation of the personal relationship policy may be subject to discipline, up to and including termination.

Employees involved in a personal relationship with another employee may not occupy a position in the same department, work directly for, or supervise the employee with whom they are involved. The alternative for any employee determined to be in a personal relationship is for one or both employees to leave employment of the department.

Where a conflict or the potential for conflict arises because of a relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment or terminated from employment. If such a dating relationship is established after employment, it is the responsibility and obligation of the employees involved to disclose the existence of the relationship to the department director or city manager immediately. Failure to immediately disclose the relationship constitutes violation of the personal relationship policy. Where a conflict or potential conflict arises because of the relationship affecting employment the individuals concerned will be given the opportunity to decide who is to be transferred to another position or terminated if no position is available. If that decision is not made within thirty (30) calendar days, management will decide who is to be transferred or, if necessary, terminated from employment.

#### **GRANDFATHER CLAUSE:**

The city is aware that, as of the above revision date of this policy, a number of city employees are related, by blood or by marriage, to other city employees. These employees will be "grandfathered" under this policy, meaning they will be permitted to continue their employment with the city as long as the requirements set out in subsections B of Section 1.05 – Nepotism of this policy are met. Please be informed that the above "grandfathered" provision is for family relationships as they exist as of the revision date of this policy. Any future changes to the family relationship and/or employment status of the affected employee(s) will be governed by the requirements of this policy.

**PERIODIC REVIEW:**

Periodically, the city manager (or designee) will review the job descriptions and interrelationship between the affected jobs and determine whether they meet the requirements set out in subsection B of Section 1.05 – Nepotism. If one or more of these requirements are not met, one or both of the affected employees must immediately seek a transfer to another position within the city for which he or she is qualified and that meets the requirements of subsection B of Section 1.05 – Nepotism. If a suitable transfer cannot be made within ninety (90) days, one or both of the affected employees will be required to resign from employment.



## **Chapter 1: EMPLOYMENT**

### **1.07 Compensations**

**PURPOSE:**

To ensure the city is staying within the guidelines of our approved Pay Plan.

**POLICY:**

All employees hired with the City of Stephenville will be hired at the minimum range unless justification is provided to warrant hiring at a higher rate of pay. With justification, and proper form (**Appendix E, Form 4**) it must be approved by the city manager prior to any job offer.



## **Chapter 1: EMPLOYMENT**

### **1.08 Incentives and Bonuses**

#### **PURPOSE:**

To insure that City of Stephenville employees are properly compensated for assignments and duties that fall beyond their normal scope of responsibilities.

#### **POLICY:**

The city recognizes that from time to time employees are requested to perform duties beyond the normal scope of responsibilities. Where this occurs the city may offer an incentive or bonus to an employee in conjunction with the beginning of the extra assignment. The incentive may take the form of financial benefit, additional time off, or other thing of value.

Nothing in the policy should be construed to be contrary to Texas case law and the Texas case law and the Texas Constitution prohibition against awarding such incentives or bonuses after the work is done. In all cases of incentives or bonuses, the incentive or bonus will be agreed upon by the city and the employee prior to commencing that assignment.



## Chapter 1: EMPLOYMENT

### 1.09 Employee Medical/Psychological Examinations

#### **PURPOSE:**

To outline the procedures requiring certain current or prospective employees to undergo a city-paid examination to ensure successful performance of essential job functions.

#### **POLICY:**

Applicants for specific jobs may be required to undergo and pass a pre-employment physical and/or psychiatric exam upon a conditional offer of employment. The examination will be conducted by a physician of the city's choice and paid for by the city. Employment will be contingent upon successful completion of the examination in a relation to the standards of fitness required by the essential functions of the position. Where conflicts of medical/psychological opinion occur, the decision of the city's appointed physician/psychologist or psychiatrist shall be final and binding.

A department director, with agreement of the Human Resources Manager, may require current employees to undergo a physical and/or psychological examination in order to determine fitness to perform the essential job functions for continued employment. Employees who are transferred, promoted, or demoted may be required to undergo an examination to ensure that they are capable of performing the essential job functions of the new position.

Any medical/psychological information concerning an employee will be maintained in separate, **confidential** medical files, apart from regular personnel records, in the Human Resources Department. Such records are not subject to open records. Only authorized employees may have access to such files. Any employee found to have discussed medical information about another employee with anyone else or to have released such information without authorization, is in violation of this policy and will be subject to corrective action, up to and including termination from employment.



## Chapter 1: EMPLOYMENT

### 1.10 Mandatory Referral

#### **PURPOSE:**

To outline the Mandatory Referral process developed to assist employees experiencing problems or concerns which adversely affect their job performance.

#### **POLICY:**

If there is continuing or serious misconduct or disruptive behaviors by an employee, the department director may require a psychological evaluation of an employee. The employee may be referred to the Employee Assistance Program (see *Policy 3.11 Employee Assistance Program*), health insurance provider, or another professional organization or individual for evaluation. If psychological evaluation and successful treatment are made conditions of continued employment, or if a corrective action is delayed or reduced contingent upon evaluation and successful treatment, then such referral is considered mandatory and full participation in the recommended course of action is required. Referral does not automatically preclude corrective action. Failure to fully participate will be cause to reinstate the original personnel action or to take the appropriate personnel action, up to and including termination.

All cases of mandatory referral shall be discussed with the Human Resources Manager or designated representative prior to referral. If the employee has sought treatment on his/her own initiative, then the Human Resources Manager or designee may require full disclosure and release of psychological information related to the recommended course of action and treatment or the city may refer the employee to another provider on a mandatory basis.



## Chapter 1: EMPLOYMENT

### 1.11 Outside Employment

#### PURPOSE:

To outline the conditions an employee of the City of Stephenville must meet before accepting another job or business opportunity outside their employment with the city.

#### POLICY:

The position an employee holds with the City of Stephenville shall take precedence over any other occupational involvement of the employee. The acceptance of another job or business opportunity, such as contracting or self-employment, while in the employment of the city is permissible as long as the following considerations are met:

1. Employee must submit a ***Request for Outside Employment (Appendix E, Form 1)*** to the department director prior to the acceptance of outside employment and whenever the nature of such employment changes. If outside employment is approved, the request form will be forwarded to Human Resources and placed in the employee's personnel file.
2. Outside employment may not conflict with the best interest of the city and must be terminated if it adversely affects the employee's attendance or performance of duties. Approval of outside employment may be withdrawn at any time.
3. Outside employment must be suspended if the employee is on restricted duty, workers' compensation leave, sick leave, military leave, leave without pay, or FMLA (see *Policy 4.04 Family and Medical Leave Act (FMLA)* for additional FMLA information).
4. Any employee currently working at an outside job at the date of implementation of this revision of the Personnel Policy Manual must also submit a ***"Request for Outside Employment Form," (Appendix E, Form 1)*** to the Department Director.



## **Chapter 1: EMPLOYMENT**

### **1.12 Job Posting**

#### **PURPOSE:**

To outline the job posting and application process for city-wide job openings.

#### **POLICY:**

##### **A. Job Posting**

Jobs will be posted on the official city website and on the job board outside City Hall. The jobs may also be posted on departmental bulletin boards located at all city owned buildings. Each job posting will normally remain open for a minimum of one (1) week and will include the job title, department, job summary, essential duties, closing date, and minimum qualifications. In general, notices of job openings are posted, although the city reserves its discretionary right not to post a particular opening.

##### **B. Applying for a job**

To apply for a posted position, an application shall submit a completed application online.

##### **C. Internal Applicants**

All employees, including part time and seasonal, may apply for internal job postings and will be subject to the same requirements and or tests (if applicable) as external applicants. An applicant's current supervisor may be contacted to verify performance, skills, and attendance, and the personnel file may also be reviewed. Staffing limitations or other circumstances that might affect a prospective transfer may be discussed. Employees who have been on corrective probation or have been suspended in the previous twelve (12) month period are not eligible to apply for posted jobs.



## **Chapter 1: EMPLOYMENT**

### **1.13 At-Will Employment**

Each employee enters into the employment relationship with the City voluntarily, with no specified length of employment. Accordingly, either the city or an employee can terminate the employment relationship at will, at any time, with or without cause, with or without notice. This at-will employment relationship exists regardless of any other written statements or policies or any verbal statement to the contrary. Any employee, manager, or supervisor who makes such a representation or promise is not authorized to do so.



## Chapter 1: EMPLOYMENT

### 1.14 Americans with Disabilities (ADA)

#### **PURPOSE:**

The City of Stephenville prohibits discrimination against qualified individuals with disabilities relating to the application, interviewing, hiring, promotion, discharge, compensation, training, or other terms, conditions, and privileges of employment.

#### **POLICY:**

The Americans with Disabilities Act (ADA) requires employers to reasonably accommodate qualified individuals with disabilities. However, the employer is **not** required to lower quality or quantity standards to make an accommodation. In addition, the employer is **not** required to provide personal use items such as glasses, contact lens, wheelchairs or hearing aids as an accommodation. The City of Stephenville will comply with all Federal, State, and Local laws relating to the employment of applicants and employees with disabilities and reasonably accommodate qualified individuals with a disability so that qualified individuals with disabilities can perform the essential functions of the job in question.

An individual who can be reasonably, accommodated for the job in question, without undue hardship will be given the same consideration for that position as any other applicant or employee.

Applicants who pose a direct threat to the health or safety of other individuals in the workplace, which threat cannot be eliminated by reasonable accommodation, will not be hired. All employees are required to comply with safety standards. Any employee that poses a direct threat to the health of safety of the other individuals in the workplace will be placed on appropriate leave until an organizational decision has been made in regards to the employee's immediate employment situation.

#### **A. Definitions**

In implementing this policy, the City of Stephenville will be guided by the most recent applicable definitions stated in the ADA or in case law construing the ADA, and applicable state and local law. In the event of any conflict between the definitions in the ADA and the definitions in this policy, the legal definitions will be prevailing.

The following discussion is provided for general guidance of applicants and employees in understanding the policy of the City of Stephenville.

**"Disability"** refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. An individual who has such an impairment, has a record of such an impairment is also deemed a "disabled individual". An individual may also be deemed "disabled" if that person is regarded as having such impairment. However, in the "regarded as" instance, the situation is more complicated. Under amendments to the ADA in 2008, if the condition is transitory and minor defined as:

1. Having an actual or expected duration of six (6) months or less, then the condition does not qualify as a disability.
2. Generally, ameliorative measures such as medications and medical devices, *will not* be considered in making a disability determination, although ordinary eyeglasses or contacts may be taken into consideration. So, for example, the mere fact that a person wears ordinary eyeglasses will not qualify that person as “disabled”. On the other hand, the fact that a person has a hearing aid or takes medications to address the impairment will not disqualify that person as being “disabled” if the person otherwise meets the definition of “disabled”.
3. **“Major life activity”** may include things such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating or working. A “major life activity” may also include bodily functions such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive systems.
4. **“Direct threat to safety”** refers to a significant risk to the health or safety of others that cannot be eliminated by reasonable accommodation.
5. A **“qualified individual with a disability”** refers to an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position that the individual holds or has applied for.
6. **“Reasonable accommodation”** refers to making existing facilities readily accessible to and usable by individuals with disabilities, including but not limited to; job restructuring, part time or modified work schedules, reassignment to a vacant position, acquisition or modification of equipment or devices, adjustment or modification of examinations, adjustment or modification of training materials, adjustment or modification of policies, and similar activities.
7. **“Undue hardship”** refers to an action requiring significant difficulty or expense by the employer. The factors to be considered in determining an undue hardship include: **(1)** the nature and cost of the accommodation; **(2)** the overall financial resources of the facility at which the reasonable accommodation is to be made; **(3)** the number of persons employed at that facility; **(4)** the effect on expenses and resources or other impact upon that facility; **(5)** the overall financial resources of the City; **(6)** the overall number of employees and facilities; **(7)** the operations of the particular facility as well as the entire City; **(8)** the relationship of the particular facility to the City. These are not all of the factors but merely examples.
8. **“Essential job functions”** refers to those activities of a job that are the core to performing the job in question and must be performed with or without an accommodation.

#### **B. Administrative Procedures – How to request an accommodation**

An applicant and/or employee is fully responsible for providing the request for accommodation when needed. ***Request for ADA Accommodation Form, (Appendix E, Form 24)*** may be found in the back of the City Policy Manual or in the Human Resources department. Any request for accommodation must be reasonable, does not cause an undue hardship, a threat to safety and will enable the applicant or employee to perform the essential functions of the position. Each request, will be evaluated on the aforementioned criteria.

All requests are confidential. The review and coordination of any request for accommodation for a disability will be limited to those who have a right to know.

The Human Resources Department is responsible for implementing this policy, including resolution of reasonable accommodation, safety, and undue hardship issues.

The Human Resources Manager is designated as the ADA Coordinator responsible for the receipt, review and response of requests for accommodation from the applicant or employee. Additionally, the Human Resources Manager designee is also responsible for informing the department director of the request and conducting the review with the appropriate staff, department and/or agency.

The applicant or employee, will be provided the status of the request within five (5) working days. Extensions may be required contingent upon the complexity of the request. A need for extension will be provided in writing by the ADA Coordinator to the applicant or employee.

Should the applicant or employee disagree with the findings of the ADA Coordinator, the applicant or employee may appeal the decision of the ADA Coordinator within five (5) working days to the deputy city manager or designee. The request for appeal must be provided in writing. The decision of the deputy city manager or designee will be final.



## Chapter 1: EMPLOYMENT

### 1.15 Introductory Period

#### **PURPOSE:**

To provide all new employees a defined period of time in which they must satisfactorily demonstrate job proficiency.

#### **POLICY:**

All new employees hired to fill regular full-time positions must satisfactorily complete an introductory period of six (6) months from date of hire. Sworn public safety positions must satisfactorily complete an introductory period of one (1) year from date of hire.

Each employee serving in the introductory period is responsible for knowing, understanding, and meeting the expectations and standards for the position. In addition, each employee is also responsible for performing the job in a safe, productive, and effective manner within the instructions and established standards for the position. Furthermore, employees are expected to maintain an acceptable standards of conduct in their employment. During the introductory period, it is the responsibility of the employee to correct any deficiencies or inadequacies in job performance, attitude, or conduct.

#### **A. Introductory Performance Discussion**

All employees serving in the introductory period shall have the opportunity to meet with their supervisor to discuss their progress in their new position, any expectations, additional training they feel they need, and their goals with the city. This is a good time for the employee to be able to visit with their supervisor in a one-on-one basis. After the discussion, the supervisor will be asked to document the discussion. Once the employee has read it, he or she will have the opportunity to read it and also have the opportunity to make any comments on the form. Both parties will be asked to sign and date it. The document will be submitted to the Human Resources office and placed in the employer's file.

#### **B. Extensions to Introductory Period**

The introductory period may be extended under any of the following circumstances:

1. At the end of the initial six (6) months, the introductory period may be extended for up to an additional three (3) months when an employee's performance has been marginal due to extenuating circumstances, additional training is warranted, or an employee's absence from work for an extended period of time did not permit an opportunity for adequate assessment of performance. The decision to extend or not to extend an employee's introductory period may not be appealed. If an extension is granted, the employee will be advised in writing and given the date on which the extended introductory period will be completed. Such extension will be solely at the discretion of the department director and the Human Resource Manager.

2. An introductory period may be extended for time spent on an approved leave of absence including leaves of absences due to injury or illness or approved military leave. The approved extension will normally equal the length of time away from work. Hence, each full-day absence incurred by an employee during the introductory period will normally extend the six-month introductory period by an additional day.

**C. Failure of Introductory Period**

An employee is considered to have failed the introductory period when it is determined that the employee's suitability, quality or quantity of work, attendance, or combination thereof, does not meet minimum job performance standards and expectations for the position. Failure of introductory period may occur at any time within the introductory period. An employee who does not successfully complete the introductory period will normally have their employment terminated from the city. If desirable and feasible, the employee may be administratively transferred to a more suitable position at the sole discretion of the city. Department directors are responsible for ensuring the thorough written documentation of all cases of failure of the introductory period, including documentation of counseling, training, and other efforts to help employees during this period. All such documentation should be reviewed by the Human Resources Manager before an employee serving in the introductory period has their employment terminated.

**D. Termination of Employment Serving in the Introductory Period**

All employees, including those serving in the initial introductory period, are at-will employees and may have their employment terminated at the time during the introductory period, with or without notice or cause. An employee serving in the initial introductory period who has their position terminated has not right to appeal. These employees are not entitled to progressive levels of discipline. Employees serving in the initial introductory period are otherwise subject to all policies and procedures of the city.

**E. Sexual and Other Unlawful Harassment**

Employees serving in the introductory period are subject in all respects to the city's Harassment and Discrimination Policy, Chapter 7.07. Employees serving in the introductory period have no right to appeal; however, if it is believed that unlawful harassment or discrimination has occurred, such conduct must immediately be reported as set out in City Policy 7.07 – Harassment and Discrimination. The City of Stephenville has zero tolerance for any form of Sexual Harassment.

**F. Completion of Introductory Period**

Employees who have completed the introductory trial period are not entitled to remain employed by the city for any definite period of time. Both employee and the city are free, at any time, with or without notice and with or without cause, to end the employment relationship.



## Chapter 2: PERSONNEL ACTIONS AND RECORDS

### 2.01 Personnel Files

#### **PURPOSE:**

To outline the information maintained in the personnel file, employee's access to the file, and how an employee must keep personnel data and records current.

#### **POLICY:**

The City of Stephenville maintains an official personnel file in the Human Resources on each employee including such information as the employee's job application, resume, performance evaluation form, change of status forms, and other employment records.

#### **A. Restrictions & Confidentiality of File**

Personnel files are the property of the city, and access to the information they contain is restricted. However, release of information contained in the personnel file is subject to the Public Information Act. Information contained in the personnel file, except information deemed confidential by law or other information that is excepted from disclosure under the Public Information Act, may be released pursuant to such act. Additionally, direct or hiring supervisors and management personnel of the city who have a legitimate reason may review information in a file. Medical records are maintained separate from the personnel file and will not be released to the public, unless required by law. An employee or former employee may choose not to allow public access to information that relates to the employee's home address, home telephone number, or social security number, or that reveals whether the employee has family members, by signing a written non-disclosure form at any time of employment, termination, or retirement. An employee or former employee may also later choose to open or close access to such information.

#### **B. Employee Access to File**

Employees who wish to review their own file shall contact the Human Resources Department to schedule an appointment. With reasonable advance notice, employees may review their own personnel file in the Human Resources Department in the presence of a Human Resources employee. The employee may review the files and take notes or request copies of select pages, but shall not add or remove anything from their personnel file.

#### **C. Personal Data Changes**

It is the responsibility of each employee to notify the Human Resource Department within one (1) week of any changes in personal data, such as personal mailing addresses, telephone numbers, emergency contact, etc. For employees with dependent insurance coverage, the number and names of dependents must also be kept up to date.



## **Chapter 2: PERSONNEL ACTIONS AND RECORDS**

### **2.02 Employment Reference Checks**

#### **PURPOSE:**

To establish the guidelines for employee reference checks and city response to reference checks by other entities.

#### **POLICY:**

To ensure that individuals who join the City of Stephenville are well qualified and have a strong potential to be productive and successful, it is the policy of the city for the Human Resources Department to check the employment references of the selected applicant prior to extending a job offer.

The Human Resources Department is designated to respond to reference check inquiries from other employers. All calls, contacts and written inquiries concerning current or former employees should be referred to the Human Resources Department.



## **Chapter 2: PERSONNEL ACTIONS AND RECORDS**

### **2.03 Performance Reviews (Quarterly Conversations)**

**PURPOSE:**

To outline the general procedures for conducting a systematic performance evaluation.

**POLICY:**

Performance reviews are scheduled approximately every three (3) months. They are called “Quarterly Conversations” and are to be documented-in the Performance Review software.

Supervisors and employees of the City of Stephenville are strongly encouraged to discuss job performance and goals on an ongoing, informal basis. Supervisors are also encouraged to record examples of employee performances throughout the year to be used as documentation to support the performance review. Quarterly conversations are conducted to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, meaningful approaches for meeting goals.

\*See also 7.01.D – Corrective Action and Performance Evaluation



## Chapter 2: PERSONNEL ACTIONS AND RECORDS

### 2.04 Classification Compensation Guidelines

#### **PURPOSE:**

To outline different types of movement on the pay plan.

#### **POLICY:**

Movement between classifications can fall into different classes. These classes are defined below:

#### **A. Reclassification**

Reclassification is a title and/or grade change based on significant change or expansion of job responsibilities and duties, or as a result of market review. It is approved during the budget process, and there is no change in the performance review date.

Reclassification is not an assessment of the personal merit or attributes of the employee. Neither a greater volume of the same work nor isolated occurrences of higher duties are justification for reclassification. Classification decisions are not based on an employee's job performance or a comparison to the volume of work that other employee perform.

#### **B. Lateral Transfer**

Lateral transfer is a transfer to another department within the same grade. The performance review date will change to the promotion/transfer date.

#### **C. Promotion**

Promotion is the assumption of expanded duties into a vacant position and higher pay grade. The wage increase would be the amount sufficient to reach the minimum of the wage range, up to a 5% wage increase. The performance review date will change to the promotion date.

#### **D. Demotion**

Demotion is movement into a vacant position at a lower pay grade. At demotion, the performance review date will change to the demotion date and wage will be adjusted to the new wage range.

Employees who promote to safety-sensitive positions are required to pass a drug test, in accordance with *Chapter 7.06 Substance Abuse and Testing*.



## Chapter 2: PERSONNEL ACTIONS AND RECORDS

### 2.05 Job Descriptions

#### **PURPOSE:**

To outline the content of job descriptions and procedures for composing, revising, and ensuring the accuracy of the descriptions.

#### **POLICY:**

The City of Stephenville makes every effort to create and maintain accurate job descriptions for all positions within the city. Each description includes the following sections: job summary, typical duties, knowledge, ability to, minimum qualifications, and work environment section.

The city maintains job descriptions to aid in orienting new employees to their job, identifying the requirements of each position, establishing hiring criteria, setting standards for employee performance evaluations, and establishing a basis for making reasonable accommodations for individuals with disabilities.

When new positions are deemed necessary, the department director and the city manager must present to the city council the feasibility and need for the position. Existing job descriptions are also reviewed and revised to ensure that they are up-to-date and reflect changes. Employees are expected to help ensure that their job descriptions are accurate and current, reflecting the work being done.

Employees must remember that job descriptions do not necessarily cover every task or duty that might be assigned, and that additional responsibilities may be assigned as necessary. Employees may contact their supervisor or the Human Resources Department with questions or concerns about the job description.



## Chapter 2: PERSONNEL ACTIONS AND RECORDS

### 2.06 Separation of Employment

#### PURPOSE:

To establish the types of separation and guidelines to be followed when an employee ends employment with the City of Stephenville.

#### POLICY:

Separation of employment within an organization can occur for several different reasons. Employment may end as a result of resignation, retirement, release (end of season or assignment), and reduction in workforce, or termination. When an employee separates from the city, their supervisor shall complete the ***Supervisor's Checklist for Separated Employee (Appendix E, Form 5)*** and the employee should contact Human Resources to schedule an exit interview, typically to take place on their last workday.

#### A. Types of Separation

##### 1. Resignation

Resignation is a voluntary act initiated by the employee to end employment with the city. The employee must submit a signed and dated letter of resignation or the ***Voluntary Resignation Notice (Appendix E, Form 3)*** providing a minimum of two (2) weeks' notice. If an employee does not provide advance notice, or fails to work the remaining two (2) weeks, the employee will not be eligible for rehire. The employee also will not be eligible to receive payout of accrued benefits, unless at the discretion of the department director and the city manager a decision is made to pay all or a portion of accrued benefits to the employee in lieu of the two (2) week notice.

Vacation days and/or holidays may not be taken during the two-week notice without prior written approval from the department director. For employees with a holiday bank, a holiday may not be used after the letter of resignation is submitted.

##### 2. Retirement

Employees who retire under TMRS are required to notify their department director and the Human Resources Department in writing at least one (1) month before planned retirement date. See *Policy 3.09 TMRS Retirement Plan and Policy 2.07 Retirement* for more information.

##### 3. Job Abandonment

Employees who fail to report to work or contact his/her supervisor for two (2) consecutive work days shall be considered to have abandoned the job without notice effective at the end of his/her normal shift on the second day. The supervisor or department director shall notify the Human Resources Department at the expiration of the second work day and initiate the paperwork to terminate the employee. Employees who are separated due to job abandonment are ineligible to receive accrued benefits and are ineligible for rehire.

##### 4. Termination

Employees of the City of Stephenville are employed on an at-will basis, and the city retains the right to terminate their employment at any time.

5. **Reduction in Work Force**

An employee may be laid off because of changes in duties, organizational changes, lack of funds, or lack of work. Employees who are laid off may not appeal the lay-off decision through the appeal process.

6. **Release**

Release is the end of temporary or seasonal employment.

7. **Long Term Absence**

The city has an obligation to provide services to citizens. The city reserves the right to fill a position if an employee has been absent for work for more than 180 calendar days, for whatever reason, except as provided below. Brief appearances at work during an overall absence of 180 days will not prevent the city from filling the position if it is 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 essential duties of his or her actual position for a period of 180 days will be released from employment if it is unlikely, in a doctor's opinion) that the employee will be able to perform the essential functions of his or her position. Nothing in this policy guarantees an employee's 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 perform the essential job functions 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 perform the essential job duties of his or her actual position at the end of 180 days. An employee who has a paid leave balance remaining at the end of 180 days may, at the city's option, extend his/her leave using any available paid leave balance up to a maximum paid absence of one year, or be terminated and paid for accrued leave balances according to *Policy 4.01, Sick Leave and Policy 4.02, Vacation Leave*.

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.

**B. Out-Processing**

1. **Return of City Property**

The separating employee must return all city property at the time of separation, including but not limited to uniforms, cell phones, keys, and identification cards. Failure to return some items may result in deductions from final paycheck. See *Policy 3.12 Uniforms* for additional information. An employee will be required to sign the ***Change of Status Form (Appendix E, Form 4)*** to deduct the costs of such items from the final paycheck.

2. **Exit Interview**

The separating employee shall contact the Human Resources Department as soon as notice is given to schedule an exit interview. The interview will be on the employee's last day of work or other day as mutually agreed upon.

3. **Final Paycheck**

The separating employee's final paycheck will not be direct deposited. Final paychecks, which may include applicable deductions and payouts will be in the form of an actual, paper check. The separated employee's final paycheck will be mailed to the address on file. Unless other arrangements have been made.

### **C. Termination of Benefits**

An employee separating from the city is eligible to receive benefits as long as the appropriate procedures are followed as stated above. Two (2) weeks' notice must be given and the employee must work the full two (2) work weeks.

1. **Vacation Leave:** Accrued vacation leave will be paid in the last paycheck, according to *Policy 4.02 Vacation Leave*.
2. **Sick Leave:** Accrued sick leave will not be paid in the last paycheck, according to *Policy 4.01 Sick Leave*
3. **Health Insurance:** Health insurance terminates the last day of the month upon termination date. See *Policy 3.07 Consolidated Omnibus Budget Reconciliation (COBRA)* for information about continued health coverage.

### **D. Rehire**

Former employees who leave the city in good standing and were classified as eligible for rehire may be considered for reemployment. An application must be submitted to the Human Resources Department and the applicant must meet all minimum qualifications and requirements of the position, including any qualifying exam, when required.

Supervisors must consult with the Human Resources Manager or designee prior to rehiring a former employee. Rehired employees begin benefits just as any other new employee.

Previous tenure will not be considered in calculating longevity, leave accruals, or any other city benefit.

### **E. REAPPOINTMENT AS POLICE OFFICER AFTER RESIGNATION**

A person who previously served as a City of Stephenville police officer may apply to the Chief of Police for reappointment as patrol officer within one (1) year of the effective date of termination if the applicant for reappointment resigned voluntarily in good standing and holds a valid, current license as police officer from the Texas Commission on Law Enforcement. Reappointment will not be considered if the applicant resigned pending disciplinary action or investigation.

An applicant for reappointment shall meet all requirements for entry level patrol. The applicant will also not be required to take an entrance examination or be placed on the eligibility test.

Upon reappointment, the applicant will be reinstated with all previous longevity and seniority benefits earned during any previous period of employment with the City of Stephenville Police Department, including placement on the salary step for patrol officer.

It shall be the Chief of Police's discretion to determine the applicant's suitability for reappointment. In the event the Chief of Police decides the applicant should not be reappointed, the applicant shall be notified of the decision in writing and the reappointment process is terminated. The Chief of Police shall forward a copy of this documentation to the Human Resources Manager. If, based on the overall value of the applicant to the department, the Chief recommends reappointment as patrol officer, notice of the reappointment shall be given in writing to the Director.

In the event there is no vacancy for patrol officer at the time of application for reappointment, the Chief may retain the application. Reappointment can be made only within one (1) year of the date of resignation. If there is no reappointment within two (2) years from date of resignation of the applicant, the reappointment process is automatically terminated.

**F. Bar from Employment**

An applicant or employee whose employment is terminated for violating a city policy or who resigned in lieu of termination from employment, due to a policy violation, will be ineligible for rehire. Employees who resign without giving a two (2) week notice and fulfilling their two (2) week notice will not be eligible for rehire.



## Chapter 2: PERSONNEL ACTIONS AND RECORDS

### 2.07 Retirement

#### **PURPOSE:**

To provide information to employees on retirement guidelines and benefits.

#### **POLICY:**

The City of Stephenville is a member of the Texas Municipal Retirement System (TMRS), which is governed by the State of Texas legislature. Participation in the system is mandatory for all regular full time employees working the number of hours required by TMRS. Employee contributions to the system will be deducted from each pay check. Employees who retire must notify their department director and the Human Resources Department in writing at least one (1) month before the planned retirement date.

#### **A. Benefits Eligibility**

1. In order for an employee to be considered retired with the City of Stephenville, the employee must be qualified for service retirement from TMRS immediately upon separation from the city. Generally, employees may retire after 240 months (20 years) of TMRS credit, regardless of age. Military Service credit toward earlier retirement. See *Policy 3.09 TMRS Retirement Plan* for more information or call TMRS at 1-800-924-8677.
2. An employee who retires from active duty with five (5) years current, continuous full time employment with the City of Stephenville is eligible to purchase health insurance coverage as provided by the city's group health insurance carrier, unless the person is eligible for other group health benefits coverage.
3. Eligibility for participation in the city's group insurance plan will cease if the retiree becomes eligible for another employer's group plan. The retiree is required to notify the city of medical insurance benefits provided by other group insurance. If a retiree fails to disclose evidence of medical insurance benefits provided by another group plan, the retiree's eligibility and enrollment shall be terminated immediately.
4. Participation in the city's health and dental insurance program ceases upon the date of eligibility for Medicare for the Retiree and dependents unless otherwise stipulated.
5. To be eligible for retiree health/dental coverage the employee must return the form which they receive via the United States Postal Service from National Benefit Services (NBS), or current service provider, with the medical and/or dental choices selected by the date on the form.
6. Dependents that are on the city's medical/dental plan at the time of retirement may be maintained through COBRA. Retirees may not add dependents to insurance after retiring.
7. The retiree is responsible for remitting the amount of the premium at the time specified to the insurance carrier. If the retiree fails to remit the required amount to the insurance carrier at the time required, the coverage will terminate and medical/dental insurance coverage will cease.
8. The Stephenville City Council approved a Supplemental Death Benefit Option with TMRS which provides a death benefit of \$7,500 for TMRS retirees.
9. The city reserves the right to change the Supplemental Death Benefit and/or eligibility criteria at any time at the city's discretion. The policy is not intended to be a contract. Benefit changes to the city's group medical/dental plan shall apply to retirees enrolled in the (COBRA). Notification of any changes to the plan will come through the United States Postal Service.

10. Once a retiree's participation in the City's COBRA plan has been terminated for any reason, it shall not be reinstated.

**B. Retirement Gifts**

1. It is the practice of the City of Stephenville to give special recognition to employees at the time of their retirement.
2. The recipient must have been employed with the city for a minimum of twenty (20) years to be eligible for a retirement gift.
3. Any employee who has been employed with the city for twenty (20) years or more will receive a gift certificate in the amount of one hundred dollars (\$100) good towards items of your choice at many locations. Items include restaurants, shopping stores, which include groceries, clothing, hunting & fishing, household and more. The city may also hold a small reception with cake and punch at the discretion of the employee. Invitations may be sent to family members of the retired employee, and previous retirees of the city.



## Chapter 3: EMPLOYEE BENEFITS

### 3.01 Employee Benefits

**PURPOSE:**

To communicate the wide range of the benefits provided by the City of Stephenville to employees.

**POLICY:**

Benefit eligibility is dependent upon a variety of factors, including employee classification and length of employment. Details of many of these benefits may be found elsewhere in the policy manual.

The following benefits are available to eligible employees;

- Health Insurance (Policy3.02)
- CareFlite & Air Med Insurance (Policy3.03)
- Life Insurance through TMRS (Policy3.04)
- Workers' Compensation Insurance (Policy 3.05)
- Workers' Compensation Wage Supplement (Policy3.06)
- COBRA (Policy 3.07)
- Deferred Compensation Plan (Policy3.08)
- TMRS Retirement Plan (Policy3.09)
- Tuition Reimbursement (Policy 3.10)
- Employee Assistance Program (Policy 3.11)
- Uniforms (Policy 3.12)
- Insurance Opt-Out (Policy 3.14)
- Certification Pay (Policy3.15)
- Bilingual Pay (Policy 3.15)
- Sick Leave / Buy-Back (Policy 4.01)
- Vacation Leave (Policy4.02)
- Holiday Leave (Policy4.03)
- Family and Medical Leave (Policy 4.04)
- Personal Leave Without Pay (Policy 4.05)
- Military Leave (Policy 4.06)
- Funeral/Bereavement Leave (Policy 4.07)
- Jury & Witness Duty Leave (Policy4.08)
- Voting Time Off (Policy4.09)
- Longevity Pay (Policy5.06)



## Chapter 3: EMPLOYEE BENEFITS

### 3.02 Health Insurance

#### **PURPOSE:**

To communicate the health insurance programs for City of Stephenville employees, and to identify eligibility requirements.

#### **DEFINITIONS:**

Spouse: A husband or a wife as defined or recognized under Federal law for purposes of marriage. Common law marriage shall require presentation of a certified copy of the Declaration of Informal Marriage. Spouses from marriages are considered eligible family members.

#### **POLICY:**

The City of Stephenville's health insurance plans provide employees and their dependent(s) access to health insurance benefits. Only employees in the following employment classification are eligible to participate in the health insurance plan:

- Full time employees

Health insurance benefits are effective the first day of the calendar month, after the date of hire.

Eligible employees may participate in the health insurance plan subject to all terms and conditions of the agreement between the city and the insurance carrier. Each new employee is required to complete their enrollment online at the time full time employment begins.

The city council may at their discretion require employees to pay a portion of the cost of the employee's health insurance. This participation will be considered by the council in April of each year.

The city offers employees the option to purchase dependent health and dental insurance as described below:

1. A spouse will be covered when defined by a formal marriage certificate or a certified copy of a Declaration of Informal Marriage. The city does not cover a common law spouse without the declaration.
2. Biological or legally adopted children of the employee or of the employee's lawful spouse will be covered.

A change in employment classification that would result in loss of eligibility to participate in the health insurance plan may qualify an employee and/or dependent(s) for benefits continuation under the Consolidated Omnibus Budget Reconciliation Act (COBRA). See *Policy 3.07 Consolidated Omnibus Budget Reconciliation Act (COBRA)* for more information.

Contact the Human Resources Department for additional information about health insurance benefits.



## **Chapter 3: EMPLOYEE BENEFITS**

### **3.03 Air Ambulance Insurance**

**PURPOSE:**

To communicate the air ambulance insurance program for the employees and their family members and to identify eligibility requirements.

**POLICY:**

The City of Stephenville provides insurance with CareFlite and Air Evac service for all full-time employees and any family members living in their household.

Those eligible include full-time employees; any person living in the household; any child who is a college student, but is away attending college. All employees, dependents or participants listed must have insurance from either the city's insurance plan or another insurance company.



## **Chapter 3: EMPLOYEE BENEFITS**

### **3.04 Life Insurance**

#### **PURPOSE:**

To communicate the life insurance program for City of Stephenville employees, and to identify eligibility requirements.

#### **POLICY:**

Life insurance offers employees important financial protection. The Texas Municipal Retirement System (TMRS) provides all employees of a basic life insurance plan of one times their annual wage. The City of Stephenville offers employees the option to purchase supplemental life insurance for themselves and their dependents. Employees in the following employment classifications are eligible to participate:

- Full time employees
- Part time employees with TMRS benefits

Eligible employees participate in the TMRS life insurance plan subject to completion of the mandatory TMRS enrollment form. Each new eligible employee must complete enrollment forms at the time employment begins or at the time of status change causes eligibility.

Contact the Human Resources Department for additional information about this or other life insurance benefits.



## Chapter 3: EMPLOYEE BENEFITS

### 3.05 Workers' Compensation Insurance

#### **PURPOSE:**

To describe the City of Stephenville's Workers' Compensation Program and the reporting procedures to follow when workers' compensation insurance may apply.

#### **POLICY:**

The City of Stephenville complies with the Texas Labor Code in the provision of workers' compensation insurance coverage for its employees. This program covers an injury or illness sustained in the course of employment, subject to applicable legal requirements and workers' compensation guidelines. Workers' compensation insurance coverage begins immediately upon employment with the city.

Employees who sustain work-related injuries or illnesses must inform their supervisor immediately. No matter how minor an on-the-job injury may appear it must be reported. It is imperative that the supervisor then notifies HR of the accident/injury.

Neither the city nor the workers compensation insurance carrier will be liable for the payment of workers' compensation benefits for injuries that occur during an employee's participation in an off-duty recreational, social, or athletic activity sponsored by the City or for outside employment.

Time off on workers' compensation leave will not be counted as time worked for the purposes of determining overtime. FMLA will run concurrent with workers compensation absences. See *Policy 4.04 Family and Medical Leave for more information*

Employee contributions to TMRS may be made on a voluntary basis through a special arrangement with the City while an employee is in a leave without pay status. It is the employee's responsibility to initiate such an arrangement by timely contracting Human Resources and completing the necessary paperwork.

Employees must comply with the instructions and restrictions of the treating physician. Failure to comply may result in corrective action up to or including termination.

#### **A. REPORTING PROCEDURES**

1. When an accident/injury occurs, whether medical treatment is necessary or not, the employee must report the accident/injury to their supervisor.
2. The supervisor must then follow the steps below:
  - a. Verbally notify HR, if time permits, and obtain an authorization to treat at a city- approved facility, if needed. If the situation is a true life-threatening emergency, please proceed immediately for care, without HR authorization.
  - b. Transport the employee for medical treatment to an approved city medical facility or contact emergency transportation if an employee is unable to drive.

- c. If after normal operating hours, have the employee contact the Human Resource Manager the following morning for a prescription form; if needed.
- d. If the employee goes to the emergency room for treatment, ensure they follow up with a City-approved physician before returning to work.
- e. Have the employee complete the “*Employee Accident-injury*” form **(Appendix E, Form 36)**
- f. Bring all forms to the Human Resources (HR) immediately upon completion, but not later than the next business day.
- g. Complete the “*Preventative Action Plan*” **(Appendix E, Form 37)** within fifteen (15) days after injury/accident and return to HR.

For additional information on workers’ compensation, visit the Texas Workers’ Compensation Commission online at <http://www.tdi.gov/wc//indexwc.html> or contact Human Resources.

*Also see Chapter 3.06 Workers’ Compensation Wage Supplement for additional information.*



## **Chapter 3: EMPLOYEE BENEFITS**

### **3.06 Workers' Compensation Wage Supplement**

**PURPOSE:**

To describe the Workers' Compensation wage

**POLICY:**

The city offers a wage supplement option for an employee who sustains an injury on the job:

Employees who use the city's occupational health provider and receive Temporary Income Benefits (TIB) from the city's Worker's Compensation insurance carrier may receive a wage supplement from the city for up to one year. In order to receive wage supplement, the employee must use the city's occupational health provider, a physician referred by the city's occupational provider, or a physician referred by Texas Municipal League Intergovernmental Risk Pool unless hospital emergency room treatment is necessary. If hospital treatment is necessary, subsequent outpatient care shall be with the city's occupational health provider or physician referred by the Texas Municipal League Intergovernmental Risk Pool.

**A. Texas Workers' Compensation Act**

When an employee is injured within the course and scope of their employment for the City of Stephenville, the employee is eligible for Workers' Compensation payments pursuant to State Law. Workers' Compensation pays for:

- Reasonably required and necessary medical treatment
- A statutory amount, based on the employee's average weekly wage and weekly benefits in lieu of wage for inability to work due to an on the job injury or occupational illness; no wage increase while out on workers' compensation
- Additional monetary benefits for permanent disability suffered as a result of the on the job injury or occupational illness
- Death benefits

Workers' Compensation entitlements are subject to being denied or discontinued based on the following grounds covered in the Texas Workers' Compensation Act:

1. The injury occurred while the employee was in a state of intoxication or under the influence of illegal drugs
2. The injury was caused by the employee's willful intention to attempt to injure him or herself or to unlawfully injure another person
3. The employee's horseplay was the cause of the injury
4. The injury arose out of an act of a third person intending to injure the employee because of personal reasons and not directed at the employee as an employee or because of their employment

5. The injury arose out of voluntary participation in an off-duty recreational, social, or athletic activity not part of the employee's work-related duties, except where these activities are a reasonable expectancy of or are expressly or implicitly required within the scope of the employee's job duties.

As provided by law, Workers' Compensation benefits are subject to a seven (7) calendar day waiting period. Employees will begin earning Workers' Compensation weekly benefits after the seventh day of an on the job injury that requires absence from work. Covered employees who are absent from work due to an on the job injury, for less than seven days, will be on the payroll in workers' compensation pay status.

**\*\*Note:** An employee may select a physician of their own choice to administer treatment in connection with the on the job injury. However, city wage supplement and Workers' Compensation benefits will only be provided when using the city's occupational health care provider or a physician referred by the Texas Municipal League, unless hospital emergency room treatment is necessary.

If an employee was not taken off work by the treating physician but doesn't feel well enough to come to work, he/she must return to the treating physician for evaluation. If the physician's release says the employee may return to work and the employee decides not to, the employee must use his/her own accrued sick leave. If no sick leave is available, the employee must use his/her accrued vacation leave.

## **B. Temporary Income Benefits**

Temporary Income Benefits (TIB) will be paid weekly by the city's Workers' Compensation carrier beginning on the eighth (8<sup>th</sup>) day of lost time injury leave and will continue until the employee reaches Maximum Medical Improvement (MMI). TIB is paid at the rate of approximately 70% of the injured employee's average weekly wage.

This will result in the employee receiving approximately 85% of gross pay because TIB are not subject to income and social security tax.

The city continues to supplement the injured workers' wage so that there is no reduction in pay. Therefore, supplemental check(s) received from the Texas Municipal League (TML) must be endorsed by the employee and turned in to Human Resources. Please consult Human Resources for more information.

## **C. Wage Supplement Rules**

Wage supplement payments may be suspended or forfeited at any time for the injured employee's failure to comply with city policies, procedures or directions.

The following list contains examples of grounds for suspension or forfeiture of wage supplement payments:

1. If the employee engages in work, whether paid, unpaid or as a volunteer, while off work from the city regardless of when the position was accepted
2. If the employee is terminated or resigns for any reason

3. If the employee fails or refuses to comply with instructions or the advice of the treating physician
4. If the employee fails to act in a manner consistent with being off work convalescing
5. If workers compensation indemnity payments are stopped
6. If the employee refuses to accept or perform a different or light duty job with the city that is within the employee's physical capacity and for which the employee is able, qualified, and/or could be trained
7. If the employee refuses to submit to any independent medical examination or treatment in accordance with the Texas Workers Compensation Statute
8. If the employee refuses to return to regular duty after being released by the treating physician
9. If the employee fails to report the injury within twenty-four (24) hours without good cause for the delay as determined by Human Resources
10. If the employee fails to keep Human Resources informed on a weekly basis as to the status of the injury when off work receiving Workers' Compensation payments
11. If the employee refuses to cooperate with Human Resources in ascertaining facts, information, and requests concerning the status of the injury



## Chapter 3: EMPLOYEE BENEFITS

### 3.07 Consolidated Omnibus Budget Reconciliation Act (COBRA)

**PURPOSE:**

To outline the eligibility and procedures for extended health insurance through the federal Consolidated Omnibus Budget Reconciliation Act (COBRA).

**POLICY:**

COBRA gives employees and/or dependent(s) the opportunity to continue health insurance coverage under the City of Stephenville's health plan when a *qualifying event* would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, death, reduction in hours, an employee's divorce or legal separation, or a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary will pay the full cost of coverage at the city's group rate plus an administrative fee. When a qualifying event occurs, contact the Human Resources Department to determine COBRA eligibility.



## **Chapter 3: EMPLOYEE BENEFITS**

### **3.08 Deferred Compensation Plan**

**PURPOSE:**

To outline employee eligibility, contribution, and benefits of voluntary participation in the 457 Deferred Compensation Plan.

**POLICY:**

The 457 Deferred Compensation Plan has been established to provide employees with a voluntary investment option designed to supplement the employee's income at retirement.

Employees in the following employment classifications are eligible for participation in the 457 Deferred Compensation Plan:

- Full time employees
- Part time employees with retirement benefits

The 457 Deferred Compensation Plan permits an employee, on a voluntary basis, to authorize a portion of their wage to be withheld, tax deferred, and invested. Eligible employees may enroll, make changes, or stop deductions at any time in the 457 Deferred Compensation Plan. Employees contribute up to a fixed amount that is set annually by IRS. Neither the deferred amount nor earnings on the investments are subject to current federal income tax. Various investment options are available to best meet individual retirement objectives.

For additional information, please contact the Human Resources Department.



## Chapter 3: EMPLOYEE BENEFITS

### 3.09 TMRS Retirement Plan

#### **PURPOSE:**

To identify eligibility requirements for employees to participate in the Texas Municipal Retirement System (TMRS). The retirement system is administered on a state-wide basis.

#### **POLICY:**

Participation in the Texas Municipal Retirement System (TMRS) system provides for monthly pension benefits at retirement.

#### **A. Eligibility for Enrollment**

At the time of employment, all eligible employees are enrolled in the TMRS pension plan. Employees in the following employment classification participate in TMRS:

- Full time employees
- Part time employees in position budgeted to work less than 2080 but at least 1,000 hours a year (Part time employees with Retirement benefits)

#### **B. Contributions**

Contribution rates and other policies of the city's TMRS plan are determined by the city council and are subject to change.

1. Contributions to TMRS are mandatory for eligible employment classifications described above
2. Currently, the employee contributes 6% of their earnings each pay period. The contributions are tax deferred and made through payroll deduction. Vesting generally occurs five (5) years after the first contribution.
3. Currently, the city's contributions are approximately 2 to 1 (about 12%)

#### **C. Interest Earnings**

Employee deposits earn interest on an annual basis, credited to the employee's account each year on December 31st. Prorated interest occurs only during the year in which the employee retires.

#### **D. Benefits at Retirement**

1. Generally, employees may retire after 240 months (20 years) of TMRS credit, regardless of age. Military Service or previous government employment may contribute service credit toward earlier retirement
2. TMRS benefits will be based on years of service, wage, the employee and city contributions to the account, and the retirement option selected
3. Employees must contact the Human Resources Department at least one (1) month before the planned retirement date to allow for completion of paperwork

**E. TMRS Supplemental Death Benefits**

The Stephenville City Council approved a Supplemental Death Benefit Option which provides a death benefit equivalent to the annual wage for current employees and \$7,500 for retirees of the city.

For additional information, please consult the TMRS Benefits Guide available online at <http://www.tmr.com>.



## Chapter 3: EMPLOYEE BENEFITS

### 3.10 Tuition Reimbursement

#### **PURPOSE:**

To provide employees with the procedures to access and utilize the City of Stephenville's Tuition Reimbursement Program.

#### **POLICY:**

In recognition of the long-range contribution that additional job related education can make in continued quality service to the community, educational expense reimbursement is offered to eligible employees on a limited basis according to the following guidelines:

- Full time employees
- Must be employed with the city a continuous year before submitting an application for tuition reimbursement

#### **A. Eligibility**

1. Educational courses must be taken from an accredited college or university. For the purposes of this policy, accredited shall mean an institution of higher education recognized by the U.S. Department of Education (<http://ope.ed.gov/accreditation/search.aspx>) or The Council for Higher Education Accreditation (<http://www/chea.org/search/search.asp>).
2. The employee must have a field of study, commonly known as a major, declared with the employee's chosen college or university. Only those fields of study that, in the judgment of the employee's department director and the City Manager's Office, are related to the employee's current job classification or which will enhance the employee's potential for advancement to a position within the city are considered under this program. Single courses in self-improvement or continuing education programs not leading to a degree do not qualify under this program.
3. The maximum number of hours eligible to be reimbursed per semester is six (6)
4. To be eligible for reimbursement, completion of the course with a passing grade of "C" or better for undergraduate level is required, or "B" or better for graduate level work.
5. Employees receiving tuition assistance from a source that does not require repayment (Veteran's benefits, grants, scholarships, etc.) are required to submit reimbursement requests for the balance of the tuition not covered by the alternate source

## B. Procedures and Responsibilities

An employee considering reimbursement under the terms of this program must make application to the city prior to enrollment in qualified courses. The employee must notify their division director prior to August 1<sup>st</sup> each year for budgeting purposes.

1. Tuition reimbursement will be paid only if the courses and degree plan in question have been pre-approved
2. The employee must complete and submit to their Department Director the ***Application for Degree Plan Approval*** form (**Appendix E, Form 6**), along with a complete degree plan outlining required courses and a signed ***Tuition Reimbursement Agreement*** (**Appendix E, Form 7**). The Department Director will enter a recommendation as to approval of the degree plan and then forward the application to the Human Resources Department. The Human Resources Manager will review the application for completion and forward to the City Administrator's office with recommendations for approval
3. The decision of the City Administrator or designee is final. If the City Administrator approves the field of study, all courses in the degree plan are eligible for reimbursement subject to the availability of funds in the City's Annual Operating Budget. Reimbursement will be paid at 100% of the eligible tuition rate up to a maximum of \$1,200 annually
4. Eligible tuition rate is defined as the resident tuition rate established by the state or county college attended for undergraduate or graduate level work. If attendance is at an institution other than a state or county college, reimbursement will be based on the average tuition rate for state schools within the region as determined by the Human Resources Department
5. Mandatory fees shall be reimbursed at 50%, excluding late fees and interest for delayed payment plans. Eligible fee rate is defined as the resident fee rate established by the state or county college attended for undergraduate or graduate level work. If attendance is at an institution other than a state or county college, reimbursement will be based on the average fee rate for state schools within the region as determined by the Human Resources Department
6. Prior to the commencement of each semester, the employee must submit a ***Course Pre-approval Request*** (**Appendix E, Form 8**) to the Human Resources Department notifying the City of the courses to be taken that semester
7. Upon completion of the course the employee must submit original tuition and textbook receipts, grade reports, and the ***Reimbursement Request*** (**Appendix E, Form 9**) to the Human Resources Department for reimbursement within 30 days of the final grade report to be eligible for reimbursement
8. Books and course materials will be reimbursed with appropriate receipts up to, but not exceeding, the amount of the tuition reimbursed for the course
9. The employee who receives tuition reimbursement must remain in service to the City, as a full time employee, for at least two (2) years beyond the date of reimbursement; otherwise, all sums for tuition and books paid by the City over the past two (2) years must be refunded to the City. As a condition of receiving tuition reimbursement, the City may deduct any sums owing from the employee's final paycheck from the city

10. The Employee agrees to refund the City of Stephenville the full amount of the tuition and book reimbursement provided during the year preceding voluntary resignation. An employee applying for tuition reimbursement will sign a ***Tuition Reimbursement Agreement (Appendix E, Form 7)*** acknowledging the requirements and agreeing to such
11. Under no circumstances will the City pay any employee more than \$1,200 per year. (*Refer to Guideline #3 above*)



## **Chapter 3: EMPLOYEE BENEFITS**

### **3.11 Employee Assistance Program**

**PURPOSE:**

To communicate the availability of free counseling and referral assistance for full time employees of the City of Stephenville through the Employee Assistance Program (EAP).

**POLICY:**

The City of Stephenville offers an Employee Assistance Program (EAP) to employees that provide confidential short-term counseling for employees and/or their dependent(s).

Areas for counseling include, but are not limited to marital and family conflicts, drugs and alcohol use, job or emotional stress, depression, and grief. Individual counseling for immediate family is available for up to six (6) sessions per incident per year at no cost. Consult your insurance material or the Human Resources Department for the telephone number of the EAP.



## Chapter 3: EMPLOYEE BENEFITS

### 3.12 Uniforms

#### PURPOSE:

To establish a standard regarding employee uniforms, the conduct employees must exhibit while in uniform, uniform maintenance, and the return of uniforms upon separation from the city.

#### POLICY:

##### A. Uniforms

Employees who are required to wear uniforms will be provided uniforms, complete with required insignia, etc., upon employment in most departments or after probation in other departments. Employees who are furnished uniforms must wear the regulation uniforms while performing work for the city, except when special circumstances or work conditions exist. Employees may not wear city uniforms for other than city work. However, uniforms may be worn to and from work, while performing specific assigned or approved functions, running errands during lunch periods, or with approval of their director.

##### B. Uniform Conduct

No employee, while wearing any city attire, shall purchase, possess or consume alcoholic beverages in public. No uniformed employee shall use tobacco products while time spent in city-owned, rented, or leased vehicles or equipment. Police officers who have confiscated alcohol or tobacco products within the scope of employment are exempt from this policy for that time period. See *Policy 6.05 Tobacco Use* for more information.

##### C. Uniform Maintenance

The employee will be responsible for all cleaning and care of the uniforms, unless this service is provided under a lease agreement. City uniforms must be in good condition. The employee's immediate supervisor will determine whether an employee's uniform is clean and serviceable. Replacement uniforms will be furnished at the city's expense on an as needed basis and as funding allows. Supervisors are responsible for determining the need for uniform replacement. Uniforms damaged due to employee carelessness or negligence will be replaced at the employee's cost.

##### D. Uniforms at Termination

Employees who separate employment for any reason must return all uniforms and insignia issued by the city. Supervisors are responsible for the removal and return of all identifying patches and insignia. Employees must sign the **Wage Deduction Authorization Agreement (Appendix E, Form 10)** at the time the uniform(s) is/are issued. By signing the form, the employee agrees to return all city issued uniforms with city patches and/or insignia at separation of employment. Failure to do so may result in deduction from the final paycheck equal to the replacement value of the item(s) not returned.



## Chapter 3: EMPLOYEE BENEFITS

### 3.13 Opt Out

**PURPOSE:**

To define the Opt Out program at the City of Stephenville.

**POLICY:**

An eligible employee covered by another private insurer or employer sponsored group medical plan may opt out of the city provided employee medical insurance coverage at date of hire or during annual open enrollment period. An employee who chooses to opt-out will be compensated an amount to one-half of the city's per employee cost of providing medical insurance in lieu of medical benefits.

Employees eligible for Medicare are no longer eligible for the city provided medical insurance plan, but will be compensated at an amount equal to the amount paid for eligible employees.

If employee(s) choose to Opt Out of the group insurance coverage for themselves, they **must** provide the Human Resources Department with proof of insurance coverage and the ***Waiver of Group Health Insurance (Opt Out) (Appendix E, Form 22)***



## Chapter 3: EMPLOYEE BENEFITS

### 3.14 Certificate Pay

**PURPOSE:**

The purpose of this policy is to outline the parameters of certification pay.

**POLICY:**

The City of Stephenville is committed to the employee’s educational growth and development. In addition to an employee’s regular earnings, an employee who obtains certification may be eligible for certification pay.

Eligible employees are required to provide their supervisor, department director and/or Human Resources with proof of eligibility (certificate) before certification pay will be awarded. Human Resources will generate a **Change of Status Form (Appendix E: Form 4)**. Certifications must be to improve and enhance the performance of their duties as public employees in their department. All paperwork must be generated and returned with approvals to Human Resources within three (3) pay periods of the employee being hired or receiving the proof of eligibility for certification pay in order for payment to be retroactive. Certification pay is included in 26 pay periods.

If an employee is currently receiving certification pay and transfers to another department which does not require that certification, the employee no longer receives certification pay while in that department, unless it is a temporary assignment given by the city manager or department director.

If the certification requires renewal and the employee fails to renew the certification and turn in the paperwork, the certification will be dropped until proof of renewal is received in Human Resources.

**Fire Department**

Intermediate Fire Certificate	\$360 per year
Advanced Fire Certificate	\$360 per year
Master Fire Certificate	\$360 per year
Paramedic Certification	\$3,000 per year
EMS Instructor Certificate	\$360 per year
Fire Investigator Certificate	\$360 per year

The above certification pay is cumulative, with the exception of Paramedic Certification. For example, if the employee had an Intermediate Fire Certificate and then received the Advanced Certification, the employee would receive \$720 per year. The maximum number of certificates an employee will receive pay for is three (3) not including Paramedic Certification.

**Police Department**

Dispatch Intermediate Certificate	\$360 per year
Dispatch Advanced Certificate	\$360 per year
Dispatch Master Certificate	\$360 per year
Peace Officer Intermediate Certificate	\$360 per year
Peace Officer Advanced Certificate	\$360 per year
Peace Officer Master Certificate	\$360 per year

The above certification pay is cumulative. . For example, if the employee had and Intermediate Certificate and received the Advanced Certificate, the employee would receive \$720 per year.

Shift Differential	\$48.08/ per pay period and \$88.48/ per pay period depending on the shift
--------------------	---

**Parks & Recreation Department**

Pesticide Applicator Certification	\$360 per year
Aquatic Facilities	\$360 per year
License Irrigator	\$360 per year

The above Parks and Recreation certification pay is cumulative. For example, if the employee has a Pesticide Applicator Certification and obtains an Aquatic Facilities certification, the employee would receive \$720 per year.



## Chapter 3: EMPLOYEE BENEFITS

### 3.15 Bilingual Pay

#### PURPOSE:

To better serve the community, it is the policy of the City of Stephenville to recognize and compensate regular full or part time employees who are able to demonstrate their bilingual ability through successfully passing a language fluency test.

#### POLICY:

The intent of this policy is to compensate employees who are regularly utilized for their bilingual skills.

**Employees who have been approved Bilingual Pay will receive Bilingual Certification Pay of \$50 per month**

#### DEFINITIONS:

***Eligible Employees:*** Regular full or part time employees who have been identified by their department director/supervisor based upon the needs of the department. Eligible employees must have direct contact responsibilities that require fluent verbal, written or reading skills other than English on a continuing and frequent basis.

***Excluded Employees:*** Department directors, seasonal and temporary employees, are not eligible for language pay.

***Eligible languages:*** At this time, the only language identified is Spanish. Other languages may be identified if the needs of the city change.

**Note:** Eligible employees must be able to successfully pass the language fluency test that is administered by Human Resources. Employees may be asked to reaffirm their language skills at any time at the discretion of the department director.

#### PROCEDURE:

1. Department directors are responsible for identifying employees within their department who may qualify for bilingual testing based upon the department's needs
2. Department directors are responsible for completing the ***Bilingual Certification Request for Testing and Pay (Appendix E, Form 30)*** and submitting it to Human Resources

3. Once approved, the Human Resources Department will coordinate language proficiency testing
4. The test will be conducted on city-paid time. If an employee fails to meet the test standards, the employee must wait six (6) months before submitting a request to the department director to be reconsidered for bilingual pay
5. Any employee receiving bilingual certification pay is expected to assist other non-bilingual employees in any department and the public as needed. They may also be required to report to work during emergencies and/or disaster relief efforts
6. Each department director is responsible for re-evaluating the need for bilingual skills on an annual basis and contacting Human Resources should those needs change
7. If an employee receiving bilingual pay promotes, transfers, or demotes to a position where the language skill is not needed, or voluntarily withdraws from the bilingual pay programs, bilingual pay will discontinue
8. Bilingual certification pay may discontinue at any time at the discretion of the department director



## Chapter 4: LEAVES OF ABSENCE

### 4.01 Sick Leave/Buy-Back

#### PURPOSE:

To identify the guidelines and procedures regarding the accrual, use, and payment of sick leave.

#### POLICY:

The City of Stephenville provides paid sick leave benefits to eligible employees for periods of temporary absence due to illness or injury. Paid time off for sick leave will not be counted as time worked for the purposes of determining overtime.

Eligible employee classification for Sick Leave:

- Full time employees

#### A. Accrual

A full time employee is eligible to accrue 80 hours of sick leave per year, accrued at a rate of 3.08 hours per pay period. Full time employees will accrue a max of 960 hours. Fire Department employees working 24-hour shifts are eligible to accrue sick leave at the rate of 4.62 hours per pay period totaling 120 hours per year. Fire Department employees will accrue a max of 1440 hours.

#### B. Accumulation

Sick leave shall accrue effective the first day of employment.

#### C. Uses of Sick Leave

1. **Personal Illness:** Permissible uses of sick leave are personal illness, injury, routine doctor appointments, examinations or treatments that cannot be reasonably scheduled during non-working hours
2. **Family Illness:** Employees may use sick leave when it is absolutely necessary to care for their ill or injured child, parent, or spouse. See *Policy 4.04 FMLA* for additional information
3. **While on Vacation:** Employees who become ill during vacation leave may request the time be charged to sick leave with a doctor's statement
4. **While on Unpaid Leave of Absence:** Employees on approved personal leave of absence without pay will not be allowed to convert leave time to sick leave time

#### D. Scheduling and Using Leave

Employees who are unable to report to work due to illness or injury must notify their immediate supervisor before the start of the work day or as may be prescribed by departmental policy by calling the telephone number(s) preferred by the supervisor. The immediate supervisor must also be contacted on each additional day of absence. A physician's statement is required when requested by the department director, after any surgery, or if absence is continuous for more than three (3) working days. Under no circumstances shall sick leave be granted in advance of accrual. Employees are required to complete the city's **Leave Request (Appendix E, Form 11)** in order to use sick leave. Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation such as shift differentials.

At the discretion of the supervisor, employees who are deemed unable to satisfactorily perform their job due to illness or injury may be sent home by the supervisor with loss of sick leave. See *Policy 4.04 FMLA* for additional information on leave.

#### **E. Misuse of Sick Leave**

The misuse of the sick leave benefit is grounds for corrective action up to and including termination. The misuse or abuse of sick leave is characterized by a pattern of behavior, such as the following examples:

1. Misrepresenting the need to use sick leave.
2. Falsifying healthcare provider notices or reports.
3. Frequent patterns of sick leave use such as using sick leave before or after holidays or following a payday.
4. Using sick leave as it accrues

#### **F. Payment Upon Separation**

If an employee retires, resigns or for any other reason leaves the city, the employee will not be paid accrued sick pay at the time their employment terminates with the city

#### **G. Sick Time Buy-Back**

1. Full-Time Employees only will be eligible to buy back up to forty (40) hours of sick time with a carry-over balance of eighty (80) hours available for the next year. For instance, on the first pay period in October, if an employee has a balance of 120 available hours of sick time, they can buy back 40 hours, which would leave a balance of 80 hours available sick time to carry over. If they have only 104 hours available, they would only be able to buy back 24 hours, which leaves them the 80 hours to carry over. In order for any employee to utilize this benefit, employees must always have a minimum balance of 80 hours after they buy back any sick time
2. Employees who use more than twenty-four (24) hours during the year are not eligible for the Buy- Back
3. Paperwork must be turned in no later than November 1<sup>st</sup> of each year in order to qualify for the Buy-Back. The Buy-Back payout will be issued the pay period prior to the Thanksgiving holiday and on a separate check; other than payroll. Employees must complete the ***Sick Time Buy-Back Form (Appendix E: Form 2)*** and turn it in to the Human Resources Department by the deadline. Funds issued will be subject to council approval and budgeting



## Chapter 4: LEAVES OF ABSENCE

### 4.02 Vacation Leave

#### PURPOSE:

To provide guidelines and procedures for the accrual, use, and payment of vacation leave upon separation.

#### POLICY:

Vacation leave with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Paid time off for vacation leave will not be counted as time worked for the purposes of determining overtime.

Eligible employee(s) classification for Vacation Leave:

- Full time employees
- Full time sworn public safety employees (Police & Fire)

#### A. Accrual

The amount of paid vacation leave that full time employees receive each year increases with the length of their employment as shown in the following schedule:

##### 1. Full Time Employees

- Upon **initial eligibility**, full time employees are entitled to earn eighty (80) hours of vacation each year, accrued monthly at a rate of 3.08 hours per pay period
  - **Employees:** Earned vacation may not be taken until after successful completion of introductory period
  - **Sworn Public Safety:** Earned vacation may not be taken until after six (6) months of service
- At **five (5) years** of eligible service, an employee is entitled to ninety-six (96) hours of vacation each year, accrued monthly at the rate of 3.69 hours per pay period
- At **ten (10) years** of eligible service, an employee is entitled to 120 hours of vacation each year, accrued monthly at the rate of 4.62 hours per pay period.
- At **fifteen (15) years** of eligible service, an employee is entitled to 160 hours of vacation each year, accrued monthly at the rate of 6.15 hours per pay period.

## 2. Shirt Firefighters

- a. Upon **initial eligibility**, shift firefighters working 24-hours shifts are eligible to receive 120 hours of vacation each year accrued at the rate of 4.62 hours per pay period
- b. At **five (5) years** of eligible service shift firefighters working 24-hour shifts are eligible to receive 144 hours of vacation each year accrued at the rate of 5.54 hours per pay period.
- c. After **ten (10) years** of eligible service shift firefighters working 24-hours shifts are eligible to receive 180 hours of vacation each year accrued at the rate of 6.92 hours per pay period.
- d. After **fifteen (15) years** of eligible service shift firefighters working 24-hour shifts are eligible to receive 240 hours of vacation each year accrued at the rate of 9.23 hours per pay period.

### B. **Accumulation “Carry Over”**

The maximum amount of unused vacation that an employee shall be allowed to have at the beginning of any new fiscal year shall be the amount the employee would normally accrue in twelve (12) months.

Carry over in excess of the maximum may be allowed if:

1. The employee is not able to take vacation because of the needs of the City;
2. The employee submits a request to Human Resources in writing to be allowed vacation accrual above the maximum and documents the reason the employee was unable to take vacation in time to reduce his or her balance below the maximum; and
3. The City Administrator approves the request for vacation accrual in excess of the maximum.

### C. **Scheduling and Using Accrued Leave**

Employees must submit a **Leave Request Form (Appendix E, Form 11)** to their supervisor to request vacation leave. Approval will be made based on a number of factors including business needs, staffing requirements, and seniority of employees. Employees are eligible to use vacation leave, once the employee has completed their introductory period of six (6) months. Under no circumstances will vacation leave be granted in advance of accrual. Paid holidays occurring while an employee is on approved vacation will not be charged to vacation leave. “On-Call” or “Call Back” non-exempt employee’s vacation will be credited, up to eight (8) hours for call out time worked.

### D. **Payment Upon Separation**

1. If an employee retires or resigns with a two (2) week notice and completes the two (2) weeks, the employee will be paid for accrued vacation time that has been earned through the last day of work. At the discretion of the department director and the city administrator, the two (2) week notice may be waived and accrued vacation time that has been earned may be paid in lieu of the two (2) week notice.
2. If the employee quits without a two (2) week notice, or fails to work the full two (2) weeks after notice, no payment for accrued vacation leave shall be made.
3. If an employee leaves the city for any reason during the first year of employment, no payment will be made for vacation leave



## Chapter 4: LEAVES OF ABSENCE

### 4.03 Holiday Leave

**PURPOSE:**

To identify the city’s observed holidays and to establish the procedures used for holiday pay.

**POLICY:**

Holiday leave will be provided immediately upon assignment to the eligible employment classification. Paid time off for holidays will not be counted as time worked for the purposes of determining overtime.

Eligible employment classification for Holiday Leave:

- Full Time Employees

**A. Observed Holidays**

The City of Stephenville observes twelve (12) holidays during the year. The holidays and dates observed are:

New Year’s Day	January 1
Martin Luther King Day	Third Monday of January
Presidents’ Day	Third Monday in February
Good Friday	Friday before Easter
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September*
Veterans Day	November 11
Thanksgiving	Fourth Thursday in November
Day after Thanksgiving	Fourth Friday in November
Christmas Eve	December 24
Christmas Day	December 25
Floating Holiday **	

- In compliance with the Texas Local Government Code Section 142.0013, covered fire-fighters shall receive a holiday designated as September 11 in lieu of Labor Day.

\*\* Taken at employee’s discretion, with approval of his/her supervisor

**B. Holiday Pay**

Holiday pay will be calculated based on the employee’s pay rate as of the date of the holiday. Full time employees of the city will receive holiday pay at eight (8) hours per observed holiday. Shift firefighters will receive twelve (12) hours of holiday pay for each observed holiday.

Employees must work the last scheduled day immediately preceding and the first scheduled day immediately following the holiday unless leave has been previously approved by the department director or designee or sick leave is used with a doctor’s note.

### C. Holidays on a Day Off

1. **On the Weekend:** A recognized holiday that falls on a Saturday will be observed on the preceding Friday or earlier if Friday is also a holiday. A recognized holiday that falls on a Sunday will be observed on the following Monday.
2. **During Vacation Leave:** Holidays that occur during a scheduled paid vacation time will be paid as holidays and will not be charged as vacation.
3. **During Sick Leave:** An employee who is on FMLA approved leave will receive holiday pay.
4. **Due to Suspension:** If an employee is suspended without pay on the day previous, day of, or day after the observed holiday, the employee is not eligible for a paid holiday.
5. **Due to job related absence:** If an employee is off due to a workers' compensation injury or illness, the employee will receive their normal workers' compensation and will not accrue credit for a holiday.

### D. Working on the Holiday

If a non-exempt employee works on a recognized holiday, the employee will receive holiday pay plus normal wages for the hours worked on the holiday. For example: If an employee works eight (8) hours on Christmas day, the employee will receive regular pay for the eight (8) hours worked and holiday pay for eight (8) hours.

Full time, non-exempt essential personnel who are needed in order to provide basic services during city observed holidays, including employees in public safety, public works and the recreation center, may take an alternate day off 30 days before or after a holiday. If an alternate day is not taken during the 60-day time frame, the employee will receive pay for the holiday in the next pay period, if requested, when submitting time worked. If the holiday is not requested during the 60-day time frame, it will be forfeited. For information on emergency call-backs on holidays, see *Policy 5.07 On Call/Emergency Call Back Pay*.

**Exception:** Shift Police and shift Fire personnel will have the annual holidays loaded into a holiday bank in October and may take the holiday at any time during the year with supervisor approval. Holidays not taken at the end of the year will be forfeited. If an employee in this category leaves during the year and has taken, but not accrued, one or more holidays, it will be deducted from vacation leave accrual. If the vacation leave accrual doesn't cover the taken holiday(s), the amount will be deducted from the employee's final paycheck.

### E. Floating Holiday

In addition to the twelve (12) recognized holidays, employees receive one (1) floating holiday each calendar year. The Floating Holiday must be used by September 30<sup>th</sup> of each fiscal year. To be eligible, a new employee must complete six (6) months of service. The floating holiday must be approved by the supervisor and may not be used in less than 4-hour increments. Employees who leave employment with the city will not be paid for an unused floating holiday, nor may they schedule the floating holiday after their resignation has been submitted. Employees wishing to observe other holidays other than the city's observed holidays may use the Floating Holiday or request Vacation Leave.



## Chapter 4: LEAVES OF ABSENCE

### 4.04 Family and Medical Leave Act (FMLA)

#### **PURPOSE:**

To establish the conditions under which an employee may request temporary leave without pay for family and/or medical reasons, with job protection in accordance with the Family and Medical Leave Act of 1993 (FMLA).

#### **DEFINITIONS:**

**Child:** A biological, adopted, or foster child, stepchild, legal ward, or child of a person standing in loco parentis (in place of parent) who is either under age 18, or age 18 or older and requires active assistance or supervision to provide daily self-care. A biological or legal relationship is not necessary.

**Eligible Family Member:** Employee's child, stepchild, foster child, adult child, parent, stepparent, and spouse.

**Health Care Provider:** A doctor of medicine or osteopathy, podiatrist, dentist, clinical psychologist, optometrist, chiropractor, nurse practitioner and nurse midwife, clinical social workers and physician assistants, and Christian Science practitioner. The health care provider must be certified/licensed to practice in the state in which treatment is being administered.

**Parent:** The biological parent of an employee or an individual who stood in loco parentis (stood in as a parent) to an employee.

**Reduced Leave Schedule:** A leave schedule that reduces the usual number of hours per workweek or per workday of an employee.

**Serious Health Condition:** A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than five (5) consecutive work days or more than two (2) fire shifts combined with at least two (2) visits to a health care provider or one (1) visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Restorative dental surgeries after an accident or removal of cancerous growths are serious health conditions provided all the other conditions of this regulation are met. Mental illness or allergies may be serious health conditions, but only if all the conditions of this section are met.

Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not serious health conditions unless inpatient hospital care is required or unless complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, *etc.*, are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave.

**Spouse:** A husband or a wife as defined or recognized under Federal law for purposes of marriage. Common law marriage shall require presentation of a certified copy of the Declaration of Informal Marriage. Spouses from marriages are considered eligible family members.

**POLICY:**

**A. Eligibility**

1. Employees who have completed one (1) year of service and have worked at least 1,250 hours in the preceding twelve (12) months prior to the start of FMLA leave are eligible for FMLA. All periods of absence from work due to military service is counted in determining an employee's eligibility for FMLA leave.
2. Employees who have completed one (1) year of service and have worked at least 1,250 hours in the preceding twelve (12) months prior to the start of FMLA leave are eligible for FMLA. All periods of absence from work due to military service is counted in determining an employee's eligibility for FMLA leave.
3. Family Leave has been expanded to provide Family and Medical Leave due to a call to active military duty. This benefit provides 12 workweeks of unpaid FMLA leave due to a spouse, son, daughter or parent being on active military duty or having been notified of an impending call or order to active military duty in the Armed Forces. Leave may be used for any "qualifying exigency" arising out of the service member's current tour of active military duty or because the service member is notified of an impending call to military duty in support of a contingency operation.
4. Employees who are off work in excess of five (5) consecutive days or more than two (2) fire shifts are eligible to be placed on family and medical leave if then meet the below criteria. An eligible employee is entitled to twelve (12) weeks of unpaid FMLA leave for:
  - a. The birth of a child and to care for the newborn child within one (1) year of birth
  - b. The placement with the employee of a child for adoption or foster care and to care for the newly placed child within one (1) year of placement;
  - c. To care for the employee's spouse, child, foster care, adult child, or parent who has a serious health condition;
  - d. A serious health condition that makes the employee unable to perform the essential functions of his or her job;
  - e. Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty".

**Exception:** Twenty-six (26) worksheets of leave during a single 12-month period is available to eligible employees to care for a covered service member with a serious injury or illness, incurred in the line of active duty, if the eligible employee is the service member's spouse, son, daughter, parent, or next of kin (*see military caregiver leave*).

## **B. Qualifying Exigency Leave**

Eligible employees who are members of the Regular Armed Forces, National Guard, or Reserves are entitled to up to 12 weeks of leave because of “any qualifying exigency” arising out of the fact the spouse, son, daughter, foster child, or parent of the employee is on covered active duty (require deployment to a foreign country), or has been notified of an impending call to active duty status, in support of a contingency operation. A qualifying exigency is defined as:

- Short-notice deployment
- Military events and related activities
- Childcare and school activities
- Financial and legal arrangements
- Counseling
- Rest and recuperation\*
- Post-deployment activities
- Parental care leave
- Additional activities not encompassed in the other categories, but agreed to by the employer and employee

\*The amount of time an eligible employee may take for Rest and Recuperation qualifying exigency leave is a maximum of 15 calendar days.

### **Required information for Certification of a Qualifying Exigency**

The city requires that the employee provide a copy of the covered military member’s active duty orders and the Department of Labor (DOL) Certification of Qualifying Exigency for Military Family Leave Form to support request for qualifying exigency leave.

If requesting leave for Rest and Recuperation, a copy of the military member’s Rest and Recuperation leave orders, or other documentation issued by the military setting for the dates of the military member’s leave is required.

### **Military Caregiver Leave**

An eligible employee who is the spouse, son, daughter, foster child, parent, or next of kin of a covered service member of the Armed Forces, including National Guard and Reserve members, with a serious injury or illness incurred in the line of duty on active duty for which the service member is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, is entitled to up to 26 workweeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during “a single 12-month period” during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

The definition of covered service member includes covered veterans who are undergoing medical treatment, recuperation, or therapy for a serious injury or illness. A covered veteran is an individual who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

### **Serious injury or illness for a Current Service member**

A serious injury or illness means an injury or illness incurred by a covered service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating. This includes illnesses that existed before the beginning of the member's active duty and were aggravated by service in the line of duty on active duty in the Armed Forces.

### **Serious Injury or Illness for a Covered Veteran**

A serious injury or illness for a covered veteran means an injury or illness that was incurred or aggravated by the member in the line of duty on active duty in the Armed Forces and manifested itself before or after the member became a veteran, and is:

- A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; OR
- A physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; OR
- A physical or mental condition that substantially impairs the veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would do so absent treatment; OR
- An injury, including a physiological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

## **C. Procedures**

1. In determining the amount of family medical leave available to an employee, the twelve (12) month period will be calculated as a "rolling" 12-month period measured backward from the date of any FMLA leave usage. Each time an employee takes FMLA leave, the remaining leave entitlement would be any balance of the 12 weeks (or 26 weeks provided in certain circumstances) which has not been used during the immediately preceding 12 months.
2. When spouses are both employed by the City, and the leave is taken due to a birth/adoption, the aggregate number of weeks is limited to twelve (12). For other qualifying family and medical leave events, each employee is entitled to leave as long as the total amount of leave taken during any twelve (12) month period does not exceed twelve (12) weeks or twenty-six (26) weeks, if applicable, for one employee.
3. Employees will first use sick leave, then vacation leave, then holiday bank leave (if applicable). When all leave is depleted, the employee goes into unpaid leave status. Benefit accruals, such as vacation leave, sick leave and holiday benefits will be suspended during unpaid leave and will resume upon return to active employment.

4. In cases where the employee is eligible for workers' compensation, family medical leave shall run concurrently. However, in this event, employees will not be required to use accrued leave.
5. The City complies with the confidentiality requirements of the Genetic Information Non-Discrimination Act (GINA).

**D. Intermittent Leaves/Reduced Leave Schedules**

1. Requests for intermittent or reduced leave schedules involving the birth or placement of a child for adoption or foster care will be granted only in extenuating circumstances.
2. Intermittent or reduced leave schedules involving the need to care for a sick family member or for an employee's own serious health condition will be granted only when medically necessary.
3. Employees who request this type of foreseeable leave based upon planned medical treatment may be required to transfer temporarily to an available alternative position for which the employee is qualified.

**E. Notice Requirements**

1. When the need for leave is foreseeable based on the birth, adoption, or placement of a child, or on planned medical treatment, the employee requesting leave should give written notice to the Human Resources Department not less than thirty (30) days before the date the leave is to begin. When the leave must begin in less than thirty (30) days, the employee should give notice for leave as soon as possible. In cases of a medical emergency or an unforeseen event, notice must be provided to Human Resources no later than two (2) working days after the event.
2. In cases when the employee requests leave for planned medical treatment, the employee should make a reasonable effort to schedule the treatment so as not to unduly disrupt the operations of the City. The City reserves the right to request a second opinion or Certification of Medical Necessity as to the timing of the medical treatment with regards to work schedules.
3. Each department supervisor is responsible for notifying the Human Resource Department as soon as he/she is aware of circumstances that may cause an employee to be entitled to FMLA, even if the employee is utilizing paid vacation, sick or personal leave, or is out due to a work related injury. An employee using sick leave should be reported to the Human Resources Department if it is anticipated that the duration of the illness will be more than five (5) consecutive full calendar days, or two (2) or more shifts for the Fire Department employees. Supervisors must inform Human Resources when the employee returns to work.

4. Failure to provide notice as required under this policy may result in corrective action, up to and including termination. Nothing in this FMLA policy modifies or alters the City's policy regarding attendance. See *Policy 7.09 Attendance & Punctuality* for additional information.

#### **F. Certification**

1. The City requires that requests for leave because of serious illness be supported by complete and sufficient certification from the appropriate health care provider. Sufficient certification must be submitted within fifteen (15) days of requesting the leave. *Medical Certification* forms may be obtained from the Human Resources Department.
2. Human Resources will notify the employee if the certification is not complete and the employee will be provided seven (7) calendar days (unless circumstances warrant more time) to remedy any deficiency in the certification.
3. The City does not seek and should not be provided genetic information. If an employee or applicant's genetic information is inadvertently received by the City; the City will not use genetic information for any employment decision or action.
4. Certification to support leave requests are valid only for the time specified by the physician. If additional time off is necessary at the end of the specified time, the employee is responsible for providing an updated certification form, completed by the health care provider, to Human Resources. In cases of ongoing intermittent leave, medical certification is valid for one (1) year. Medical certification must be resubmitted each year to support the need for continued intermittent leave.

#### **G. Reinstatement**

1. At least two (2) working days in advance, the employee is to confirm the intended return to work date with his/her supervisor and must notify Human Resources.
2. Upon returning to work after leave for his or her own illness, the employee is required to provide fitness for duty certification to Human Resources.
3. If the validity of a certification or reinstatement is questioned, the City may require that a second opinion be obtained. If the first and second opinions differ, the City may require a third opinion be obtained. The employee and the City must agree upon a health care provider for the third opinion and this opinion shall be binding on both parties. The City shall bear the expense of second and third opinions.

#### **H. Benefits**

1. Employee health related benefit premiums will be paid for the duration of the FMLA at the same rate as is paid for active employees. The employee's dependent portion of the premium shall continue to be paid by the employee. For those employees who are taking leave without pay, the employee's dependent's portion of the premium payment(s) must be received in Finance by the 1<sup>st</sup> of each month or health coverage will be terminated.

2. Holidays will be paid in accordance with the Holiday policy. City holidays will be counted as part of the twelve (12) or twenty-six (26) weeks of family and medical leave, if the employee is on paid leave.

**I. Recordkeeping**

Family medical leave time will be tracked in 15 minute increments for payroll and compliance purposes. To determine entitlement for employees who work variable hours, the minimum hours required for eligibility is calculated on a pro rata or proportional basis by averaging the weekly hours worked during the twelve (12) weeks prior to the start of family and medical leave.

**J. Exempt Employees**

Paid leave accounts may be charged for less than one (1) full work day and the salary of an exempt employee may be docked for absences of less than one (1) full work day (if leave accruals have been exhausted). Salaried executive, administrative, professional and other employees of the City who meet the Fair Labor Standards Act (FLSA) criteria for exemption from overtime do not lose their FLSA-exempt status if pay is docked because of unpaid FMLA leave.

**K. Outside Employment**

Outside employment must be suspended if the employee is on restricted duty, workers' compensation leave, sick leave, military leave, leave without pay, or FMLA (see *Policy 1.11 Outside Employment* for additional information).

**L. Responsibility of Human Resources**

The Human Resources Department is responsible for central administration of all requests for family and medical leave. HR reserves the right to designate an employee's absence as family and medical leave if it is determined that a qualifying event has occurred. HR may retroactively designate the beginning date of FMLA to the beginning date of the employee's absence for the qualifying event.



## Chapter 4: LEAVES OF ABSENCE

### 4.05 Personal Leave without Pay

#### **PURPOSE:**

To define guidelines and procedures for personal leave without pay.

#### **POLICY:**

The City of Stephenville may allow a leave of absence without pay to eligible employees who wish to take time off from work duties to fulfill personal obligations, subject to department workloads.

Eligible employee classifications:

- Full time employees

#### **A. Eligibility**

Eligible employees may request personal leave only after having completed one (1) year of service. Personal leave may be granted by the Department Director for up to a limit of twenty-two (22) working days, or 10 shifts for shift fire employees, in a calendar year.

#### **B. Requesting Leave**

Employees requesting Personal Leave without Pay must submit a ***Leave Request Form (Appendix E, Form 11)*** to their Department Director thirty (30) days in advance of the requested starting date. This requirement may be waived when circumstances do not permit such advance notice.

#### **C. Approval Process**

Requests for personal leave will be evaluated based on a number of factors, including anticipated workload requirements and staffing considerations during the proposed period of absence. A request for personal leave which exceeds twenty-two (22) working days in one (1) calendar year requires the approval of the Department Director and City Administrator.

#### **D. Benefits While On Leave**

Employees must make arrangements with the Human Resources Department to pay their share of insurance premiums if they wish to continue insurance benefits. Employees who have approved personal leave for more than twenty-two (22) working days will be placed on COBRA. See *Policy 3.07 COBRA* for additional information. Benefit accruals, such as vacation, sick leave, and holiday benefits, will be suspended during the leave and will resume upon return to active employment.

**E. Return from Leave**

When personal leave ends, every reasonable effort will be made to return the employee to the same position, if available, or to a similar position for which the employee is qualified. In the event that circumstances do not permit the employee's return on the date established, a written request for extension must be submitted two (2) weeks prior to such date. If an employee fails to report to work promptly at the expiration of the approved leave period, the employee will be terminated.



## Chapter 4: LEAVES OF ABSENCE

### 4.06 Military Leave

#### PURPOSE:

To define the benefits related to military leave for both active duty and temporary military training duty.

#### POLICY:

The City of Stephenville complies with Section 431.005 of the Texas Government Code, where an employee who is a member of a reserve unit of the armed forces of the United States, engaged in authorized military training or duties authorized by proper authority, will receive pay for up to fifteen (15) working days in a federal fiscal year (October 1 – September 30). Military time will not count as time worked for the purposes of determining overtime.

Eligible employee classification for Military Leave:

- Full Time Employees
- Part Time Employees with Retirement Benefits

#### A. Requesting Leave

Employees must provide a copy of orders and/or the annual drill schedule as soon as available. Employees must submit a **Leave Request Form (Appendix E, Form 11)** to their Department Director and the Human Resources Department as soon as possible and it should be accompanied by a copy of the order, directive, notice or other document requiring absence from scheduled work. Travel time included in the orders may be counted as military leave. Military leave will be granted without loss of seniority.

#### B. Using Military Leave

If the training exceeds fifteen (15) regularly scheduled working days (120 hours) in a fiscal year (October 1 through Sept 30) the employee may elect to use accrued vacation, comp time, or holiday leave before being placed on leave without pay.

#### C. Active Duty Order

An employee who is a member of a reserve component of the armed forces and is ordered to full time extended, active duty shall receive extended military leave of absence. If the employee's military pay is less than their City wage, they will receive the difference between the total of employee military pay (excluding meal payment) and their regular City wage for up to one (1) year.

#### **D. Benefits While On Leave**

Employees on extended military leave will not accrue sick leave, vacation leave, holiday leave, or benefits, nor shall they be eligible for performance-based merit increases.

##### **1. COBRA**

The City's medical and dental insurance carriers exclude active military from insurance coverage, therefore employee group insurance ceases for the military member. Dependents may remain covered with the City's group insurance plans under the Consolidated Omnibus Budget Reconciliation Act (COBRA), for a period up to eighteen (18) Months. For up to one (1) year, the City will continue to pay the amount of monthly premium as had been paid, if applicable, up to the date of extended leave. After one (1) year, the employee will be responsible for paying the full COBRA premium.

It will be the employee's responsibility to ensure that the employee portion of the premiums due are paid to the City and/or the insurance carrier(s) on a monthly basis. Alternatively, the employee may discontinue health benefits coverage during his or her absence. An employee who discontinues existing medical or dental insurance coverage while on military status may reinstate this coverage upon return to full time City employment. Reinstatement of this coverage must be made within 31 days of return to full time employment by completing the appropriate enrollment forms available from the Human Resources Department. See *Policy 3.06 COBRA* for more information.

##### **2. TMRS**

According to the Texas Municipal Retirement System (TMRS) guidelines, an employee entering active service becomes an inactive participant. Upon return to full time employment with the City, the employee may apply to TMRS for credit for military time served. The TMRS Supplemental Death Benefit does not cover employees on active duty. See *Policy 3.08 TMRS* for additional information.

#### **E. Return from Leave**

At the end of military duty, the employee shall report to work on the next scheduled work day, unless a written request for an extension along with the number of days needed and extension is approved by the Department Director and the City Administrator. Any missed increases will be granted upon return.



## Chapter 4: LEAVES OF ABSENCE

### 4.07 Funeral/Bereavement Leave

#### **PURPOSE:**

To provide guidelines governing paid bereavement leave for the death of an immediate family member.

#### **POLICY:**

The City of Stephenville provides 24 hours (36 hours for 24-hour Shift Firefighters) of paid leave to eligible employees who miss work due to the death of an immediate family member.

Eligible employee classification for Funeral/Bereavement Leave:

- Full Time Employee

**Immediate Family** is defined as any one of the following:

- The employee's spouse, parent, child, foster child, stepchild, sibling, grandparent, or grandchild
- The employee's spouses' parent, child, foster child, stepchild, sibling, grandparent, or grandchild

**An employee may be required to provide information to document the absence.**

#### **A. Requesting Leave and Approval Process**

The employee should notify their department supervisor of the need to use funeral/bereavement leave as soon as possible. Leave shall be granted unless there are unusual business needs or staffing requirements.

#### **B. Pay While on Leave**

Funeral/Bereavement pay is calculated based on the base pay rate at the time of absence and will not include shift differential pay. Paid time off for funeral/bereavement leave will not be counted as hours worked for the purposes of determining overtime.

#### **C. Additional or Other Bereavement Leave**

Employees may, with Department Director written approval, use available vacation leave for additional time off as necessary. If vacation leave is exhausted, sick leave of up to a week may be used if more time is needed for the death of a spouse or child, with approval from the Department Director. Employees wishing to attend a funeral other than that of an immediate family member may use vacation leave or personal leave without pay. Sick leave may not be used for attendance at funerals without the written approval from the Department Director.



## **Chapter 4: LEAVES OF ABSENCE**

### **4.08 Jury and Witness Duty Leave**

#### **PURPOSE:**

To establish a procedure for receiving time off for jury duty and for responding to a court subpoena for witness duty.

#### **POLICY:**

The City of Stephenville encourages employees to fulfill their civic responsibilities by serving on a jury and fulfilling witness duty, when required. Paid time off for Jury or Witness Duty Leave will not be counted as time worked for the purposes of determining overtime, nor shall shift differential apply. Time spent in court by employees who are required to attend court in the course and scope of their job shall be counted as time worked for the purposes of determining overtime.

Eligible employee classification for Jury and Witness Duty Leave:

- Full Time Employees

#### **A. Jury Duty**

Full time employees qualify for paid jury duty leave. Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Jury duty pay is a benefit that will be calculated on the employee's base rate of pay for the number of hours the employee otherwise would have worked on the day(s) of absence, with a maximum payment of eight (8) hours a day, or twelve (12) hours a day for shift workers. Employees are expected to return to work whenever the court schedule permits or if released from court with two (2) or more work hours still remaining left in the day.

#### **B. Witness Duty**

##### **1. Job Related**

Part time or full time employees serving as a witness for a job-related event will receive paid time off for the period of witness duty. The subpoena must be shown to the employee's supervisor immediately upon receipt so that operating and schedule adjustments can be made to accommodate the absence. Absence due to job-related witness duty is counted as time worked. A copy of the subpoena will be placed in the employee file; except for police department work case load related subpoenas.

##### **2. Personal**

Full time employees who make a court appearance for personal reasons will be expected to schedule the time off in advance and take vacation, holiday or compensatory leave or leave without pay. Part time employees who make a court appearance for personal reasons will be expected to schedule the time off in advance if on the scheduled work day.



## **Chapter 4: LEAVES OF ABSENCE**

### **4.09 Voting Time Off**

**PURPOSE:**

To establish a procedure for an employee to receive time off to vote in an election if unable to do so outside of their usual working hours.

**POLICY:**

The City of Stephenville encourages employees to fulfill their civic responsibilities by voting in elections.

Generally, employees are able to find time to vote either before or after regular work hours. Department Directors and direct supervisors should encourage employees to use early voting in lieu of requesting special leave. If employees are unable to vote in an election during their non-working hours, the City will grant up to two (2) hours of paid time off to vote.

Employees should request time off to vote from their supervisor at least two (2) working days prior to the Election Day. Advance notice is required so that the necessary time off can be scheduled at the beginning or end of the work shift, or when the absence provides the least disruption. Voting time off will not be counted as time worked for the purpose of determining overtime.



## **Chapter 4: LEAVES OF ABSENCE**

### **4.10 Administrative Leave**

#### **PURPOSE:**

Administrative leave can be used for corrective purposes, decision making leave, a cooling off and/or transition period.

#### **POLICY:**

An employee who is suspected of a violation of state, federal, or local law; City ordinance; a City or departmental rule or regulation; or the City Policy Manual may be subject to corrective action up to and including termination, or may be placed on administrative leave with or without pay pending the outcome of any related administrative review, investigation and/or the imposition of management action.

Employees placed on paid administrative leave must comply with the following guidelines:

- Be available by phone during regular business hours (Monday – Friday 8 am – 5pm).
- Refrain from any conversation or contact with city employees regarding the administrative leave and its guidelines.
- Unless on business with the city, the employee may be asked to refrain from being on city premises or entering city facilities contingent upon the circumstances.

Failure to comply with the aforementioned guidelines may result in immediate corrective action, up to and including termination.



## Chapter 5: COMPENSATION

### 5.01 Timekeeping

#### PURPOSE:

To define time worked and not worked, and to outline the City's timekeeping procedures.

#### POLICY:

Accurately reporting time worked is the responsibility of every non-exempt employee. The City must keep an accurate record of time worked in order to calculate employee pay and benefits.

#### A. Time Worked

Time worked includes all time that an employee is required to be physically at work for the City. Time worked is used to determine overtime pay for nonexempt employees. The City does include the following provisions as time worked:

1. **Work Away from Premises or at Home:** A non-exempt employee shall not be permitted to perform work away from the premises, job site, or at home, unless approved in advance in writing by the Department Director. If approved, work performed off the premises, job site, or at home by a non-exempt employee must be counted as time worked. See *Policy 5.05 Alternate/Compressed Schedule* for additional information.
2. **Break Time:** Rest periods of fifteen (15) minutes or less are counted as time worked. See *Policy 6.04 Meal & Rest Periods* for additional information.

#### B. Time Not Worked

Per the Fair Labor Standards Act (FLSA), the City does **not** count the following provisions as time worked:

1. **Paid Leave:** Approved paid absences, including but not limited to sick leave, vacation leave, holiday leave, FMLA, military leave, jury duty, non-job related witness duty, funeral/bereavement leave, and voting time off are not counted as time worked.
2. **Lunch or Dinner Periods:** Uninterrupted time off for lunch or dinner is not counted as time worked.

### **C. Timekeeping**

Non-exempt employees must accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They must also record the beginning and ending time of any split shift or departure from work for personal reasons.

It is the employee's responsibility to sign their time records to certify the accuracy of all time recorded. The timekeeper for the department will review and then initial the time record before submitting it for payroll processing. In the event of an error in reporting time, immediately report the problem to the department timekeeper.

Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in corrective action, up to and including termination of employment.



## Chapter 5: COMPENSATION

### 5.02 Pay Periods

#### **PURPOSE:**

The purpose of this policy is to outline the schedule for distribution of paychecks or direct deposit.

#### **POLICY:**

As a condition of employment at the City of Stephenville, appointed employees and trainees are required to participate in payroll direct deposit. This means that your pay will be deposited directly into your account at a participating banking institution each payday. Pay periods are bi-weekly, every other Friday. In the event the regularly scheduled payday falls on a holiday, employees will be paid the day before. If you do not provide information about an established bank account, City of Stephenville will establish a debit account at an approved banking institution for the purpose of direct deposit.

With each paycheck or direct deposit, you will receive a statement showing gross pay, itemized deductions and net pay. If you are nonexempt, the statement will also show the number of hours for which you are being paid, including sick time, vacation, and holiday hours. Vacation, sick time, and personal holiday to-date accruals also appear on each pay statement for nonexempt employees. All direct deposit statements will be available in the Payroll Department located at City Hall. Enrollment forms are available from the Department Director, Human Resources, or via city website.

Payments that cannot be deposited. Lost or stolen checks should be reported immediately to the Payroll Department.

The City's workweek begins at 12:00 a.m. on Saturday and ends at 11:59 p.m. the following Friday.

For most employees, the pay period is made up of two, 40-hour work weeks or work cycles. Some Police and Fire Department personnel may have alternate work cycles that make up the pay period. The alternate work cycles must be in accordance with law and approved by the Department Director and Human Resources.



## Chapter 5: COMPENSATION

### 5.03 Pay Deduction

#### **PURPOSE:**

The purpose of this policy is to outline the schedule for distribution of paychecks or direct deposit.

#### **POLICY:**

The City of Stephenville offers programs and benefits beyond what is required by law.

#### **A. Mandatory Deduction**

The City of Stephenville is required by law to make certain deductions from employee's compensation.

The following deductions are required for payroll deductions:

1. Withholdings of Federal income taxes
2. Federal Insurance Contributions Act (FICA) tax, which is comprised of Social Security and Medicare
3. Contributions to the TMRS Retirement Plan
4. Child support from the Attorney General's office or a signed Court document
5. Legal document for garnishments of wages

#### **B. Voluntary Deductions**

The City allows limited voluntary deduction programs to employees for City- sponsored benefits.

The following are voluntary deductions that must be chosen by the employee during their initial enrollment, during open enrollment or at a life-changing event:

1. 457 Deferred Compensation Plan
2. Flexible spending account (FSA)
3. Supplemental insurance plans
4. Other individual retirement annuity or deferred compensation plan
5. United Way contributions
6. Additional withholdings for Federal Income taxes
7. Weapons and equipment purchase program

Contact the Human Resources Department for contribution levels and enrollment information.

**C. Record of Deductions**

The check stub serves as a statement of employee's earnings and deductions.

Employees who received income in the previous year will receive a Wage and Tax Statement (W-2) by January 31 from the city. If an employee does not receive their W-2 by February 28th, they can contact the Payroll Department.

**D. Changes in Deductions**

An employee may begin, change, or cancel most deductions during open enrollment or if a life-changing event occurs, they may change certain deductions during the year. An employee may change the number of dependents for tax purposes at any time during the year. For information on any changes employees must contact the Human Resources Department for the appropriate form.



## Chapter 5: COMPENSATION

### 5.04 Overtime

#### **PURPOSE:**

To provide a consistent policy governing overtime work in accordance with the Fair Labor Standards Act and Chapter 142 of the Local Government Code

#### **POLICY:**

Overtime compensations paid to all non-exempt employees in accordance with federal and state wage and hour requirements. Exempt employees are not paid overtime compensation.

#### **A. Eligibility for Overtime**

1. The city's work week begins at 12:00 a.m. on Saturday and ends at 11:59 p.m. the following Friday.
2. Generally, except for Fire and Police Department shift employees, overtime pay for non-exempt employees is at the rate of 1-1/2 times the employee's regular hourly rate of pay for hours actually worked in excess of 40 hours in the city's work week.
3. For information on emergency call-backs on holidays, see *Policy 5.07 On-Call/Emergency Call Back Pay*
4. Police officers and shift firefighter personnel have a different workweek schedule than the regular forty (40) hour work cycle. Fire and Police personnel are paid overtime based on the work cycle adopted by their Department under Section 207(k) of the Fair Labor Standards Act and Section 142.0015 of the Local Government Code.
5. An employee's regular rate of pay includes all pay incentives, such as certification pay, longevity, and shift differential pay.

#### **B. Scheduling and Working Overtime**

Overtime assignments will be distributed as equitably and practical to all non-exempt employees qualified to perform the required work. Refusal to accept an overtime assignment when reasonable notice has been given or an emergency exists, may be cause for discipline, up to and including termination.

All non-exempt employees must receive their supervisor's or Department Director's prior authorization before performing any unplanned overtime work. This means employees may not begin work prior to their scheduled work day, and may not continue working beyond the end of their scheduled workday, without prior authorization from the appropriate supervisor. Similarly, non-exempt employees may not work through their lunch break without prior authorization from the appropriate supervisor. The supervisor must approve any overtime before time worked is submitted for processing and payment. Non-exempt employees who work overtime without receiving proper authorization will be

subject to corrective action, up to and including possible termination of employment.

### **C. Flex-time Work Schedule**

In situations where overtime payment is not feasible due to budgetary constraints, the Department Director or supervisor must consider flexing the employee's work schedule in an effort to minimize the need for overtime compensation. Flexing must be completed within the same workweek (for general employees) or work cycle (for Police and Fire under the 207(k) exemption of FLSA) that the overtime was worked and must be accurately reflected on the affected employee's time record.

### **D. Time Worked**

Approved paid absences, including but not limited to sick leave, vacation leave, holiday or holiday bank leave, FMLA, military leave, jury and witness duty, funeral/bereavement leave, and voting time off are not counted as time worked for the purposes of computing overtime. See *Policy 5.01 Timekeeping* for additional information.

### **E. Compensatory Time**

The maximum compensatory time accrual for any employee shall be the maximum allowed under the provisions of the FLSA.

- a. **Fire and Police sworn employee** – 320 regular hours / 480 comp hours maximum
- b. **All other employees** – 160 regular hours / 240 comp hours maximum

### **F. Use of Compensatory Time**

Nonexempt employees may accrue compensatory time in lieu of being paid overtime compensation. Scheduling of compensatory time shall be subject to approval by the employee's supervisor. An employee who has accrued compensatory time and requests use of such time must be permitted to use the time off within a "reasonable period" after making the request, if it does not "unduly disrupt" the work of the department. If use of requested comp time would be disruptive, the department may elect to pay the employee in lieu of approving the requested time off. The City may, at any time, elect to pay a nonexempt employee for any or all of the employee's accrued comp time. The City may also require employees to take time off in order to reduce their accrued comp time. Otherwise, compensatory time off may be used the same as leave time.

If an individual's employment terminates before all of his/her earned compensatory time is used, he/she will be paid for all unused time at his/her regular hourly rate on his/her final paycheck.

### **G. Exempt Employees**

Exempt employees are those who are not covered by the overtime requirements of the FLSA. Exempt employees are paid a base rate of pay, regardless of the number of hours worked. Accordingly, exempt employees are not entitled to overtime compensation for work performed beyond 40 hours in a workweek. Exempt employees are expected to put in the hours necessary to complete their assignments with an acceptable level of quality in a timely manner.

**H. Exempt Employees – Exception for Overtime Pay**

In the event of an emergency or disaster declared by the Mayor of the City of Stephenville, salaried employees shall receive overtime salary in the amount of one and one-half times their hourly salary for each overtime hour worked.

In accordance with federal law, the City shall not make improper deductions from exempt employee's pay. Any exempt employee, who believes an improper pay deduction has been made, must immediately notify the Director of Human Resources. The City will promptly reimburse an exempt employee for any improper deduction(s) and will make a good faith commitment to comply in the future.

In the event city employees, whether exempt or non-exempt, are activated as part of a state or federal request for assistance they will be paid over time at a rate and in a manner consistent with the most current state policy governing reimbursement for the position or capacity in which they have been activated. Time will begin when the leaving the station and will end when returning to the station. *(So long as, we are reimbursed by the State or Federal Government)*



## Chapter 5: COMPENSATION

### 5.05 Alternate/Compressed Schedule

#### **PURPOSE:**

To allow city employees who are normally scheduled to work 8:00 a.m. to 5:00 p.m. an opportunity to work an alternate work schedule.

#### **POLICY:**

Flexible work schedules are offered when it is feasible and will in no way interfere with providing efficient and effective city services.

#### **A. Eligibility**

Eligibility for participation in the city's alternate work week schedule will depend on an assessment by the department director that the employee's proposed work schedule will enable the employee to fully meet job responsibilities and performance expectations. Employees who have been subject to corrective action during the previous 90 days may not be eligible to participate in the alternate work schedule program.

#### **B. Alternate Schedule: Work Times and Core Hours**

Upon prior written approval from the department director, employees may participate in the city's alternate work schedule program by working the same number of normally scheduled hours per week during a different, pre-approved schedule.

1. Employees are required to work the core hours of 10:00 a.m. to 3:00 p.m. or as defined by the department director.
2. Employees must schedule an unpaid lunch time for a minimum of thirty (30) minutes and maximum of two (2) hours during each day worked. Taking lunch time at the beginning or end of the work day is not permitted, except in special circumstances when approved by the department director.

#### **C. Compressed Work Week**

The compressed workweek is another option for a flexible work schedule consisting of four (4), 10-hour work days.

#### **D. Alternate Work Schedule Requests**

Eligible employees may request participation in the alternate work schedule program by submitting an ***Alternate/Compressed Schedule Request (Appendix E, Form 13)*** to their department director. Employees should be prepared to discuss how they intend to resolve any conflicts that may arise between work responsibilities and the new work schedule.

**E. Evaluation of Requests**

In evaluating an Alternate/Compressed Schedule Request, the department director will weigh such factors as the requesting employee's job responsibilities and his or her extent of interaction with members of the public and others, the schedules requested by other employees in the department, and the extent to which the requesting employee has demonstrated responsibility and dependability.

**F. Schedule**

Department directors will forward the request to Human Resources. Once a schedule is approved, the employee will be expected to work that schedule for a minimum of two (2) months.

The city reserves the right at any time to return a participating alternate/compressed work schedule employee to his or her standard schedule if the employee's schedule is not permitting the department to operate effectively or changes in circumstances necessitate a change.

**G. Holiday Leave While on Alternate/Compressed Schedule**

Full time employees of the city will receive holiday pay at eight (8) hours per observed holiday. If working an alternate/compressed schedule, employees must use vacation leave to make up the difference of time off due to a holiday.



## Chapter 5: COMPENSATION

### 5.06 Longevity Pay

#### **PURPOSE:**

To outline procedures regarding longevity pay which is provided to recognize the value of long-term service with the City of Stephenville.

#### **POLICY:**

##### **A. Eligibility**

All full-time employees are eligible to begin receiving longevity pay when they have completed one (1) full year of employment from their date of hire. Payment will be based on month of service at the time payments begin.

##### **B. Accrual**

Accrual is at the rate of \$4.00 per month for each full year of service. After 11 years of full-time employment, employees will receive \$6.00 per month.

##### **C. Payment**

Longevity payments will be based on the employee's anniversary date (one full year). Payments will be paid beginning after their first year is complete. Employees will have the option to receive longevity pay once per year on the last pay period in November or equally divided and payable during each pay cycle. All employees hired after April 1, 2018 will be required to receive their longevity payment once per year on the last pay period of November.

*\*\*Approved on April 3, 2018 - Ordinance No. 2018-O-13\*\**

##### **D. Upon Change in Employment Status or Separation**

If employee changes from full-time to part-time status, longevity pay will cease. If employee is rehired by the city, longevity will start from the current new hire start date.



## Chapter 5: COMPENSATION

### 5.07 On Call/Emergency Call Back Pay

#### **PURPOSE:**

To standardize On Call/Emergency Call Back Pay across the city and provide guidelines for employees who are subject to on call or emergency call back pay.

#### **POLICY:**

The below applies to both On Call and Emergency Call Back

- A.** An employee who is called back to work outside his or her normal work schedule shall be paid for the time worked or a minimum of two (2) hours, whichever is greater.
- B.** Department directors shall establish reasonable, maximum response times (between 15 and 60 minutes) for their departments.
- C.** An employee who is called back to work will be paid for travel time to and from work.
- D.** An employee who is called back a second time within two (2) hours of the last call back will be considered still "on the clock," and will be entitled to additional time if the second call back keeps the employee working beyond the initial two (2) hours.

#### **Emergency Call Backs**

An emergency call back is defined as an unscheduled request made by an appropriate management official for an employee to return or report to work due to unforeseen or emergency circumstances after leaving the building or work location at the end of their regular shift and before the beginning of the next regularly scheduled shift.

Emergency call backs will be considered overtime. Justification must be provided to the department director to validate that the call back is an emergency.

#### **On-call Call Back**

An on-call employee is the employee designated to be contacted if a situation arises after normal work hours. Compensation for on-call employees will be paid a prearranged sum per day while on call. Time worked while on call will be calculated at the employee's regular rate of pay.

Overtime compensation is applicable only when total hours worked exceeds the regular full time work cycle, including Holiday. For example, if an on-call employee is called back to work on a holiday week, even though an employee has not exceeded 40 hours at work, the time will be considered time and a half for the overtime hours worked. (See *Policy 5.04 Overtime* and *5.01 Timekeeping* for additional information).

Employees who are on-call must adhere to all city policies, including *Policy 7.06 Substance Abuse and Testing*. Any variance from such policies may result in corrective action, up to and including termination.



## Chapter 6: WORK ENVIRONMENT

### 6.01 Safety

#### PURPOSE:

To define health and safety practices utilized by the city to assist in providing a safe and healthy work environment for employees, citizens, customers, and visitors.

#### POLICY:

The city has established a **Workplace Safety Manual** which is available in each department. Human Resources is responsible for implementing, administering, monitoring, and evaluating the safety program. However, its success depends on the alertness and personal commitment of all employees.

#### A. Report of Accident

The city will take all practical steps to eliminate or reduce an employee's exposure to accidental injury or to conditions that would be injurious to his or her health. In the case of accidents resulting in injury, employees must immediately complete a **Report of Employee Injury/Accident/Incident** form, located on the city website under Forms and submit the form to their immediate supervisor. The supervisor must then submit the form to Human Resources.

#### B. Safety Training

Employees and supervisors receive periodic workplace safety training through city-initiated risk/safety procedures. The training covers potential safety and health hazards and safe work practices and procedures to eliminate or minimize hazards. A safety advisory group has been established to assist in these activities and to facilitate effective communication between employees and management about workplace safety and health issues.

#### C. Reporting Unsafe Acts

Employees shall cooperate with the city by observing reasonable safety regulations and working in a safe manner. Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor. Employees who violate safety standards, cause hazardous or dangerous situations, fail to report, or, where appropriate, correct such situations, may be subject to corrective action, up to and including termination of employment.

#### D. Safety Suggestions

Some of the best safety improvement ideas come from employees. Those with ideas, concerns, or suggestions for improved safety in the workplace are encouraged to raise them with their supervisor, another supervisor or manager, or bring them to the attention of Human Resources. Reports and concerns about workplace safety issues may be made anonymously, if the employee wishes. All reports can be made without fear of reprisal.



## Chapter 6: WORK ENVIRONMENT

### 6.02 Internet

#### PURPOSE:

To define the appropriate use of computer resources, maximize security, and ensure proper job performance.

#### DEFINITIONS:

**Users** are all employees, volunteers, city council members, and other persons that are authorized to use the City's computer resources, with the exclusion of public computers.

**Computer resources** refer to the city's entire computer network. Computer resources include, but are not limited to, host computers, file servers, fax servers, web servers, workstations, stand-alone computers, laptops, smartphones, tablets, software, data files, and all internal and external computer and communications networks (i.e. Internet, computer online services, value-added networks and e-mail systems) that may be accessed directly or indirectly from or through the city's computer network.

**The Texas Public Information Act** provides that all information that the city is required to assemble, collect and maintain under a law or ordinance or in connection with the transaction of official business is public information subject to disclosure to the public unless otherwise exempted from disclosure by the Act or other law.

**Instant Messaging and Chat Rooms** refers to Internet-based real-time interactive communication using any Instant Messaging or Chat Room software installed on the computer or downloaded from the Internet.

**Electronic Mail (E-mail)** is the network of computer hardware and software that permits the sending and receiving of electronic messages from one personal computer user to another. In the context of this policy, e-mail transmissions include transmissions that travel via the Internet, as well as transmissions that travel via the city's wide area network only.

**Internet access** is defined as the ability for any personal computer to connect to the world-wide network of computers known as the Internet, and to access Internet-based applications such as the World Wide Web, File Transfer Protocol, Newsgroups, Gopher, Telnet, and Wide Area Information Services.

#### POLICY:

The City of Stephenville relies on its computer resources to conduct business efficiently through access to information and communication via Internet and electronic mail (email).

##### A. No Expectation of Privacy

- a. **THERE IS NO EXPECTATION OF PRIVACY IN THE USE OF THE CITY'S COMPUTER SYSTEM OR ANYTHING CREATED, STORED, SENT, OR RECEIVED BY THE USER.**

- b. All Internet and e-mail communications sent through, received, or stored in the city- owned system are the property of the city. Additionally, the city has the unilateral right to access all stored electronic communications. Access to the Internet with the assistance of city owned equipment is a city privilege. All Internet and e-mail activity must be in compliance with this policy and other applicable policies, procedures, and rules.
- c. In order to protect its interests, the city retains the right to monitor all of its electronic communications systems at its discretion and as allowed by law. By using these systems, employees consent to monitoring by the city. *Any information transmitted, received or stored on the city's equipment is public property and subject to disclosure and public access as provided by law.*
- d. The city's right to access e-mail messages, including sites reviewed on Internet, may occur under the following circumstances:
  - a. Upon an employee's departure or absence from the city, the user's mail may be accessed to save or review those messages that pertain to city business and as necessary to locate information;
  - b. If required by law;
  - c. When information is present which indicates improper use of the Internet or e-mail;
  - d. When necessary to investigate a possible violation of a city policy or a breach of the security of the electronic mail system;
  - e. Monitoring may be done for mechanical and service quality control as well as for compliance with this policy;
  - f. For all stored communications.
- e. The contents of electronic mail/Internet access files or data may be disclosed without the permission of the user. Any individual using the city's e-mail system has no expectation of privacy in any e-mail message that the individual may generate or receive, including personal messages (if any). At any time an employee's department director or manager, Director of Information Technology or any other appropriate person selected by the city administrator or their designee, in consultation with Human Resources, may review an individual's messages or sites.
- f. The city reserves the right to monitor all traffic on the network, including sites accessed, content examined and time spent. Individuals must not use computers or networks in such a way that would disrupt or impair the use by others or be contrary to any city policy. No employee shall use the Internet or e-mail to present his or her views, ideas, questions, or actions as representing the city unless doing so in an official capacity and authorized by the city administrator or his/her designee.

## **B. Inappropriate Use**

- a. Users may not use the city's computer resources for personal use which interferes with job performance.
- b. Users are prohibited from the creation, transmission, review, or storage of inappropriate e-mail or internet content, including, but not limited to;
  - a. Material that is of a sexual or offensive nature.
  - b. Material that promotes hatred, harassment, illegal activity, or discrimination that may be related, but not limited to gender, sexual orientation, race, religion, national origin, age, political belief, physical attributes, disability, or information regarding an employee's health status without their permission.
  - c. Material that is fraudulent, embarrassing, profane, obscene, intimidating, defamatory, or otherwise inappropriate.
  - d. Material that causes interference to the network such as viruses or hacking

**Note:** The above section, a-d, does not apply to storage for spam control.

- c. Users may not use the city's computer resources for activities including, but not limited to:
  - a. Downloading software and/or other electronic files from Internet sources unless necessary for city business
  - b. Downloading software in violation of copyright law
  - c. Downloading and/or sharing music or movies
  - d. Downloading games, playing computer games, playing interactive internet games, or introducing or playing software via CD or diskette
  - e. Downloading, logging on, and/or utilizing any Instant Messaging or Chat Room programs for personal use
  - f. Dissemination of confidential or legally protected information
  - g. Communications that compromise the integrity of the city and its business in any way
  - h. Non-city, commercial, or personal advertisements.
  - i. Online gambling
  - j. Re-posting personal communications, including the sender's e-mail address, without the author's prior consent
  - k. Looking or applying for work or business opportunities other than internal city postings
  - l. Jokes, chain letters, personal business operations, or political material
  - m. Frivolous messages
  - n. Communications that use someone else's name
  - o. Communications sent city-wide that do not directly relate to the administrative processes of the city
  - p. Accessing personal use e-mail accounts
- d. Users encountering or receiving any material information in violation of this policy shall report the incident to their immediate supervisor. Any questions regarding the use of internet access or the e-mail system shall be discussed with a supervisor, who may obtain further information from the information Technology Department.

### **C. Internet Use**

#### **a. Security**

The Internet is not a secure network; thus, employees shall assume that all Internet activities are public. The city is not responsible for material viewed by users.

#### **b. Accessing the Internet via Modem**

To ensure security and avoid the spread of viruses, accessing the Internet directly by modem is strictly prohibited unless the computer in use is not connected to the city's network. Internet access through a computer attached to the city's network is through an approved Internet firewall and thereby authorized.

### **D. Electronic Mail Use**

#### **a. Communicating Information**

The content of all e-mails shall be prepared with the same level of accuracy and professionalism as other official city communications. Users must use the same care in drafting e-mails and other electronic documents as they would for any other written communication.

**b. Public Records and E-mail Retention**

Employees are responsible for deleting unnecessary mail items from the email system. Employees are also responsible for retaining e-mails of enduring value in accordance with the city's retention schedule. Any email items that need to be retained should be saved as a file or printed if necessary. An alternative to the above is to archive e-mails of enduring value on the employee's hard disk. If this approach is taken, employees become responsible for ensuring that backup copies are made on a regular basis.

Employees who have subscribed to list-services should request to be removed from such lists before terminating employment with the city. Messages sent to all e-mail users should be restricted to information that will have a direct impact on employees and/or the employee work area (i.e., power outages, interruption of services, etc.).

**c. Non-City Property**

The contents of city related electronic mail, files, or data may be viewed, copied or disclosed by the city without the permission of the user. Any individual, using a non-city owned computer or electronic device for city business has no expectation of privacy in any e-mail message or other document that the individual may generate or receive if the e-mail message or document relates to city business.

**E. Password Protection**

The city's automated information systems are a valuable asset and must be protected from unauthorized access. Accordingly, users are required to observe the following guidelines when using city computers, whether at a work location or when assigned equipment is used at home:

- a. Passwords must be used to access the city's network.
- b. Passwords must be used to access computers that are used by multiple users or computers that are used at home or for travel.
- c. Passwords should not be frivolous: i.e., names, birth-dates, addresses, or easily remembered sequences (111111, 1123456, etc.).
- d. Passwords should consist of at least 8 characters, with a mixture of letters, numbers, and special characters.
- e. Passwords should be changed at a minimum every 90 days.
- f. Passwords must not be written down, stored around the computer, or stuck to the monitor or desktop.
- g. Passwords must never be disclosed to an unauthorized person. The department director may designate a person to maintain a list of passwords for occasions when access to a departmental computer is required, such as when the person to whom the computer is assigned is unavailable. If for some reason the user must disclose a password to an unauthorized person, it must be changed immediately.
- h. Computer equipment assigned for home use is not to be used by non-city personnel. Computers that are logged on should be put in password protect mode when left unattended, especially if in a public place. If accessing the City's email system from a remote location, precaution must be taken that such access is not available for non-authorized users (e.g., using password memory facilities, short-cuts, auto-fill capabilities)

**F. Police Department Investigation(s):**

- a. This policy does not apply to police department legitimate case load investigations

**G. Corrective Action**

Computer access is a privilege that may be revoked at any time. Employees violating this policy will be subject to corrective action, up to and including termination. It is every user's duty to utilize the city's computer resources responsibly, professionally, and ethically.



## Chapter 6: WORK ENVIRONMENT

### 6.03 Telephone and City Issued Wireless Telephone Devices

#### **PURPOSE:**

This policy defines the guidelines for the standards of use of the telephone and wireless devices to those employees requiring such technology in the course of daily business, as well as defining responsibilities of both management and employees in the appropriate use and oversight of wireless technology.

#### **POLICY:**

Telephones in city offices are intended to be used for official city business. Any personal calls shall be kept to a minimum and shall not interfere with the operations of the employee's work or department. If an employee's supervisor determines that this privilege of telephone use is being abused or is interfering with department operations, this privilege may be restricted or removed.

#### **WIRELESS DEVICES:**

##### **A. Assignment**

1. It is the policy of the city to provide wireless telephones to designated employees in order to improve productivity, enhance customer service to citizens and/or to enhance public safety services.
2. It is also the policy of the city to maintain the right to access and disclose any and all messages communicated through electronic means when city-owned equipment is used. Regardless of the intent of the message (business or personal), any employee involved has no right to privacy, or to the expectation of privacy, concerning the content of any message or the intended destination of any message.

##### **B. Authorized Usage**

1. City-owned wireless telephones are intended for and expected to be used for city business. Minimal personal usage is permitted, as long as the personal use is reasonable and prudent.
2. Employees should not use wireless telephones to discuss confidential or sensitive information because wireless telephone conversations are not secured.

##### **C. Eligibility Criteria**

Employees eligible for assignment of city-owned wireless telephones are those designated by the city administrator and/or department directors, including (but not limited to):

1. Employees who are frequently in a vehicle who must conduct city business by telephone while in the field and it can be shown that cost savings and customer service efficiency will be realized through use of such devices;

2. Employees who have a critical need to maintain accessibility with other departments, managers, city management staff and/or public officials, in order to ensure uninterrupted customer service and/or the integrity of the organization; public safety positions and vehicles in order to provide immediate and direct telephone communications with citizens, outside agencies cooperating in operations, or other resource entities outside of city government and to provide for communications which may be inappropriate for mobile radios;
3. Employees involved in the city's emergency response plan; and
4. Department directors and employees who have a responsibility for responding to public safety incidents in the field.

**D. Responsibilities**

1. City Administrator

The city administrator is responsible for final approval on all requests for wireless telephone devices once the request has been approved by the appropriate department director.

2. Department Directors

Department directors will be responsible for:

- a. Approving requests for wireless telephones from their respective subordinates;
- b. Ensuring that requests are in conformance with the procedures outlined herein, or that exceptions are justified;
- c. Ensuring that all persons assigned a city-owned wireless telephone are provided access to a copy of this policy and procedure and that the employee is in compliance with it;
- d. Conducting periodic inventories of wireless telephones with their respective departments to ensure accountability;
- e. Conducting annual reviews of assigned devices to determine if such assignments continue to be justified;
- f. Informing appropriate employees responsible for city communications of all reassignments of wireless telephones;
- g. Reviewing the monthly bill, collecting funds from department employees, and forwarding those funds to the Finance Department to reimburse the city for any chargeable personal calls or text messages appearing on the bill.

3. Employees

Employees who are assigned the use of city-owned wireless telephones are responsible for:

- a. Ensuring the physical security of such devices. In case of negligence, the employee will be responsible for reimbursing the city any cost incurred in replacement or repair of the phone;

- b. Ensuring that all communications on such devices are kept to the briefest duration possible;
- c. Keeping personal communications to a minimum;
- d. Ensuring that any personal use does not detract from the employee's availability for completion of assigned duties;
- e. Being available to receive calls or mobile data messages while working or on-call;
- f. Using good judgment while speaking or sending mobile data messages, as all phone records are subject to Open Records Request;
- g. Not using the telephone by sending or reading mobile data messages while driving a City vehicle. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.
- h. Providing the appropriate employees/supervisor notification of any repair, lost, stolen or damaged equipment.
- i. Surrendering a city-owned phone upon request of a department director, regardless of the reason;
- j. Non-exempt employees: Ensuring compliance with work away from premises or at home involving the use of a wireless device (see Chapter 5, page1).

#### 4. Reimbursements

- a. Users must review their monthly billing statement for accuracy, annotate the bill of any personal call or text charges that incur additional cost to the city, and submit payment to the designated department cashier. If there is no department cashier, payment shall be submitted to the Finance Department.

#### E. Procedure

To request wireless telephone usage, the employee must make a request in writing to the department director. A determination will be made certifying whether or not cellular technology is an appropriate communication device for the situation and must be approved by the department director and the City Administrator. Every employee utilizing wireless telephones shall be required to sign the ***City Issued Wireless Device Acknowledgement Form (Appendix E, Form 28)*** regarding this policy, which verifies that the employee has read and understands the obligations.

Inappropriate use of cellular phones shall be reported to the respective department director and/or immediate Supervisor. Any employee violating this policy is subject to corrective action, up to and including termination.



## Chapter 6: WORK ENVIRONMENT

### 6.04 Meal and Rest Period

#### **PURPOSE:**

To establish consistent standards for meal and break periods throughout the City of Stephenville.

#### **POLICY:**

##### **A. Meal Period**

Meal periods shall be determined by supervisors with the approval of the department director to accommodate operating requirements. Meal periods will not be counted as time worked for the purposes of determining overtime, with the exception of essential personnel approved by the department director.

##### **B. Rest Period**

If authorized by an employee's supervisor, employees may be allowed two 15-minute rest periods during the day. Such rest periods shall be considered a privilege, not a right, and shall never interfere with proper performance of the work responsibilities and work schedules of each department. If possible rest periods will be provided in the middle of work periods. Rest periods may not be combined or taken at the start or the end of an employee's workday, or be used to extend meal periods. Since this time is counted and paid as time worked employees must not be absent from their workstations beyond the allotted rest period time.



## **Chapter 6: WORK ENVIRONMENT**

### **6.05 Tobacco Use**

**PURPOSE:**

To provide a safe and healthy work environment for citizens, customers, and employees.

**POLICY:**

In keeping with the city's intent to provide a safe and healthful work environment, smoking and the use of smokeless tobacco products (e.g. chewing tobacco, snuff, vapor e-cigarettes, etc.) are prohibited in city buildings and other facilities, in city owned buildings or municipal buildings or in city-owned, rented, or leased vehicles or while using city equipment.

Employees may use tobacco products outdoors on their rest breaks outside of the buildings in designated smoking areas or during their meal periods. Smoke breaks which are excessive in frequency or length will be treated as an attendance issue. No employee shall use tobacco products while making public contact.

Employees may be allowed to smoke during their break or meal period, only in designated areas by their department director. Designated areas are restricted to out-side only.

Willful or repeated violations of this policy will result in appropriate corrective actions.



## Chapter 6: WORK ENVIRONMENT

### 6.06 Temporary Restricted Duty

#### PURPOSE:

To outline the guidelines and procedures for assignment and use of restricted duty.

#### POLICY:

It is the goal of the city, with the cooperation of all departments, to locate and assign restricted duty, when necessary and feasible, to employees who are temporarily restricted from performing their regular job as a result of work related or non-work related injury or illness. Temporary restricted duty opportunities will return employees to a meaningful assignment as soon as possible when they are unable to perform the full essential functions of their positions (with or without reasonable accommodation) due to the injury or illness.

#### A. Restricted Duty Work Assignment

1. An employee will be considered for a restricted duty assignment when he or she can perform work of a restricted nature, as opposed to their normal range of duties.
2. The city reserves the right to require an employee to be medically released with no restrictions before returning to full duty. Restricted duty assignments must be coordinated with the Human Resources Department.
3. Restricted duty assignments must be existing duties consistent with normal operations of the division or department. An employee assigned restricted duty assignments may be assigned duties in several departments. These restricted duties assignments must not be created specifically for an individual employee. If no assignment is available, the employee must stay home until released to full duty.

#### B. Procedures

The following procedures apply when an employee is released for restricted duty and provides a Physician's Restricted Duty Recommendation to his/her supervisor and the Human Resources Department.

1. Within one (1) working day of receiving a Physician's Restricted Duty Recommendation, the employee forwards it to the Human Resources Department. If a restricted duty assignment is made, a **Temporary Restricted Duty Agreement (Appendix E, Form 14)** must be completed by the employee and the Human Resources Department.
2. For a work related injury only, if a restricted duty assignment is not available in the department of origin, the Human Resources Manager or designee will review the limitations/restrictions provided by the physician and determine an appropriate assignment based on the restrictions noted by the physician and the employee's abilities to perform the work.

3. If an employee with a work related injury is assigned to restricted duty in another department, the department of origin continues to pay the employee's wage at the employee's regular pay rate regardless of the nature of the restricted duty assignment.
4. An employee unable to return to regular duty on the original date indicated by the treating physician must provide an updated Physician's Restricted Duty Recommendation prior to the originally estimated date of return to regular duty.

**C. Additional Provisions**

1. The restricted duty assignment shall not exceed ninety (90) working days in a one (1) year period.
2. Extensions beyond ninety (90) working days must be authorized by the City Administrator's Office and the Human Resources Manager upon recommendation of the department director and receipt of proper documentation to indicate the need for extension.
3. An employee's refusal to perform a task consistent with the medical restrictions will be interpreted as a violation of city policies. The employee will leave the work site, will be placed on leave without pay, and may be subject to corrective action. The employee may be ordered to be re-evaluated in order to determine their ability to perform available restricted duty tasks.
4. An employee on restricted duty may be assigned several types of work at various locations and times, necessitated by changing medical restrictions or by completion of available work of a particular type.



## Chapter 6: WORK ENVIRONMENT

### 6.07 Take-Home Vehicle

#### **PURPOSE:**

To establish standard requirements and procedures, in accordance with applicable provisions of the Internal Revenue Code, for the City of Stephenville employees who are assigned city-owned or leased vehicles in the course of providing services and conducting business.

#### **DEFINITIONS:**

**City Vehicle** is any vehicle owned, rented, or leased by the city.

**De Minimis** means a minimal amount of personal use of city-owned vehicles, as defined by the Internal Revenue Service regulations.

**Marked vehicle** is a city-owned vehicle which is clearly identified for use in city operations and business.

**Take home Vehicle** is a city-owned vehicle which is assigned to a specific position with take-home responsibilities.

**Unmarked Vehicle** is a city-owned vehicle which is not easily identified as used by a city employee. Examples of such vehicles would be those used in fire and/or police criminal investigation and by detective personnel.

**Vehicle** is any self-propelled equipment, trailer, or trailer mounted equipment, which is towed by a self-propelled piece of equipment, which may be marked or unmarked with city identification, and/or licensed for use on public roadways.

#### **POLICY:**

This policy is intended to ensure the safety and well-being of city employees; to facilitate the efficient and effective use of city resources; to minimize the city's exposure to liability; to monitor the use of city-owned vehicles; and to comply with Internal Revenue Service regulations relating to city vehicle usage.

#### **A. Assignment of Take-Home Vehicle**

A take home vehicle may be assigned to an employee for any of the following reasons:

1. When taking home a city-owned vehicle serves a valid public purpose
2. When the employee responds to frequent emergency calls from home or is on call-back or standby status
3. When the responsibilities of the position require the person be available to respond to situations with the necessary specialized equipment and/or skill that requires the city vehicle for transportation

## **B. Take-Home Vehicle Authorization Procedure**

The assignment of city take-home vehicles to employees shall require the approval of council, based on the recommendations from the employee's department director and the city Administrator, ***Take Home Vehicle Request Form (Appendix E, Form 25)***. If a vehicle is assigned pursuant to this policy, only the employee who was granted approval is authorized to operate the vehicle without written approval. The following criteria will measure an employee's need for take-home vehicle authorization:

1. All employees that take city vehicles home must live within twenty (20) minutes or less of the job site where the employee is stationed for the purposes of responding to emergencies. Exceptions to this rule will be granted at the discretion of the city administrator. Continued take-home vehicle authorization will be based on the number of actual back to work trips made. If the number of after hours, back to work trips is low, take-home authorization may be discontinued.
2. Positions that utilize a take-home vehicle will be reviewed on an annual basis and will require authorization by the department director and/or the city administrator.
3. The city reserves the right to review the continuing need for any vehicle assignment and withdraw or reassign such vehicle at anytime.
4. City vehicle usage will not be negotiated as part of an employment package without prior approval from the city manager

## **C. Use of Take-Home Vehicles**

Authorized personnel who utilize take-home city vehicles will adhere to good stewardship practices and common sense pertaining to responsible use of the vehicles. Employees who use take-home vehicles must adhere to the following general instructions:

1. Employees are prohibited from transporting non-city business related persons in any city take-home vehicle
2. In no case shall a city vehicle be used while purchasing, transporting, or consuming alcohol, unless in the course of an investigation that involves alcohol,
3. Aside from providing services and conducting business, take-home vehicles may be used for commuting and de minimis personal errands during workdays, pursuant to Internal Revenue Service (IRS) regulations. An Employee may utilize their vehicle for lunch and/or break time purposes during workdays as long as it is within reasonable distance from the employee's place of work that day and approved by their supervisor. These regulations may be amended by the IRS from time to time.

## **D. City Vehicle Requirements**

The following requirements are applicable to both take-home and non-take-home City vehicles:

1. Only city employees are authorized to operate city vehicles.
2. All operators of city vehicles shall possess a valid Texas driver's license.
3. All drivers and business travelers must wear seat belts and obey all traffic laws.
4. All city vehicles must be operated in the manner prescribed in applicable State laws and city ordinances.
5. Employees are strictly prohibited from operating a city vehicle while under the influence of alcohol or illegal drugs, and are likewise prohibited from operating a city vehicle while using a prescription, over-the-counter or non-prescribed medicine which may impair their ability to safely operate a motor vehicle.

6. Employees may not use the telephone, send or read mobile data messages while driving a city vehicle. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions. The only exception is public safety employees conducting official business; water, streets, code enforcement, and parks and recreation employees only when conducting official city business.
7. Employees are responsible for notifying the city within twenty-four (24) hours if their license is suspended, according to **Policy 7.08 Minimum Driving Standards**. It is the responsibility of the employee to ensure that all city issued vehicle insurance documentation and registration be in the vehicle at all times. In the case of an accident, the employee driving a city-owned vehicle shall immediately notify the nearest police department to report the accident. Copies of the completed accident report shall be forwarded to the employee's department director and the Human Resources Department. Department directors are required to notify the Human Resources Manager of any vehicular accidents in their department in order to file and distribute insurance claims.
8. Employees must comply with all preventative maintenance programs required by the city. Further, all employees driving city vehicles are required to report and explain any and all abnormalities noticed by the driver to their supervisor immediately. By agreeing to use a city-owned vehicle, the employee agrees to keep city vehicles current on all maintenance and necessary work.
9. Vehicles shall be kept free of litter and debris. The physical appearance of the vehicle must create a good impression of the city.
10. City vehicles and heavy equipment shall be inscribed in accordance with Chapter 721, Texas Transportation Code. Any tampering or removal of the inscription will result in corrective action.
11. Employees assigned to a city vehicle will be required to sign **Form 25 (Appendix E)** indicating that they have read and will comply with the rules and provisions in this policy, as well as **Policy 7.08 Minimum Driving Standards**.
12. Employees who have driving responsibilities are subject to the Motor Vehicle Regulations as stated in **Policy 7.08 Minimum Driving Standards**.

Employees who do not comply with the provisions of this policy shall be subject to corrective action up to, and including termination



## Chapter 6: WORK ENVIRONMENT

### 6.08 Notification of Closures/Delays

#### **PURPOSE:**

To communicate the requirements of attendance and pay during periods of inclement weather or other declared disasters.

#### **POLICY:**

##### **A. Notification of City Closures/Delays**

In the event the city administrator or designee determines that city offices must be closed due to inclement weather or other disaster, the city administrator, or designee will notify all department directors. Department directors will in turn notify their respective staff.

##### **B. Non-Emergency Personnel**

When conditions are such that the city administrator, or designee, declares city offices officially closed, all regularly scheduled full-time and part-time, non-emergency personnel scheduled to work will be excused for the day without penalty or loss of pay. The Closure Day will not count as time worked for the purpose of determining overtime. If the city administrator, or designee, declares a delayed opening or early closing, non-exempt employees will be paid for actual time worked.

##### **C. Emergency Service Personnel**

Certain emergency service personnel will be required to work even when city offices are declared closed. Emergency personnel are non-exempt personnel who are needed in order to provide basic services during city observed holidays, inclement weather or other declared disasters.

The responsibility for designating those emergency service personnel rests with the department director and will include certain utility, street, parks and recreation employees. Such employees shall be provided with a replacement day-off within 90 days from the declared Closure Day. It will be the responsibility of the department director to coordinate such replacement days off.

##### **Public Safety Personnel:**

Due to the nature of positions with the Police and Fire Departments, employees who support 24/7 operations within both departments are expected to report to work as scheduled, regardless of inclement weather or other disaster and are not eligible for the replacement day off. If extenuating circumstances are present, employees must contact their supervisor prior to the start of their shift to discuss further. The employee's supervisor will be responsible for determining the appropriate action.

Employees not scheduled to work, but are called in to assist will receive overtime as per the Emergency Call Back Policy (section 5.07).

#### **D. Use of Official Closure Day**

1. **Personal Illness**: Employees who would have used a sick day due to illness may use the Closure Day in lieu of taking a sick day
2. **Out on Family Medical Leave**: If an employee is out on Family Medical Leave (FMLA), the Closure Day will not be counted as a Family Medical Leave day
3. **While on Vacation**: Employees who scheduled vacation that fell on the Closure Day may use the Closure Day in lieu of taking a vacation day
4. **While on Unpaid Leave of Absence**: Employees on approved personal leave of absence without pay will not be granted the Closure Day

#### **E. Inclement Weather Conditions without Official Notification**

If city offices are not officially declared to be closed due to inclement weather or other disaster, all employees are expected to make every effort to arrive at work, regardless of weather conditions. However, if an employee feels that driving conditions would constitute a danger to their life and/or property, they may elect to come in later than normal. If conditions do not improve, they may elect to use a day of their vacation. If vacation time is not available, the floating holiday may be used, or the employee may request the day off without pay. Employees must contact their supervisor before the workday begins in any of the above situations.

#### **F. Emergency Response and/or Disaster Preparedness/Recovery**

In the event of a disaster, employees who perform emergency work due to any form of major disasters such as flooding, tornado, hurricanes, or other form of force majeure, fire management assistance declarations, preparation and/or recovery efforts, whether local or in response to a State or Federal deployment, employees either Exempt or Non- Exempt will be paid for their time worked regular and on overtime.



## Chapter 6: WORK ENVIRONMENT

### 6.09 Travel

#### **PURPOSE:**

To outline the procedures for city-approved travel and reimbursement for travel expenses and set guidelines for reasonable use of public funds.

The City of Stephenville has an accountable plan that requires adequate accounting for all travel expenses within a specified period of time. Under the accountable plan exception – no tax reporting is necessary under IRS guidelines.

#### **POLICY:**

It is the policy of the City of Stephenville that employees acting on the city's behalf will be allowed to travel to conferences, seminars, and for other purposes if such travel is determined to be in the best interest of the city or for job-related purposes, with an approved *Travel Request Form (Appendix E, Form 15)*. Travel time for the purpose of this section is defined as the actual time spent in traveling from the city to the alternate location. Any other mileage is considered as part of the normal commute to work.

#### **A. Responsibilities**

The department directors are responsible for communicating and administering the provisions of this policy to employees and approving expenses as legitimate business items.

The finance director is responsible for the overall administration and compliance of the provisions stated in this policy.

All employees shall have the responsibility to report any abuse and or misuse of travel funds to appropriate management. Employees traveling on city business are representatives of the city and are expected to maintain a high level of professionalism and to follow all city policies.

#### **B. Allowable Expenses**

Reasonable travel expenses incurred by employees and elected officials will be reimbursed by the city or paid direct, subject to the following guidelines:

##### **1. Meals**

##### **1. Per Diem**

A per-diem is a daily allowance for meals and incidentals while traveling overnight on behalf of the city. Meal expenses for employees will be paid up to \$50.00 a day. For partial days the following amounts will be paid: Breakfast \$10.00, Lunch \$15.00, and Dinner \$25.00. The daily allowance for each meal includes the tip. Meals that are provided as a part of a conference, training, etc. do not qualify for per-diem and must be subtracted from any per-diem cash advance request. All travel and cash advances must be approved in advance by the employee's department director (or designee), unless otherwise stated in this policy. The

employee must be away before 7:00 a.m. or after 6:00 p.m. to receive the respective breakfast or dinner portion of the per diem.

Per-diem may be requested in **advance** by completing an **Request For Check (Appendix E, Form 16)** no more than 2 weeks prior to travel. No receipt is required for per-diem.

**b. Other Meals**

Meal reimbursement in connection with 'day travel' may be subject to IRS income tax withholding regulations and therefore receipts must be maintained by the employee. The reimbursement request and receipt for meals associated with 'day travel' must be submitted to payroll, along with the **Travel Request Form (Appendix E, Form15)**.

In order for meal reimbursements to be excluded from taxes, travel must be away from home and involve an overnight stay; or be for a business related purpose.

If a meal reimbursement includes the employee and other(s), the reason for the meal and the names of the attendees must be provided on the back of the receipt.

As an alternative, department director level and above may elect to be reimbursed on actual expenses instead of per-diem, if substantiated by receipts along with an **Request for Check (Appendix E, Form 16)**.

**2. Transportation**

1. The city expects that the most economical method of travel will be utilized. The city will pay for mileage, round trip air fare, train fare, taxi fare, tips, tolls, and car rental, when required. All approved transportation must be procured via CCH AP check, ACH, EFT or Procurement Card. Likewise all refunds for transportation must be issued directly to the city. Employees are strongly encouraged not to use personal funds to secure transportation. However, department directors have discretion to permit the use of personal funds to secure transportation, if necessary. Round trip air fare for coach class will be paid with arrangements made in advance. First Class or Business Class will only be acceptable when coach class is not available.
2. Mileage reimbursement will only be paid when an employee uses his/her personal vehicle and it is pre-approved by the department director. The rate of reimbursement shall be the standard IRS mileage rate for the current year of travel; which is updated annually. Miles will be calculated based on actual miles driven to and from the approved destination. All mileage reimbursement requests must be accompanied by either a personal mileage a log or an internet mileage calculator showing the round trip mileage actuals or estimates. The city will accept a print out from an online mileage calculator to substantiate miles traveled. Mileage reimbursement will only be issued, prior to travel, upon receipt of approval and approved mileage log.
3. The City of Stephenville provides for car allowance to reimburse employees required to use personal vehicles extensively for city-related business. A car allowance may be set above the reimbursement level as a part of the employee's total compensation package. Car allowance recipients are responsible for any

record keeping requirements of the Internal Revenue Service and any tax implications. All or any portion of a recipient's car allowance may be subject to federal income tax. A car allowance will cover any and all car-related expenses incurred by travel within Erath, Hood, Comanche, Hamilton, Palo Pinto, Eastland, Somervell, and Bosque Counties. Any travel beyond the listed counties will be eligible for mileage reimbursement for actual mileage from the beginning of the trip. Employees receiving a car allowance may be required to furnish valid proof of state required liability insurance coverage. The city manager may eliminate car allowances at any time.

**3. Lodging**

Lodging expenses shall be arranged in advance, using the single rate. Lodging expenses will be paid for the actual number of meeting days with allowance for travel time. The city will reimburse lodging only for travel outside the Stephenville area. The city will reimburse lodging expenses only if travel goes beyond the counties of Erath, Hood, Somervell, Palo Pinto, Hamilton, Comanche, or Eastland counties, unless there is a bona-fide business activity that is expected to extend beyond 7:00 p.m. (i.e. conference networking event, or similar activity). Employees are expected to commute to locations within the counties listed above. Extra charges for room service are not reimbursable or paid by the city. An itemized lodging receipt must be provided, including an itemization for any room charges to be paid or reimbursed by the city. Department directors have discretion to waive the mile restriction for lodging reimbursement under special circumstances. Directors should note on the expense report that the restriction is waived.

**4. Registration Fees:**

Registration fees will be paid directly by the city via check, ACH or Procurement Card. Likewise all refunds for registration fees must be issued directly to the city.

**5. Tips:**

Tips for baggage carriers, taxi fare, and parking fees are allowable expenses and must be substantiated on the expense report (approximately 15%). Note: per diem thresholds must include the tip, reimbursements for tips that are outside of per diems must be shown on a receipt/invoice.

**6. Unplanned Expenses:**

Reasonable, unplanned, out of pocket expenses will be reimbursed provided receipts are presented and substantiated.

**7. Prohibited Expenses:**

Expenses for entertainment, alcoholic beverages, fitness center fees, and in-room movies are not authorized and will not be reimbursed.

**8. Spouses:**

The city will not pay or reimburse registration fees, meals, and travel expenses of spouses who accompany employees to conferences or other business related events.

### C. Expense Reports

For all employees who are not Credit Card holders or do not elect to use per-diem, a **Request for Check (Appendix E, Form 16)** must be completed within seven (7) working days after returning from a trip. This report will itemize all expenses incurred during trip. Receipts are required for hotel, air fare, train fare, meals, registration fees, and any other expenses over \$5.00, with the exception of tolls. Include a copy of the conference brochure detailing meals, beginning and ending dates, location and topics.

For employees who use their personal vehicle for approved travel, a **Request for Check (Appendix E, Form 16)** must be filled out for reimbursement. Actual mileage will be computed and listed at the standard IRS mileage rate. All mileage reimbursement requests must be accompanied by either a personal mileage log or an internet mileage calculator showing the round trip mileage.

For employees who have daily expenses and turn in a report monthly, a **Request for Check (Appendix E, Form 16)** must be turned in within seven (7) working days following the end of the month.

Any questions regarding expense reports shall be addressed to the finance department.

### D. Miscellaneous Expense Reimbursement

Miscellaneous expenses less than \$50.00 may be reimbursed through the petty cash system without completing an expense or estimated expense report. All other travel and meal expenses/advances must be reported through the expense report procedure.

### E. Compliance

Out-of-town travel by non-exempt employees is covered under the following FLSA rules:

- Travel Time: The principles which apply in determining whether time spent in travel is compensable time depends upon the kind of travel involved.
- Home to Work Travel: An employee who travels from home before the regular workday and returns to his/her home at the end of the workday is engaged in ordinary home to work travel, which is not worktime.
- Home to Work on a Special One Day Assignment in Another City: An employee who regularly works at a fixed location in one city is given a special one day assignment in another city and returns home the same day. The time spent in traveling to and returning from the other city is work time, except that the employer may deduct/not count that time the employee would normally spend commuting to the regular work site.
- Travel that is all in a Day's Work: Time spent by an employee in travel as part of their principal activity, such as travel from job site to job site during the workday, is work time and must be counted as hours worked.
- Travel Away from Home Community: Travel that keeps an employee away from home overnight is travel away from home. Travel away from home is clearly work time when it cuts across the employee's workday. The time is not only hours worked on regular working days during normal working hours but also during corresponding hours on nonworking days. As an enforcement policy the Division will not consider as work time that time spent in travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile

## **F. Travel and City Issued Credit Cards**

Credit cards area available to make purchases of goods and services in the most cost effective manner.

1. All charges associated with approved travel should be purchased via the city's two purchasing means as much as possible (City Issued Credit Card or AP Check) this ensures that the city gets the best rates and has access to merchant information for financial reporting purposes.
2. All City Issued Credit Card holders are expected to use their credit cards for approved travel.
3. Travel approval forms must accompany the City Issued Credit Card expense statement for an expense cycle in which travel related expenses are posted.

Abuse of this policy, including falsifying expense reports or submitting false claims, will results in corrective action, up to and including termination of employment and may also result in criminal charges.



## **Chapter 6: WORK ENVIRONMENT**

### **6.10 Identification (ID) Card**

#### **PURPOSE:**

The purpose of this policy is to outline the reasons for use and regulation of City of Stephenville employee identification (ID) cards.

#### **POLICY:**

As part of the United States Homeland Security Initiative, as well as satisfying the city's goal to provide a safe and secure environment to live and work, city employees are required to carry city-issued ID cards. By carrying ID cards, employees will be a part of this nationwide initiative as well as helping the city attain this goal.

This policy applies to all full time employees, except those in the Police and Fire Department. The Fire and Police Departments have individual policies consistent with their departmental security regulations.

#### **A. Reasons for Carrying/Wearing and ID Badge**

1. Provides better security by more easily identifying people in authorized and unauthorized areas
2. Makes it easier for customers to identify the city employee with whom they are communicating
3. Offers instant visual recognition that an individual is a legitimate employee of the city
4. Gives employees in city facilities an opportunity to reasonably question anyone not carrying/wearing an ID badge
5. May deter potential wrongdoers who prefer to operate in an environment where their presence will go unchallenged
6. Serves as proof of an individual's status as an employee of the city

#### **B. ID Badge Responsibilities**

1. Employees must carry or wear the ID badge at all times when working for the city, both in city buildings or in the field
2. The ID badge will be displayed in plain view in a professional, business-like manner. Field workers have the option of a wallet ID badge that shall be kept with them while working in order to produce it if requested
3. The badges are the property of the city, and any employee who alters or intentionally mutilates the badge, uses the badge of another employee, or allows his/her badge to be used by another employee is subject to corrective action
4. Any transfer, falsification, or forgery of a city ID badge is a violation of city policy and may result in corrective action. In addition, fraudulent or illegal use of the city ID badge may result in criminal and/or civil charges
5. The use of stickers or other items affixed to city ID badges is prohibited
6. Each employee is responsible for the care, safekeeping, and use of his/her ID badge
7. The city reserves the right to modify or revoke the badge at anytime
8. The badges will be returned to the Human Resources Department upon separation of employment

**C. ID Badge Replacement**

1. No person shall possess more than one (1) city ID Badge. If a badge is lost and a replacement badge issued, then the original is found, one (1) shall be returned to the Human Resources Department
2. One replacement badge will be provided; however, the employee will be required to pay a charge for each additional badge required due to loss, misplacement, breakage, etc. Exception: If the badge needs to be replaced due to normal wear and tear on the job, no charge will be assessed



## **Chapter 6: WORK ENVIRONMENT**

### **6.11 Visitors in the Workplace**

**PURPOSE:**

To provide for the safety and security of employees and city facilities.

**POLICY:**

Restricting unauthorized visitors helps maintain safety standards, protect against theft, ensure security of equipment, protect confidential information, safeguard employee welfare, and avoid potential distractions and disturbances.

All visitors must enter city buildings at the main entrance(s). Authorized visitors will receive directions to their destination. Employees are responsible for the conduct and safety of their visitors. If an unauthorized individual is observed in restricted employee only areas, employees must immediately notify their supervisor or, if necessary, direct the individual to the public area.



## Chapter 6: WORK ENVIRONMENT

### 6.12 Workplace Monitoring

#### **PURPOSE:**

To describe the need and verify the means the City of Stephenville must take to ensure safety by monitoring the workplace.

#### **POLICY:**

Workplace monitoring may be conducted to ensure quality control, employee safety, security, and customer satisfaction. There can be no expectation of privacy in the use of the city's resources, including but not limited to, telephones, computers, desks, vehicles, or equipment. Monitoring will occur without prior notification and will be conducted at times and locations deemed appropriate by the city. Workplace monitoring will be done in an ethical and respectful manner.

#### **A. Telephone**

Employees who regularly communicate with citizens and customers may have their telephone calls and conversations monitored and/or recorded. Telephone monitoring is used to identify and correct performance problems through targeted training, if needed. Improved job performance enhances our citizens' and customers' image of the city as well as their satisfaction with our service.

#### **B. Video Surveillance**

The city may conduct video surveillance of non-private workplace areas. Video monitoring is used to identify safety concerns, maintain quality control, detect theft and misconduct, and discourage or prevent acts of harassment and workplace violence.

#### **C. Computer Resources**

The city owns the contents of all files stored on its systems, all information within application files, and all messages transmitted over its systems. The city reserves the right to monitor any and all aspects of its computer system by human and/or automated means without prior notification to employees.

#### **D. Inspections**

Lockers, vehicles, offices, desks, file cabinets, and other city property used by employees are subject to inspection by a department director or designee at any time.



## Chapter 6: WORK ENVIRONMENT

### 6.13 Workplace Violence Prevention

#### **PURPOSE:**

To outline the guidelines to deal with intimidation, harassment, or other threats of (or actual) violence.

#### **POLICY:**

The City of Stephenville is committed to maintaining a safe work environment free of workplace violence, and therefore has a zero tolerance policy regarding violence.

#### **A. Zero Tolerance**

If an employee engages in any violence in the workplace, or threatens violence, employment may be terminated immediately. No talk of violence or joking about violence will be tolerated.

*Violence* includes physically harming another, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, and threatening or talking of engaging in those activities at any time, including off-duty periods. It is the intent of this policy to ensure that everyone associated with the city, including employees, customers, and citizens, never feel threatened by an employee's actions or conduct.

#### **B. Violent Conduct**

All employees, including supervisors and temporary employees, shall be treated with courtesy and respect at all times. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others.

#### **C. Reporting Violence**

Threats of (or actual) violence, both direct and indirect, must be reported as soon as possible to the immediate supervisor or any other member of management and the local Police Department. This includes threats by employees, as well as threats by customers, vendors, solicitors, or other members of the public. When reporting a threat of violence, the employee must be specific and detailed as possible.

Suspicious individuals or activities must also be reported as soon as possible to a supervisor. An employee must not be placed in peril; if an employee sees or hears commotion or a disturbance, they must not try to intercede or investigate what is happening.

The city encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Human Resources Department before the situation escalates into potential violence.

#### **D. Zero Tolerance**

The city will promptly and thoroughly investigate all reports of the threat of (or actual) violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as practical. In order to maintain workplace safety and the integrity of its investigation, the city may suspend employees, with or without pay, pending investigation.



## Chapter 6: WORK ENVIRONMENT

### 6.14 Weapons – Concealed and Open Carry

#### **PURPOSE:**

This policy outlines business procedures for employees to manage and comply with State laws relating to open carry of firearms.

#### **Firearm:**

Any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use [Texas Penal Code §46.01(a) (3)]. The term firearm shall also include air guns, air pistols, air rifles and all other firearms using air or gas pressure to propel a projectile.

#### **Handgun:**

Means any firearm that is designed, made, or adapted to be fired with one hand.

#### **Location-Restricted Knife:**

Means a knife with a blade over five and one-half inches.

#### **Prohibited Weapons:**

Includes firearms (except handguns), clubs, Location-restricted knife and other weapons as defined by Texas Penal Code 46.01; and other items with the potential to inflict harm.

#### **POLICY:**

The city specifically prohibits the carrying of prohibited weapons by any employee while on city premises or city business except for licensed peace officers or animal service officers. Licensed peace officers and animal service officers may carry or possess those weapons that the department approved.

The city specifically prohibits open carrying of handguns by any employee while on duty on city premises or city business except for licensed peace officer.

The city manager and division directors may prohibit the carrying of handguns or prohibited weapons that may not be prohibited by this policy for certain critical job tasks or locations as determined by the department director and city manager.

Appropriate corrective action, up to and including termination of employment, will be taken against any employee who violates this policy.



## Chapter 6: WORK ENVIRONMENT

### 6.15 Security Access

#### **PURPOSE:**

The purpose of this policy is to help ensure the safety of individuals using city facilities and to improve the security of city property.

#### **POLICY:**

In a public building there is a need to balance the accessibility and use of facilities with the need to provide a safe and secure environment. Convenience must sometimes be compromised in order to maintain security. Each city employee must share in the responsibility to assure security for employees and property.

- A. The city maintains a locking system for the protection of its employees, facilities, property, and information. All locks, keys, and access codes are the sole property of the City of Stephenville and will be issued to employees based on their need for access. The city reserves the right to change locks, keys, and access codes as needed. All keys must be returned to the city upon termination of employment. Employees exiting city buildings at the end of the business day shall ensure that all exterior doors are locked, using the key(s) assigned.
- B. Security codes shall be changed at the discretion of the city manager or designee. Visitors and non-employees in city buildings must remain in public access areas unless accompanied into an employee only area by a city employee. City employees shall not reveal security codes to anyone other than another employee. Revealing a security code to a non-employee may result in corrective action.
- C. No unauthorized person shall make, duplicate, possess or use keys to city premises without authorization. No person may transfer any city key from an individual entrusted with its possession to an unauthorized person, or be in unauthorized possession of a city key. No person shall replace without permission, damage, tamper with or vandalize any city lock or security device.
- D. All losses and theft of city keys are to be reported to the city manager's office. The request to replace lost or stolen keys shall be accompanied by a written explanation describing the facts surrounding the loss, particularly the location of the loss and what doors the keys open. Based on the factors involved, a decision will be made to replace the keys or have the locks re-keyed. The individual whose keys were lost shall assume the cost of replacement keys. The department shall assume the cost of re-keying. The fees for key replacement will increase with subsequent losses by the same individual.



## Chapter 6: WORK ENVIRONMENT

### 6.16 Social Media Policy

#### **PURPOSE:**

The purpose of this policy is to address the fast-changing landscape of the internet and the way residents communicate and obtain information online. The City of Stephenville ("City") and its various departments may consider participating in social media formats to reach a broader audience. The City encourages the use of social media to further the City's mission to deliver the highest quality municipal services and to further its vision of a premier city that retains its distinctive character.

#### **DEFINITIONS:**

- A. "Article" means an original posting of content to a City social media site by a City employee.
- B. "Blog" (an abridgment of the term web log) means a website with entries of commentary, descriptions of events, or other material such as graphics or video.
- C. "Business network" such as LinkedIn® or user groups of a business nature, area network or process that is established to build mutually beneficial relationships with other business people and potential clients. A business network can also serve as an alliance of like-minded individuals with a common problem or interest. For the purposes of this policy, an approved business network is not considered a social network.
- D. "Comment" means a response to a City article or social media content submitted by any person or entity.
- E. "Content" includes, but is not limited to, articles, comments, photograph(s), video(s), other image(s) or hyperlinks(s) to another site.
- F. "Link" means referral to other information at a different location on the Internet via hyperlink.
- G. "Social media" is a category of internet-based resources that integrate user generated content and user participation. These include, but are not limited to:
  - a. Social networking sites (i.e., Facebook®, Google®)
  - b. Microblogging sites (i.e., Twitter®)
  - c. Photo and video sharing sites (i.e., Flickr®, YouTube®).
  - d. Blogs; and
  - e. News sites (i.e., Reddit®, Digg®).
- H. "Social networking" is the practice of expanding one's business and/or social contacts by making connections through clubs, organizations, phone contacts, written correspondence or through web-based applications. This policy focuses on Social Networking as it relates to the Internet to promote such connections through Web-based groups established for that purpose.

## **POLICY – Use of Social Media on behalf of the City**

The city council and the city manager have an overriding interest and expectation in deciding who may "speak" and what is "spoken" on behalf of the City on social media sites. This policy establishes guidelines for the use of social media. The city manager or his designee shall approve what social media outlets may be suitable for use by the City and its departments.

- A.** All official City presences on social media sites or services are considered an extension of the City's computer information network and are governed by and subject to the City's policy on "Internet Access and Electronic Mail Policy" contained in the *Personnel Policy Manual*.
- B.** The city manager, or their designee, will review all department requests to use social media sites.
- C.** Departments that use social media are responsible for complying with applicable federal laws and City policies. This includes adherence to established laws and policies regarding copyright, records retention, the Texas Public Information Act, the First Amendment of the U.S. Constitution, privacy laws and information security policies established by the City.
- D.** Employees must abide by all federal and state law and policies of the City with regard to information sent through the internet. City social networking sites are subject to the Texas Public Information Act, Federal e-discovery rules, and the City's records retention schedules that apply to social networking content. Records required to be maintained pursuant to a relevant records retention schedule shall be maintained for the required retention period in a format that preserves the integrity of the original record and is easily accessible using the usual or approved City platforms and tools.
- E.** All social network sites and entries shall clearly indicate that any content posted or submitted for posting are subject to public disclosure.
- F.** The City reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law as well as material that is contrary to promoting the City's mission or reflects negatively on the City.
- G.** Each City social networking site shall include an introductory statement which clearly specifies the purpose and topic of the blog and social network site. Where possible, social networking sites should link back to the official City internet site for forms, documents and other information.
- H.** City social networking content containing any of the following forms of content shall not be allowed for posting. Examples include, but are not limited to:
  - 1. Comments not topically related to the particular site or blog article being commented upon;
  - 2. Profane language or content;
  - 3. Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
  - 4. Sexual content or links to sexual content;
  - 5. Solicitations of commerce;
  - 6. Conduct or encouragement of illegal activity;
  - 7. Information that may tend to compromise the safety or security of the public or public systems;
  - 8. Content that violates a legal ownership interest of any other party;
  - 9. Information or references to the personal addresses, personal telephone numbers, personal e-mail addresses, family members or other personal information of City officials or City employees;
  - 10. Commercial promotions or spam; or
  - 11. Organized political activity.

- I. All social networking sites shall clearly indicate they are maintained by the City and shall have City contact information prominently displayed.
- J. Where applicable, City security policies, including but not limited to information technology security policies, shall apply to all social networking sites and their contents.
- K. Employees representing the City government via social media outlets must conduct themselves at all times as a representative of the City and in accordance with the City's Personnel Policy Manual. Employees using social media sites, whether as a manager or as a responder to a posting, will follow these guiding principles:
  - 1. Employee should maintain transparency by using his/her real name and job title, and by being clear about his/her role in regards to the subject.
  - 2. Employee will make it clear to readers when he/she is writing about a topic for which he/she is not the City's expert.
  - 3. Keep postings factual and accurate. If a mistake is made, admit to it and post a correction as soon as possible.
  - 4. Reply to comments in a timely manner, when a response is appropriate. When disagreeing with others' opinions, keep responses appropriate and polite.
  - 5. Post meaningful, respectful comments that are on topic.
  - 6. Understand that postings are widely accessible, not retractable, and will be around for a long time, so consider content carefully.
  - 7. Ensure your comments do not violate the City's privacy, confidentiality and applicable legal guidelines for external communication. Never comment on anything related to legal matters, litigation or any parties with whom the City may be in litigation without the appropriate approval.
  - 8. The legal right to publish others' material, including photos and articles pulled from other sites must always be obtained prior to posting. Do not publish photos taken while on the scene of any incident. Respect brand, trademark, copyright, fair use, disclosure of processes and methodologies, confidentiality, and financial disclosure laws. Even when using material from copyright-free sources, include appropriate attributions.

#### **POLICY – Employee personal use of Social Media**

An employee's use of social media, both on and off duty must not interfere with or conflict with the employee's duties or job performance, reflect negatively on the City or violate any City policy. The intent of these standards is to regulate the creation and distribution of information concerning the City, its employees and citizens through the use of social media and social networking. Protecting the City's reputation and ensuring that an employee's communication with people outside the City is positive not only reflects positively on the employee as an individual, but also on the City.

Personal use of the City's internet is a privilege and carries responsibilities requiring responsible and ethical use. The City may monitor an employee's access, use, and postings to the internet, with cause, to ensure compliance with internal policies, support the performance of internal investigations, assist management of information systems, and for all other lawful purposes. The City expects all employees to follow the guidelines below when posting information on the internet, regardless of use on or off duty. This policy encompasses social media and social networking.

This policy should be read and interpreted in conjunction with other City policies, including but not limited to, policies prohibiting harassment, discrimination, offensive conduct or inappropriate behavior and the City's Electronic Communications policy.

This policy is not intended to infringe on employee rights. It is not intended to preclude or dissuade employees from engaging in any activities that are protected by state or federal law (including the

National Labor Relations Act), such as discussing wages, benefits or terms and conditions of employment, or raising complaints about working conditions for their own benefit or for the benefit of their coworkers.

### **Employee Guidelines**

- A. Any blogging or posting information on the internet, must comply with the City's guidelines (as listed below), regardless of where the blogging or posting is done.
- B. Blogging, or posting information of a personal nature on the internet, is prohibited during work hours, except during a break. Employees may not engage in social networking while using any of the City's electronic resources, with the exception of the City's WIFI system. Never disclose any confidential information concerning another employee of the City in a blog or other posting to the internet. Posting of confidential information may violate state law and subject the user to criminal penalty. All requests for City documents must be processed through the Public Information Act.
- C. Employees are encouraged to act responsibly on and off duty, and to exercise good judgment when using social media.
- D. Do not post information on the internet that could adversely impact the City and/or an employee of the City. Respect coworkers and the City. Do not put anything on your blog or post any information and/or pictures on the Internet that may defame, embarrass, insult, demean or damage the reputation of the City or any of its employees.
- E. Do not put anything in your blog or post any information and/or pictures that may constitute violation of the City's Harassment policy.
- F. Do not post any pornographic pictures of any type that could identify you as an employee of the City.
- G. Do not post pictures of yourself or others containing images of City uniforms or insignia, City logos, City equipment or City work sites that will reflect negatively on the City.
- H. Do not permit or fail to remove postings violating this policy, even when placed by others on the employee's blog. Recognize that postings, even if done off premises and while off duty could have an adverse effect on the City's legitimate business interests.
- I. Individual supervisors do not have the authority to make exceptions to these guidelines.

No form of social media is considered private or confidential even if password protected or otherwise restricted. The City reserves the right to access, intercept, monitor and review all information accessed, posted, sent, stored, printed or received through its communications systems or equipment at any time with cause.

### **DISCIPLINE:**

- A. Employees found in violation of any provision of this policy may be subject to corrective action, up to and including termination of employment. Where laws are violated, the City may pursue criminal and/or civil action against the employee.
- B. All Department Directors are responsible for their subordinates' compliance with the provisions of this policy and for investigating non-compliance.
- C. Internet user account and password access may be withdrawn without notice if an employee violates this policy.



## Chapter 6: WORK ENVIRONMENT

### 6.17 Breastfeeding Policy

#### **PURPOSE:**

To outline the guidelines and procedures for accommodating breastfeeding mothers in accordance with Fair Labor Standards Act 29 U.S.C. 207(r)(1) (FLSA).

#### **POLICY:**

Stephenville supports breastfeeding mothers by accommodating the mother who wishes to express breast milk during her workday when separated from her newborn child.

#### **A. Eligibility**

Employee who is breastfeeding

#### **B. Benefit**

1. An employee lactation room will be provided in the City Hall building as a private place for employees who are breastfeeding to express milk during work hours.
2. Each City-owned facility has space available for expressing breast milk. The department director and a Human Resource Representative will designate a private room, other than a restroom, which is free from intrusion, in other City buildings for employee use, as the need arises.
3. Access to a nearby, clean, safe water source and a sink is available for washing hands and rinsing out any needed breastfeeding equipment. Sinks and water supplies are available in any City restroom or breakroom, located within each City facility.
4. Access to hygienic storage in the workplace for the mother's breast milk will be provided. Shared refrigerators are available in each City-owned facility. Employees using the refrigerator shall clearly mark their stored belongings with their name.
5. Reasonable unpaid break time for an employee to express breast milk for her nursing child.

#### **C. Requesting Breaks**

The Employee is responsible for coordinating with her manager reasonable break times to express milk.



## Chapter 6: WORK ENVIRONMENT

### 6.18 Personal Identity Information (PII) Security Notification, and Confidentiality

#### **PURPOSE:**

The City of Stephenville recognizes the importance of maintaining the confidentiality of Personal Identity Information (PII) and understands that such information is unique and sensitive to each individual. The PII covered by this policy may be obtained from various individuals performing tasks on behalf of the City including: employees, applicants, vendors, independent contractors and any PII maintained on its database.

#### **POLICY:**

All City departments which encounter PII have the delegated authority for developing and implementing procedural guidance for ensuring that their departmental responsibilities under this policy are communicated and enforced appropriately.

#### **DEFINITIONS:**

***Personal Identity Information (PII):*** Unique personal identification numbers or data, including:

- Social Security Numbers
- Employer Identification Numbers
- Driver's license number
- Date of birth
- Corporate or individually held credit or debit transaction card numbers (including PIN or access numbers) maintained in organizational or approved vendor records

PII may reside in hard copy or electronic records; both forms of PII fall within the scope of this policy.

***Vendors:*** Individual(s) or companies that have been approved by the Finance Department as a recipient of organizational PII and from which the finance department has received certification of their data protection practices conformance with the requirements of this policy. Vendors include all external providers of services to the City and include proposed vendors. No PII information may be transmitted to any vendor in any method unless the vendor has been pre-certified for the receipt of such information.

#### **A. PII Retention**

The City understands the importance of minimizing the amount of PII data it maintains and retains such PII only as long as necessary. The city secretary's office is responsible for maintaining organizational record retention procedures, which dictate the length of data retention and data destruction methods for both hard copy and electronic records.

**B. PII Training**

All new hires who may have access to PII are provided with introductory training regarding the provisions of this policy, a copy of this policy, and implementing procedures for the department to which they are assigned. Employees in positions with regular ongoing access to PII or those transferred into such positions are provided with training reinforcing this policy as well as procedures for the maintenance of PII data and shall receive annual training regarding the security and protection of PII data and City proprietary data.

**C. PII Audit(s)**

The City conducts annual audits of PII information maintained by the City in conjunction with fiscal year closing activities to ensure that this policy remains strictly enforced and to ascertain the necessity for the continued retention of PII information. Where the need no longer exists, PII information will be destroyed in accordance with protocols for destruction of such records and logs maintained for the dates of destruction. The audits are conducted by Finance, IT, Human Resources, as well as other departments which may have access to PII, under the auspices of the City Attorney.

**D. Data Breaches/Notification**

Databases or data sets that include PII may be breached inadvertently or through wrongful intrusion. Upon becoming aware of a data breach, the Finance Director or his/her designee will notify all affected individuals whose PII data may have been compromised. The notice will be accompanied by a description of action being taken by the City to reconcile any damage as a result of the data breach. Notices will be provided as expeditiously as possible and in no event be later than the commencement of the payroll period after which the breach was discovered.

The city attorney will handle breach notifications(s) to all governmental agencies to whom such notice must be provided in accordance with time frames specified under these laws. Notices to affected individuals will be communicated by Human Resources after consultation with the city attorney and within the time frame specified under the appropriate law(s).

**E. Data Access**

The City maintains multiple IT systems where PII data may reside; thus, user access to such IT systems is the responsibility of the IT department. The IT department has created internal controls for such systems to establish legitimate access for users of data, and access shall be limited to those approved by IT. Any change in vendor status or the termination of an employee or independent contractor with access will immediately result in the termination of the user's access to all systems where the PII may reside.

**F. Data Transmission and Transportation**

1. City Premises Access to PII: The Finance, Human Resources, IT, and other departments with access to PII have defined responsibilities for on-site access of data that may include access to PII; IT has the oversight responsibility for all electronic records and data access capabilities. Finance and Human Resources have the operational responsibility for designating initial access and termination of access for individual users within their organizations and providing timely notice to IT.

2. Vendors: The City may share data with vendors who have a business need to have PII data. Where such inter-company sharing of data is required, the IT department is responsible for creating and maintaining data encryption and protection standards to safeguard all PII data that resides in the databases provided to vendors. Approved vendor lists will be maintained by the Finance department, and Finance has responsibility to notify IT of any changes to vendor status with the City.
3. Portable Storage Devices: The City reserves the right to restrict PII data it maintains in the workplace. In the course of doing business, PII data may also be downloaded to laptops or other computing storage devices to facilitate City business. To protect such data, the City will also require that any such devices use IT department-approved encryption and security protection software while such devices are in use on or off City premises. The IT department has responsibility for maintaining data encryption and data protection standards to safeguard PII data that resides on these portable storage devices. Employees utilizing portable storage devices must:
  - a. Share the responsibility for protecting the security of the equipment from unauthorized users.
  - b. Be aware of and follow appropriate security provisions concerning logging on or off City computer systems and networks.
  - c. Maintain the confidentiality of their password and of all data that is placed on or deleted from a City computer. It is particularly critical that employees not divulge their passwords to anyone.
  - d. Report all security breaches, including compromised passwords, to their supervisor.
  - e. Secure such devices when not in use to prevent unauthorized access or theft.
4. Off-Site Access to PII: The City understands that employees may need to access PII while off site or on business travel, and access to such data shall not be prohibited, subject to the provision that the data to be accessed is minimized to the degree possible to meet business needs and that such data shall reside only on assigned laptops/approved storage devices that have been secured in advance by the IT department.

**G. Regulatory Requirements**

It is the policy of the City to comply with any international, federal or state statute and reporting regulations. The City has delegated the responsibility for maintaining PII security provisions to the departments noted in this policy. The city attorney shall be the sole entity named to oversee all regulatory reporting compliance issues. If any provision of this policy conflicts with a statutory requirement of international, federal or state law governing PII, the policy provision(s) that conflict shall be superseded.

**H. Employee Recourse**

If an employee has reason to believe that his or her PII (please refer to what constitutes PII) data security has been breached or that City representative(s) are not adhering to the provisions of this policy, an employee should contact an HR representative.

**I. Confirmation of Confidentiality**

All City employees must maintain the confidentiality of PII as well as City proprietary data to which they may have access and understand that such PII is to be restricted to only those with a business need to know.

**J. Violations of PII Policies and Procedures**

The City views the protection of PII data to be of the utmost importance. Infractions of this policy or its procedures will result in corrective actions under the City's discipline policy and may include suspension or termination in the case of severe or repeat violations. PII violations and corrective actions are incorporated in the City's PII onboarding and refresher training to reinforce the City's continuing commitment to ensuring that this data is protected by the highest standards.



## Chapter 7: EMPLOYEE CONDUCT

### 7.01 Corrective Action

#### **PURPOSE:**

To provide a structured, corrective action process to bring attention to existing performance, conduct or attendance issue(s).

#### **POLICY:**

It is the policy of the City of Stephenville that employees comply with certain standards of behavior and performance and where noncompliance is corrected in a manner that protects the dignity of employees. Corrective action is considered a dimension of performance evaluation and employee development. It is a corrective process to help employees overcome work related shortcomings, strengthen work performance, and achieve success. The following Corrective Actions are merely suggestions. Each Corrective action will be tailored to fit the specific offense or violation and may take into consideration the specific situation and previous performance record of the individual involved.

#### **A. Reasons for Action**

Corrective action may be taken for an employee's failure to maintain minimum performance standards, as Corrective action for misconduct, or for an employee who is experiencing a series of unrelated problems involving job performance or behavior. Unrelated performance problems may be considered separately unless the effect of the performance deficiencies has a cumulative effect on the employee's overall performance.

#### **B. Documentation**

Supervisors are expected to document Corrective action using the ***Performance Correction Notice (Appendix E, Form 17)***. The documentation should contain a description of the behavior that prompted the discipline, the action taken, and how the employee's conduct must change, including time frames, as necessary. Every Corrective action taken shall be recorded so as to provide documentation that rules are enforced equitably and in accordance with stated policy, without regard to race, gender, national origin, disability, age, religion, or any other characteristic provided by law. All Corrective documentation shall be sent to Human Resources to be kept in the employee's personnel file.

#### **C. Procedure**

The City reserves the right to exercise any of the Corrective options, up to and including termination of an employee. Repeating or jumping a step, or moving to immediate discharge may be appropriate depending on the circumstances and management's judgment.

**Below are examples of the levels of discipline:**

**1. Verbal Warning**

A verbal warning is best suited for a minor rule infraction or incident of substandard performance. It is usually the first step in the Corrective action process to bring attention to the existing performance, conduct or attendance issue. The supervisor should discuss with the employee the nature of the problem or violation of city policies. The supervisor is expected to clearly outline expectations and steps the employee must take to improve performance or resolve the problem. **A Performance Correction Notice (Appendix E, Form 17)** detailing the event shall be signed by the employee and the supervisor and submitted to Human Resources within five (5) business days. A memo may be prepared by the supervisor if needed, and attached to the *Performance Correction Notice*. A copy must be kept in the employee's personnel file in Human Resources.

**2. Written Reprimand**

A written reprimand is a higher form of discipline that is a more formal documentation of the performance, conduct or attendance issues and consequences. A **Performance Correction Notice (Appendix E, Form 17)** detailing the event and clearly outlining expectations and steps the employee must take to improve performance or resolve the problem shall be signed by the employee and the supervisor and submitted to Human Resources within five (5) business days. A memo may be prepared by the supervisor if needed, and attached to the *Performance Correction Notice*. A copy of the written reprimand must be kept in the employee's personnel file in Human Resources.

The immediate supervisor will meet with the employee and review any additional incidents or information about the performance, conduct or attendance issues as well as any prior relevant Performance Improvement Plans. Management will outline for the employee the consequences if he/she continues to fail to meet performance, conduct or attendance expectations. A notification outlining that the employee may be subject to additional discipline up to and including termination if immediate and sustained corrective action is not taken may also be included in the reprimand.

**3. Delay of Step Increase**

A department director may authorize a delay of a scheduled step increase as a Corrective measure or for unsatisfactory performance. The supervisor and employee will create a **Performance Improvement Plan (Appendix E, Form 27)**. A copy of the written notice of delay of step increase, which indicates the date when the step increase will be re-evaluated, and the Performance Improvement Plan must be submitted to Human Resources within five (5) business days and kept in the employee's personnel file in Human Resources. If the employee meets the required performance standards upon reevaluation, the employee may be eligible to receive an increase consistent with their performance level if annual increases are budgeted. The increase shall not be retroactive.

**4. Corrective Probation**

The purpose of Corrective probation is to allow the employee a stated period of time to demonstrate improvement on a specific problem or problems specified at the time the employee is placed on Corrective probation. A Performance Improvement Plan that includes a statement of the problem, action steps to achieve necessary improvement,

length of probation period, and information concerning further Corrective action that could result from failure to show improvement shall be signed by the employee. Corrective probation shall not exceed one year in duration and may be used in conjunction with a suspension after a serious or repeated violation. No merit increases or promotions will be authorized during Corrective probation. A copy of the Corrective probation memo must be submitted to Human Resources within five (5) business days and kept in the employee's personnel file in Human Resources.

5. **Suspension**

A department director may authorize suspension without pay for up to 120 hours in a single calendar year, with the approval of Human Resources. Suspensions over 120 hours shall require the written authorization of the City Manager. Employees, in all suspensions, shall be given written notice of the reasons for the suspension. The notice shall document the offense and the alternatives upon return to work are either immediate improvement or termination. Suspensions shall be signed by the employee, the supervisor, department director, and Human Resources Manager and must be submitted to Human Resources within five (5) business days and kept in the employee's personnel file in Human Resources.

**Suspension during Criminal or Civil Proceedings**

During investigation, hearing, or trial of an employee on any civil or criminal charge, the employee may be placed on Administrative Leave with or without pay, for the duration of the proceedings, (whenever such suspension would be in the best interest of the City). The department director will issue an Administrative Leave memo, have the employee sign and forward to the Human Resource Department where the Human Resource Manager will sign. A copy must be kept in the employee's personnel file in Human Resources. This is not a Corrective action, but merely a status until the results of the investigation, hearing or trial is obtained.

6. **Demotion**

A Department Director may demote an employee for reasons which include, but are not limited to, a violation of rules or policies or repeated refusal or inability to improve performance. Demotions may be permanent or for a predetermined period of time and may be used in conjunction with a Corrective probation. Corrective demotions may be accompanied by a reduction in wage, if appropriate. Employees shall be given written notice of the reason(s) and duration of the demotion, and in the case of a temporary demotion, the Performance Improvement Plan required for the employee to be reinstated to the former position. A copy of the written notice of demotion must be submitted to Human Resources within five (5) business days and kept in the employee's personnel file in Human Resources.

7. **Administrative Leave**

Administrative leave can be used for Corrective purposes, decision making leave, a cooling off and/or transition period. ***See Chapter 4 Page 68 for guidelines***

**8. Termination**

Employees may be terminated at any time. Termination is normally taken when other Corrective actions have been utilized, but performance has not changed or when an employee has committed a major violation or exhibited behavior that is unacceptable to the City. Termination shall be approved by the Human Resources Department and the City Manager. Employees who are terminated are not eligible to receive unused benefits, except for unused compensatory time and accrued vacation leave. A copy of the termination letter must be reviewed and approved by Human resources before proceeding with the termination. A copy of this letter will be kept in the employee's personnel file in Human Resources.

**D. Corrective Action and Performance Evaluation**

Employee(s) on probation or suspension are not eligible for a merit increase. After the employee is removed from Corrective status, the employee may be eligible to receive an increase consistent with their performance level if annual increases are budgeted. The increase shall not be retroactive.

Nothing in this policy provides any contractual rights regarding employee discipline or counseling nor should anything in this policy be read or construed as modifying or altering the employment-at-will relationship between the City of Stephenville and its employees.



## Chapter 7: EMPLOYEE CONDUCT

### 7.02 Employee Conduct and Work Rules

#### **PURPOSE:**

To promote and ensure appropriate conduct by providing standards governing specific problems regarding employee conduct.

#### **POLICY:**

All employees are expected to conduct themselves both on and off the job in accordance with the standards set forth in this policy and are expected to exemplify conduct that is lawful and professional. Employees conduct, on or off the job, should instill public confidence and trust, and should not bring the City into disrepute. An employee's off duty behavior must maintain the expected ethical and conduct standards, and not discredit or adversely impact the City's image or public trust. Compliance with these standards of conduct is a condition of employment.

The following work rules relating to personal conduct are intended to provide minimum guidelines for employee conduct and work performance, and to inform employees of prohibited conduct. Engaging in one or more of the following forms of prohibited conduct may result in Corrective action up to and including termination.

Each employee has a duty to report to a supervisor, department director, or to the Human Resources department any employee conduct that such person believes is a violation of the law, constitutes a misuse of City funds or assets, or represents a danger to public health and safety. An employee will not be subject to Corrective action or reprisal for bringing forward, in good faith, allegations of wrongdoing in accordance with this policy.

The following is a non-exclusive list of examples of employee conduct for which an employee may be disciplined. The City has the right to exercise any Corrective options as the situation may warrant.

**A. Unsatisfactory attendance** is exemplified by, but is not limited to, the following violations:

1. Unexcused absence or tardiness;
2. Failure to give notice of an absence or tardiness to the supervisor before the start of their work day, or as may be prescribed by departmental policy;
3. Separate absences or days of tardiness which exceed the average absences or days of tardiness of the employee's work group and which lack sufficient justification;
4. Absence or tardiness that causes significant curtailment or disruption of services without sufficient justification; or
5. Abuse of leave, such that the employee's absence from the workplace renders the employee unable to perform the essential functions of the job at a satisfactory level, except as covered by the Family and Medical Leave Act.

**B. Excessive use of sick leave** may constitute grounds for the assumption of the department director that the physical condition of an employee is below the standard required for the employee to perform the essential functions of the job. Failure to provide a physician's certification will be deemed a violation of City Policy and subject to discipline action. Refer to **Chapter 4.01 – Sick Leave** for more information.

- C. Abandonment** occurs when an employee deliberately and without authorization is absent from the job, or refuses a legitimate order to report to work, for two (2) consecutive work days. The employee is deemed to have abandoned his/her job and shall be terminated.
- D. Inability to come to work** occurs when an employee is absent due to an extended illness or injury after all eligible leave has been exhausted, except when the employee's absence is covered by the Family and Medical Leave Act.
- E. Inability or unwillingness to perform assigned work satisfactorily** is exemplified by, but is not limited to, the following violations:
1. Failure to follow routine written or verbal instructions;
  2. Arguing over assignments or instructions; or
  3. An accumulation of other deficiencies indicating the employee's continuing failure to adequately perform in a productive, efficient, and competent manner.
- F. Indifference toward work** is exemplified by, but is not limited to, the following violations:
1. Inattention, inefficiency, loafing, sleeping, carelessness, or negligence;
  2. Reading unauthorized material, playing games, watching television, movies or accessing unauthorized internet sites, unauthorized e-mail usage, or otherwise engaging in entertainment while on the job and/or in view of the public;
  3. Excessive failure to remain at one's work station without notifying his/her supervisor, leaving work without permission, or taking excessive time or more time allowed for eating or break periods;
  4. Smoking or using tobacco products in other than designated areas;
  5. Performance of personal business during working hours;
  6. Interference with the work of others; or
  7. Discourteous or irresponsible treatment of the public or other employees.
- G. Sabotage** is exemplified by, but is not limited to, the following violations:
1. Deliberate damage to or destruction of City equipment or property;
  2. Defacing of City property;
  3. Unauthorized alteration, removal, destruction, or disclosure of City records;
  4. Advocacy of or participation in unlawful trespass or seizure of City property;
  5. Encouraging or engaging in slowdowns, sit-ins, strikes, or other concerted actions or efforts to limit or restrict employees from working;
  6. Encouraging City employees to disobey provisions of these rules and regulations, the City Charter, City Ordinances, or other laws;
  7. Interference with the public use of or access to City services, properties, or buildings; or
  8. Threats to commit any act of sabotage as defined in this subparagraph.

- H. Safety and workplace violations** are exemplified by, but are not limited to, the following violations:
1. Failure to follow City or departmental safety rules and regulations;
  2. Failure to use required safety apparel and/or (PPE) Personal Protective Equipment;
  3. Removal or circumvention of a safety device;
  4. Lifting in a manner which may cause injury;
  5. Operations of a vehicle or other equipment in an unsafe, negligent, or careless manner;
  6. Smoking in a prohibited area;
  7. Endangering of one's own safety or that of others by careless or irresponsible actions or negligence;
  8. Failure to report an on-the-job injury, vehicle accident, or unsafe working condition;
  9. Failure of a supervisor to remove from the workplace or to assist to a safe location an employee whose mental capabilities are impaired due to injury, illness, alcohol or drug use, or emotional distress;
  10. Sharing a City key, identification card, building entry code, or security badge with another employee or third-party;
  11. Use of another's computer sign-on or computer access code(s), or providing an individual's sign on or computer access code to a third party without proper authorization to gain access to the City's computer network or access to confidential or privileged information;
  12. Reading another employee's mail, correspondence, or email without express permission, except as otherwise authorized by personnel policy;
  13. Listening to another employee's voice mail without express permission, except as authorized by the personnel policy; or
  14. Failure to maintain a driving record acceptable to the City.
- I. Dishonesty** is exemplified by, but is not limited to, the following violations:
1. Acceptance of money or anything of value from a person subject to the regulatory decision or supervision of the employees;
  2. Cheating, forging, or falsification of official City reports or records;
  3. False reporting of the reason for a paid leave of absence;
  4. Failure to accurately record time records, or recording the time of another employee; or
  5. Any other falsifying action detrimental to the City, City employees, or others.
- J. Theft**, regardless of item value, is exemplified by, but is not limited to, the following violations:
1. Unauthorized taking of City property, City supplies, or the property of others for personal use;
  2. Unauthorized use of City or employee funds;
  3. Using or authorizing the use of City equipment, supplies, or employee services for other than official City business, including the unauthorized use of long distance or pay telephone services (including "900" toll calls); or
  4. Using or authorizing the use of City equipment or employee services without proper authority.

- K. Insubordination** is exemplified by, but is limited to, the following violations:
1. Willful failure or refusal to follow the specific orders or instructions of a supervisor or higher authority; or
  2. Pursuit of a denied request to a higher authority without revealing the lower level disposition; provided that:
    - a. If the employee believes an instruction or order is improper, he should request an interpretation of the next higher level of authority; or
    - b. If the employee believes the instruction or order, if followed, would result in physical injury to the employee or others, or damage to City equipment, the employee should request approval by the next higher level of supervision before performing the work, unless the danger complained about is inherent to the job.
- L. Abuse of drugs or alcohol** is exemplified by, but is not limited to, the following violations:
1. An employee is judged unable to perform duties in an effective and safe manner due to:
    - a. ingestion, inhalation, or injection or application of a substance into the human body; or
    - b. ingestion of an alcoholic beverage;
    - c. An employee possesses or ingests, inhales, or injects into his/her body drug:
      1. during working hours and lunch periods;
      2. in a City vehicle;
      3. on City property; or
      4. An employee possesses or ingests an alcoholic beverage:
        5. during working hours and lunch periods;
        6. in a City vehicle; or
        7. on City property; except at an authorized City event
- M. Disturbance** is exemplified by, but is not limited to, the following violations:
1. Fighting or boisterous conduct;
  2. Deliberate causing of physical injury to another employee or citizen;
  3. Harassment or intimidation;
  4. Unnecessary disruption of the work area;
  5. Use of profane, abusive, threatening, or loud and boisterous language;
  6. Sexual harassment;
  7. Spreading of false reports; or
- Other disruption of the harmonious relations among employee's or between employees and the public.
- N. Unauthorized use of City property** is exemplified by, but is not limited to, the following violations:
1. Intentional, careless, or negligent damage or destruction of City equipment or property;
  2. Waste of materials or negligent loss of tools or materials;
  3. Improper maintenance of equipment;
  4. Damage caused by use of tools or equipment for purposes other than that for which the tool or equipment was intended; or
  5. Unauthorized internet or e-mail usage.

- O. Misconduct** is any criminal offense or immoral conduct, during or off working hours, which, on becoming public knowledge, could have an adverse effect on the City or the confidence of the public in City government. "Criminal offense" means any act constituting a violation of law and/or resulting in charges being filed, indictment, arrest, conviction or confinement.

Employees must notify their immediate supervisor and the supervisor will notify the Human Resources Manager within 24 hours of any arrest, charge, indictment or driver's license suspension/revocation, whether related to on-duty or off-duty events. Employees may be transferred, demoted or terminated if it is determined by the City in an Administrative Review that the criminal offense is inappropriate for the position or might otherwise compromise the public trust or confidence in the City government.

In determining whether the criminal offense is inappropriate for the position in question, the City will consider, but is not limited to, the following factors:

1. Nature of the position;
2. Nature of the offense;
3. Severity of the offense;
4. Security of other employees and/or citizens;
5. Disruption of the workplace; or
6. Violation of public trust

- P. Disregard of public trust** is any conduct, during or off working hours, which, on becoming public knowledge, could impair the public's confidence or trust in the operation of City government.

- Q. Failure to report a violation** is exemplified by, but not limited to, failure to report to the proper authority any known violation described in the subsections.

- R. Failure to maintain competency:** An employee shall maintain sufficient competence to properly perform his/her duties and to assume the responsibilities of his/her position. He/she shall direct and coordinate his/her efforts in a manner that will tend to establish and maintain the highest standards of efficiency in carrying out the functions and objectives of the City. The fact that the employee was deemed competent at the time of employment shall not preclude a judgment of incompetence as the result of job performance deficiencies. Apart from, or in addition to, other methods of proof of incompetence, such as failure to achieve and maintain acceptable job proficiency and to accept and execute duties, responsibilities, instructions, and orders with minimum supervision, a written record of repeated Corrective actions for infractions of policies, rules, regulations, manuals, or directives, or repeated adverse counseling reports and/or evaluations reflecting need for improvement or indicating performance inadequacies, will be considered prima facie evidence of incompetence.

- S. Discrimination:** No employee shall discriminate against any individual on the basis of race, color, creed, religion, gender, national origin, age, disability, or physical handicap.

- T. Professional appearance:** An employee shall maintain a neat, well-groomed appearance and style of his/her hair and wear his/her uniform or other apparel in accordance with individually established departmental standards.

- U. Labor organizations:** No employee shall engage in any form of unauthorized labor organization or political association activities while on duty or on City property. An employee shall have the right to join labor organizations, but nothing shall compel the City to recognize or to engage in collective bargaining with any such labor organizations.

- V. Membership in unlawful groups:** No employee shall be or become a member with intent to further its aims of any organization, association, movement, or group which advocates or approves the commission of acts of force or violence to deny others their rights under the Constitution of the United States or which seeks to alter the form of government of the United States by unlawful means.
- W. Criminal or Traffic Violations:** Employees shall notify their immediate supervisor of criminal violations, any arrest, indictment or convictions within five (5) calendar days of such criminal violation, arrest, indictment or conviction. Employees who operate City vehicles or equipment are required to notify their supervisor immediately of all traffic violations, excluding parking violations of any conviction therefore.
- X. Civil Lawsuit:** Employees shall notify their immediate supervisor of any civil lawsuit that is brought against them.
- Y. Confidentiality and use of information:** No employee shall make known any information concerning the progress of an investigation, a known or reported law violation, a condition against which action is to be taken at a future time or any proposed law enforcement action to any person not authorized to receive it. An employee shall treat the official business of the City as confidential and shall disseminate information regarding official business only to those for whom it is intended in accordance with established City procedures and consistent with Public Information Act. An employee may remove or copy official records or reports from a City office only in accordance with established procedures and with the approval of the applicable department director. An employee shall not promise confidentiality or divulge the identity of a person giving confidential information except when authorized by proper authority and necessary in the performance of their work. Further, an employee shall not use information gained from any City information system for anything other than official City business.
- Z. Administrative Review or Internal investigation:** An employee shall fully cooperate and is required to answer all questions truthfully and with full disclosure. Any employee failing or refusing to cooperate in an investigation will be subject to Corrective action up to and including termination.



## Chapter 7: EMPLOYEE CONDUCT

### 7.03 Employee Appeal Process

#### **PURPOSE:**

To outline the procedures for full time employee appeal to a Corrective action. This policy does not apply to part time, temporary, or seasonal employees, or to employees in the introductory period of employment.

#### **POLICY:**

An employee who wishes to appeal a Corrective action may do so by the following procedure. Written notification of the appeal of a Corrective action must be presented to the following supervisory and management personnel in the order indicated.

#### **A. Step One – Appeal to Department Director**

A written appeal shall be presented to the department director within seven (7) City business days of the Corrective action taken. The department director will notify the Human Resources Director that an appeal has been received. The department director will review the facts and will render a written decision within five (5) City business days, or if the department director is absent or is to be absent, within five (5) City business days of returning to work. The department director will forward copies of the decision to the employee and the Human Resources Department.

#### **B. Step Two – Appeal to City Manager**

In the event the decision of the department director is eligible to be appealed, and is requested, the city manager shall hear the appeal within five (5) City business days of the request, unless the date is extended by mutual agreement between the employee and the city manager. The city manager reserves the right to appoint one or more designees to hear an appeal in his/her stead at any time during the appeal procedure. Representation by an attorney shall be permitted. The employee, the employee's own attorney (if applicable), the department director, the city attorney, and witnesses shall have the opportunity to be present at the hearing before the city manager and answer questions addressed by the City Manager, and to present their side of the issue.

The city manager shall have the absolute right to determine the case on the merits. The city manager shall render a written decision to the employee and department director within five (5) City business days of the conclusion of the appeal hearing. The decision of the city manager is final.



## Chapter 7: EMPLOYEE CONDUCT

### 7.04 Grievance

#### **PURPOSE:**

The purpose of this policy is to provide active "current" employees guidelines for discussing and resolving grievance matters and procedures to follow when those matters are not resolved to the employee's satisfaction. This policy does not apply to non-active "former" employees.

Grievance policies and procedures empower employees by ensuring that their voices are heard. A formal process improves employee morale, relieves immediate supervisors of ongoing disputes, and helps to ensure that disagreements or other problems are addressed in a prompt and orderly fashion.

#### **POLICY:**

The scope of a grievance is limited to the inappropriate or inconsistent application of a written policy.

No employee will retaliate against a grieving employee.

#### **DEFINITIONS:**

**"Business day"** means any day the City is open to conduct normal business. For the purposes of this policy, it does not include the day the grievance is filed and the day the written response is given.

**"Grievable Act"** means conduct that constitutes an unequal and/or unlawful treatment, interpretation and/or application of City or departmental policies, procedures, or practices; and retaliation.

**"Grievance"** means a formal, written claim for a grievable act.

**"Non-Grievable Act"** is something that an employee may not submit a grievance. Examples include but are not limited to:

1. Job or duty assignments;
2. Work schedules and shift assignments;
3. Staffing levels;
4. Corrective matters;
5. Performance reviews/quarterly conversations

**"Grieving Employee"** is an employee who files a grievance.

#### **PROCEDURE:**

##### **Filing the Grievance**

An employee who believes to be the subject of a grievable act is strongly encouraged to discuss the matter with an immediate supervisor – minimally, in an informal manner. If the immediate supervisor cannot resolve the employee's concerns, the employee may pursue filing a formal grievance in accordance with this policy. Nothing shall preclude the employee from filing a formal grievance initially.

An employee desiring to file a grievance must either use the ***Employee Grievance Form (Appendix E, Form 18)*** or complete a memorandum similar in structure to the grievance form. The grieving employee may attach documents the employee feels is pertinent to the grievance.

### **Investigating the Grievance**

Any person who is responsible for receiving and responding to a grievance should interview the grieving employee and other applicable employees, and review as many relevant documents as necessary in order to thoroughly respond.

### **Three Steps of the Grievance Process**

#### **A. Step One – Immediate or Designated Supervisor**

The grieving employee must present the written grievance to the immediate or designated supervisor within ten (10) City business days of:

1. The grievable act; or
2. The application of policy; or
3. When the employee learned of the grievable act.

Each department is responsible for designating the applicable supervisor for Step One.

Once received, the supervisor shall provide a written response to the grieving employee within ten (10) City business days of receiving the grievance. Employees who attempt to grieve a non-grievable act will receive notice that the grievance is dismissed and will receive a copy of this grievance policy for guidance.

Grieving employees who are dissatisfied with the immediate or designated supervisor's decision may appeal the decision in writing to the department director within five (5) City business days after receiving the supervisor's decision.

#### **B. Step Two – Department Director**

The department director will schedule a meeting with the grieving employee and provide a written response to the grievance within ten (10) City business days of receiving the grievance request.

Grieving employees who are dissatisfied with the department director's decision regarding the grievance may appeal the decision in writing to the city manager within five (5) City business days of receiving the Department decision.

#### **C. Step Three – City Manager**

The city manager will schedule a meeting with the grieving employee within ten (10) days of the request. A written response to the grievance will be provided to the employee within ten (10) City business days of meeting with the employee. The decision of the city manager is final.

#### **D. Step Four – Grievance Against City Manager**

An employee who believes to be the subject of a grievable act by the city manager must file said grievance with the Mayor or city attorney.



## **Chapter 7: EMPLOYEE CONDUCT**

### **7.05 Drug Free Workplace**

**PURPOSE:**

To ensure the City of Stephenville is a work environment free of substance and alcohol abuse.

**POLICY:**

In compliance with the Omnibus Drug Free Work Place Policy Act of 1988, the City of Stephenville shall make a good faith effort to take those steps required by the Act to ensure the safety of its employees, volunteers, citizens, and the general public by providing a workplace that is drug free.

The City strictly prohibits the unauthorized use, sale, purchase, possession, distribution, dispensation, manufacture or transfer of controlled substances, as that term is defined by applicable state and federal laws, while on or in City property or other work sites where employees may be assigned, in City owned vehicles, in or on City equipment and machinery, or in personal vehicles while conducting City business.

Employees, volunteers, or contractor convicted or violations related to controlled substances under state and federal law or who plead guilty or no contest to such charges must inform the City Administrator's Office and the department director within five (5) City business days of such conviction or plea. Employees who operate City vehicles or equipment and receive a DWI or DUI will be placed on unpaid administrative leave pending the outcome of the charge(s); upon conviction for a DWI or DUI, employee will be terminated.

Any employee found in violation of this policy will be terminated and any volunteer found in violation of this policy will be released from volunteer service with the City.



## Chapter 7: EMPLOYEE CONDUCT

### 7.06 Substance Abuse and Testing

#### **PURPOSE:**

To provide guidelines for substance abuse testing at the City of Stephenville in order to maintain a safe and productive work environment for employees and to ensure efficient delivery of services to citizens.

#### **POLICY:**

The City maintains a firm commitment to provide a safe work environment free from the effects of illegal drugs and alcohol as well as the abuse of legal/prescription drugs. It is a violation of this policy to refuse to consent to testing or to test positive for alcohol or illegal drugs. Violations of this policy will result in severe Corrective action, up to and including termination of employment. This policy applies to all employees including Department Directors and Executive staff.

#### **A. General Provisions**

##### **1. Prohibited of Personal Use**

Employees shall not use, have present in their body or on their person alcohol, illegal drugs, intoxicants or any other prohibited substances when reporting to work or while on duty. Employees shall not be under the influence of or have the odor on their breath or clothes of alcohol, illegal drugs, intoxicants or any other prohibited substances in City vehicles or equipment or on City premises. Employees are prohibited from using or being under the influence of marijuana in the workplace.

##### **2. Prescriptions and Over-the-Counter Medications**

Employees shall not possess prescription drugs except as prescribed by their physician. Employees shall not use prescription drugs or over the counter (OTC) medications in a manner inconsistent with recommended dosages and/or warning statements. Employees shall not possess marijuana except as prescribed by their physician for medicinal purposes. Employees must report their use of over-the-counter or prescribed medication to their supervisor if the use might impair their ability to perform their job safely and effectively. A determination will be made as to whether the employee is able to perform the essential functions of the job safely and properly. The City reserves the right to have a designated city physician determine if a drug or medication may impair an employee's ability to safely perform his/her job duties and may restrict the job duties performed while using a drug or medication accordingly.

##### **3. Prohibition of Distribution**

Employees shall not sell, possess, provide, dispense, distribute to other persons, or unlawfully manufacture any alcohol, unauthorized prescription or illegal drugs, intoxicants, or other prohibited substances while on duty, stand-by, on meal or break periods, on City premises or work site, operation a City vehicle, or in a City uniform. In addition, the City prohibits the off- premises abuse of alcohol and controlled substances when those activities adversely affect job performance, job safety, or the City's reputation.

**4. Drugs and/or Alcohol Test**

On duty employees shall not refuse to submit to a drug and/or alcohol test when requested, required or ordered to submit by a person having the authority to do so.

**5. Report for Duty**

An employee may not report for duty or operate a City vehicle with any alcohol or illegal drugs present in the body.

**6. Training and Conferences**

Employees attending training and conferences may participate in social functions associated with the conference, including responsible consumption of alcohol, as long as the employee's conduct does not reflect adversely upon the City. Employees who consume alcohol at these functions shall follow the law and shall not operate City owned vehicles, and are discouraged from driving personal vehicles after the consumption of any level of alcohol. Employees will be responsible for their own actions and consequences of their actions. If the employee needs assistance with transportation, they must contact any available City representative who may arrange alternative transportation.

**7. Mandatory Reporting of Arrests and Convictions**

Employees must notify their immediate supervisor and the department director, in writing, of any alcohol or drug-related arrest and/or convictions (including a plea of nolo contendere) or deferred adjudication, for a violation occurring off duty and/or in the workplace no later than twenty-four (24) hours after the arrest and/or conviction. An employee who is convicted for a drug or alcohol related offense is subject to Corrective action up to and including termination, even for a first offense.

**8. Supervisor and Director Responsibility**

Supervisors and directors are responsible for consistent enforcement of this policy. A supervisor/manager/director who knowingly permits a violation of this policy, who is found to have misused this policy in regard to subordinates, who violates the confidentiality standards of the policy, or who has actual knowledge that an employee has violated any of the prohibitions of this section and allows him/her to report for or continue on duty, shall be subject to severe Corrective action, up to and including termination.

**9. On Call/Emergency Call Back**

Employees who are in an on call status are prohibited from consuming alcoholic beverages or using drugs that may impair performance if called back to work.

The City recognizes that employees who are not designated as "on-call" may be asked to report for emergency or unexpected duty. Before reporting for duty, employees shall disclose to their supervisor whether they have used alcohol or other substances, including prescribed or over the counter medicine that might affect their ability to work and/or perform. Employees subject to continuous emergency call back are required to declare to their supervisors that use of alcohol or controlled substances including prescribed medication that might affect their ability to perform under the emergency. The supervisor will advise those employees not to report to work. Employees shall decline such calls for emergency duty without being subject to Corrective action. In

no event shall employees reporting for emergency duty by under the influence of alcohol or other substances that cause impairment.

#### **10. Rehabilitation/Treatment**

- a.** It is the City's desire to assist employees who voluntarily request assistance with their alcohol or drug dependency. For City support and assistance, however, an employee must acknowledge his/her problem and seek and accept counseling and/or rehabilitation before it jeopardizes his/her employment.
- b.** Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of termination may request approval to take a leave of absence to participate in a rehabilitation or treatment program. (An employee may not enroll in a rehabilitation or treatment program in lieu of termination.)

It is the City's sole discretion to determine if a leave of absence may be granted. Factors considered by the City in deciding whether to grant leave include: the employee's prior work and Corrective history; the employee's agreement to abstain from the use of the problem substance and follow all other requirements of the rehabilitation/treatment program; the employee's compliance with City policies, rules, and prohibitions relating to conduct in the workplace; and the resulting hardship on the City due to the employee's absence.

Unless otherwise required by law, it is the City's policy to grant such a leave of absence only once during the course of an employee's employment with the City. **Note:** Under certain conditions, treatment for substance abuse may be covered under the City's Family Medical Leave Act Policy.

- c.** The cost of any rehabilitation or treatment may be covered under the City's group health insurance policy. In any case, the employee is responsible for all costs associated with any rehabilitation or treatment program.
- d.** During time off for a City-approved rehabilitation or treatment program, the employee must use any available vacation leave, sick leave, or other accrued paid leave time. If the employee has no paid time off available, the time away from work will be unpaid. The employee is subject to the provisions relating to **Leave Without Pay – Section 4.06**.
- e.** If the employee successfully completes his/her prescribed rehabilitation or treatment, the City will make reasonable efforts to return the employee to his/her prior position or one of similar pay and status. However, employment with the City following a City-approved leave for rehabilitation or treatment is conditioned on the following:
  - 1. Initial negative test for drugs and/or alcohol before returning to work;

2. A written release to return to work from the City-approved rehabilitation or treatment facility/program;
  3. Periodic and timely confirmation of the employee's on-going cooperation and successful participation in any follow-up or ongoing counseling, testing, or other treatment required in connection with the City-approved rehabilitation or treatment program, if applicable;
  4. In addition to any testing required in connection with the employee's ongoing treatment or follow-up to treatment, all employees who participate in rehabilitation or treatment under this section will also be required to submit to periodic and/or random testing by the City during the two (2) years following the employee's return to work following treatment;
  5. The employee must sign a formal written agreement to abide by the above conditions, as well as any other conditions deemed appropriate by the Director of Human Resources. The employee must meet with the Director of Human Resources to discuss the terms of his/her continued employment and sign a formal agreement before returning to work.
  6. This policy will be administered in accordance with the City's Family Medical Leave Act policy when applicable and will be enforced consistent with the City's obligations under the ADA/ADAAA.
- f.* Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor or the Director of Human Resources to receive assistance or referrals to appropriate resources in the community.

## **B. Testing**

### **Types of Tests**

Testing may include one or more of the following: urinalysis, hair testing, breathalyzer, Intoxilyzer, blood, or other generally-accepted testing procedure.

#### **1. Pre-Employment Testing of Applicants**

The City will not knowingly hire applicants under the influence of drugs and/or alcohol. All applicants to whom a conditional offer of employment has been made will be required to submit to testing for alcohol and illegal and unauthorized drugs. A positive test result, refusal to test, or attempts to alter or tamper with a sample or any other part of the test, will render the applicant ineligible for consideration of employment or future employment with the City. Department directors shall not allow an applicant to begin work until they have received confirmation from the Human Resources Department that the prospective employee has tested negative for drugs.

Current employees who promote to a safety-sensitive position are required to pass a drug test. *See Appendix C for a list of safety-sensitive positions*

#### **2. Post-Accident and Post Injury Testing**

Employees including full time, part time, seasonal, and temporary are subject to post accident and post injury testing. Immediately following an accident the employee is required to submit to alcohol and drug testing as directed by department director. Any accident in a City vehicle will require substance abuse testing of the driver. Adherence to post accident guidelines are a condition of continued employment.

For the purpose of this policy an **accident** refers to:

- a.** An on the job accident or incident where any person who suffered injury which is reasonably expected to require medical attention, or who contributes to the injury of another person;
- b.** Employees who discharge a firearm in violation of any department, federal, state, municipal or local rule or regulation, and/or that result in bodily injury or property damage will be tested for drugs and alcohol within the time frames set forth in this policy.
- c.** Any damage to City or privately owned vehicle, equipment, property, or premises, while in operation of a City vehicle or City equipment.

If the employee is not subject to Department of Transportation (DOT) regulations, the supervisor will administer drug/alcohol test, or send the employee to Human Resources for drug/alcohol test. If drug/alcohol test is non-negative, the employee will be sent to a City approved medical facility for a follow up test.

If the employee is subject to DOT regulations, the supervisor, director, or designee shall drive the employee to a City-approved medical facility and wait for testing to be completed. If a trained supervisor suspects possible impairment, the supervisor shall ensure that the employee is taken home. If the employee refuses transportation and insists on driving, law enforcement may be notified.

The employee, regardless of DOT status, shall be placed on restricted, non-driving/operating equipment duty until the drug test results have been returned. HR will notify the employee's supervisor when the employee is able to return to his/her normal work duties.

Nothing in this policy should be construed to require the delay of necessary medical attention for an injured employee following an accident/injury. An employee may leave the scene of an accident for the period necessary to obtain medical assistance or obtain necessary emergency care. If immediate medical attention or hospitalization is needed, the supervisor responsible will request that drug/alcohol tests are done along with necessary treatments.

### **3. Reasonable Suspicion**

A referral for reasonable suspicion testing will be based on specific, contemporaneous observations concerning the appearance, behavior, speech, or body odors of the employees.

#### **Reasonable Suspicion Testing Process:**

Supervisors must take action if they have reason to believe that one or more of the Reasonable Suspicion Indicators are present and may be affecting an employee's performance or behavior. Supervisors failing to take appropriate action will be subject to Corrective action up to and including termination. An employee who has reason to believe that the performance of another employee is impaired by alcohol, illegal drugs, or medication must immediately notify their supervisor, department director, or Human Resources Department.

**Reasonable Suspicion Indicators** (including but not limited to):

- a.** Observable behavior such as direct observation of drug or alcohol use, possession or physical symptoms of being under the influence of drugs or alcohol;
- b.** Possession of drug paraphernalia;
- c.** Noticeable change in behavior or a pattern of abnormal or erratic behavior;
- d.** Smell of alcohol or marijuana on person or breath;
- e.** Appearing to be intoxicated, confused, disoriented, or difficulty in concentrating;
- f.** Identification of an employee as the focus of criminal investigation into illegal drug possession, use, or trafficking;
- g.** Abnormally dilated or constricted pupils, glazed stare;
- h.** Bloodshot or watery eyes;
- i.** Flushed face;
- j.** Change of normal speech pattern, i.e. faster or slower;
- k.** Constant sniffing or redness under nose;
- l.** Sudden weight loss;
- m.** Needle marks;
- n.** Exhibiting change in personality, i.e. paranoia, anger, etc.;
- o.** Forgetfulness;
- p.** Change in performance level;
- q.** Borrowing money from co-workers or other unusual display of need for money;
- r.** Constant fatigue or hyperactivity;
- s.** Excessive, unexplained absences;
- t.** Dulled mental processes, sleepy, or stuporous condition;
- u.** Slowed reaction rate;
- v.** Slurred speech;
- w.** Physical or verbal altercation;
- x.** Lack of coordination, difficulty walking, inability to walk straight.

*If reasonable suspicion testing is requested, the following steps shall be followed:*

**STEP 1**

When reasonable suspicion is identified by a supervisor, the employee will be questioned and observed by a Department Director or Human Resources employee.

The supervisor and department director shall document in writing observed behavior on a ***Supervisor's Report of Reasonable Suspicion (Appendix E, Form 19)***. The department director shall contact Human Resources for reasonable suspicion authorization. In the event that the Human Resources Department is unavailable, the department director shall contact the City Manager's Office.

**Right to Search Property:** Upon reasonable suspicion, the City may search city owned property, vehicles, desks, closets, or lockers for alcohol or drugs. If the employee has a personal lock on the locker, the employee shall be given the opportunity to remove it, when possible. If the lock isn't removed, the City shall cut the lock off.

**STEP 2**

If the evidence indicates that the employee may be under the influence and the department director has received authorization from Human Resources or the City

Manager's Office, the supervisor, director, or designee shall drive the employee to the medical facility and wait for testing to be completed. If the employee is not subject to Department of Transportation (DOT) regulations, an oral drug/alcohol screen test may be administered by the supervisor or Human Resources Manager. If the results are non-negative, the employee will be taken by the supervisor or designee to a city medical facility for a follow up test.

Refusal by an employee to submit immediately to an alcohol and/or drug analysis when requested by management will result in termination.

### **STEP 3**

The employee will be provided transportation home to await the test results. If the employee refuses and demands to drive their vehicle, the employer shall notify law enforcement. If the test results are negative, the employee may return to work.

Information obtained through this testing will be treated with strict confidentiality.

#### *Fire and Police Department Reasonable Suspicion*

The Fire or Police Chief may direct any employees of their respective departments to submit to a drug and/or alcohol test immediately. The Human Resources Manager shall be notified as soon as possible, but no later than 24 hours after the employee was tested.

#### **4. Random Testing Selection**

Random, unannounced alcohol and drug testing is a proven deterrent to the use or presence of illegal drugs or unauthorized controlled substances. Employees will be selected solely on a random basis by a computerized random selection program. **Random** means that all covered employees have an equal chance of being selected each time and could mean that the same employee is selected more than once or not at all.

The frequency of random drug test and percent of the work force tested during the year will be determined by management. The City shall maintain two random pools as indicated below, which shall be maintained and reported independently:

- Employees in Positions Subject to DOT Regulations, including those requiring operation of commercial motor vehicles and possession of a commercial driver's license (**Appendix B**).
- Employee in City designated **Safety Sensitive Positions. (Appendix C)**

Drug and alcohol tests will be unannounced and spread throughout the year. The Human Resources Manager or designee is the authorized individual to generate the list of names through the computer program for random testing. The Human Resources Manager or designee shall notify the department director or supervisor of each selected employee. The director or supervisor will retain the name in a confidential manner and ensure that the employee is notified immediately upon reporting for duty and ensure that the employee reports to the Human Resources Department. If a department director or supervisor is found to break this confidentiality or any other part of this policy, they shall be subject to Corrective action up to and including termination.

If the employee is not on duty, he or she is exempt from the current random testing.

## **C. Consequences**

An employee, who tests positive for drugs/alcohol, fails to submit to testing when requested, required, or ordered to take any of the tests listed in this policy, or in any way violates any of the prohibitions listed in this policy shall be terminated immediately, even for a first offense. Failure to report to the collection site in the time allotted (travel time plus 30 minutes) will be considered a refusal to take the required test.

The Stephenville Police Department and other applicable law enforcement agencies shall be notified, as appropriate, where criminal activity is suspected. Suspension without pay for the duration of the investigation may be applied to any employee who is the subject of an alcohol or drug-related inquiry by the City or any other law enforcement agency.

Positive tests will be reviewed by the city manager or designee. The city manager or designee will examine the laboratory results and discuss the results with the person testing positive to determine whether an alternate medical explanation can account for a positive test.

If an employee fails to provide an unaltered, unadulterated urine specimen, refuses to submit to a requested, required or ordered alcohol/drug test, submits a urine specimen other than their own, submits a diluted urine specimen based on specific gravity and creatine levels confirmed by the Medical Review Officer, or in any way tampers or attempts to contaminate or tamper with their specimen or the testing of said specimen, they shall be deemed to have refused to submit.

An employee who fails to provide an adequate volume of a breath or urine for testing, without a valid medical explanation, shall be deemed to have refused to submit. An employee terminated for violation of this policy may not appeal the termination to the Employee Review Board.

An employee who receives a "negative dilute" test result will be immediately sent back to the testing facility for a retest. For low level negative dilutes, the DOT requires immediate recollection under direct observation. The city manager or designee determines which test is necessary.

## **D. Operators of Commercial Motor Vehicles**

The City will comply with the Department of Transportation (DOT) rules requiring drivers whose position requires a commercial driver's license to submit to drug and alcohol testing. The consequences in step C above also apply to DOT employees.

### **1. Rules Concerning DOT Regulated Employees**

DOT rules establish certain conduct that is prohibited by regulated drivers. Those prohibitions are as follows:

- a.** No regulated employee shall report for duty or remain on duty while having any alcohol or drugs in the body, or on the body. Employees who are required to hold a Commercial Driver's License (CDL) shall not use alcohol within four (4) hours of reporting for duty or within eight (8) hours before being involved in a vehicle accident while operating a commercial motor vehicle.

- b.** No regulated employee shall be on duty or operate a commercial motor vehicle in possession of any form of drugs or alcohol, unless the alcohol is manifested and transported as part of a shipment.
- c.** No regulated employee shall refuse to submit to a required test.
- d.** No regulated employee shall report to duty or remain on duty which requires driving when the driver uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle.
- e.** No regulated employee shall report for duty, remain on duty or perform a safety-sensitive function while impaired.
- f.** If the driver tests positive for drugs or alcohol, he/she is terminated.

## **2. Conditions Requiring Testing of DOT Regulated Employees**

All employees of the City regulated by DOT will be required to undergo breath testing for alcohol and/or urine drug testing under the following conditions:

### **a. *Pre-employment Testing***

All final applicants for employment in a position that requires a CDL will be subject to drug/alcohol testing. The employment process will be suspended if evidence of illegal drug use is discovered through drug testing or other means, if an applicant refuses to take the drug test, or if the applicant attempts to substitute or contaminate the drug screen specimen. Employees that transfer to a position that requires a CDL will be subject to pre-employment testing prior to official transfer.

### **b. *Post-Accident Testing***

As soon as possible after an accident involving a commercial motor vehicle, the driver is required to submit to drug and alcohol testing. If the alcohol test is not administered within two (2) hours following the accident, the City shall prepare and maintain a record stating the reasons the test was not promptly administered. If the alcohol test cannot be completed within eight (8) hours following the accident, the City will cease attempts to administer the alcohol test and will prepare and maintain the same record. If the drug test is not administered within thirty-two (32) hours following the accident, the City will cease to attempt to administer the drug test and prepare and maintain on file a record stating the reasons the test was not promptly administered.

### **c. *Random Testing***

The City will comply with DOT's random testing requirement. These tests will be unannounced and will be spread reasonably throughout the year. The minimum annual percentage rate for random alcohol and drug testing will follow the testing guidelines listed on <https://www.transportation.gov/odapc/random-testing-rates>

The selection of drivers for random drug and alcohol testing will be made by a scientifically valid method. Under the selection process, each driver will have an equal chance of being tested each time selections are made.

Each employee who is selected for testing will proceed to the collection site immediately. If the employee is performing a safety sensitive function at the time they are notified, the City will ensure that the driver ceases to perform the function and proceeds to the testing site as soon as possible. Drug testing may be conducted at any time while the employee is working for the City.

**d. Reasonable Suspicion Testing**

The City will require a DOT regulated employee to submit to a drug and alcohol test when there is reasonable suspicion that the regulated employee is under the influence of drugs and/or alcohol. Reasonable suspicion testing will be based on specific, contemporaneous observations concerning the regulated employee's speech, appearance, behavior, or body odors and follow the guidelines in **Chapter 7.06 B(3)**.

The required observations will be documented (**Appendix E, Form 19**) by one supervisor and one Department Director who is trained in detecting the signs and symptoms of drug and alcohol use and misuse. The documentation of the employee's conduct under reasonable suspicion will be prepared and signed by the witness(es) within 24 hours of the observed behavior or before the results of the tests are released, whichever is earlier.

The provisions of this section of the policy are in addition to, not in lieu of, the provisions that apply to all employees. Nothing in this section will prohibit the City from testing DOT regulated employees for alcohol or drugs under other provisions of this policy.



## Chapter 7: EMPLOYEE CONDUCT

### 7.07 Harassment & Discrimination

#### **PURPOSE:**

To provide guidelines and procedures for defining and preventing inappropriate workplace conduct, including employee harassment, discrimination and retaliation.

#### **POLICY:**

It is the policy of the City of Stephenville to prohibit any form of harassment, discrimination or retaliation of employees, applicants or members of the public. The City maintains a strict policy that harassment whether sexual, racial, ethnic or religious in nature or directed toward towards one's age, gender, genetic information, or disability status is not acceptable in the workplace and will not be tolerated. All employees, including managers, supervisors and representatives of the City are expected to refrain from exhibiting any unwelcome behavior or displaying conduct toward any other employee, applicant or members of the public which could be interpreted as harassment.

Equal employment opportunity has been, and will continue to be, a fundamental principle at the City of Stephenville, where employment is based upon personal capabilities and qualifications without regard to race, color, gender (sex), age, national origin, disability, genetic information, or any other protected characteristic established by law. This policy of equal employment opportunity applies to all policies and procedures relating to recruitment and hiring, compensation, benefits, termination, and all other terms and conditions of employment. The City prohibits and will not tolerate any such discrimination, harassment and/or retaliation.

The City is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits discriminatory practices, including harassment. Therefore, the City expects that relationships among persons in the workplace will be business-like and free of bias, prejudice, and harassment. This policy is not to be construed to prohibit the City from establishing bona fide occupational qualifications that relate to physical or mental capabilities required to perform a job.

Allegations of inappropriate behavior, harassment, discrimination and/or retaliation will be promptly investigated by the Human Resources Director or designee.

#### **A. Definitions of Harassment**

##### **1. Sexual harassment**

For the purpose of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal, non-verbal or physical conduct of a sexual nature when: submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or such conduct has the purpose or effect of unreasonable interference with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may include a range of subtle, not so subtle, or overt behaviors and may involve individuals of the same or different gender.

These behaviors may include, but are not limited to:

- a. Unwanted sexual advances or requests for sexual favors;
- b. Unwelcome, sex-oriented kidding, jokes or innuendo;
- c. Use of sexual profanity or other verbal abuse of a sexual nature;
- d. Subtle pressure or overt demand for sexual activity;
- e. Commentary about an individual's body, sexual prowess, or sexual deficiencies;
- f. Insulting or obscene teasing, comments, or gestures;
- g. Leering, catcalls, staring at a person's body;
- h. Physical contact such as patting, pinching or repeatedly brushing against another's body;
- i. Display or circulation in the workplace of sexually suggestive objects, pictures, or calendars featuring persons in sexually suggestive or submissive poses (including transmission and/or receipt of information through email); or
- j. Dancers/strippers on City property, and any other physical, verbal, or visual conduct of a sexual nature

## 2. **Harassment of Discrimination on the Basis of a Protected Characteristic**

Under this policy, **harassment** is verbal, non-verbal or physical conduct that denigrates or shows hostility or aversion toward an individual based on race, gender, color, religion, national origin, age, disability, or any other characteristic protected by law, and that:

- a. Has the purpose or effect of creating an intimidating, hostile, or offensive work environment;
- b. Has the purpose or effect of unreasonably interfering with an individual's work performance; or
- c. Otherwise adversely affects an individual's employment opportunities.
- d. Harassing or discriminatory conduct includes, but is not limited to:
  - i. Epithets, slurs, or negative stereotyping;
  - ii. Threatening, intimidating, or hostile acts;
  - iii. Denigrating jokes, and display or circulation in the workplace of written or graphic material that belittles or shows hostility or aversion toward an individual or group (including transmission or receipt of information through email); or
  - iv. Individual or group behavior that excludes and/or disrespects other employees; or behavior that undermines an employee's integrity, credibility, work performance or potential for promotion

## B. **General Provision**

### 1. **Scope**

This policy applies to all applicants, employees, elected officials and representatives of the City and prohibits harassment, discrimination, and/or retaliation by fellow employees, supervisor, manager, director and/or representative of the City or by individual(s) not directly connected to the City such as an outside vendor, consultant, or customer.

## **2. Prohibited Conduct**

Conduct and behavior described above in the definitions of sexual harassment, gender based harassment, and harassment or discrimination based on a protected characteristic are prohibited in the workplace or in any work-related setting outside the workplace, such as business trips, business meetings, and business-related social events.

## **3. Prohibition of Retaliation**

Retaliation is prohibited against any individual who reports inappropriate behavior, discrimination or harassment, or who participates in an investigation of such reports by filing, testifying, assisting or participating in an investigation. Retaliation against an individual is a violation of policy and will be subject to Corrective action up to and including termination.

## **4. Prevention**

It will be the ongoing responsibility of the department director and/or his/her representative(s) to maintain a professional, positive and productive work environment for all employees that is free of inappropriate behavior, harassment, discrimination and retaliation. Directors, managers and supervisors must monitor the workplace for any inappropriate sexual displays, comments or behavior and take immediate action. This responsibility includes discussing and enforcing this policy and administrative procedures with all employees, and assuring them that they are not required to endure insulting, degrading or exploitative treatment.

### **C. Complaint Procedure**

- 1. Reporting: Inappropriate behavior, harassment or discrimination:** City employees are to report all incidents of inappropriate behavior, harassment, discrimination, and/or retaliation promptly, regardless of the offender's identity or position. The City has developed a ***Discrimination and/or Harassment Complaint Form (Appendix E, Form 20)*** that may be used to file a complaint or the allegations may be provided verbally to the immediate supervisor, department director or the Director of Human Resources or designee. Individuals who believe they have been a recipient of harassment, discrimination or retaliation should immediately report the behavior or incident to their immediate supervisor, department director, or Director of Human Resources or designee. Individuals are not obligated to follow the chain of command and may report allegations or incidents directly to the Director of Human Resources or designee. The Director of Human Resources and the manager or supervisor of the employee are both responsible for notifying each other when an allegation or incident has been reported or a complaint filed. Information disclosure will be limited to those who have a right to know and/or those who are necessary to facilitate review, investigation and/or resolution of the matter. A supervisor's failure to immediately notify Human Resources and/or the Director of the department regarding a harassment, discrimination or retaliation complaint may result in Corrective action.

- a. **Accusation Disclosure:** If allegations are made to anyone other than the Human Resources Director or designee, the matter must be immediately referred to Human Resources or the appropriate department director. If the Director of Human Resources is initially notified of allegations of inappropriate behavior, harassment, discrimination or retaliation, Human Resources will immediately notify the appropriate Department Director. All reports of inappropriate behavior, harassment, discrimination or retaliation shall be immediately reviewed on an individual basis considering the record as a whole on the totality of the circumstances, such as the nature of the behavior and the context in which the alleged incidents occurred. If harassment, discrimination and/or retaliation is determined, prompt corrective action will be taken.
  
- b. **Employee Responsibility:** Any Employee who experiences unwelcome, inappropriate or offensive behavior shall make it clear where possible that such behavior is offensive to them. Avoid letting such behavior pass without comment. Any employee who feels that they are a recipient of inappropriate behavior, harassment, discrimination and/or retaliation has the responsibility to immediately report the facts of the incident (s) to their immediate supervisor, department director or the Director of Human Resources or designee. This includes employees who think that they are direct recipients of the alleged behavior and also those who believe that they have witnessed harassment, discrimination and/or retaliation of another employee or applicant. Employees are not obligated to follow the chain of command and have the option to report the incident (s) directly to the Director of Human Resources or designee. All incidents of harassment, discrimination and/or retaliation are to be promptly reported. Failure to fulfill this obligation could affect the timely internal resolution of an employee's allegations.
  
- c. **Early Reporting and Intervention** have proven to be the most effective method of resolving actual or perceived incidents of harassment, discrimination and/or retaliation. Therefore, while no fixed reporting period has been established, the City strongly urges the prompt reporting of concerns or complaints in order that rapid and corrective action can be taken. The City will make every effort to stop inappropriate, harassing, and discriminatory and/or retaliatory behavior before it becomes severe or pervasive however, can only do so with the cooperation of Directors, managers, supervisors and employees. The availability of this reporting procedure does not preclude employees who believe they are subject to inappropriate, harassing, discriminatory and/or retaliatory behavior from promptly advising the offender that his/her or her behavior is offensive/unwelcome and requesting that the offensive behavior be discontinued.

## 2. **Administrative Review and Investigation**

- a. All allegations of inappropriate, harassing, discriminatory and/or retaliatory behavior observed or reported by an employee shall be reviewed immediately by the Director of Human Resources or designee to determine the level of administrative review and/or investigation based on the nature of the behavior and the context in which the alleged incident(s) occurred. The Director of Human Resources or designee shall

inform the employee of his or her findings and/or recommendations.

- b. *Processing:*** Should the Human Resources Director determine from the administrative review that a full investigation of the alleged incident(s) is warranted, the Director of Human Resources or designee shall notify the department director of his/her intent to commence a full investigation. Within five (5) work days after the notification to the department, the recipient and respondent (accused) and any witnesses shall be notified of the pending investigation and its administrative guidelines. The recipient and respondent shall receive a written copy of the allegations or administrative review containing the allegations. If the respondent cannot be reached, the written allegations will be forwarded by certified mail to the most recent personnel address.
- c. *Allegation Response:*** The respondent may respond to the allegations in writing within five (5) work days upon receipt of the written allegations. The respondent may also elect to respond to any other significant new information or allegations that arise during the investigation process.
- d. *Administrative Leave:*** When warranted, the department director may recommend that the respondent and/or recipient be placed on administrative leave during the investigation process. The department director and Director of Human Resources shall mutually agree on such action.
- e. *Allegation Discussion:*** If appropriate, investigators will meet with the respondent's department director to discuss the allegation.
- f. *Determination Filing:*** Within ten (10) work days of the investigation conclusion, the city attorney and the respondent's department director will be provided with a determination as to the validity of the complainant's allegations and whether Corrective action is warranted.
- g. *Complaint Withdrawal:*** The complainant may withdraw complaints at any time. The City may still pursue an investigation, however, and determine whether Corrective action is warranted.

Any reported allegations of harassment, discrimination, or retaliation will be reviewed and/or investigated promptly, thoroughly, and impartially, regardless of when it was reported. The administrative review and/or investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the administrative review and/or investigatory process to the extent consistent with adequate investigation and appropriate corrective action. Employees are required to assist fully in any administrative review or investigation process.

An employee's intentions are not a factor in considering alleged harassment behavior. If the effect of an employee's behavior upon another employee has a hostile, offensive, or intimidating effect upon that employee, there is a possibility that harassment or discrimination may be present.

### 3. Correction Action

- a. **Corrective Action Decisions:** Within ten (10) work days of a determination of violation of City policy relative to harassment, discrimination or retaliation, a Corrective action decision will be made by the department director in consultation with Human Resources and the city attorney. Extensions may be approved by the Director of Human Resources or designee. Corrective actions and applicable appeals must be in accordance with established City Corrective Actions. (Note: A transfer of the recipient may be considered only upon the complainant's request and/or approval.)
- b. **Written Notifications:** The recipient and the respondent will be provided written notification of the department director's decision. The City Manager and those deemed as appropriate will receive copies of the decision correspondence.
- c. **Department Director Respondents:** If the Department Director is the respondent, the appropriate actions will be taken by the City Manager.

Misconduct constituting harassment, discrimination, or retaliation will be dealt with promptly and appropriately. Responsive action may include, for example, training, referral to coaching, monitoring of the offender and/or corrective action such as warning, reprimand, withholding of a promotion or pay increase, reduction of wages, demotion, reassignment, temporary suspension without pay, or termination, as the City deems appropriate under the circumstances.

If an employee making a complaint does not agree with its resolution, the employee may appeal to the Deputy City Manager or designee. Individuals who have questions or concerns about these policies shall confer directly with their supervisor, department director, or a member of the Human Resources Department.

Finally, this policy and its administrative guidelines shall not, and may not, be used as a basis of excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussion in order to avoid allegations of harassment. The policies of the City prohibit disparate treatment on the basis of gender or any other protected characteristic, with regard to terms, conditions, privileges, and perquisites of employment. The prohibitions against harassment, discrimination, and retaliation are intended to complement and further this policy and its administrative guidelines, not form the basis of an exception to these.

### 4. Records

All records concerning harassment, discrimination or retaliation complaints, administrative review and/or investigations are to be kept in a separate, confidential locked file in Human Resources. Access shall be approved by the Human Resources Manager or designee. Records concerning subsequent corrective or corrective actions shall be kept in the regular personnel files.



## Chapter 7: EMPLOYEE CONDUCT

### 7.08 Minimum Driving Standards

#### **PURPOSE:**

To minimize the City of Stephenville's liability, limit the City's financial risk, and maximize the safety of drivers, passengers, and the public by defining minimum motor vehicle standards for employees who operate City vehicles or motorized equipment.

#### **DEFINITIONS:**

**City Vehicle** means any passenger car, van, truck, motorized equipment, or similar type vehicle which is owned, leased, borrowed, rented, or otherwise under the care, custody, or control of the City of Stephenville.

**Driving Records** include the complete driving history of an employee for the previous three (3) years, as can be discerned from any official records or by self-disclosure during the hiring process.

**Motorized Equipment** includes, but is not limited to, backhoes, bulldozers, mower tractors, loaders, graders, and similar equipment.

**Moving Violation** is a violation of any law relating to the operation of a motor vehicle, other than parking. (Example: speeding, running a stop sign or signal, failure to yield.).

**Occupational License** is a temporary driver's license issued by the Texas Department of Public Safety after the appropriate judge of a court has signed a petition/court order determining essential need of a person to operate a motor vehicle in performance of their occupation or for transportation to and from the place at which a person practices their occupation.

#### **POLICY:**

This policy shall apply to: City employees whose position requires the operation of a City vehicle or motorized equipment;

- City employees who must maintain a current and valid Texas Commercial Driver's License (CDL) as a condition of employment; or
- Applicants, including current employees, for positions which require the operation of City vehicles or motorized equipment.

The Human Resources Department shall conduct periodic Motor Vehicle Record (MVR) checks on all employees subject to this policy. Under no circumstances shall an Occupational Driver's License or similar license be deemed appropriate for operating City vehicles or motorized equipment.

Applicants for a position requiring a valid driver's license must possess a valid driver's license at the time of application. An applicant with a Motor Vehicle Record that indicates a pattern of violations may not be considered for employment. After the effective date of this policy, an employee who no longer has a current, valid, and appropriate license, and whose position requires the operation of a City vehicle or motorized equipment, shall be removed from driving status and will be terminated.

## A. Consequences

Employees subject to this policy who are convicted of a Driving While Intoxicated (DWI) or Driving Under the Influence of (DUI) will be terminated, although the City may also take corrective action prior to conviction. Corrective action for all other violations that add up to 10 points by the *Motor Vehicle Standard (Appendix D)* will be based on evidence of arrest or basis of citation and may disqualify the employee from all driving and/or operation privileges and subject them to corrective action up to and including termination. Removal of driving privileges or corrective action may occur while an employee is waiting for adjudication. Determination for removal of driving privileges and/or corrective action while waiting for adjudication shall be made by the department director in concurrence with the Human Resources Director on a case-by-case basis.

An employee subject to this policy who is involved in an accident in a City vehicle may immediately be subject to drug and alcohol testing as well as a Motor Vehicle Record check. In addition, the City may review and consider an employee's entire driving history at any time, to determine if further corrective action is appropriate based on a pattern of violations/accidents. The City may impose discipline and/or disqualify an employee from all driving and/or operation privileges in situations where an employee has accumulated fewer than 10 points in 3 years. Such decisions will be made jointly by the department director, Human Resources Director, and city manager or designee. Nothing herein shall be construed to limit a department from setting higher standards as needed to meet the particular needs of that department.

Employees hired prior to the effective date of this policy and who would become ineligible to operate City vehicles upon the adoption of this policy may be disqualified from driving privileges. This decision will be made on a case-by-case basis upon the recommendation of the department director, Human Resources Director, and City Manager.

## B. Notifications

Employees subject to this policy shall notify their department director by the end of the department's next working day when:

1. They are arrested and charged with DWI, DUI, or any other serious moving violation that would result in a 10 point violation by the *Motor Vehicle Standard (Appendix D)*;
2. They have their driver's license suspended, canceled, or revoked;
3. When their license expires without immediate renewal; or
4. When an Occupational Driver's License or similar license has been issued to them.

Failure to report such information by the end of the next working day shall result in corrective action up to and including termination, unless there are extenuating circumstances.

As required by the U.S. Department of Transportation, employees who are required by the City to hold a Commercial Driver's License (CDL) as a condition of employment must notify the City within thirty (30) days of a conviction for any traffic violation (except parking violations), even if the violation did not occur while operating a commercial vehicle. The form titled ***Employer Notification of Traffic Violation (CDL) (Appendix E, Form 21)*** must be used for such notification to the City and must be submitted to the department director.

**C. Red Light Camera Violation:**

If an employee runs a red light while in a City vehicle and receives a red light camera violation, the employee is responsible for paying the fine. Exception: According to state law, fire and police vehicles are considered authorized emergency vehicles and personnel operating these vehicles are not required to pay the fine, but may be subject to corrective action.



## Chapter 7: EMPLOYEE CONDUCT

### 7.09 Attendance and Punctuality

#### **PURPOSE:**

To ensure punctual and consistent work attendance of City of Stephenville employees.

#### **POLICY:**

Dependability, attendance, punctuality, and a commitment to do the job right are essential at all times. Employees are expected to report for work promptly and to work all scheduled hours and any required overtime. Excessive tardiness and poor attendance disrupt workflow and customer service and will not be tolerated.

An employee must notify their supervisor as far in advance as possible or no later than one (1) hour before the scheduled start time if late or absent or as directed by departmental rules. This policy applies for each day of absence. A record of absenteeism and tardiness shall be kept by the supervisor. Unauthorized or excessive absences or tardiness may result in corrective action, up to and including termination. An absence is considered to be unauthorized if the employee has not followed proper notification procedures or the absence has not been properly approved.

Employees who are absent from work for two (2) consecutive days, without giving proper notice, will be considered to have abandoned their job. For more information, see ***Policy 2.06, A3, Job Abandonment.***



## Chapter 7: EMPLOYEE CONDUCT

### 7.10 Dress Code and Personal Appearance

#### **PURPOSE:**

The purpose of this policy is to establish a dress code that projects a positive and professional image of the City of Stephenville and its employees.

#### **POLICY:**

Grooming, appearance, and personal cleanliness standards contribute to the morale of all employees and affect the professional image the City presents to citizens and visitors. A professional, businesslike atmosphere shall be reflected in both conduct and dress. During business hours or when representing the City, the employee is expected to present a clean, neat, and tasteful appearance.

City uniforms or apparel with City and/or department logo will not be worn while engaging in other employment or during off-duty hours, unless attending a City sponsored event. Exceptions may be made on a case by case basis by department directors. Employees wearing uniforms shall not purchase, possess or consume alcoholic beverages or engage in any acts that would not reflect favorably upon the City (gambling, etc.). Employees wearing City uniforms shall not campaign for or against any individual or ballot measure.

No City uniform or apparel with City and/or department logo shall be donated to charity. Before discarding an old uniform, the City logo should be cut off the clothing and shredded to prevent unauthorized use.

#### **A. Dress Code**

##### **1. Appropriate Business Attire**

All clothing must be neat, clean, in good condition, fit properly and be appropriate for the duties of the position. A shirt, sweater, blouse, with the City logo is acceptable where designated by the Department Director.

##### **2. Inappropriate Business Attire**

Inappropriate business attire includes, but is not limited to:

- a. Athletic shoes, tee shirts and jeans are not acceptable unless in a field environment or approved by the Department Director as appropriate for the work assignment;
- b. Suggestive attire (for example; sheer, low cut, revealing tops; miniskirts (skirt that is more than two inches above the knee). Strapless/backless attire, including: muscle shirts, halter tops, tank tops, sundresses without a cover or jacket;
- c. Overalls, sweat/wind suits (shirts, jackets or pants);
- d. Flip-flops, house shoes, footies;
- e. Tight pants, leggings, or wearing tights in place of pants;
- f. Shorts, unless they are part of an approved uniform and worn with a shirt that identifies the employee as a city employee or as approved by the

- department director as special circumstances warrant; or
- g. Clothing not properly laundered or not in good condition (e.g. faded, frayed, having tears or holes).

### **3. Dress Code Exceptions**

The Dress Code applies only to those employees who are not required to wear a City uniform. Some departments may have an alternate dress code. Unusual circumstances as approved by the supervisor, such as weather conditions, special work assignments, medical reasons, worksite conditions and/or unusual working hours or situations, may be sufficient reasons to grant an exception to the dress code.

### **4. Additional Provisions**

More traditional business attire may be appropriate for certain meetings and/or presentations either inside or outside City offices. Department directors and supervisors have the responsibility to inform their employees of appropriate attire when meeting the general public or any other time the director may deem it is necessary.

## **B. Personal Appearance**

Without unduly restricting individual tastes, the following personal appearance examples are not permitted:

1. Hairstyles are expected to be professional, neat, properly groomed and in good taste. Long hair, jewelry and clothing should be worn in a manner that does not pose a safety hazard while working. Unnaturally colored hair or extreme hairstyles are not permitted;
2. Offensive body odor and poor personal hygiene;
3. Torso body piercing with visible jewelry or jewelry that can be seen through or under clothing must not be worn during workhours;
4. Offensive and/or distracting tattoos/body art or brands may not be visible through clothing;
5. Intentional body mutilation or piercing that is excessive or eccentric is not permitted. Some examples are a split or forked tongue or foreign objects inserted under the skin to create a design or pattern; or
6. Jewelry that pierces or is clipped to the eyebrow, tongue, nose, scalp, forehead, or other exposed parts of the body, except the ear, may not be worn during workhours.

## **C. Enforcement**

Each department director is responsible for implementing the dress code and communicating it to department employees. Department directors may implement more stringent dress codes. Employees who do not meet dress code or personal appearance standards will be sent home. Under such circumstances, nonexempt employees will not be paid for work time missed, and exempt employees will be required to make up the work time missed. Employees whose grooming or personal appearance violates this policy may be disciplined.

Questions/complaints about proper attire should be directed to the department director of the employee in question. The department director has the final authority to determine the appropriateness of the employee's attire. Questions or concerns relating to reasonable accommodation issues or management interpretation questions may be directed to Human Resources.



## Chapter 7: EMPLOYEE CONDUCT

### 7.11 Political Activity

**PURPOSE:**

To establish guidelines for employees regarding involvement in political activities.

**POLICY:**

It is the policy of the City of Stephenville to encourage its employees to fully exercise their constitutional rights as citizens to vote and participate in political activities; however, employees are subject to the restrictions contained herein on political activity, except as may be otherwise provided by law.

No employee while in uniform or during work hours, or while on City property shall take an active part in a political campaign for an elective position of the City or other publicly elected office. For purposes of this policy, an employee takes an active part in a political campaign if the employee:

1. Makes a political speech;
2. Distributes a card or other political literature;
3. Writes a letter;
4. Signs a petition;
5. Actively and openly solicits votes;
6. Makes public derogatory remarks about a candidate for an elective position of the City or other publicly elected office; or
7. Solicits or accepts campaign contributions for a candidate or a political action committee.

No employee shall hold any publicly appointed position or office that would conflict with his or her position with the City.

No employee shall use their official City title or position to engage in political activities.



## Chapter 8: MISCELLANEOUS

### 8.01 Media Relations

#### **PURPOSE:**

To standardize the City's communication with the media and assure that information about the City and its policies, practices, and programs are communicated properly and reported accurately to the media.

#### **POLICY:**

The City of Stephenville seeks to inform its residents, businesses, and visitors by engaging in pro-active communications. The news media and the City both play important roles in keeping the communities they serve informed. The City is committed to maintaining an ongoing positive and dynamic working relationship with the media. The City recognizes the time constraints facing the media and will strive to respond to information requests in an open, helpful, and prompt manner.

#### **A. Types of Media Communication**

This policy covers all communication to the news media including: news releases, media advisories, formal statements, interviews, press conferences and briefings, letters to the editor, , technical announcements, and other information or material given to a news media representative, a collective term that includes, but is not limited to reporters, editors, and writers for newspapers, magazines, scientific journals, trade publications, radio or television stations or networks, online news services, and any other electronic or print media related to news distribution that could serve as an information outlet.

#### **B. Media Relations**

1. The City Manager's Office will coordinate media relations activities for the City and act as the official news source and principal contact for all communication between the City and media representative.
2. Unless otherwise authorized, the City's spokespersons are:
  - Mayor
  - City Manager and Deputy City Manager
  - Public Relations Manager; as designated by the citymanager
3. Media representatives are asked to place their requests through the City Manager's Office in order to expedite a prompt and coordinated response.
4. Department directors or their designee have the authority to communicate with the media within areas of their responsibility and expertise. Other staff should refer media requests to their department director or City Manager's Office without comment.
5. The City Manager's Office must be notified of all potentially sensitive, contentious, or controversial media inquiries with respect to City activities.  
The City Manager's Office will promptly identify the appropriate spokesperson and arrange for an interview or statement.
6. The City will endeavor to provide open and equal access to all news media and will respect the exclusivity of a story initiated by individual media representatives.

**C. Responding to Media Inquiries**

The City Manager's Office is the City's primary media contact. If employees receive an inquiry from the media, such as reporters, editors, or researchers, for an interview, to provide statistics, or write an article on behalf of the City, employees should get the reporter's name, phone number(s), deadline, and an idea of his/her area of interest. Before responding, the employee should refer the inquiry to the City Manager's Office. This enables the city manager to determine which individual in the City should respond to the inquiry, to make certain that consistent information is being disseminated, to stay abreast of areas of media interest, and to prepare for future inquiries.

**D. City Initiated Information**

Most proactive media contact is initiated through the City Manager's Office. This includes issuing press releases, media advisories, and personal contacts with reporters and editors for coverage. Departments seeking publicity for events or activities should submit the information to the City Manager's Office no less than 24 hours before distribution or as much in advance as possible to ensure the best media coverage of their activities. Departments should not initiate news media contact before notifying the City Manager's Office.

**E. Opinion Pieces and Letters to the Editor**

It is recognized that all employees have the right to their personal points of view regarding any issue. However, personal points of view may conflict with the City's official policy. Therefore, City employees who write letters to the editor of any newspaper may not use official City stationary. If an employee chooses to identify himself or herself as a City employee in any personal communication to the editor, he or she must include language which states the views set forth in the letter do not represent the views of the City, but rather, are the employee's personally held opinions. Similar disclaimers must be present even if an employee addresses a public meeting, participates in a radio talk show, or is interviewed for a radio or television program, unless the employee is officially representing the City. Employees who are representing the City in any of the above formats must identify themselves as an official spokesperson for the City.

**F. Litigation, Personnel, and Election Issues**

Inquiries regarding election and campaign issues, pending litigation, matters involving a significant exposure to litigation, and certain personnel-related information should be referred to the City Manager's Office.

**G. Public Safety Issues**

The Police and Fire Departments can generate a high volume of media calls, and should have a designated media spokesperson that follows specific guidelines when releasing information. All information released to the media by the Police and Fire Departments must be provided immediately to the City Manager's Office, who should be contacted at the time of major incidents. Media calls to other City staff regarding a Police or Fire issue should immediately be referred to the Police or Fire Department and Public Relations Manager.

**H. Crisis or Emergency Issues**

Timely release of breaking news and information during crises, such as natural disasters or personnel tragedies, often requires swift publication and/or dissemination of information in support of public confidence. The department director may issue a brief statement or media advisory to the news media in place of a news release. In such cases, the department directors must provide the City Manager's Office with copies of any such release of information concurrent with its release to the news media.



## Chapter 8: MISCELLANEOUS

### 8.02 Solicitation Policy

**PURPOSE:**

To provide guidelines concerning solicitation.

**POLICY:**

Solicitation is defined as any act or attempt to advertise, market, take orders, offer to sell, sell any product or service, to seek employee membership in any organization, or to seek contributions for organizations, campaigns, or charitable purposes.

- A.** Solicitation shall not be permitted of or by City employees during work or business hours, other than for the following exceptions:
  - 1.** Solicitation of funds for the purpose of parties, gifts, flowers, cards or events for a City employee shall be permitted of or by City employees during work or business hours. All requests for donations to assist an employee must be approved by the department director, and be initiated by the Department and not the employee in need of assistance.
  - 2.** Solicitation of funds for City sponsored functions and events shall be permitted of or by City employees during work or business hours, in accordance with applicable laws. City functions and fundraiser events may include, but are not limited to United Way, Muscular Dystrophy, Library, Big Brothers and Big Sisters, Food Pantry and other charitable purposes that have been approved by the city manager or designee.
  - 3.** Solicitation of funds shall be permitted for local, not-for-profit youth sponsored events (*i.e.*, school, band boosters, and scouting). Solicitation of funds for these purposes shall be limited to placing order forms or products in the break room, bulletin boards or common areas accessible to employees to view at their leisure. Exceptions may be made by the department director. Distribution of purchased goods shall not disrupt the work environment.
- B.** No employee is required to make any contribution, nor will an employee be penalized in any way in connection with his or her employment according to his or her response to a solicitation of funds for City-sponsored functions or events.
- C.** Employees engaged in non-authorized solicitation efforts shall be instructed to cease such activity and further engagement in such activities may result in corrective action.



## APPENDICES

- Appendix A:** Nepotism Chart
- Appendix B:** Positions Subject to DOT Regulations
- Appendix C:** Safety Sensitive Positions
- Appendix D:** Motor Vehicle Standard
- Appendix E:** **FORMS**
- Form 1** – Request for Outside Employment
  - Form 2** – Sick Leave Buy Back
  - Form 3** – Voluntary Resignation/Retirement Notice
  - Form 4** – Change of Status
  - Form 5** – Supervisor’s Checklist Separated Employee
  - Form 6** – Application for Degree Plan Approval
  - Form 7** – Tuition Reimbursement Agreement Course
  - Form 8** – Pre-Approval Request Reimbursement
  - Form 9** – Request
  - Form 10** – Wage Deduction Authorization Agreement
  - Form 11** – Leave Request Form
  - Form 12** – FMLA
  - Form 13** – Alternate/Compressed Scheduled Request
  - Form 14** – Temporary Restricted Duty Agreement
  - Form 15** – Travel Request
  - Form 16** – Request for Check
  - Form 17** – Performance Correction
  - Form 18** – Employee Grievance
  - Form 19** – Supervisor’s Report of Reasonable Suspicion
  - Form 20** – Discrimination and/or Harassment Complaint
  - Form 21** – Employer Notification of Traffic Violations for CDL
  - Form 22** – Waiver of Group Health Insurance (Opt Out)
  - Form 23** – Retiree Notification
  - Form 24** – Employee Request for ADA Accommodation
  - Form 25** – Take Home Vehicle Request
  - Form 26** – Social Media Approval/Agreement
  - Form 27** – Performance Improvement Plan
  - Form 28** - City Issued Wireless Device Acknowledgment
  - Form 29** – Vehicle Accident Report
  - Form 30** – Bilingual Certification Request
  - Form 31** – Direct Deposit Authorization
  - Form 32** – Workers Compensation First Report of Accident/Injury
  - Form 33** – Incident Workers Compensation Preventable Action Plan
  - Form 34** – Introductory New Employee Review
- Appendix F:** Chart
- Form 1** – Discipline Options Chart

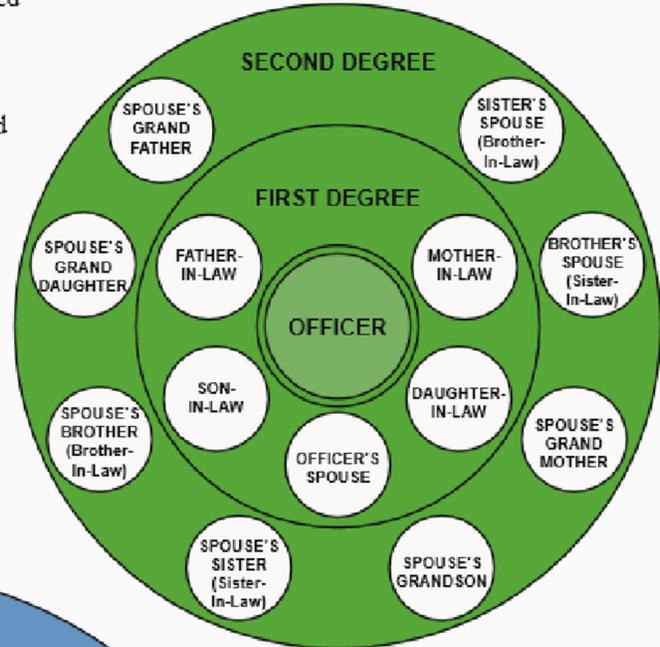
## Appendix A: Nepotism Chart

The chart below shows:

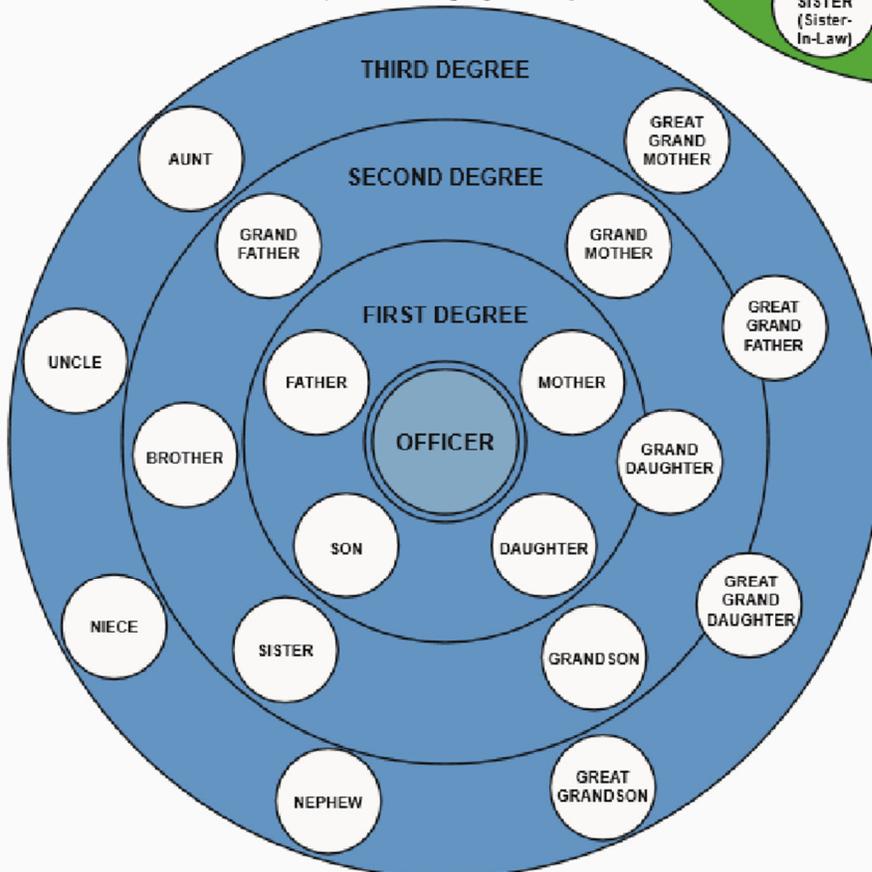
- **Affinity Kinship** (relationship by marriage)
  - **Consanguinity Kinship** (relationship by blood)
- for purposes of interpreting nepotism as defined in VTCA Government Code, Chapter 573, §§573.021 - .025

Also applicable to Conflict of Interest as outlined in Chapter 171 of the Local Government Code

**Affinity Kinship**  
(Relationship by Marriage)



**Consanguinity Kinship**  
(Relationship by Blood)





## **Appendix B: Positions Subject to DOT Regulations**

- Customer Service Supervisor
- Parks Superintendent
- Street Superintendent
- Street Crew Leader
- Street Heavy Equipment Operator
- Street Light Equipment Operator
- Utility Superintendent
- Utility Crew Leader
- Utility Heavy Equipment Operator
- Utility Light Equipment Operator



### Appendix C: Safety Sensitive Positions

Animal Service Officer	Street Superintendent
Customer Service Supervisor	Street Crew Leader
Fire Assistant Chief	Street Heavy Equipment Operator
Fire Battalion Chief	Street Light Equipment Operator
Fire Chief	Utility Superintendent
Fire Inspector	Utility Crew Leader
Fire Marshal	Utility Heavy Equipment Operator
Firefighter/Paramedic	Utility Light Equipment Operator
Park Field Maintenance Worker	
Park Superintendent	
Police Chief	
Police Assistant Chief	
Police Administrative Assistant	
Police Administrative Lieutenant	
Police Administrative Sergeant	
Police Criminal Investigation Lieutenant	
Police Detective/Investigator	
Police Dispatch	
Police Patrol Lieutenant	
Police Patrol Sergeant	
Police Professional Standards Lieutenant	
Police Property Crime Scene Technician	
Police Public Information Officer	
Police Public Records Assistant Clerk	
Police Public Records Clerk	
Police School Resource Officer	
Police Sergeant	
Police Special Crimes Lieutenant	
Police Telecommunication Supervisor	

# REQUEST FOR OUTSIDE EMPLOYMENT



Name: \_\_\_\_\_ Date: \_\_\_\_\_

Department: \_\_\_\_\_ Title: \_\_\_\_\_

As directed by Policy 1.10 Outside Employment, I hereby request approval to engage in outside employment as described below:

**Nature of Employment:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Time required for Employment:**

\_\_\_\_\_  
\_\_\_\_\_

I understand that City policy forbids me from engaging in any form of outside employment or business opportunity, for myself or another employer, which would conflict or interfere with my job at the City of Stephenville, while on City time, or using City equipment or materials. I understand that in order to engage in outside employment, I must receive approval from my supervisor and Department Director in advance of performing such outside employment, and that the approval may be withdrawn at any time. I also understand and agree that my outside employment must be suspended if my work status is FMLA leave, sick leave, workers' compensation leave, or restricted duty.

\_\_\_\_\_  
**Employee Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Supervisor Signature**

\_\_\_\_\_  
**Date**

---

**DEPARTMENT DIRECTOR ACTION**

Request Approved       Request Denied

Comments or Special Conditions:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**Department Director Signature**

\_\_\_\_\_  
**Date**

*Forward completed form to the Human Resources Department*

## Payment for Unused Sick Time

The City Council has approved for the city employee to buy back up to forty (40) hours of unused sick time leave one (1) time per year. The buy-back payout will be issued on the first pay period prior to the Thanksgiving holiday.

In order to request payment for unused sick leave, the employee must maintain a minimum balance of eighty (80) hours of sick after the buy-back request. If the employee used more than twenty-four (24) hours of sick time during the year they are not eligible. The employee must make a written request on the appropriate form and submit the form to the Humane Resource Department before the required due date (November 1<sup>st</sup> of each year).

Sick leave buy back will be paid at the employee's current hourly rate of pay.

Payment of sick leave buy back will be processed on the first pay period prior to the Thanksgiving holiday and will be issued in a separate paycheck. The payment for unused leave will be processed through payroll; therefore, all applicable state and federal taxes, and TMRS will apply. This payment will be included in taxable wages and reported on your W-2 form.

# Sick Leave Buy Back Form



Employee Name: \_\_\_\_\_

Current Balance of Sick Leave Available to Sell: \_\_\_\_\_ hours

**PAYMENT WILL BE ISSUED IN THE FORM OF A SEPARATE PAYCHECK**

### Statement of Declaration

I, \_\_\_\_\_ wish to receive payment for \_\_\_\_\_ hours of unused sick leave.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Payment of sick leave buy back will be processed on the first paycheck in November prior to the Thanksgiving holiday. Payments will be issued in a separate paycheck. The payment for unused leave will be processed through payroll; therefore, all applicable state and federal taxes, and TMRS will apply. This payment will be included in taxable wages and reported on your W-2 forms.

-----  
Approval by Payroll Department

Request Approved By: \_\_\_\_\_

Request Denied By: \_\_\_\_\_

Reason for Denial:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Fund/Dept: \_\_\_\_\_

Hourly Rate: \_\_\_\_\_



**VOLUNTARY RESIGNATION/ RETIREMENT NOTICE**

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_

Dept: \_\_\_\_\_

I hereby give notice of my:     Voluntary Resignation    **OR**     Retirement

My last day of employment with the City of Stephenville will be on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Reason for leaving:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If changing residence, please write forwarding address below for payroll purposes:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employee Signature \_\_\_\_\_

Date \_\_\_\_\_

*Department Director: Please forward original form to Human Resources*

**Appendix E**  
Form 3



## CHANGE OF STATUS FORM

City of Stephenville

Name (Last, First, Middle Initial)	Employee #	Date Submitted	

Effective Date	Employee Status (check one)	Dept #	Dept Name
	<input type="checkbox"/> Full Time <input type="checkbox"/> Part Time <input type="checkbox"/> Seasonal <input type="checkbox"/> Temporary		

### Personnel Action

- New Hire  
  Re-Hire  
  Step Increase  
  Merit Increase  
  Employee Info Change  
 Leave  
  Remove from Payroll  
  Other (specify) \_\_\_\_\_

Current Title	New Title (if changed)

Current Wage	Certification/Education Pay	Total Current Wage

New Wage (if changed)	New Cert/Education Pay	Total New Wage

### Employee Separation

Voluntary Resignation

Termination

2 Week Notice Given?	Worked Last 2 Weeks?	Last Day of Work	Eligible for Rehire? If no, explain in comments.
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No

**Reason for Leave**  
 FMLA  
 LTD  
 STD  
 Suspension w/pay  
 w/o pay  
 Other -see comments

Leave Status	Date Beginning	Estimated Return Date	Actual Return Date
<input type="checkbox"/> Begin <input type="checkbox"/> Return			

### Comments


\_\_\_\_\_  
Department Supervisor

\_\_\_\_\_  
Department Director

\_\_\_\_\_  
Human Resource Manager

\_\_\_\_\_  
Deputy City Manager

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Payroll Department

\_\_\_\_\_  
Finance Director

## SUPERVISOR'S CHECKLIST FOR SEPARATED EMPLOYEE

(To be completed by the employee's direct Supervisor and submitted to HR for out processing, along with the Personnel Action Form (PAF))

Employee: \_\_\_\_\_

Department: \_\_\_\_\_ Title: \_\_\_\_\_

1. If resigning or retiring, have employee complete *Voluntary Resignation Notice (Appendix E, Form 3)*. A resignation letter may be substituted for the *Voluntary Resignation Notice*.
  - Completed
  - N/A
  
2. Complete Personnel Action Form to remove from payroll and obtain appropriate management signatures.
  - Completed
  - N/A
  
3. Send the completed *Voluntary Resignation Notice* (or resignation letter) and Personnel Action Form) to Human Resources.
  - Completed
  - N/A
  
4. Collect all City equipment from employee by the last day of work. Examples Include:
  - Procurement/Credit Card(s)    Cell Phone    Vehicle    Tablet
  - Laptop Computer    Pager    Radio(s)    Key(s)
  - Other    Employee ID Card    Uniform    Tools
  - Weapons (Return to HR)
  - Completed
  - N/A
  
5. If employee had a Procurement Card, notify the Finance Department of employee's separation. Return all purchase cards/credit cards. Turn in final Purchase card and Expense statement with all receipts.
  - Completed
  - N/A
  
6. If the employee used a City vehicle, notify Fleet to disable fuel PIN
  - Completed
  - N/A
  
7. Notify IT of the termination date and if they need to
  - Disable computer access
    - i. Class
    - ii. Laserfiche
    - iii. Email
    - iv. Other: \_\_\_\_\_
  - If disabled/deleted email account, do emails need to be routed to someone else
  - Do you need access to their H drive
  - Disable or delete voicemail
  - Completed
  - N/A
  - Completed
  - N/A

**Appendix E**

Form 5

8. Cancel attendance in future training classes, seminars, or meetings as appropriate.

- Completed
- N/A

9. Remove employee's name from Department routing lists.

- Completed
- N/A**

10. Other: \_\_\_\_\_

- Completed
- N/A**

Completed by: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor Signature

APPLICATION FOR DEGREE PLAN APPROVAL



Step 1: Tuition Reimbursement

PROCEDURE:

- 1. EMPLOYEE: completes form, attaches required documents, and submits form to the Department Director.
2. DEPARTMENT DIRECTOR: reviews, makes a recommendation, and submits form to the HR Department.
3. HR DEPARTMENT: reviews for completion, fund availability, and forwards form to City Manager's Office.
4. CITY MANAGER: reviews, makes a decision, sends original to HR Department, and copy to the employee.

Name: \_\_\_\_\_ Date Employed: \_\_\_\_\_

Position: \_\_\_\_\_ Department: \_\_\_\_\_

Name of College or University: \_\_\_\_\_

Degree Plan Sought: \_\_\_\_\_

Semester/Year Course(s) to Commence: \_\_\_\_\_

Please state how the degree sought meets the objectives of the Tuition Reimbursement Program:

Three horizontal lines for providing details on how the degree meets program objectives.

A copy of degree plan must be attached to this request

Are you eligible for or will you be receiving any other financial assistance for your education? Yes / No
Employees receiving tuition assistance from a source that does not require repayment (Veteran's benefits, grants, scholarships, etc.) are required to submit reimbursement requests for the balance of the tuition covered by the alternate source.

The City of Stephenville has the right to audit the employee's educational and financial records that may be contained in the employee's records at the institution attended. Any right that the employee may have pursuant to the Family Education Rights and Privacy Act of 1974, or any similar act, are waived by acceptance of tuition reimbursement. By signing this application, I acknowledge that I am familiar with the requirements for tuition reimbursement pursuant to the City's Personnel Policy and agree to abide by those requirements.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\*\*\*

DEPARTMENT DIRECTOR ACTION

Recommend reimbursement

Do not recommend this application for tuition

Department Director Signature: \_\_\_\_\_ Date: \_\_\_\_\_

\*\*\*\*\*

CITY MANAGEMENT ACTION

Approved

Disapproved

City Manager Signature: \_\_\_\_\_

**TUITION REIMBURSEMENT AGREEMENT  
Step 2: TUITION REIMBURSEMENT**

Under the terms of the Tuition Reimbursement Policy I hereby acknowledge that an employee who receives tuition reimbursement must remain in service to the City, as a full time employee, for at least two years beyond the date of reimbursement; otherwise, all sums for tuition and books paid by the City over the past two years must be refunded to the City in full.

I understand and agree that if I receive tuition assistance from any source(s) that do not require repayment, (i.e. Veteran's benefits, grants, scholarships, etc) I will submit reimbursement requests only for the balance of the tuition and fees not covered by the alternate source.

I hereby agree that should I be reimbursed for the tuition and/or textbooks under the tuition reimbursement program and I leave the full time employment of the City of Stephenville within a period of two years following reimbursement, I will refund the City of Stephenville the full amount of the tuition and book reimbursement paid to me over the two years preceding voluntary resignation. I agree, consent and hereby authorize the City of Stephenville to withhold from my final paycheck or leave payment of any kind, such amount as may be necessary to satisfy any balance due pursuant to this agreement. If my final paycheck or other leave payments do not fully cover the amount I owe to the City of Stephenville, the City hereby reserves the right to pursue all legal and equitable means at its disposal to collect such balance due.

WITNESS BY MY HAND THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Employee Printed Name

\_\_\_\_\_  
Employee Signature

SUBSCRIBED AND SWORN TO THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, \_\_\_\_\_



\_\_\_\_\_  
Notary

\_\_\_\_\_  
Commission Expires

**COURSE PRE-APPROVAL REQUEST**  
**Step 3: TUITION REIMBURSEMENT**  
*To be completed **BEFORE** semester begins.*



**NOTE:** To be eligible for tuition and book reimbursement, the employee must have an approved Application for Degree Plan Approval on file with the HR Department. This request form must be completed by the employee and submitted to the Human Resources Director prior to taking a course.

Name: \_\_\_\_\_

Department: \_\_\_\_\_ Title: \_\_\_\_\_

Name of College or University: \_\_\_\_\_

Semester course(s) to be taken: \_\_\_\_\_

<u>Course Title(s) and Catalog Number</u>	<u>Number of Semester Hours</u>
1. _____	_____
2. _____	_____
3. _____	_____

Approximate Cost: Tuition \$ \_\_\_\_\_ Books \$ \_\_\_\_\_

Did you receive funds from any other source for payment of tuition/textbooks? **YES**      **NO**

Employees receiving tuition assistance from a source that does not require repayment (Veteran's benefits, grants, scholarships, etc) are required to submit reimbursement requests for the balance of the tuition not covered by the alternate source. The City of Stephenville has the right to audit the employee's educational and financial records that may be contained in the employee's records at the institution attended. I agree that any right I may have pursuant to the Family Education Rights and Privacy Act of 1974, or any similar act, is waived by acceptance of tuition reimbursement. I understand that the penalty for fraudulently seeking a tuition reimbursement benefit may include disciplinary action. By signing this application, I acknowledge that I am familiar with the requirements for tuition reimbursement pursuant to the city's personnel policy and agree to abide by those requirements.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**HUMAN RESOURCES DEPARTMENT**

\_\_\_\_\_  
Human Resources Director

\_\_\_\_\_  
Date

**REIMBURSEMENT REQUEST**  
**Step 4: TUITION REIMBURSEMENT**  
*To be completed at **END** of semester.*

**NOTE:** To receive tuition and book reimbursement, the employee must attach a **grade report** for a II course(s) indicated, as well as a **fee receipt for tuition and textbook payment.**

Name: \_\_\_\_\_

Department: \_\_\_\_\_ Title: \_\_\_\_\_

Name of College or University: \_\_\_\_\_

Semester course(s) taken: \_\_\_\_\_

	<u>Course Title(s)</u>	<u>Tuition Cost</u>	<u>Textbook Cost</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____

Approximate Cost: Tuition \$ \_\_\_\_\_ Books \$ \_\_\_\_\_

Did you receive funds from any other source for payment of tuition/textbooks?

YES  NO

*Employees receiving tuition assistance from a source that does not require repayment (Veteran's benefits, grants, scholarships, etc.) are required to submit reimbursement requests for the balance of the tuition not covered by the alternate source.*

By signing this request form, I certify that this tuition reimbursement request is a true and accurate statement of my enrollment, course completion, grade, and tuition/ textbook expense. I am hereby requesting reimbursement pursuant the city's personnel policy.

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

**HUMAN RESOURCES DEPARTMENT: Reimbursement**

Human Resources Director \_\_\_\_\_ Date \_\_\_\_\_



**WAGE DEDUCTION AUTHORIZATION AGREEMENT**

I understand and agree that my employer, the City of Stephenville, may deduct money from my pay from time to time for reasons that fall into the following categories:

1. Any contributions I may make into a retirement or pension plan sponsored, controlled, or managed by the City;
2. The balance of Per Diem advances from the City, if there is a balance remaining when I leave;
3. If I receive an overpayment of wages for any reason, repayment of such overpayments to the City;
4. The cost to the City of personal long-distance calls or faxes made on City phones/faxes or on any City accounts;
5. The cost of repairing or replacing City supplies, materials, equipment, uniforms, money, or other property that I may damage (other than normal wear and tear), lose, fail to return, or take without appropriate authorization from the City during my employment (applies to non-exempt employees only);
6. If I take paid vacation, sick, or holiday bank leave in advance of the date I would normally be entitled to it and I separate from the City before accruing time to cover such advance leave, the value of such leave taken in advance that is not covered.
7. If I am an authorized purchaser/cardholder of a City Procurement card and make any personal charges on the card or if I fail to provide necessary documentation that the charge was authorized by the required expense statement date.

**I agree that the City may deduct money from my pay under the above circumstances.**

I also acknowledge that I understand that the City pays its employees fairly and that all work is compensated and no supervisor may authorize work off the clock.

I acknowledge that I must accurately record time worked and should contact HR, my supervisor or my supervisor's manager with any questions. Non-exempt employees who work overtime without receiving proper authorization will be subject to disciplinary action, up to and including possible termination of employment.

I have read the above agreement and have received Policy 5.04 Overtime.

\_\_\_\_\_  
Employee Name (Printed)

\_\_\_\_\_  
Department

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Representative

\_\_\_\_\_  
Date

**LEAVE REQUEST FORM**

Name: \_\_\_\_\_

Date: \_\_\_\_\_

Department: \_\_\_\_\_

Title: \_\_\_\_\_

**VACATION LEAVE**

Date(s) Requested: From: \_\_\_\_\_ through \_\_\_\_\_ Hours \_\_\_\_\_

**SICK LEAVE**

Date(s) Requested: From: \_\_\_\_\_ through \_\_\_\_\_ Hours \_\_\_\_\_

**OTHER LEAVE**

Date(s) Requested: From \_\_\_\_\_ through \_\_\_\_\_ Hours \_\_\_\_\_

Type of Leave:     With Pay         Without Pay

Family and Medical Leave Act:     Yes         No

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**SUPERVISOR ACTION**

Approved         Denied

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

Notice of Eligibility and Rights & Responsibilities (Family and Medical Leave Act)

U.S. Department of Labor Wage and Hour Division



OMB Control Number: 1235-0003 Expires: 8/31/2021

In general, to be eligible an employee must have worked for an employer for at least 12 months, meet the hours of service requirement in the 12 months preceding the leave, and work at a site with at least 50 employees within 75 miles. While use of this form by employers is optional, a fully completed Form WH-381 provides employees with the information required by 29 C.F.R. § 825.300(b), which must be provided within five business days of the employee notifying the employer of the need for FMLA leave. Part B provides employees with information regarding their rights and responsibilities for taking FMLA leave, as required by 29 C.F.R. § 825.300(b), (c).

[Part A - NOTICE OF ELIGIBILITY]

TO: Employee

FROM: Employer Representative

DATE:

On , you informed us that you needed leave beginning on for:

- The birth of a child, or placement of a child with you for adoption or foster care;
Your own serious health condition;
Because you are needed to care for your spouse; child; parent due to his/her serious health condition.
Because of a qualifying exigency arising out of the fact that your spouse; son or daughter; parent is on covered active duty or call to covered active duty status with the Armed Forces.
Because you are the spouse; son or daughter; parent; next of kin of a covered servicemember with a serious injury or illness.

This Notice is to inform you that you:

- Are eligible for FMLA leave (See Part B below for Rights and Responsibilities)
Are not eligible for FMLA leave, because (only one reason need be checked, although you may not be eligible for other reasons):
You have not met the FMLA's 12-month length of service requirement. As of the first date of requested leave, you will have worked approximately months towards this requirement.
You have not met the FMLA's hours of service requirement.
You do not work and/or report to a site with 50 or more employees within 75-miles.

If you have any questions, contact or view the FMLA poster located in .

[PART B-RIGHTS AND RESPONSIBILITIES FOR TAKING FMLA LEAVE]

As explained in Part A, you meet the eligibility requirements for taking FMLA leave and still have FMLA leave available in the applicable 12-month period. However, in order for us to determine whether your absence qualifies as FMLA leave, you must return the following information to us by . (If a certification is requested, employers must allow at least 15 calendar days from receipt of this notice; additional time may be required in some circumstances.) If sufficient information is not provided in a timely manner, your leave may be denied.

- Sufficient certification to support your request for FMLA leave. A certification form that sets forth the information necessary to support your request is/ is not enclosed.
Sufficient documentation to establish the required relationship between you and your family member.
Other information needed (such as documentation for military family leave):

No additional information requested

If your leave does qualify as FMLA leave you will have the following responsibilities while on FMLA leave (only checked blanks apply):

Contact \_\_\_\_\_ at \_\_\_\_\_ to make arrangements to continue to make your share of the premium payments on your health insurance to maintain health benefits while you are on leave. You have a minimum 30-day (or, indicate longer period, if applicable) grace period in which to make premium payments. If payment is not made timely, your group health insurance may be cancelled, provided we notify you in writing at least 15 days before the date that your health coverage will lapse, or, at our option, we may pay your share of the premiums during FMLA leave, and recover these payments from you upon your return to work.

You will be required to use your available paid \_\_\_\_\_ sick, \_\_\_\_\_ vacation, and/or \_\_\_\_\_ other leave during your FMLA absence. This means that you will receive your paid leave and the leave will also be considered protected FMLA leave and counted against your FMLA leave entitlement.

Due to your status within the company, you are considered a "key employee" as defined in the FMLA. As a "key employee," restoration to employment may be denied following FMLA leave on the grounds that such restoration will cause substantial and grievous economic injury to us. We \_\_\_\_\_ have/\_\_\_\_\_ have not determined that restoring you to employment at the conclusion of FMLA leave will cause substantial and grievous economic harm to us.

While on leave you will be required to furnish us with periodic reports of your status and intent to return to work every \_\_\_\_\_. (Indicate interval of periodic reports, as appropriate for the particular leave situation).

If the circumstances of your leave change, and you are able to return to work earlier than the date indicated on the this form, you will be required to notify us at least two workdays prior to the date you intend to report for work.

If your leave does qualify as FMLA leave you will have the following rights while on FMLA leave:

- You have a right under the FMLA for up to 12 weeks of unpaid leave in a 12-month period calculated as:
  - \_\_\_\_\_ the calendar year (January – December).
  - \_\_\_\_\_ a fixed leave year based on \_\_\_\_\_.
  - \_\_\_\_\_ the 12-month period measured forward from the date of your first FMLA leave usage.
  - \_\_\_\_\_ a "rolling" 12-month period measured backward from the date of any FMLA leave usage.
- You have a right under the FMLA for up to 26 weeks of unpaid leave in a single 12-month period to care for a covered servicemember with a serious injury or illness. This single 12-month period commenced on \_\_\_\_\_.
- Your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work.
- You must be reinstated to the same or an equivalent job with the same pay, benefits, and terms and conditions of employment on your return from FMLA-protected leave. (If your leave extends beyond the end of your FMLA entitlement, you do not have return rights under FMLA.)
- If you do not return to work following FMLA leave for a reason other than: 1) the continuation, recurrence, or onset of a serious health condition which would entitle you to FMLA leave; 2) the continuation, recurrence, or onset of a covered servicemember's serious injury or illness which would entitle you to FMLA leave; or 3) other circumstances beyond your control, you may be required to reimburse us for our share of health insurance premiums paid on your behalf during your FMLA leave.
- If we have not informed you above that you must use accrued paid leave while taking your unpaid FMLA leave entitlement, you have the right to have \_\_\_\_\_ sick, \_\_\_\_\_ vacation, and/or \_\_\_\_\_ other leave run concurrently with your unpaid leave entitlement, provided you meet any applicable requirements of the leave policy. Applicable conditions related to the substitution of paid leave are referenced or set forth below. If you do not meet the requirements for taking paid leave, you remain entitled to take unpaid FMLA leave.

\_\_\_\_\_ For a copy of conditions applicable to sick/vacation/other leave usage please refer to \_\_\_\_\_ available at: \_\_\_\_\_.

\_\_\_\_\_ Applicable conditions for use of paid leave: \_\_\_\_\_

Once we obtain the information from you as specified above, we will inform you, within 5 business days, whether your leave will be designated as FMLA leave and count towards your FMLA leave entitlement. If you have any questions, please do not hesitate to contact:

\_\_\_\_\_ at \_\_\_\_\_.

**PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT**

It is mandatory for employers to provide employees with notice of their eligibility for FMLA protection and their rights and responsibilities. 29 U.S.C. § 2617; 29 C.F.R. § 825.300(b), (c). It is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 10 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION.**

Certification of Health Care Provider for  
Employee's Serious Health Condition  
(Family and Medical Leave Act)

U.S. Department of Labor  
Wage and Hour Division



DO NOT SEND COMPLETED FORM TO THE DEPARTMENT OF LABOR; RETURN TO THE PATIENT

OMB Control Number: 1235-0003  
Expires: 8/31/2021

**SECTION I: For Completion by the EMPLOYER**

**INSTRUCTIONS to the EMPLOYER:** The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA protections because of a need for leave due to a serious health condition to submit a medical certification issued by the employee's health care provider. Please complete Section I before giving this form to your employee. Your response is voluntary. While you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308. Employers must generally maintain records and documents relating to medical certifications, recertifications, or medical histories of employees created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies, and in accordance with 29 C.F.R. § 1635.9, if the Genetic Information Nondiscrimination Act applies.

Employer name and contact: \_\_\_\_\_

Employee's job title: \_\_\_\_\_ Regular work schedule: \_\_\_\_\_

Employee's essential job functions: \_\_\_\_\_

Check if job description is attached: \_\_\_\_\_

**SECTION II: For Completion by the EMPLOYEE**

**INSTRUCTIONS to the EMPLOYEE:** Please complete Section II before giving this form to your medical provider. The FMLA permits an employer to require that you submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to your own serious health condition. If requested by your employer, your response is required to obtain or retain the benefit of FMLA protections. 29 U.S.C. §§ 2613, 2614(c)(3). Failure to provide a complete and sufficient medical certification may result in a denial of your FMLA request. 29 C.F.R. § 825.313. Your employer must give you at least 15 calendar days to return this form. 29 C.F.R. § 825.305(b).

Your name: \_\_\_\_\_  
First Middle Last

**SECTION III: For Completion by the HEALTH CARE PROVIDER**

**INSTRUCTIONS to the HEALTH CARE PROVIDER:** Your patient has requested leave under the FMLA. Answer, fully and completely, all applicable parts. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage. Limit your responses to the condition for which the employee is seeking leave. Do not provide information about genetic tests, as defined in 29 C.F.R. § 1635.3(f), genetic services, as defined in 29 C.F.R. § 1635.3(e), or the manifestation of disease or disorder in the employee's family members, 29 C.F.R. § 1635.3(b). Please be sure to sign the form on the last page.

Provider's name and business address: \_\_\_\_\_

Type of practice / Medical specialty: \_\_\_\_\_

Telephone: (\_\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_\_) \_\_\_\_\_

**PART A: MEDICAL FACTS**

1. Approximate date condition commenced: \_\_\_\_\_

Probable duration of condition: \_\_\_\_\_

**Mark below as applicable:**

Was the patient admitted for an overnight stay in a hospital, hospice, or residential medical care facility?

No  Yes. If so, dates of admission:

\_\_\_\_\_

Date(s) you treated the patient for condition:

\_\_\_\_\_

Will the patient need to have treatment visits at least twice per year due to the condition?  No  Yes.

Was medication, other than over-the-counter medication, prescribed?  No  Yes.

Was the patient referred to other health care provider(s) for evaluation or treatment (e.g., physical therapist)?

No  Yes. If so, state the nature of such treatments and expected duration of treatment:

\_\_\_\_\_

2. Is the medical condition pregnancy?  No  Yes. If so, expected delivery date: \_\_\_\_\_

3. Use the information provided by the employer in Section I to answer this question. If the employer fails to provide a list of the employee's essential functions or a job description, answer these questions based upon the employee's own description of his/her job functions.

Is the employee unable to perform any of his/her job functions due to the condition:  No  Yes.

If so, identify the job functions the employee is unable to perform:

\_\_\_\_\_

4. Describe other relevant medical facts, if any, related to the condition for which the employee seeks leave (such medical facts may include symptoms, diagnosis, or any regimen of continuing treatment such as the use of specialized equipment):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**PART B: AMOUNT OF LEAVE NEEDED**

5. Will the employee be incapacitated for a single continuous period of time due to his/her medical condition, including any time for treatment and recovery?  No  Yes.

If so, estimate the beginning and ending dates for the period of incapacity: \_\_\_\_\_

6. Will the employee need to attend follow-up treatment appointments or work part-time or on a reduced schedule because of the employee's medical condition?  No  Yes.

If so, are the treatments or the reduced number of hours of work medically necessary?  
 No  Yes.

Estimate treatment schedule, if any, including the dates of any scheduled appointments and the time required for each appointment, including any recovery period:

\_\_\_\_\_

Estimate the part-time or reduced work schedule the employee needs, if any:

\_\_\_\_\_ hour(s) per day; \_\_\_\_\_ days per week from \_\_\_\_\_ through \_\_\_\_\_

7. Will the condition cause episodic flare-ups periodically preventing the employee from performing his/her job functions?  No  Yes.

Is it medically necessary for the employee to be absent from work during the flare-ups?  
 No  Yes. If so, explain:

\_\_\_\_\_  
\_\_\_\_\_

Based upon the patient's medical history and your knowledge of the medical condition, estimate the frequency of flare-ups and the duration of related incapacity that the patient may have over the next 6 months (e.g., 1 episode every 3 months lasting 1-2 days):

Frequency : \_\_\_\_\_ times per \_\_\_\_\_ week(s) \_\_\_\_\_ month(s)

Duration: \_\_\_\_\_ hours or \_\_\_\_\_ day(s) per episode

**ADDITIONAL INFORMATION: IDENTIFY QUESTION NUMBER WITH YOUR ADDITIONAL ANSWER.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Designation Notice  
(Family and Medical Leave Act)

U.S. Department of Labor  
Wage and Hour Division



OMB Control Number: 1235-0003

Expires: 8/31/2021

Leave covered under the Family and Medical Leave Act (FMLA) must be designated as FMLA-protected and the employer must inform the employee of the amount of leave that will be counted against the employee's FMLA leave entitlement. In order to determine whether leave is covered under the FMLA, the employer may request that the leave be supported by a certification. If the certification is incomplete or insufficient, the employer must state in writing what additional information is necessary to make the certification complete and sufficient. While use of this form by employers is optional, a fully completed Form WH-382 provides an easy method of providing employees with the written information required by 29 C.F.R. §§ 825.300(c), 825.301, and 825.305(c).

To: \_\_\_\_\_

Date: \_\_\_\_\_

We have reviewed your request for leave under the FMLA and any supporting documentation that you have provided. We received your most recent information on \_\_\_\_\_ and decided:

\_\_\_\_\_ **Your FMLA leave request is approved. All leave taken for this reason will be designated as FMLA leave.**

**The FMLA requires that you notify us as soon as practicable if dates of scheduled leave change or are extended, or were initially unknown. Based on the information you have provided to date, we are providing the following information about the amount of time that will be counted against your leave entitlement:**

\_\_\_\_\_ Provided there is no deviation from your anticipated leave schedule, the following number of hours, days, or weeks will be counted against your leave entitlement: \_\_\_\_\_

\_\_\_\_\_ Because the leave you will need will be unscheduled, it is not possible to provide the hours, days, or weeks that will be counted against your FMLA entitlement at this time. You have the right to request this information once in a 30-day period (if leave was taken in the 30-day period).

**Please be advised (check if applicable):**

\_\_\_\_\_ You have requested to use paid leave during your FMLA leave. Any paid leave taken for this reason will count against your FMLA leave entitlement.

\_\_\_\_\_ We are requiring you to substitute or use paid leave during your FMLA leave.

\_\_\_\_\_ You will be required to present a fitness-for-duty certificate to be restored to employment. If such certification is not timely received, your return to work may be delayed until certification is provided. A list of the essential functions of your position \_\_\_\_\_ is \_\_\_\_\_ is not attached. If attached, the fitness-for-duty certification must address your ability to perform these functions.

\_\_\_\_\_ **Additional information is needed to determine if your FMLA leave request can be approved:**

\_\_\_\_\_ The certification you have provided is not complete and sufficient to determine whether the FMLA applies to your leave request. You must provide the following information no later than \_\_\_\_\_, unless it is not  
(Provide at least seven calendar days)  
practicable under the particular circumstances despite your diligent good faith efforts, or your leave may be denied.

\_\_\_\_\_  
(Specify information needed to make the certification complete and sufficient)

\_\_\_\_\_ We are exercising our right to have you obtain a second or third opinion medical certification at our expense, and we will provide further details at a later time.

\_\_\_\_\_ Your FMLA Leave request is Not Approved.

\_\_\_\_\_ The FMLA does not apply to your leave request.

\_\_\_\_\_ You have exhausted your FMLA leave entitlement in the applicable 12-month period.

**PAPERWORK REDUCTION ACT NOTICE AND PUBLIC BURDEN STATEMENT**

It is mandatory for employers to inform employees in writing whether leave requested under the FMLA has been determined to be covered under the FMLA. 29 U.S.C. § 2617; 29 C.F.R. §§ 825.300(d), (e). It is mandatory for employers to retain a copy of this disclosure in their records for three years. 29 U.S.C. § 2616; 29 C.F.R. § 825.500. Persons are not required to respond to this collection of information unless it displays a currently valid OMB control number. The Department of Labor estimates that it will take an average of 10 – 30 minutes for respondents to complete this collection of information, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. If you have any comments regarding this burden estimate or any other aspect of this collection information, including suggestions for reducing this burden, send them to the Administrator, Wage and Hour Division, U.S. Department of Labor, Room S-3502, 200 Constitution Ave., NW, Washington, DC 20210. **DO NOT SEND THE COMPLETED FORM TO THE WAGE AND HOUR DIVISION.**

Form WH-382 January 2009

**ALTERNATE/COMPRESSED SCHEDULED REQUEST**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Department: \_\_\_\_\_ Title: \_\_\_\_\_

***Proposed Schedule***

Day of the Week	Date	Start Hour	Meal Period	End Hour
Sunday			-	
Monday			-	
Tuesday			-	
Wednesday			-	
Thursday			-	
Friday			-	
Saturday			-	

Total number of work hours per work week: \_\_\_\_\_

**ALTERNATE/COMPRESSED SCHEDULE AGREEMENT**

I have read and acknowledge all provisions in *Policy 5.05 Flextime & Compressed Work Week Schedule* and agree to work the approved alternate work schedule from \_\_\_\_\_, 20\_\_ to \_\_\_\_\_, 20\_\_.

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

**Please Note:**

- The Fair Labor Standards Act (FLSA) requires that overtime compensation be paid at one and one-half time the regular hourly rate for each hour worked over 40 hours during the non-exempt employee's designated workweek.
- Averaging work hours over different workweeks is not permitted.

**DEPARTMENT DIRECTOR ACTION**

Request Recommended: From \_\_\_\_\_, 20\_\_ To \_\_\_\_\_, 20\_\_

Request Denied- Comments: \_\_\_\_\_

Department Director \_\_\_\_\_ Date \_\_\_\_\_



**TEMPORARY RESTRICTED DUTY AGREEMENT**

I, \_\_\_\_\_ (print name), am employed with the City of Stephenville with the following job title:

I have read and understand the City's Temporary Restricted Duty Policy and agree to abide by its requirements. I am aware of the work restrictions given by my treating physician and agree to abide by those restrictions. I understand that restricted duty may not exceed 90 working days in one year.

I understand and agree that this restricted duty assignment is temporary and my eligibility will be re-evaluated in 30 days. I understand that restricted duty assignments are not intended to create regular full or part time positions and my restricted duty assignment may be eliminated at the City's sole discretion. Should I fail to adhere to the City's policy or my physician's work restriction, I am aware that I may be subject to disciplinary action, up to and including termination. I understand that this Restricted Duty Agreement is not an employment contract, does not alter my at-will employment status, and that the City or I may terminate my employment at any time, for any reason, or no reason at all.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

---

---

**HUMAN RESOURCES ACTION**

Temporary Restricted Duty Assignment commencement date: \_\_\_\_\_

Department assigned: \_\_\_\_\_

Temporary Restricted Duty Assignment extension date: \_\_\_\_\_

Additional Comments: \_\_\_\_\_

\_\_\_\_\_

HR Representative: \_\_\_\_\_

Date: \_\_\_\_\_



Travel Request Form

**PART I - TRAVEL REQUEST**

1) Name		2) Department/Division		3) Date	
4) Purpose of Trip (name of meeting, reason for travel, job relation)				5) Account Number(s)	
6) Destination				7) Dates From: _____ To: _____	
8) Method of Travel ____ City Vehicle ____ Private Auto ____ Air ____ Other	9) Total Estimated Cost of Trip _____			11) Approval	
	10) Advance Pay Requested ____ Yes _____ No  If yes, complete below			Department Head _____ Date _____	
				Finance- Funds Approval _____ Date _____	
	City Administrator _____ Date _____				

**PART II - EXPENSE REPORT**

	Pre Event		Post Event			
(Prior to trip, list actual expenses each day- Attach receipts/prepaid expenses from above- list on first day) (If any expense below is paid for by City credit card- show on this report and add amount(s) to Amount Prepaid total on bottom of page)						
12) Dates						Total
13) Lodging	\$	\$	\$	\$	\$	\$
14) Garage/Parking	\$	\$	\$	\$	\$	\$
15) Taxis/Car Rental	\$	\$	\$	\$	\$	\$
16) Transportation	\$	\$	\$	\$	\$	\$
17) Registration Fee	\$	\$	\$	\$	\$	\$
18) Meals (see per diem schedule)	\$	\$	\$	\$	\$	\$
19) Misc (Specify)	\$	\$	\$	\$	\$	\$
* (Tips cannot exceed 15% of total meal costs)						
20) Mileage(private auto)	\$	\$	\$	\$	\$	\$
	# miles	Per mile				

21) Total	\$	\$	\$	\$	\$	\$
22) Amount to be prepaid to employee		\$	25) I certify that the foregoing expenses were incurred in the conduct of business and for payment of such are available in the current budget.			
** Date Needed						
23) Amount Prepaid (including Credit Card)	\$	Employee			Date	
24) Reimburse expense to employee	\$	Department Head			Date	

Please see the City of Stephenville Personnel Manual for full details of the travel and reimbursement policy

**THINGS TO REMEMBER:**

**Travel Per Diem Rates: \$50 per day**

**Travel Per Diem Rate for Partial Days:**

<b>Breakfast</b>	<b>\$10.00</b>	<i>The employee must be away before 7:00 a.m. or after 6:00 p.m. to receive</i>
<b>Lunch</b>	<b>\$15.00</b>	<i>the respective breakfast or dinner portion of the per diem.</i>
<b>Dinner</b>	<b>\$25.00</b>	

Meals that are provided as part of a conference, training, etc. are not covered by per diem and should be subtracted from a per diem request according to the schedule above

**\*\*\*All receipts for purchases over \$5.00 is required with the exception of tips which must be 15% and under\*\*\***

Online map calculations that show distances may be used for mileage logs.

## REQUEST FOR CHECK

Date of Request:

Amount Requested: \$

Date needed:

Make Check Payable to:

Name:

Address:

---

Reason for Issue:

Explanation & Instructions for Check Dispersal:

Requested by

Approved By \_\_\_\_\_

Charge-Account Name/No.	Amount
Check No. _____ Dated _____ Approved By _____	

**PERFORMANCE CORRECTION NOTICE**

**Employee Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Department:** \_\_\_\_\_ **Supervisor:** \_\_\_\_\_

**Corrective Level:**

- Verbal Correction
- Written Reprimand
- Delay of Step Increase
- Corrective Probation (End date: \_\_\_\_\_)
- Suspension (Date: \_\_\_\_\_)
- Demotion
- Termination

**Occurrence: (one sentence summary of incident)**

- Performance
- Conduct
- Attendance

**Prior Notifications:**

**Level of Discipline**

**Subject**

- Verbal
- Written

\_\_\_\_\_

\_\_\_\_\_

**Incident Description and Supporting Details:** Include the following information:

Description of Incident, Date of Occurrence, Persons Present as well as Organizational **Impact**. Attach additional **pages**. (if necessary)

---



---



---



---

**PERFORMANCE CORRECTION PLAN**

*Immediate and sustained improvement is expected.*

**1. Measurable/Tangible Correction Goals:**

Targeted completion date: \_\_\_\_\_

**2. Training or Special Direction Provided:**

**3. Interim Performance Evaluation Date (if necessary):** \_\_\_\_\_

4. In addition, I recognize that you may have certain ideas to improve your performance. I encourage you to provide your own **Personal Correction Plan Input and Suggestions**. (Attach additional sheets if needed.)

**OUTCOMES and CONSEQUENCES**

**Positive:** If you meet your Correction goals, no further corrective action will be taken regarding this issue.

**Negative:** (Describe the consequence should the incident occur again) Future policy violations or failure to perform job duties in an acceptable manner will result in additional corrective action up to and including termination.

**Scheduled Review Date (if applicable):** \_\_\_\_\_

**Employee Comments and/or Rebuttal** (Attach Additional Sheets, if needed)

\_\_\_\_\_  
Employee Signature

## Employee Acknowledgment

I understand that the City of Stephenville is an "at-will" employer, meaning that my employment has no specified term and that the employment relationship may be terminated any time at the will of either party. I also realize that the City of Stephenville is opting to provide me with corrective action measures, and can terminate such corrective measures at any time, solely at its own discretion, and that the use of progressive discipline will not change my at-will employment status.

I have read the Performance Correction Notice and understand it. It has been discussed with me, and I have been advised to take time to consider it before I sign it. Signing this, I commit to follow the city's standards of performance, conduct and attendance.

\_\_\_\_\_  
Employee Signature                      Date

\_\_\_\_\_  
Supervisor's Signature                      Date

Witness: (if employee refuses to sign)

\_\_\_\_\_  
Name    Date

**A copy of this document will  
be placed in your file.**



**EMPLOYEE GRIEVANCE FORM**

Grievant Name: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_ Department: \_\_\_\_\_

**EMPLOYEE GRIEVANCE**

**HISTORY AND FACTS OF GRIEVANCE:**

Provide as much specific information as possible, including all pertinent names, dates, and places. Indicate specifically which section of the Personnel Policies you believe was violated (if applicable). Attach additional sheets if necessary.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REMEDY SOUGHT:**

State specifically what action(s) you are requesting to resolve the complaint.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Grievant Signature

\_\_\_\_\_  
Date Signed



**STEP II**

**DEPARTMENT DIRECTOR RESPONSE (if Required):**

The Department Director may schedule a meeting with the employee or provide a written response. The written response shall be provided to the employee within ten (10) working days of receiving the grievance request.

\_\_\_\_\_  
Department Director Signature

\_\_\_\_\_  
Date

**GRIEVANT'S ANSWER TO SUPERVISOR RESPONSE (if required):**

I accept the resolution to Step II:     YES             NO

If answer is no, grievance must be submitted to Step III within five (5) working days of receipt of Step II response. Give specific reasons why the Step II response is unsatisfactory, and what further action(s) you are requesting to resolve the complaint.

\_\_\_\_\_  
Grievant Signature

\_\_\_\_\_  
Date

**STEP III**

**CITY MANAGER RESPONSE *(if required)*:**

At a mutually agreeable time, the City Manager may elect to have a meeting with the employee informally or to convene a hearing. Once the meeting or hearing has been held, the City Manager shall respond to the grievance within ten (10) days. As per the Policy 7.03 Grievance, the decision of the City Manager is final and is not eligible for further appeal.

\_\_\_\_\_  
City Manager Signature

\_\_\_\_\_  
Date

**SUPERVISOR'S REPORT OF REASONABLE SUSPICION  
-Confidential-**



**Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Department:** \_\_\_\_\_ **Title:** \_\_\_\_\_

**PROCEDURE**

This form is to be completed whenever there is reasonable suspicion that an employee is under the influence of alcohol and/or prohibited drug substance. A supervisor and a Department Director shall note all pertinent behavior and physical signs which led them to believe that the employee is under the influence of alcohol and/or a prohibited drug substance. The Department Director shall contact Human Resources for reasonable suspicion testing authorization. In the event that Human Resources is unavailable, the Department Director shall contact the City Manager's office. Upon authorization, the employee will be required to undergo drug and/or alcohol testing.

**PERSONS OBSERVING BEHAVIOR (At least one Department Director required.)**

**Name/Title:** \_\_\_\_\_

**Name/Title:** \_\_\_\_\_

**Date of Observation:** \_\_\_\_\_ **Time:** \_\_\_\_\_

**Location:** \_\_\_\_\_

<b>Circumstances which existed to warrant the testing for reasonable suspicion were as follows:</b>	<b>Yes</b>	<b>No</b>
Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working, while on the employer's premises, or while operating the employer's vehicle, machinery, or equipment.		
Observable phenomena while at work, such as direct observation of drug use or the physical symptoms or manifestations of being under the influence of a drug or alcohol.		
Abnormal conduct or erratic behavior while at work or a significant deterioration work performance.		

**WRITTEN SUMMARY**

Summarize the facts and circumstances of the accident or incident, employee response, supervisor actions, and any other pertinent information not previously noted on this form. Attach additional sheets as needed.

---



---



---



---



---



---

**OBSERVATIONS (Both observers INITIAL their observations below.)**

**ABILITY TO WALK**

- Normal     Falling     Grasping for Support     Moved in Circles  
 On Hands and Knees     Staggering     Swaying  
 Unable to Walk

**APPEARANCE**

- Normal     Disheveled     Dirty     Odor

**ACTIONS**

- Crying     Profanity     Punching     Resisting     Sleepy     Threatening

**ABILITY TO STAND**

- Normal     Need Support     Rigid     Sagging Knees     Swaying  
 Unable to Stand

**EYES**

- Normal     Constricted     Contacts/Glasses     Dilated     Droopy Lids  
 Bloodshot     Watery

**FACE**

- Flushed     Pale

**MOVEMENT OF HANDS**

- Trembling     Uncoordinated

**BREATHING**

- Normal     Deep     Gasping     Laboring     Rapid     Shallow  
 Slow

**SPEECH**

- Normal     Abusive     Boisterous     Confused     Crying     Hoarse  
 Incoherent     Rambling     Rapid     Shouting     Silent     Slobbering  
 Slow     Slurred     Stuttering     Whispering

**OROR OF ALCOHOL/DRUG**

- Yes     No

**OTHER:**

\_\_\_\_\_  
\_\_\_\_\_

**SIGNATURES**

**Supervisor:** Based on my observations noted on this checklist, I **recommend/do not recommend** (*circle one*) that an alcohol/drug test be administered.

Supervisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Department Director:** Based on my observations noted on this checklist, I **recommend/do not recommend** (*circle one*) that an alcohol/drug test be administered.

Department Director: \_\_\_\_\_ Date: \_\_\_\_\_

Contact the Human Resources Department immediately after completion of this checklist to proceed.

**HUMAN RESOURCES DIRECTOR (OR DESIGNEE) ACTION**

Employee underwent:     alcohol test     drug test

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Location: \_\_\_\_\_

Employee *refused* testing:     Yes     No

Comments:

---

---

---

---

\_\_\_\_\_  
Human Resources Director (or designee)

\_\_\_\_\_  
Date



**EMPLOYER NOTIFICATION OF TRAFFIC VIOLATION  
FOR COMMERCIAL DRIVER'S LICENSE (CDL)**  
*(Not necessary for parking violations)*



NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

DEPARTMENT: \_\_\_\_\_ TITLE: \_\_\_\_\_

DRIVER'S LICENSE #: \_\_\_\_\_ STATE: \_\_\_\_\_

DATE TICKETED: \_\_\_\_\_ CITATION NO: \_\_\_\_\_

TYPE OF TRAFFIC VIOLATION: \_\_\_\_\_

RESOLUTION OF CITATION: \_\_\_\_\_

VEHICLE OPERATED (*check one*):       Personal       City  Other

WAS VEHICLE A COMMERCIAL MOTOR VEHICLE?       Yes  No

LOCATION OF OFFENSE (CITY/COUNTY): \_\_\_\_\_ STATE: \_\_\_\_\_

ISSUING AGENCY: \_\_\_\_\_

DID VIOLATION RESULT IN LOSS OF DRIVING PRIVILEGES?       Yes  No

IF YES, PLEASE EXPLAIN:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**Supervisor:** *Send to the Human Resources Department within 24 hours of receipt.*

**CITY OF STEPHENVILLE  
WAIVER OF GROUP HEALTH INSURANCE**



Employee's Names: <i>(Last) (First) (Middle)</i> _____		Employee Number _____	
Home Mailing Address: _____			
City, _____	State _____	Zip _____	Date of Birth _____

I hereby certify that I have been given an opportunity to request health insurance under the group medical insurance policy offered by the City of Stephenville, and after careful consideration, I have decided to waive coverage for:

\_\_\_\_\_ MYSELF                      or                      \_\_\_\_\_ MYSELF & MY DEPENDENTS

Dependents who are waiving:

Name of Dependent	Relationship	Birth Date
_____	_____	___/___/___
_____	_____	___/___/___
_____	_____	___/___/___
_____	_____	___/___/___

**NOTE: Attach copy of ID card for alternate plan to this form.**

**WAIVER OF COVERAGE**

I do NOT elect the medical coverage offered by the City of Stephenville through the current enrollment period due to the fact that I have employer sponsored group health insurance coverage through \_\_\_\_\_ . I understand that by waiving medical coverage, I am not entitled to prescription coverage. I understand that by signing this Waiver I am waiving coverage not only for myself, but for my Spouse and Dependents, if applicable. I hereby decline the health insurance benefits provided by the employee medical insurance plan through the City. The benefits of the plan have been explained to me and I do not desire to participate in the plan.

I understand that this is a binding election until revoked during a future annual enrollment period or by the occurrence of a qualified change in my family status as defined by the Regulations issued by the Internal Revenue Service. Notwithstanding the foregoing, however, I understand that if the alternate health insurance coverage I am currently receiving should cease as a result of loss of eligibility or termination of employer contributions (or if it is COBRA coverage which ceases because the coverage period has exhausted), I must notify the City of the termination of the alternate health insurance coverage and request enrollment in the city medical plan within 31 days of the termination of coverage in order to become covered under the City's plan. I understand that if I do not request enrollment within 31 days of termination of coverage, I will not be eligible to enroll for any City health coverage until the following annual enrollment which shall be effective the first day of the following plan year.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**RETIREE NOTIFICATION FORM**  
**Group Health Coverage**



**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_  
(Street Number) (Street Name) (City) (State) (Zip)

**DEPARTMENT:** \_\_\_\_\_ **TITLE:** \_\_\_\_\_

**PHONE #** \_\_\_\_\_ **RETIREMENT DATE:** \_\_\_\_\_

- Yes  No Are you retiring under the Texas Municipal Retirement System?
- Yes  No Have you been continually employed with the City of Stephenville for the last five years?
- Yes  No Do you have other group health insurance available to you?
- Yes  No Does your spouse or covered dependents have other group health insurance available to them?
- Yes  No Do you agree to inform the City of Stephenville if you or a covered member of your family become covered under another group health plan or entitled to Medicare?
- Yes  No Do you understand that premium amounts will change from year to year?
- Yes  No Do you understand that you are responsible for remitting the full amount of the premium by a specific date, and if you fail to remit the required amount coverage will terminate for you and your dependents?

---

**DECLINATION**

\_\_\_\_\_ (initial) I understand that I am eligible for group health coverage continuation: however, I hereby decline retiree health coverage. I understand that this is the only opportunity I will have to continue the City's group health coverage.

I understand that I also have the right to continue coverage subject to COBRA provisions for up to 18 months, and this declination will not jeopardize those rights under COBRA.

I certify by signature below that I have read the retirement provisions described in the Stephenville Policy manual.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Employee Request for Accommodation Form  
-Confidential-**



**Applicant or Employee Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Position or Title:** \_\_\_\_\_

**Department/Supervisor:** \_\_\_\_\_

***Applicant or Employee*** – Please complete this section, and return the completed form to the Human Resources department. Request is confidential and will only be shared with those who have a right to know.

Identify your condition(s) and indicate how you believe each condition affects your ability to perform the essential duties of the position:

---

---

---

---

State the requested accommodation(s) and any alternatives.

---

---

---

---

***Human Resources Use Only***

**Date Received:** \_\_\_\_\_

**Date(s) reviewed:** \_\_\_\_\_

**Accommodation approved or denied:** \_\_\_\_\_

**Summary of outcome (attach any supporting documents)**

**Request for Appeal:** Yes No

**Date Received:** \_\_\_\_\_

**Date Reviewed:** \_\_\_\_\_

**Summary of outcome (attach any supporting documents)**

**Signature of ADA Coordinator or designee:** \_\_\_\_\_ **Date** \_\_\_\_\_

**INSTRUCTIONS  
ASSIGNMENT OF CITY VEHICLES  
FOR TAKE-HOME PURPOSES**

**Prior to allowing any employee to take a City-owned or City-leased vehicle home, an assignment form must be completed in accordance with the following instructions.**

- 1. Department Head must complete first two sections of assignment form including signature and date. S/he must then have employee sign and date the last section and submit the form to the City Administrator for approval.**
- 2. The City Administrator will approve or deny the requested assignment, sign and date the form and return it to the Human Resources Director.**
- 3. The Human Resources Director will return one fully executed copy to the employee and another to the department head.**
- 4. The department head is responsible for notifying the Human Resources Director (in writing) of any change in the vehicle assigned to a particular employee.**

**Note: In cases where a vehicle is being assigned to a department head, s/he should complete and sign both the request section (department head) and the acknowledgment section (employee).**

**ASSIGNMENT OF CITY VEHICLE  
FOR TAKE-HOME PURPOSES**

**EMPLOYEE: DEPARTMENT:** \_\_\_\_\_

**ADDRESS VEHICLE WILL BE HOUSED AT:** *(If address changes you must notify Department Head immediately and complete new form)*

\_\_\_\_\_  
*Street*

\_\_\_\_\_  
*City/Zip Code/County*

**THIS ADDRESS IS:**     *Inside City Limits*

*Outside City Limits/County*

**Number of miles driven to this address one way:** \_\_\_\_\_

**VEHICLE DESCRIPTION:**

**Year:** \_\_\_\_\_ **Make:** \_\_\_\_\_ **Model:** \_\_\_\_\_

**VIN:** \_\_\_\_\_ **City Asset Number:** \_\_\_\_\_

***If you are assigned a different vehicle for any reason, you are to complete a new form and submit to Human Resources immediately.***

Approval is requested for the above-named employee to be assigned the described vehicle for take-home purposes as follows:

- overnight and/or on weekends on a regular basis
- overnight and/or on weekends only when on call
- other: (Click here to enter text.)

Justification for Request: [Click here to enter text.](#)

I understand that it is my responsibility to notify the Human Resources Director immediately if any of this information changes, including assignment of a different vehicle to this employee.

\_\_\_\_\_  
**Signature of Department Head**

\_\_\_\_\_  
**Date**

The above assignment is:

- Approved
- Denied

\_\_\_\_\_  
**Signature of City Manager**

\_\_\_\_\_  
**Date**

I hereby acknowledge that I have been assigned the primary responsibility for the vehicle described above. I further acknowledge that I have received a copy of the City's policy regarding the use of City vehicles and that I understand and will comply with the provisions of that policy.

\_\_\_\_\_  
**Signature of Employee**

\_\_\_\_\_  
**Date**

***If employee is subject to the On-Call Policy and receiving On-Call Pay, please complete the On-Call Form.***

## USE OF CITY VEHICLES

If you are assigned the use of City automobiles, trucks or equipment, you are expected to drive them with due care especially observing all laws and rules of the road. All assigned vehicles/equipment must be maintained in a clean and sanitary condition at all times by the operator of such vehicles/equipment. Any vehicle operating problems must be reported to your supervisor or department head for immediate corrective action. The City stresses preventive maintenance, and every operator of City vehicles/equipment is expected to cooperate by adhering to the maintenance schedule and reporting vehicle deficiencies without delay.

Only City employees with the appropriate type of valid Texas driver's license may operate a City-owned or City-leased vehicle. Employees may operate City vehicles during normal working hours or shift assignments based upon authorization of their department head for City-related use only. It is the department heads duty to ascertain that an operator assigned to drive a vehicle, even if on a temporary basis, holds a valid driver's license and is in sound condition to operate the vehicle. The employee is required to have his driver's license in his possession at all times while operating a City vehicle. Employees operating City vehicles are not to drive such vehicles outside the Erath County area unless prior authorization is received from their department head.

If you are assigned a City-owned or City-leased vehicle on a regular basis, you have the responsibility of seeing that it is adequately serviced (gas, oil, filters, lubrication, tire pressure and replacement, maintenance for safety, etc.). Items of a repair and replacement nature should normally be carried out by the City's Fleet Service Center; however, in cases where your assigned vehicle cannot be repaired or serviced in a timely manner by Fleet Services due to that departments priorities, you must report the need for repairs or maintenance to your department head who will make arrangements for alternative maintenance or repair service.

If you are on call or are expected to act on behalf of the City during other than normal working hours or shift assignments, you may be assigned the use of a City-owned or City-leased vehicle for take-home purposes. To be eligible to use a City-owned or City-leased vehicle for take-home purposes, an employee must live within Erath County and within ten miles of the city limits. (City vehicles may not be taken home unless an assignment form has been completed and approved by the City Manager.) City-owned or City-leased vehicles taken home may be used only by the employee for City-related business. Members of the employee's family, neighbors or others are not to either drive or be transported in the vehicle unless such actions are related to City work or result from a life-threatening emergency or serious health problem. When an employee assigned the use of a vehicle for take-home purposes knows in advance that s/he will be unable to work or be on call for a period of more than two (2) consecutive days (illness, vacation, travel, etc.), the employee should arrange for the City vehicle to be returned to his/her department during such absence.

Nothing in this policy is intended to prohibit any authorized employee from using a City vehicle as transportation for purposes directly related to the performance of City duties during work assignments or on a call out. Employees are not prohibited from being in a City vehicle while taking reasonable breaks for lunch, coffee, etc. during working hours or in route to work or on a call; however, in no instance should an employee purchase alcoholic beverages or frequent taverns, clubs or other drinking establishments while using a City-owned or City-leased vehicle.

Some supervisory-level employees may be given permission to transport members of their family, other City officials or their families and others for out-of-town travel to functions related to the municipal service such as special hearings, training programs, conventions, seminars, etc. This policy does not prohibit transporting non-City employees such as vendors, consultants, inspectors, official guests, citizens, government officials, prisoners, and persons involved in police investigations or other activities, etc. as a part of routine work assignments or public safety activities.

Failure to comply with the provisions of this policy will result in appropriate disciplinary action.

**SOCIAL MEDIA APPROVAL/AGREEMENT FORM**



**NAME:** \_\_\_\_\_

**POSITION/TITLE:** \_\_\_\_\_

**DEPARTMENT:** \_\_\_\_\_

**NAME OF SOCIAL MEDIA SITE:** \_\_\_\_\_

**APPROVAL OF DEPT. MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_  
*Signature*

City Manager (or designee) Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
*Signature*

I agree to use City-approved Social Media Sites for City business as appropriate and in compliance with this Policy. I understand that I must have approval from my Department Manager and the City Manager to create or participate in a Social Media Site on behalf of the City. I also understand that I am responsible for all postings for all postings made by me on City Social Media Sites, including those made in the comments sections. I further understand that this policy also applies to City-related postings made by me on personal (non-City) Social Media Sites, and I agree to adhere to the guidelines in this policy when so doing.

I acknowledge that all City-approved Social Media Sites are considered to be City property and may be monitored by officials of the City. I understand that employees do not have privacy rights in the use of City Social Media Sites and the postings, data, access to or distribution of such materials is subject to Texas Public Information Act, Federal e-discovery rules, and the City’s records retention schedules.

I agree to abide by all City security policies and procedures before accessing or posting to any Social Media Site. I acknowledge that any abuse of Social Media Sites, including violation of the rules and guidelines set forth in this Policy or in any current or future modified City Personnel Policy can be grounds for disciplinary action, up to and including termination of my employment.

Printed Name \_\_\_\_\_ Date \_\_\_\_\_

Employee Signature \_\_\_\_\_



**Performance Improvement Plan (PIP)**  
**Confidential**

**Employee:**  
**Supervisor:**  
**Department:**  
**Date:**

The purpose of this Performance Improvement Plan (PIP) is to define serious areas of concern, gaps in your work performance, reiterate City of Stephenville expectations, and allow you the opportunity to demonstrate improvement and commitment.

**Areas of Concern:** (List specific areas where the employee failed to meet expectations)

**Observations, Previous Discussions, or Additional Training Provided:** (List any previous times the issues have been addressed, the context, and the outcome of discussions or training)

**Step 1 - Improvement Goals:** These are the goals related to areas of concern to be improved and addressed:

1.	
2.	
3.	

**Appendix E**  
**Form 27**

**Step 2 - Activity Goals:** Listed below are activities that will help you reach each goal:

Goal #	Activity	How to Accomplish	Start Date	Projected Completion Date

**Step 3 - Resources:** Listed below are resources available to you to complete your Improvement activities (may include other people’s time or expertise, management support, training materials and activities, or time away from usual responsibilities.)

1.	
2.	
3.	

**Step 4 - Expectations:** The following performance standards must be accomplished to demonstrate progress towards achievement of each Improvement goal:

1.	
2.	
3.	
4.	
5.	

**Step 5 - Progress Checkpoints:** The following schedule will be used to evaluate your progress in meeting your Improvement activities.

Goal #	Activity	Checkpoint Date	Type of Follow-up (memo/call/meeting)	Progress Expected	Notes

**Follow-up Updates:** You will receive feedback on your progress according to the following schedule:

<b>Date Scheduled</b>	<b>Activity</b>	<b>Conducted By</b>	<b>Completion Date</b>
	30-day Review	[Supervisor]	
	45-day [or 60-day] Review	[Supervisor]	
	60-day [or 90 – Day] Review	[Supervisor]	

**Timeline for Improvement, Consequences & Expectations:**

Effective immediately, you are placed on a \_\_\_30 \_\_\_60 \_\_\_90 day PIP. During this time you will be expected to make regular progress on the plan outlined above. Failure to meet or exceed these expectations, or any display of gross misconduct will result in further corrective action, up to and including termination. In addition, if there is no significant improvement to indicate that the expectations and goals will be met within the time line indicated in this PIP, your employment may be terminated prior to the end of this PIP. Furthermore, failure to maintain performance expectations after the completion of the PIP may result in additional corrective action up to and including termination.

The PIP does not alter the employment-at-will relationship. Additionally, the contents of this PIP are to remain confidential. Should you have questions or concerns regarding the content, you will be expected to follow up directly with your supervisor.

We will meet again on as noted above to discuss your Performance Improvement Plan. Please schedule accordingly.

**Signatures:**

Print Employee Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Print Supervisor Name: \_\_\_\_\_

Supervisor Signature: \_\_\_\_\_

Date: \_\_\_\_\_



# VEHICLE ACCIDENT REPORT



## Vehicle and Equipment Accident/Damages

This form, or an approved alternate form, must be completed for all accidents involving any City vehicle, equipment (any item attached to a City Vehicle) or property damage caused by a City vehicle or equipment. Please report any incident immediately and complete all related sections of this report and provide a copy of Fleet Maintenance within one (1) business day for processing (pictures of the damages will be required at the time of incident)

## Employee Injuries

Supervisors must be notified immediately by the employee and the incident should be reported to Human Resources immediately or within one (1) business day of the incident.

## Note

This form must be signed by the employee involved and the employee's supervisor however, if signatures cannot be obtained within one (1) business day, the form should be forwarded to Fleet Maintenance as soon as possible.

### SECTION A – GENERAL INFORMATION

Employee Name: \_\_\_\_\_ Home Phone #: \_\_\_\_\_

Home Address: \_\_\_\_\_  
*Street Number Street Name City State Zip Country*

Job Title: \_\_\_\_\_ Department: \_\_\_\_\_

Date of Occurrence: \_\_\_\_\_ Time of Occurrence: \_\_\_\_\_ am pm Date reported: \_\_\_\_\_

Address/Location of Occurrence: \_\_\_\_\_

Briefly describe accident and how or why it occurred:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witness' Name (include address if not a city employee):  
\_\_\_\_\_  
\_\_\_\_\_

Was drug test given? Yes No If not, state reason: \_\_\_\_\_

**SECTION B – CITY VEHICLE ACCIDENT OR DAMAGE**

City Vehicle #: \_\_\_\_\_ City Vehicle License #: \_\_\_\_\_  
Was City Vehicle Damaged?  Yes  No  
Make and Model: \_\_\_\_\_ Year: \_\_\_\_\_ VIN#: \_\_\_\_\_  
Was there a Police investigation?  Yes  No If yes, list investigating agency: \_\_\_\_\_  
If yes, report number: \_\_\_\_\_  
Weather Conditions: \_\_\_\_\_ Road Conditions: \_\_\_\_\_  
Description of Damage:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List all passengers in vehicle (*attach additional pages, if necessary*):

Name (First and Last)	Age
_____	_____
_____	_____
_____	_____

**SECTION C – OTHER VEHICLE ACCIDENT OR DAMAGE**

Was other vehicle damaged?  Yes  No  
License Number: \_\_\_\_\_ Year: \_\_\_\_\_ Make and Model: \_\_\_\_\_  
Vehicle Identification Number: \_\_\_\_\_  
Driver's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
                    Street Number                      Street Name                      City                      State                      Zip                      Country  
Phone Number: \_\_\_\_\_  
Insurance Company: \_\_\_\_\_  
Policy Number: \_\_\_\_\_ Insurance Agent's Phone Number: \_\_\_\_\_  
Weather Conditions: \_\_\_\_\_ Road Conditions: \_\_\_\_\_  
Description of Damage:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

List all passengers in vehicle (*attach additional pages, if necessary*):

Name (First and Last)	Age
_____	_____
_____	_____
_____	_____

**SECTION D – DAMAGE TO PROPERTY**

Type of Property Damaged: \_\_\_\_\_ City Owned? Yes No  
Owner's Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_  
Address: \_\_\_\_\_  
*Street Number Street Name City State Zip Country*

Description of Damage: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION E – INJURY TO MEMBER OF THE PUBLIC**

Name of Injured: \_\_\_\_\_  
Address: \_\_\_\_\_  
*Street Number Street Name City State Zip Country*  
Phone Number: \_\_\_\_\_  
Nature of and Part of Body Injured: \_\_\_\_\_  
Ambulance Needed? Yes No Hospital: \_\_\_\_\_ Doctor: \_\_\_\_\_

**SECTION F – PREVENTABLE AND/OR VIOLATION OF POLICY**

Preventable – was the accident preventable? Yes No  
Policy Violation – was a City or Departmental Policy violated? Yes No

**COMMENTS**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SIGNATURES**

Employee Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Employee's Signature: \_\_\_\_\_  
Supervisor's Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Supervisor's Signature: \_\_\_\_\_

**BILINGUAL CERTIFICATION REQUEST  
FOR TESTING AND PAY**



**EMPLOYEE NAME:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**DEPARTMENT:** \_\_\_\_\_

How frequently and in what capacity is this employee's contact with citizens and others speaking this language?

\_\_\_\_\_

How does this employee's language skills assist the department in the performance of duties and/or department's delivery of service?

\_\_\_\_\_

Will the employee be reasonably available to assist other departments with Bilingual language related needs?

Yes  No

\_\_\_\_\_  
Department Director Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Director of Human Resources Signature

\_\_\_\_\_  
Date

**TO BE COMPLETED BY HUMAN RESOURCES:**

Date Test Scheduled: \_\_\_\_\_

Did Employee Pass?  Yes  No

**DIRECT DEPOSIT AUTHORIZATION AGREEMENT**



<b>Social Security Number:</b> _____ - _____ - _____	<b>Employee #</b> _____
<b>Employee Name:</b> _____	

Funds may be deposited into one account or split between several accounts as a set percentage or dollar amount. Please include a voided check, savings account information, or a bank direct deposit agreement – **not a deposit slip** for each new account listed for verification of account and routing number(s). Please note account additions will result in a paper check for funds immediately following the submission of this direct deposit form. **All forms must be submitted to the Human Resource Manager at least three (3) days prior to pay day.**

**New Direct Deposit Form**     **Revised Direct Deposit Form** (list the new amounts or percentages for all accounts)

<b>Account #1</b>	Account Type:	<input type="checkbox"/> Checking	<input type="checkbox"/> Savings
Action:	<input type="checkbox"/> Add <input type="checkbox"/> Change	<input type="checkbox"/> Delete Account	
Bank Name: _____			
Account Number: _____			
Routing/Transit Number: _____			
Deposit Amount:      Dollar Amount \$ _____      Percentage: _____      Entire: _____			

<b>Account #2</b>	Account Type:	<input type="checkbox"/> Checking	<input type="checkbox"/> Savings
Action:	<input type="checkbox"/> Add <input type="checkbox"/> Change	<input type="checkbox"/> Delete Account	
Bank Name: _____			
Account Number: _____			
Routing/Transit Number: _____			
Deposit Amount:      Dollar Amount \$ _____      Percentage: _____      Entire: _____			

<b>Account #3</b>	Account Type:	<input type="checkbox"/> Checking	<input type="checkbox"/> Savings
Action:	<input type="checkbox"/> Add <input type="checkbox"/> Change	<input type="checkbox"/> Delete Account	
Bank Name: _____			
Account Number: _____			
Routing/Transit Number: _____			
Deposit Amount:      Dollar Amount \$ _____      Percentage: _____      Balance: _____			

**ATTACH A VOIDED CHECK OR BANK DEPOSIT AGREEMENT FOR EACH NEW ACCOUNT TO THIS FORM  
-SEE NEXT PAGE-**



## Employee's Report of Injury Form

**Instructions:** Employees shall use this form to report all work related injuries, illnesses, or “near miss” events (which could have caused an injury or illness) – *no matter how minor*. This helps us to identify and correct hazards before they cause serious injuries. This form shall be completed by employees as soon as possible and given to a supervisor for further action.

I am reporting a work related: <input type="checkbox"/> Injury <input type="checkbox"/> Illness <input type="checkbox"/> Near miss	
Your Name:	
Job title:	
Supervisor:	
Have you told your supervisor about this injury/near miss? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Date of injury/near miss:	Time of injury/near miss:
Names of witnesses (if any):	
Where, exactly, did it happen?	
What were you doing at the time?	
Describe step by step what led up to the injury/near miss. (continue on the back if necessary):	
What could have been done to prevent this injury/near miss?	
What parts of your body were injured? If a near miss, how could you have been hurt?	
Did you see a doctor about this injury/illness? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, whom did you see?	Doctor's phone number:
Date:	Time:
Has this part of your body been injured before? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, when?	Supervisor:
Your signature:	Date:

## Supervisor's Accident Investigation Form

Name of Injured Person \_\_\_\_\_

Date of Birth \_\_\_\_\_ Telephone Number \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

(Circle one) Male Female

What part of the body was injured? Describe in detail. \_\_\_\_\_

What was the nature of the injury? Describe in detail. \_\_\_\_\_

Describe fully how the accident happened? What was employee doing prior to the event? What equipment, tools being using? \_\_\_\_\_

Names of all witnesses:

Date of Event \_\_\_\_\_ Time of Event \_\_\_\_\_

Exact location of event: \_\_\_\_\_

What caused the event? \_\_\_\_\_

Were safety regulations in place and used? If not, what was wrong? \_\_\_\_\_

Employee went to doctor/hospital? Doctor's Name \_\_\_\_\_

Hospital Name \_\_\_\_\_

Recommended preventive action to take in the future to prevent reoccurrence.

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Date

Appendix E  
Form 32

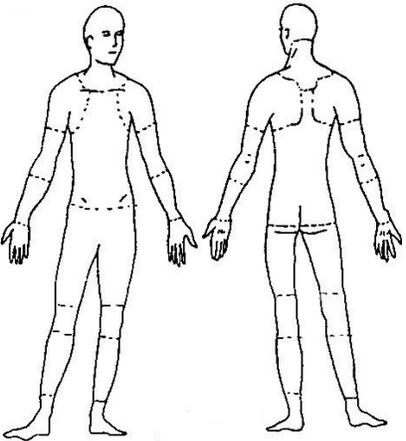
2

# Incident Investigation Report

**Instructions:** Complete this form as soon as possible after an incident that results in serious injury or illness.  
 (Optional: Use to investigate a minor injury or near miss that *could have resulted in a serious injury or illness.*)

This is a report of a: <input type="checkbox"/> Death <input type="checkbox"/> Lost Time <input type="checkbox"/> Dr. Visit Only <input type="checkbox"/> First Aid Only <input type="checkbox"/> Near Miss	
Date of incident:	This report is made by: <input type="checkbox"/> Employee <input type="checkbox"/> Supervisor <input type="checkbox"/> Team <input type="checkbox"/> Other_____

## Step 1: Injured employee (complete this part for each injured employee)

Name:	Sex: D Male D Female	Age:
Department:	Job title at time of incident:	
Part of body affected: (shade all that apply)  <div style="text-align: center;">  </div>	Nature of injury: (most serious one) <input type="checkbox"/> Abrasion, scrapes <input type="checkbox"/> Amputation <input type="checkbox"/> Broken bone <input type="checkbox"/> Bruise <input type="checkbox"/> Burn (heat) <input type="checkbox"/> Burn (chemical) <input type="checkbox"/> Concussion (to the head) <input type="checkbox"/> Crushing Injury  <input type="checkbox"/> Cut, laceration, puncture <input type="checkbox"/> Hernia <input type="checkbox"/> Illness <input type="checkbox"/> Sprain, strain <input type="checkbox"/> Damage to a body system: <input type="checkbox"/> Other _____	This employee works: <input type="checkbox"/> Regular full time <input type="checkbox"/> Regular part time <input type="checkbox"/> Seasonal <input type="checkbox"/> Temporary
		Months with this employer

## Step 2: Describe the incident

Exact location of the incident:	Exact time:
What part of employee's workday? <input type="checkbox"/> Entering or leaving work <input type="checkbox"/> Doing normal work activities <input type="checkbox"/> During meal period <input type="checkbox"/> During break <input type="checkbox"/> Working overtime <input type="checkbox"/> Other_____	
Names of witnesses (if any):	

<b>Number of attachments:</b>	Written witness statements:	Photographs:	Maps / drawings:
What personal protective equipment was being used (if any)?			
Describe, step-by-step the events that led up to the injury. Include names of any machines, parts, objects, tools, materials and other important details.			
Description continued on attached sheets: <input type="checkbox"/>			

<b>Step 3: Why did the incident happen?</b>	
Unsafe workplace conditions: (Check all that apply) <input type="checkbox"/> Inadequate guard <input type="checkbox"/> Unguarded hazard <input type="checkbox"/> Safety device is defective <input type="checkbox"/> Tool or equipment defective <input type="checkbox"/> Workstation layout is hazardous <input type="checkbox"/> Unsafe lighting <input type="checkbox"/> Unsafe ventilation <input type="checkbox"/> Lack of needed personal protective equipment <input type="checkbox"/> Lack of appropriate equipment / tools <input type="checkbox"/> Unsafe clothing <input type="checkbox"/> No training or insufficient training <input type="checkbox"/> Other: _____	Unsafe acts by people: (Check all that apply) <input type="checkbox"/> Operating without permission <input type="checkbox"/> Operating at unsafe speed <input type="checkbox"/> Servicing equipment that has power to it <input type="checkbox"/> Making a safety device inoperative <input type="checkbox"/> Using defective equipment <input type="checkbox"/> Using equipment in an unapproved way <input type="checkbox"/> Unsafe lifting <input type="checkbox"/> Taking an unsafe position or posture <input type="checkbox"/> Distraction, teasing, horseplay <input type="checkbox"/> Failure to wear personal protective equipment <input type="checkbox"/> Failure to use the available equipment / tools <input type="checkbox"/> Other: _____
Why did the unsafe conditions exist?	
Why did the unsafe acts occur?	
Is there a reward (such as “the job can be done more quickly”, or “the product is less likely to be damaged”) that may have encouraged the unsafe conditions or acts? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, describe:	
Were the unsafe acts or conditions reported prior to the incident? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
Have there been similar incidents or near misses prior to this one? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	

**Step 4: How can future incidents be prevented?**

**What changes do you suggest to prevent this incident/near miss from happening again?**

- Stop this activity       Guard the hazard       Train the employee(s)       Train the supervisor(s)
- Redesign task steps       Redesign work station       Write a new policy/rule       Enforce existing policy
- Routinely inspect for the hazard       Personal Protective Equipment       Other: \_\_\_\_\_

What should be (or has been) done to carry out the suggestion(s) checked above?

Description continued on attached sheets:

**Step 5: Who completed and reviewed this form? (Please Print)**

Written by:

Title:

Department:

Date:

Names of investigation team members:

Reviewed by:

Title:

Date:

# PREVENTATIVE ACTION PLAN



The Preventative Action Plus is intended to assist Departments in delivering and assigning specific measures to prevent recurrence of similar accidents. One or more of the following may develop the Plan:

- Immediate supervisor of injured employee
- Other management personnel within the same division
- Operations Manager/Safety Coordinator

The completed Preventive Action Plan must be submitted to Human Resources no later than fifteen (15) days from injury notification.

Review and mark all realistic areas for Preventative Action (by Management) as well as Action (by Worker) to prevent recurrence.

<b>IMPROVE OR MODIFY:</b> <ul style="list-style-type: none"><li><input type="checkbox"/> Work procedures, Safe work place</li><li><input type="checkbox"/> Job hazard analysis</li><li><input type="checkbox"/> Training, orientation</li><li><input type="checkbox"/> Personal protective equipment</li><li><input type="checkbox"/> Tools, equipment, machinery</li><li><input type="checkbox"/> Guarding, safety devices</li><li><input type="checkbox"/> Facilities, lighting, ventilation</li><li><input type="checkbox"/> Maintenance</li><li><input type="checkbox"/> Housekeeping</li><li><input type="checkbox"/> Level of supervision</li><li><input type="checkbox"/> Working conditions-hours</li></ul>	<b>TRAIN OR COUNSEL WORKERS TO:</b> <ul style="list-style-type: none"><li><input type="checkbox"/> Follow established work procedures, Safe practices</li><li><input type="checkbox"/> Follow training program instructions</li><li><input type="checkbox"/> Wear required personal protective equipment</li><li><input type="checkbox"/> Wear required clothing</li><li><input type="checkbox"/> Use guards, safety devices properly</li><li><input type="checkbox"/> Operate tools, equipment, machinery properly</li><li><input type="checkbox"/> Secure, shut off, disconnect systems</li><li><input type="checkbox"/> Stop unauthorized work, activity</li><li><input type="checkbox"/> Stop recklessness, inattentiveness</li><li><input type="checkbox"/> Stop horseplay with others</li><li><input type="checkbox"/> Recognize and report hazards</li><li><input type="checkbox"/> Use better judgment, increase awareness</li></ul>
---	--

Based on the preventative action list above, the Supervisor's investigation of the accident, and any ideas received from Department or Safety personnel develop a specific task that can prevent recurrence of similar accidents in the future. *(Attach sheet if necessary)*

Task #1	Assigned to:	Assignment Date:
_____	_____	_____
Task #2	Assigned to:	Assignment Date:
_____	_____	_____
If no action is planned, state why: _____		

Preventative Action Plan submitted by: \_\_\_\_\_

Title: \_\_\_\_\_ Date Submitted: \_\_\_\_\_

# Introductory New Employee Review Form



Employee's Name: \_\_\_\_\_

Date of Hire: \_\_\_\_\_

Supervisor's Name: \_\_\_\_\_

Date of Evaluation: \_\_\_\_\_

Department: \_\_\_\_\_

1. Employee strengths:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Areas for further development:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Other comments/recommendations:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Supervisor: Please check one*

- Performance during the 45-day introductory period is acceptable.
- Performance during the 45-day introductory period is unacceptable.
- Performance during the 90-day introductory period is acceptable.
- Performance during the 90-day introductory period is unacceptable.
- Performance during the 120-day introductory period is acceptable.
- I recommend that the introductory period be extended (up to 90 days) until \_\_\_\_\_ (Date) to allow for further evaluation for the reasons stated in item 3 above.
- Performance during the 120-day introductory period is unacceptable.

\_\_\_\_\_  
Supervisor's Signature

\_\_\_\_\_  
Date

*Please return this form five (5) days before each review period expiration date to the Human Resource Director*