

# City of Sunset Valley



## Human Resources Policy Manual

Adopted 07-06-2010

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Deleted	03-06-2012	Section 9.11
Amended	03-06-2012	Section 14.12
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Amended	10-20-2020	Section 2 & 18
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Amended	08-01-2023	Sections 3.08, 13.05, 13.08
Amended	04-02-2024	Section 9.15, 14.10
Removed	04-02-2024	Section 14.16, 14.17

## **FORWARD**

This Manual contains the broad human resources policies and procedures for the City of Sunset Valley. It is applicable to all employees. An acknowledgment that this Manual has been read and is understood will become a part of each employee's permanent personnel file. The acknowledgment form attached to this Manual is to be completed and signed by each employee.

This Manual supersedes any existing personnel, vacation, sick leave and/or emergency leave policy approved by the City Council of Sunset Valley. The City Council reserves the right to unilaterally rescind or modify the policies in this manual, or adopt new policies, at any time.

This Manual does not constitute an express or implied employment contract between the City and any City employee.

APPROVED BY THE CITY COUNCIL OF THE CITY OF SUNSET VALLEY ON THE 6TH DAY OF JULY, 2010 WITH AN EFFECTIVE DATE OF JULY 6, 2010.

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Barbara Wilson, Mayor

ATTEST:

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Rae Gene Greenough, City Secretary

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## **SECTION ONE INTRODUCTION**

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### **1.01 THE CITY**

The City of Sunset Valley was incorporated in 1954 as a Type A general law City under the laws of the State of Texas. The City is governed by an elected City Council, consisting of a Mayor and five Council members. In a Mayor-Council form of City government, the Mayor is the chief administrative officer of the governmental body, but does not have a vote on City Council, except in the event of a tie vote. The Council Members are the policy making body of the City. The City Council has been delegated the exclusive authority to adopt employment policies, unless other state and federal laws or regulations otherwise limit such authority. In addition to the City Officers and Staff, there are a number of Commissions, Boards and Committees whose volunteer members are appointed by the City Council.

A current listing of the individuals elected or appointed is maintained by the City Secretary

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### **1.02 OBJECTIVES OF MANUAL**

This Manual is designed to bring to the City service a high degree of understanding, cooperation, efficiency, and unity through systematic, uniform application of modern human resources policies. The policies contained herein inform employees of the benefits and obligations of employment with the City of Sunset Valley. Nothing stated herein shall be construed to create an employment contract between the City and any City employee.

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### **1.03 EQUAL OPPORTUNITY POLICY**

The City is committed to providing equal employment opportunity to all employees and applicants for employment. All personnel transactions are made without regard to race, religion, age, color, national origin, sex, disability or any other unlawful basis. The City will promote and implement this policy in recruiting, hiring, training, evaluating, promoting and terminating employees. The City's ultimate responsibility is to ensure that the work environment is free from discrimination and harassment.



## Goals and Objectives

The City will:

- recruit capable and qualified applicants, ensure that each has an equal opportunity for selection, mindful of the diversity in the City; and
- ensure that in appropriate circumstances, employees will be given an opportunity for training and career advancement programs.

This policy is designed to communicate equal opportunity for the employment of qualified persons who possess the ability to perform essential functions of the position for which they applied.

The City will:

- provide upon request a copy of the Human Resources Policy Manual;
- provide job vacancy notices to current employees by posting them both on the City's Internet and Intranet sites. This ensures that current staff is advised of opportunities to seek advancement;
- include an Equal Employment Opportunity statement in all job vacancy notices and inform new employees of the City's commitment to equal employment opportunity and a harassment free workplace through new hire orientation sessions to be conducted within 30 days of employment. In addition, employees may be required to attend periodic training classes, to ensure that they are fully apprised of requirements and expectations in these areas. Upon completion of training, an employee acknowledgement of training form signed by the employee will be maintained in the appropriate file by the City Administrator or his/her designee.

The City Administrator or his/her designee shall serve as the EEO Officer and advise employees and management on EEO-related issues. The EEO Officer acts as a liaison in resolving disputes. Issues discussed with the EEO Officer will be kept confidential to the extent allowable by law, and to the extent limited disclosure is not necessary to investigate any allegation of unlawful conduct or conduct in violation of the City's policies.

Employees who have concerns and want to discuss them with the EEO Officer are encouraged to do so. Employees are not required to discuss concerns with their supervisors; however, employees are encouraged to work within their chain of command to resolve work-related issues. The EEO Officer will monitor any substantiated complaints to ensure the situation has been remedied.

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### 1.04

#### APPLICABILITY AND SCOPE

The policies set forth herein apply to all City employees unless specifically exempted by state law, federal law or official City Council action. A person on retainer or under contract is not considered to be a City employee in the absence of a specific agreement to that effect. In cases where federal or state law or regulations supersede local policy for specific groups of employees, such laws or regulations will substitute for these human resources policies only insofar as necessary. The City

reserves the right to modify or deviate from the application of the policies set forth herein in individual cases when the City Council determines same is appropriate and in the best interest of the City. In addition, the Mayor is authorized to permit a deviation from any policy as reasonably necessary in the interest of the public safety and the integrity of the City's operations. In such a case, the matter from which a deviation is authorized shall be presented to the City Council at the next City Council meeting at which it would be lawful to consider the matter.

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## **1.05**

### **DISSEMINATION OF HUMAN RESOURCES POLICY MANUAL**

All City employees shall be given a copy of this Manual, and shall execute an acknowledgment that the Manual has been read and is understood. The acknowledgment will become a part of each employee's personnel file. Whenever this Manual is amended or revised, each employee should be notified in writing and may be required to execute an acknowledgment that he or she has reviewed the amendment or revision, and has read and understood same. Each Department shall also keep a copy available for reference by its employees.

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## **1.06**

### **ADMINISTRATIVE AUTHORITY**

With the exception of matters specifically reserved to the City Council by law, ordinance or this Manual, the general and final authority for City administrative and human resources management rests with the Mayor, as the Chief Executive Officer of the City. The Mayor and City Council may appoint a City Administrator. The City Administrator, if one is appointed, is the supervisor of all Department Heads.

The City Administrator shall administer and interpret personnel policies and procedures as they apply to all Departments and employees. This authority may be delegated as necessary and proper. The Mayor and City Council have the authority for final review and approval of all actions on matters not specifically delegated to the City Administrator. The City Council has the final authority to hire and dismiss the City Administrator and to hire and dismiss Department Heads. Except for: any officer appointed by the City Council who is also an employee of the City; and as otherwise provided in this Manual, the City Administrator shall have the authority to hire and dismiss employees of the City upon recommendation from the applicable Department Head not less than twenty four hours after notifying the Mayor of such proposed action. The City Administrator may not terminate the employment of an employee if instructed not to do so by the Mayor. The City Administrator's authority to hire employees shall be subject to the creation and funding of the affected position by the City Council.

Each Department Head, under the supervision of the City Administrator, is responsible within the scope of his or her authority for enforcing the provisions of these rules and related policies and procedures in regard to matters involving his or her Department. Department Heads may prepare and enforce supplemental written human resources policies not inconsistent with these policies for the administration of human resources matters within their respective Department, subject to the prior approval of the City Administrator.

The Chief of Police shall develop written policies, rules and guidelines for Police Department personnel, which shall be approved by the Mayor and City Council. The provisions of the Police Policy Manual shall, to the extent possible, be consistent with the provisions of this Manual. In case of conflict, the provisions of this City of Sunset Valley Human Resources Policy Manual shall control. The Police Chief is responsible for enforcing the provisions of the Police Policy Manual. An Organizational Chart showing authorized Department Heads and staff supervision responsibility is included as Appendix "B" to this Manual, which may be revised from time to time. A current listing of the personnel serving in each position is maintained by the City Administrator or his/her designee.

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### **1.07 REVISION**

The City Council reserves the right to unilaterally modify or rescind the policies in this Manual at any time by formal action taken at a regular or called meeting.

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### **1.08 AT-WILL STATEMENT**

Each employee of the City is an "at-will" employee who can terminate employment with the City, or be terminated by the City, at any time and for any or no reason. Nothing set forth in this Manual is intended to or shall be deemed to create a contract between the City and the employee, or to create any contractual rights relating to employment. The provisions of this Manual control over any contradictory statements made by any supervisors. Any statements, representations, promises, or assurances concerning the terms, conditions or duration of an individual's employment are not binding unless they are in writing and signed by the City Administrator and authorized by the Mayor, are consistent with the budget and other applicable actions of the City Council, and, to the extent that any such representation or promise has the effect of altering the employee's employee-at-will status, subject to City Council approval.

Any salary figures provided to an employee in annual or monthly terms are provided in that form for convenience or to facilitate comparisons. At no time does such action guarantee employment for any period of time.

The City reserves the right to conduct post employment background checks, annually or as deemed necessary, as a condition of employment. Staff members are strongly encouraged to inform their supervisors of any arrest or criminal conviction, excluding minor traffic offenses, which would impact their background check or an evaluation of their driving record, if applicable to the employee's job duties. Unless relevant to current or prospective job duties, a person's criminal background may not constitute an automatic disqualification from employment or continuance of employment.

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**1.09**  
**EFFECTIVE DATE**

This Manual was adopted on \_\_\_\_\_. It supersedes any existing vacation, sick leave, emergency leave or other personnel policy or Personnel Manual provision previously approved by the City Council.

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## **SECTION TWO EMPLOYEE RESPONSIBILITIES**

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### **2.01 GENERAL**

The City of Sunset Valley is a public tax-supported entity. It is a service agency to its citizens and the general public. City offices should have a friendly, yet dignified and efficient atmosphere. City employees must adhere to high standards of public service that emphasize professionalism, courtesy and the avoidance of illegal or unethical conduct or any appearance of illegal or unethical conduct. Employees are expected to carry out their jobs efficiently, to maintain good moral conduct, and to do their part in maintaining good relationships with the public, other government employees and officials, supervisors and with fellow employees.

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### **2.02 VIOLATION OF RULES, REGULATIONS AND POLICIES**

The violation by any employee of any rule, regulation and/or policy set forth in this Manual may result in the imposition of appropriate disciplinary action, up to and including termination. Additionally, this Manual sets forth minimum requirements for the standards of conduct applicable to all City employees. The requirements set forth herein are not all-inclusive. The absence of any specific rule governing any act discrediting an employee or the City does not mean that the act is condoned, is permissible, or would not call for disciplinary action including termination when necessary.

If an employee reasonably believes that an instruction, directive, request or other communication given to him/her by an elected official or supervisor is contrary to or inconsistent with any existing Federal or State law, rule or regulations, or any City ordinance, code, action of Council, or adopted policy, the employee shall inform the City Administrator of all relevant facts regarding the matter in writing as soon as possible. If the matter involves an instruction, directive, request or other communication by a supervisor, other than the City Administrator, and is not resolved by the City Administrator, then the employee shall follow the formal Grievance Procedure set forth in section 18.03 of this policy. If the matter involves an instruction, directive, request or other communication by an elected official and is not resolved by the City Administrator, the City Administrator shall provide the directing elected official with a copy of the applicable law, rule or regulation or City ordinance, code, action or adopted policy and any other information necessary to evaluate the situation. If the directing elected official believes that the instruction, directive, request or communication is not contrary to or inconsistent with applicable law, regulations or policies the matter may be referred by the City Administrator to the City Attorney for review and recommendation. If the matter is not resolved after the City Attorney's review and recommendation, then the City Council will have the authority to make the final decision in the resolution of the matter. If the matter involves an instruction, directive, request or other communication by the City Administrator, the employee shall inform the Mayor of all relevant facts

regarding the matter in writing as soon as possible. If the matter is not resolved by the Mayor, the Mayor may refer to the matter to the City Attorney for review and recommendation. If the matter is not resolved after the City Attorney's review and recommendation, then the City Council shall have the authority to make the final decision in the resolution of the matter.

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**2.03**  
**ATTENDANCE**

Employees are to be punctual in maintaining work hours, keeping appointments and meeting schedules for completion of work. An employee who expects to be absent from work at any time during working hours must report the expected absence to his or her Department Head before the time set for beginning work. Department Heads are to report to the City Administrator. The City Administrator is to report to the Mayor.

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**2.04**  
**OUTSIDE EMPLOYMENT**

The City wants employees to have the opportunity to engage in outside employment or other business and civic activities that pose no conflict, as relates to ethics, scheduling routine and non-routine or any other job-related requirements. All outside employment, including self employment, must receive the prior written approval of the Department Head and the City Administrator, and shall not be approved where such employment would adversely affect or be incompatible or conflict with the employee's performance in the City service, or would create an appearance of unfair or improper influence or access to decision makers of the City. Any outside employment of a Department Head or the City Administrator must be reviewed and approved by the Mayor.

The following guidelines with respect to outside employment shall apply:

A full-time, regular employee must consider his or her job with the City as the primary job.

An employee shall not engage in any outside employment or self-employment that is in competition with the City or that would result in an actual or potential conflict of interest with the City.

Permission will not be granted for an employee to do work for a resident of Sunset Valley in a capacity that is determined by the Department Head that could cause a conflict with the employee's position or responsibilities with the City.

If the work standards or performance of an employee of the City suffer and it is determined to be caused by outside employment, approval of work at the outside job may be rescinded, or the employee may be subject to discharge. The City will not pay medical benefits for injuries or illnesses suffered as a result of outside employment. The City employee will notify his or her Department Head immediately upon any change in outside employment status or condition.

Employees shall not accept any employment or compensation that could influence their judgment or hinder their independence of judgment in the performance of their official duties.

Employees shall not accept other employment that could require or cause them to reveal confidential information acquired through their official positions.

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## **2.05 GIFTS**

Employees shall not solicit or accept personal gifts or anything of value or benefit from any contractor, vendor, or other person who has business dealings with the City. Nor shall any employee accept anything of value or benefit, except compensation paid by the City, for services performed as part of his or her employment with the City.

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## **2.06 CONFLICT OF INTEREST/ETHICS POLICY**

This Ethics Policy is not intended to supersede any existing Texas law or regulation, but rather embodies principles contained in existing statutes applicable to public employees.

### **General Conduct**

The City has established standards of General Conduct for all employees. This synopsis lists minimum requirements that are not to be considered all-inclusive. All employees are responsible for awareness of the standards of General Conduct and their obligations.

- Employees shall always treat members of the public and fellow employees with dignity and respect.
- Employees shall avoid any action that may result in or give the appearance of using their positions as public servants attempting to seek private gain.
- Employees shall avoid any action that may adversely affect the public's confidence in government.
- Employees shall not participate in gambling, betting, or lotteries on City property or using City equipment.
- Employees shall not provide false statements or false information in any area of official duty to fellow employees or to the general public.
- Employees shall submit truthful and complete reports.

Violation of any of the foregoing may subject an employee to disciplinary action, up to termination of employment. The foregoing list is not an exhaustive list of proscribed activities.

### **Participation in Financial Activities**

- Employees shall not have any interest or engage in any financial activity or employment that conflicts, or appears to conflict, with the performance of their duties for the City.



- Employees shall not be involved in financial interests with employees under their supervision. Minor short term loans, e.g. for lunch, among employees are not proscribed.
- Employees shall not engage in financial or professional activities that could require or cause them to reveal confidential information acquired through their official positions.
- Employees shall not make personal investments that create conflicts between their personal interests and the performance of their duties for the City.
- Employees are not permitted to solicit others within the City, while on City time, for an outside business which results in personal gain for those employees.
- Employees may not engage in any private for-profit business while performing duties for the City.

### **Exceptions**

- Employees may accept a gift or benefit from a person who has been a personal friend of the employee prior to employment with the City, and with whom the employee has an established relationship that includes the exchange of gifts or benefits in appropriate social circumstances.
- Employees may accept a gift or benefit from a professional or business relationship offered to the employee as a consumer, (e.g., an insurance agent accountant, etc.), independent of the official status of the recipient as a public servant so long as it is not intended to influence official action as a public servant.
- Employees who receive small amounts of unsolicited perishable foods or plants delivered by a donor may accept those on behalf of the City.
- Employees may accept items dispersed for ordinary advertising and public relations purposes, which are made available to attract employees as customers rather than in regard to their status as employees of the City.
- Employees must use their judgment, but should refuse gifts if they believe it may create an appearance of impropriety or call into question the integrity of the work of the City.
- Ownership of stock or other interest in a publicly traded entity shall not constitute a proscribed interest.

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## **2.07 POLITICAL ACTIVITY**

Employees of the City are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal laws and these policies. An employee may not, however:

1. publicly use his or her position with the City to interfere with or affect the result of an election or nomination for municipal office;

2. solicit or receive any contribution to the campaign funds of any candidate for the City Council: (i) during working hours, (ii) on City owned or controlled property; or (iii) while wearing any uniform or insignia issued by the City in connection with the employee's work; nor shall an employee take any part in the management of the political campaign of any such candidate; provided however, that nothing herein shall infringe the constitutional rights of such officer or employee to express his or her opinions and to cast his or her vote;
3. use working hours or City property to participate in the political campaign of any person for any elective position or for any other political purpose. The term "participate" means, without limitation, making political speeches, soliciting personally or by telephone, distributing political literature or writing or handling letters related to a political campaign or activity; or
4. be required to contribute to any political fund or render any political service to any person or party.

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## **2.08**

### **RESIGNATION UPON ANNOUNCING CANDIDACY FOR OFFICE**

Any employee who is elected to a City office will resign from City employment upon his or her election. Failure to so resign will result in the immediate dismissal of the employee.

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## **2.09**

### **SOLICITATION**

Solicitation of funds or anything of value for any purpose campaign shall be permitted of or by City employees on the job only if it does not conflict or interfere with the employee's or any other employee's normal work duties.

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## **2.10**

### **TELEPHONE USAGE**

City telephones are for conducting necessary City business. Long distance calls for official City business may be necessary from time to time and may be made from any City telephone. Employees shall not use City long distance for personal reasons unless an emergency and authorized by the appropriate department supervisor. Employees should refrain from excessive personal calls while working.

All supervisory service personnel must maintain a telephone number at which they can be reached during off-duty hours. All employees shall at all times provide their current home telephone and cell phone number and address to their supervisor and shall inform their supervisor of any change of address or telephone number within 24 hours after such change as become effective.

All employees are required to return any call from or a message left by a supervisor within 30 minutes of receiving the phone call or message. Some exemptions may apply, but exemptions shall be approved by the City Administrator. Accessibility for communication purposes is necessary so that employee availability may be determined and/or emergency work may be arranged.

The City Administrator shall establish guidelines for the use of the city-owned and use of employee-owned mobile telephones for City business. Funding for any mobile telephones and allowances is subject to annual budget approval by the City Council. (approved 1-6-10 revised 1-8-2013)

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## **2.11**

### **OFFICE HOURS (Between 8:00 a.m. and 5:00 p.m.)**

Office hours in the City are set to serve the public. This includes the noon hour each working day when at least one person in City Hall will be on duty to accept calls, receive visitors and conduct business.

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## **2.12**

### **PHYSICAL FITNESS**

It shall be the responsibility of each employee to maintain the standards of physical and mental fitness required for performing his or her job. The Department Head may require an employee to submit to an examination by an appropriate health care provider when it reasonably appears that the physical or mental condition of the employee may prohibit him or her from adequately performing the essential functions of the job or may constitute a hazard to persons or property, and such examination is job-related, consistent with business necessity, and authorized by applicable law, including but not limited to the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq. ("ADA"). In such circumstances the employee may be required, as a condition of continued employment, to authorize the appropriate health care provider to disclose the results of the examination to the appropriate City officials, in conformance with the ADA and all other applicable law. The employee shall be granted administrative leave for the time required for such an examination, which shall be conducted without expense to the employee and shall be for the purpose of determining his or her condition relative to the essential functions of the job. The Department Head, with the approval of the City Administrator, shall determine on the basis of the health care provider's report the appropriate personnel action to be taken in connection with the employee, including any reasonable accommodation requested and/or required by applicable law.

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## **2.13**

### **PERSONAL APPEARANCE**

All employees, regardless of work location and degree of public contact, are expected to maintain a neat and clean personal appearance at all times to promote a favorable impression with the public. Department Heads will insure that all employees are dressed in such manner that employee safety is not jeopardized.

Clothing and jewelry that are distracting to others and that present a safety hazard should not be worn.

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## 2.14

### **RELATIONSHIP WITH THE COUNCIL**

Employees shall be respectful, courteous and cooperative with the Mayor and City Council members.

**Conflicting Instructions:** If any staff member receives an instruction, request or other communication from the Mayor or a Council Member that the staff member reasonably believes to be inconsistent or in conflict with an instruction, request, or other communication received from another elected official, e.g. the Mayor or another Council Member, the member of staff shall promptly inform, by e-mail or in writing, the City Administrator and each of the elected officials who have given an instruction, request or other communication regarding the matter. If the City Administrator does not receive a communication from each of the involved elected officials indicating that the matter has been resolved within seven (7) days of the date of the e-mail, the matter, along with all e-mails or written communications concerning the issue, shall be put on the agenda for the next regularly scheduled Council meeting for consideration and appropriate action. If an employee follows the above procedure for conflicting instructions, the employee shall not be accused of or formally reprimanded as being disrespectful, discourteous, or uncooperative with the Mayor and/or City Council Members.

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## 2.15

### **RELATIONSHIP WITH FELLOW EMPLOYEES**

Employees shall at all times treat one another in a cooperative, courteous and professional manner. Malicious gossip or false accusations are prohibited. Jokes or comments that might be offensive to any religious, racial, ethnic or sexual group are also prohibited.

There shall be no discourteous, abusive, disorderly or disruptive conduct during working hours or on work premises. No employee shall allow his or her personal relationship with another employee to interfere with the performance of the employee's job responsibilities and professional conduct.

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## 2.16

### **SEXUAL AND OTHER UNLAWFUL HARASSMENT**

The City does not tolerate any form of sexual or other unlawful harassment of an employee by another employee, Department Head, City Administrator, Mayor, Council member, or by any outside person, for any reason.

#### **Sexual Harassment**

Sexual harassment is a form of sex discrimination which is a violation of Title VII of the Civil Rights Act of 1964, the Civil Rights Act of 1991, and the Equal Opportunity Guidelines on Sexual Harassment.

Harassment of a sexual nature will subject the individual harasser to immediate disciplinary action up to and including termination.

Following is information on recognizing sexual harassment:

Sexual harassment exists whenever there are unwelcome advances, requests for sexual favors, or any other verbal or physical conduct of a sexual nature when:

- submission to the conduct is made either implicitly or explicitly a condition of the employee's employment;
- submission to the conduct is used as the basis for an employment decision affecting the employee;
- the harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creates an environment which is intimidating, hostile, or offensive to the employee.

Illegal employment discrimination based on sex occurs when the sexual conduct is of a verbal or physical nature:

- results in the employee losing tangible benefits;
- interferes with the employee's ability to perform the job; or
- creates a hostile or intimidating work environment for the employee.

For example, sexually oriented jokes, remarks, gestures, or pictures may be offensive to other employees, and thus should not be made or shown.

### **Other Harassment**

Similarly, harassment based on age, race, color, national origin, religion, disability, or any other unlawful basis will subject the individual harasser to immediate disciplinary action up to and including termination.

Harassment on such an unlawful basis that has the effect of unreasonably interfering with the employee's work performance or creates an environment which is intimidating, hostile, or offensive to the employee.

### **Employee Responsibilities**

Any employee who believes that he or she has been subjected by anyone to prohibited harassment in connection with the employee's work or workplace is urged to contact his or her immediate supervisor or the Department Head so that corrective and preventative actions can be taken promptly. An employee who makes a complaint or participates in the investigation of a complaint will not be subjected to retaliation for providing information to the appropriate supervisor.

All City employees must immediately report acts of suspected harassment to their supervisor or the Department Head. Supervisors and or Department Heads who receive a complaint from an employee should report it immediately to the City Administrator. The City Administrator may refer the matter to the City's legal counsel to investigate and resolve the complaint.

Employees, supervisors, or managers who engage in prohibited harassment are subject to immediate disciplinary action up to and including termination. Any prohibited harassment by an

appointed or elected official shall be remedied as appropriate. Except as otherwise provided below with respect to harassment by higher level agents of the City, all complaints of prohibited harassment must be reported to the supervisor or Department Head. Supervisors or Department Heads who do not follow proper procedures in reporting prohibited harassment complaints to the City Administrator or who interfere in the investigation of those complaints are subject to immediate disciplinary action up to and including termination.

In the event that the employee's supervisor and/or Department Head are alleged to have engaged in prohibited harassment, the employee should report such harassment to the City Administrator. If the City Administrator is the alleged harasser, a report of harassment should be made to the Mayor, and if the Mayor is the alleged harasser, a report of harassment should be directed to any member of the City Council not alleged to have engaged in such harassment.

All prohibited harassment complaints will be investigated, as appropriate. Information regarding the complaint and investigation will be shared only on a need-to-know basis, and as reasonably necessary to investigate the allegations.

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## **2.17**

### **DRUG FREE WORKPLACE**

Alcohol and/or drug abuse can significantly affect the safety of the public and City employees, impair the integrity of City services, decrease employee productivity and effectiveness, and violate state and federal laws. It is the policy and intent of the City to maintain a drug-free workplace. Employees are expected to report to work on time and in appropriate mental and physical condition for work. Employees are not to report to or remain at work under the influence of intoxicants. For purposes of this policy, intoxicants include abused inhalants such as glue or paint thinner, alcoholic beverages, and any drug which is not legally obtainable or which is legally obtainable but has not been legally obtained. Examples include, without limitation, marijuana, cocaine, prescription drugs not legally obtained and prescription drugs not used for their prescribed purposes.

Employees shall not consume, use, possess, purchase, sell, transfer or manufacture intoxicants at any time during working hours, on City property, while performing City business either within or outside the corporate limits of the City, or in any City vehicle. Violations of this policy may have legal consequences in addition to the imposition of disciplinary action by the City.

The City of Sunset Valley recognizes that intoxicant dependence is an illness and a major health problem. The City also recognizes drug abuse as a potential health, safety, and security problem. The City encourages employees who need help in dealing with such problems to use the health insurance plan as appropriate, and to the extent that coverage for treatment is provided. Conscientious efforts to seek such help will not be used as a basis for disciplinary action. Once an employee is found to have violated this policy, however, his or her offer to seek rehabilitation on a voluntary basis will not necessarily limit disciplinary action.

Employees must report any arrest, complaint, indictment and any resulting conviction of any offense under a criminal drug statute occurring on or off City premises while conducting City business within three (3) business days thereafter.

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## **2.18**

### **PERSONAL TIME OFF**

Employees will refrain from attending to or conducting personal business during regular working hours and will use accrued vacation leave and, if available, flexible scheduling with the approval of a Department Head to take care of any personal business that may arise during regular working hours.

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## **2.19**

### **ELECTRONIC MAIL POLICY**

This policy describes City's guidelines with regard to access to and disclosure of electronic mail messages sent or received by City employees with use of external or internal e-mail systems.

The City respects the individual privacy of its employees. However, employee privacy does not extend to the employee's work-related conduct or to the use of City provided equipment or supplies. The following guidelines affect employee privacy in the workplace.

#### **Management's Right to Access Information**

The electronic mail system has been installed by the City to facilitate business communications. Although each employee has an individual password to access this system, stored e-mail messages belong to the City and the contents of e-mail communications are accessible at all times by City management for any business purpose. The electronic mail system may be subject to periodic unannounced inspections and should be treated like other shared filing systems. All system passwords and encryption keys must be available to City management, and employees may not use passwords that are unknown or install encryption programs without turning over encryption keys to the City Administrator or his/her designee. All e-mail messages are the City's records. The contents of e-mail, properly obtained for legitimate business purposes, may be disclosed within the City without your permission. Therefore, you should not assume that messages are confidential. Back-up copies of e-mail may be maintained and referenced for business and legal reasons.

#### **Personal Use of E-Mail**

Because the City provides the electronic mail system to assist employees in job performance, employees should use it for official City business. Examples of permitted official business uses of the City e-mail system include, but are not limited to, the following:

- Research/Education related to City business, communication with professional associations and other governmental entities, universities, businesses and/or individuals associated with the facilitation of City business.
- Filing of reports relating to various areas of City operations that are required or permitted by state and federal agencies.
- Distribution of information to the general public under City guidelines and policies for the release of information pursuant to the Texas Public Information Act and other applicable laws.

- Communication among City employees and professional colleagues facilitating work assignments and professional discussion in a work-related field of knowledge.
- Purchasing, communicating with vendors and suppliers, and receiving quotes and obtaining specifications for equipment/material.
- Registration for conferences, schools, and seminars.
- Making arrangements (airline, hotel, etc.) for travel on City business.
- Researching/obtaining news reports from newspapers, publications, and other media sources.
- Receipt of newsletters, bulletins, reports, etc. from professional organizations.
- Announcements of personnel vacancies.
- Any other use that is related to City's business that is not prohibited by copyright or any other provision of this policy, or any other City policy or state or federal law.

Incidental and occasional personal use of e-mail is permitted by the City, but these messages will be treated the same as other messages. The City reserves the right to access and disclose as necessary all messages sent over its e-mail system, without regard to content. Because personal messages can be assessed by the City management without prior notice, employees should not use e-mail to transmit any messages employees would not want read by a third party. For example, employees should not use the City e-mail for gossip, including personal information about themselves or others, for forwarding messages under circumstances likely to embarrass the sender, or for emotional responses to business correspondence or work situations. In any event, employees should not use the systems for such purposes as soliciting or proselytizing for commercial ventures, religious, political, or personal causes or outside organizations or other similar, non-job-related solicitations. Any attempt to obstruct other employees' work by consuming gratuitously large amounts of system resources or by deliberately crashing any the City computer system is prohibited. If the City discovers that you are misusing the e-mail system, you will be subject to disciplinary action up to and including termination.

**Forbidden Content of E-Mail Communications.** Employees may not use the City's e-mail system in any way that may be seen as insulting, disruptive, or offensive by other persons, or harmful to morale. Examples of forbidden transmission include sexually-explicit messages, cartoons, or jokes; unwelcome propositions or love letters; ethnic or racial slurs; or any other message that can be construed to be harassment or disparagement of others based on their sex, race, sexual orientation, age, national origin, or religious or political beliefs. Sending anonymous e-mail, encrypted messages, or chain letters is prohibited. Use of the City provided e-mail systems in violation of this guideline will result in disciplinary action up to and including termination.

**Virus Protection.** Employees shall leave all virus protection software enabled at all times. Anti-virus software is to be kept current by ensuring that updated revisions are downloaded at such intervals as are recommended by the vendor. It should be noted that virus detection software will detect viruses, but will not automatically eliminate them. Therefore, employees must follow the prompts from the virus protection software.



E-mails that do not clearly identify the sender are not to be opened. E-mails from senders that you do not recognize are not to be opened. E-mail attachments that are executed files, with an .EXE or .COM extension, are not to be opened without first scanning them with a virus checker and confirming their legitimacy.

**Password and Encryption Key Security and Integrity.** Employees are prohibited from the unauthorized use of the passwords and encryption keys of other employees to gain access to the other employee's e-mail messages.

**Code of Conduct.** Other than in those cases where management exercises its right to access information, reading another employee's e-mail without their permission constitutes a violation of the City Human Resources Policy Manual and will result in disciplinary action.

**Litigation, Public Information, and Records Retention.** In litigation or in response to a citizen public information request e-mail may be properly disclosed to persons not associated with the City. Employees should draft all e-mails with the knowledge that the contents of all communications eventually could be read by third parties, including third parties who may be adverse to the City. Employees should remember that deleting a message (even deleting it out of the recycle bin) does not necessarily prevent a third party from retrieving the message, if the third party is willing to pay for the cost of hiring a specialist to retrieve the data from the file server.

Because e-mail involving the transaction of City business is subject to the City's records retention policy, all e-mail messages which include information described in the policy should be printed so that they may be maintained in paper or hard copy form as governed by the City's records retention policy for the applicable minimum retention period, except for those e-mail messages that include information that must be saved only as long as it is "administratively valuable." These types of e-mail messages are described as "routine." Routine e-mail messages containing information that must be retained only as long as it is administratively valuable are to be deleted within one week of their receipt or transmission by a City employee.

If you are uncertain whether any electronic information ought to be preserved pursuant to the City's record retention policy or other applicable law, discuss the situation with your supervisor prior to deleting any communication. In the case of litigation or any administrative investigation, ALL communications may need to be preserved. You will be advised when you should take additional steps to preserve communications, whether generally or as to particular subjects.

**Disclaimer.** All e-mail containing information on City business should include the following disclaimer:

This message may contain information that will subject this message to disclosure under public information statutes. In the alternative, this message may contain information that is confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail and delete the message.

ALL EMPLOYEES ARE REQUIRED TO CONSENT TO DISCLOSURE TO AGENTS OF THE CITY ALL COMMUNICATIONS GENERATED, SENT, OR RECEIVED BY EMPLOYEES ON EQUIPMENT OWNED BY THE CITY. BY YOUR SIGNATURE ACKNOWLEDGING RECEIPT OF THIS MANUAL, YOU CONSENT TO THE DISCLOSURE AND REVIEW OF ALL COMMUNICATIONS GENERATED, SENT OR RECEIVED BY OR TO YOU AND STORED ON EQUIPMENT BELONGING TO THE CITY. STORED INFORMATION MAY INCLUDE INFORMATION THAT HAS BEEN DELETED FROM ACTIVE ELECTRONIC FILES.

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## 2.20

### INTERNET ACCESS POLICY

#### Internet Access Policy

This policy describes City guidelines concerning access to and review and/or investigation of use of the internet on City-owned equipment.

**Management's Right to Access Information.** The City of Sunset Valley provides the use of computers and access to the internet to certain employees for use in the course of their work for the City. The City also makes available to the public a computer with internet access that is accessible to City employees. Incidental personal use of the internet for e-mail, provided such use is not habitual and does not interfere with an employee's performance of his or her duties may be allowed. However, all employees should be aware that his or her use of City-owned computer equipment is subject to monitoring, and that all communications on City-owned equipment may be deemed public information subject to disclosure to the public. Care should be used at all times in all communications on City-owned equipment, and nothing should be communicated that is inappropriate, in violation of any applicable law, or that would tend to bring discredit to the operations of the City.

**Condition of Employment.** As a condition of employment with the City, each employee is required to consent to a review and/or investigation of his or her use of the Internet on City-owned equipment, and all communications sent or received via City-owned equipment.

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ALL EMPLOYEES ARE REQUIRED TO CONSENT TO DISCLOSURE TO AND REVIEW BY AGENTS OF THE CITY OF USE OF ELECTRONIC COMMUNICATIONS EFFECTED THROUGH EQUIPMENT OWNED BY THE CITY, INCLUDING BUT NOT LIMITED TO THE HISTORY OF WEBSITES ACCESSED. BY YOUR SIGNATURE ACKNOWLEDGING RECEIPT OF THIS MANUAL, YOU CONSENT TO THE DISCLOSURE AND REVIEW OF ALL INTERNET WEBSITES ACCESSED AND COMMUNICATIONS GENERATED, SENT OR RECEIVED BY OR TO YOU AND STORED ON EQUIPMENT BELONGING TO THE CITY.

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## 2.21

### **FRAUD POLICY**

#### **Policy**

It is incumbent upon each employee to report any suspected fraud within the City to the City Administrator. The City Administrator is required to report any findings of fraud to the Mayor and City Council.

Supervisors are responsible for prevention and detection of fraud in their areas of responsibility. Accordingly, all supervisors should familiarize themselves with the types of fraud that may occur at the City.

#### **Scope of Policy**

This policy applies to all employees, as well as any persons with whom employees interact while performing job responsibilities. Application of this policy is unaffected by an employee's length of service, position or title.

#### **Actions Constituting Fraud**

As used in this policy, "fraud" is defined to include:

- forgery or alteration of any document or account belonging to this City, a vendor or contractor of the City;
- forgery or alteration of a check, bank draft or any other financial document connected with this City, a vendor or contractor of the City;
- misappropriation of funds, securities, supplies or other City assets;
- impropriety in the handling or reporting of money or financial transactions;
- profiteering as a result of insider knowledge of securities, contracts or City regulatory change activities;
- disclosing confidential information about the activities of the City or proprietary information received from vendors, contractors, or bidders that may provide an advantage in a contract, bid or in the industry marketplace;
- accepting or seeking anything of material value from vendors or contractors, their representatives or employees;
- intentional destruction or disappearance of records, furniture, fixtures, equipment, computers or computer components; or
- any other dishonest or fraudulent act that occurs during the conduct of City business or in an employee's official duties.

## **Non-Fraudulent Irregularities**

If an employee observes an activity, other than fraud, that has the appearance of personal improprieties or irregularities whether moral, ethical, or behavioral, the employee must report the incident to the employee's supervisor, City Administrator or the Mayor as soon as possible.

If there is any question as to whether an action constitutes fraud, contact the City Administrator or Mayor for guidance.

## **Investigative Responsibilities**

The City Administrator has the primary responsibility for the investigation of allegations of fraudulent activities. Upon completion of an investigation of alleged fraudulent activities, the City Administrator shall report the matter to the Mayor and City Council. The City Administrator may consult with the City Attorney regarding the investigation.

The City Administrator or his/her designee has the authority to gain access to all City premises, whether owned or rented, and to examine, copy and/or remove any portion of the contents of files (including electronic files), desks, cabinets, and other storage facilities or devices on the City premises without the prior consent of any individual who may use or have custody of such items, facilities or devices. Employees shall have no reasonable basis for an expectation of privacy in the employee's desk, storage facilities or any other devices or facilities on premises owned or controlled by the City. The City's authority to examine and remove does not extend beyond the City's owned or rented premises. City access to personal vehicles parked on City-controlled property may not be searched, except pursuant to applicable law in connection with any suspected criminal activity.

If the City Administrator has reasonable cause to believe that fraudulent or unlawful conduct has occurred, the City Administrator shall report the alleged fraudulent activity and the reason and basis for the belief to the Mayor and City Council.

The Mayor, in consultation with the City Council and City Attorney, will determine whether to refer a matter to appropriate law enforcement or regulatory agencies.

## **Reporting Procedures**

Any employee who suspects fraudulent activity should contact the City Administrator immediately, or if the City Administrator is suspected of such activity, report should be made to the Mayor. If the Mayor is suspected of such activity, report should be made to any City Council member not suspected of such activity. The reporting individual is required to observe the following restrictions:

Do not contact the suspected person in an effort to determine facts, demand restitution, or otherwise confront the individual.

Do not discuss the case, the facts, suspicions or allegations with anyone other than the City Administrator, Mayor, or City Council member who received the report and the person investigating the report, as applicable.

Information reported to the City Administrator, Mayor or City Council Member will be held in confidence to the extent practicable, in light of the need for investigation of any suspicion or allegation. Neither the City Administrator, Mayor, nor City Council member, as applicable, will disclose or discuss information with anyone other than those persons associated with the City who have a need to know in order to perform their official duties, and other persons with knowledge of relevant information, as necessary, in connection with an investigation. If formal criminal or civil action results from the reported suspected fraudulent activities, the reported information, including the identity of the person or persons making a report may need to be disclosed beyond the confines of the investigative team.

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## **SECTION THREE RECRUITMENT AND SELECTION**

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### **3.01 GENERAL POLICY**

The City of Sunset Valley seeks highly qualified and Courteous employees.

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### **3.02 VACANCY IDENTIFICATION**

Department heads shall immediately notify the City Administrator when job vacancies occur or are imminent in their Department. The City Administrator will inform the Mayor and City Council of job vacancies and plans to fill vacant positions.

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### **3.03 QUALIFICATIONS**

The City maintains a job description which establishes the required knowledge, skills, abilities, experience and training for each staff position. The job description sets forth the minimum acceptable qualifications for the position.

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### **3.04 ANNOUNCEMENT OF VACANCIES**

When a position is to be filled, a job opening notice will be posted on the City's website and distributed to all Department Heads for mandatory posting on Departmental bulletin boards.

Additionally, the City Administrator may advertise the vacancy in the City designated newspaper and by other appropriate means to insure that a sufficient number of qualified applicants become aware of the posting. Each announcement of job vacancy shall contain a statement affirming the City's commitment to a policy of equal employment opportunity and non-discrimination. The announcement may include a final date for acceptance of applications, although recruitment efforts may continue until a qualified individual is hired.

#### **Exceptions to Posting Requirements**

Postings are not necessary for the following:

- a lateral intra-City transfer;
  - the promotion of a present employee to a position in a higher pay group because of the employee's ability to assume greater job responsibilities, additional duties or the employee's expertise;
  - a reassignment or transfer as a result of a council-mandated reorganization; or
  - Other reorganizations when determined by the Mayor to be in the best interest of the City.
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### **3.05 DISQUALIFICATION**

An applicant for employment shall be disqualified from consideration if he or she:

1. Does not meet the minimum qualifications necessary for performance of duties of the position involved;
2. has made a false statement of material fact on the application form, or has failed to satisfactorily complete or timely submit the application form;
3. has committed or attempted to commit a fraudulent act at any point in the selection process;
4. is an alien not legally permitted to work in the United States;
5. habitually uses narcotics, drugs or intoxicating liquors; or
6. has exercised or attempted to exercise any political pressure or bribery to secure an advantage in selection.

An applicant may be disqualified from consideration upon other reasonable grounds relating to bona fide job requirements.

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### **3.06 AGE REQUIREMENTS**

Persons under 18 years of age will not be employed in any full-time regular position.

No other age limitations will apply, except as required by state or federal law.

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### **3.07 APPLICATION**

In order to be considered for a posted position, individuals must submit a completed Application for Employment form for each vacancy notice. Resumes may be attached but will not be considered in lieu of a completed application. Applications must be received in the City

administrative offices by 5:00 p.m. on the closing date listed on the vacancy notice. Photocopies and facsimiles of applications are acceptable. If an application is received without the original signature of the applicant, signature must be obtained prior to interview; the signature of the applicant certifies the accuracy of statements contained in the application. All applications must be dated and received during the posting period.

### **Applicant Tracking**

All applicants applying for a vacant position will be entered into a database. The database will contain information from the Application Receiving and Processing Applications

Applications for job vacancy notices left "Open Until Filled" are reviewed on a regular basis. Generally, after a position has been open for approximately two weeks, the hiring Department Head reviews the applications and conducts a preliminary screening for required minimum qualifications, preferred qualifications, and knowledge, skills and abilities. Selection criteria are based on the minimum qualifications listed on the job vacancy notices.

### **Screening Applicants**

Subsequent screening of applicants provided by the hiring Department Head may be conducted by the City Administrator or his/her designee. The City Administrator or his/her designee will work with supervisors to ensure that the criteria screened are consistent with the job vacancy announcement. A sufficient number of applicants as deemed necessary by the hiring Department Head will be selected for interviews. Interviews are normally conducted by the hiring Department Head and other staff members as appropriate to form an interview panel Applicants may be called back for subsequent interviews as necessary.

### **Interviewing Applicants**

Supervisors must ensure that all interview questions are both job-related and appropriate. All personnel involved in interviewing job candidates will be provided training on non-discriminatory interviewing skills. If a test will be given at the time of interview, the job posting should include notice that a test will take place and provide an approximate time for completing the test.

### **Telephone Reference Checks**

The Department Head conducts reference checks on the top candidate(s). The reference check documents all questions asked and answers provided by an applicant's references. The Department Head will conduct up to three reference checks and may check more if he/she considers it desirable under the circumstances.

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## **3.08 EVALUATIONS**

Job applicants shall be evaluated on the basis of job requirements to identify the best qualified applicant. Reference checks, interviews, medical examinations, performance tests, written tests, drivers' license checks and/or other screening procedures may be used as appropriate. All positions for all employees will require a pre-employment complete background check. Applicants



shall be required to provide any information and undergo any examinations necessary to demonstrate compliance with prescribed qualification requirements for the positions involved. All evaluations shall be in compliance with the equal opportunity policy and the policy of non-discrimination.

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### **3.09 MEDICAL EXAMINATIONS**

Knowledge of employee physical condition and existing health problems may be necessary in order to avoid occupational injuries and to ensure that the employee is able to perform the essential job functions. Prospective new employees may be required to have a physical examination as a condition of employment in conformance with all applicable law, including the ADA. The physical examination will be made by a physician of the City's choice and paid for by the City.

A medical examination of an applicant shall in no way be used to deny employment to an individual with a physical or mental disability, if the individual meets all the requirements for the position for which he or she has made application.

Prior to appointment as a Police Officer, applicants must be examined by a physician and may be required to undergo a psychological examination required by the rules of the Texas Commission on Law Enforcement Officer Standards and Education. No person shall be employed as a Police Officer unless such person has been certified as capable of physically and mentally performing the required duties and has been certified by an examining physician and psychologist. The City shall pay the cost of these examinations.

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### **3.10 NEPOTISM**

Nepotism is the showing of favoritism toward a relative. The practice of nepotism in hiring personnel or awarding contracts is forbidden by the City. No person may be hired who is related within the second degree by affinity (marriage) or within the third degree by consanguinity (blood) to any member of the City Council, to the Mayor, to the City Administrator, or to any employee who would supervise his or her job performance.

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### **3.11 REFERRAL AND SELECTION**

Final selection of the candidate is determined by the recommendation of the Department Head and approved by the City Administrator and presented to the Mayor and City Council, if required elsewhere in these policies, based on their assessment of the overall position requirements and the candidate's experience and qualifications.

After the City Administrator reviews the selection packet, he/she will notify the hiring Department Head that a verbal conditional offer of employment may be made.

The offer is contingent upon verification of the following:

- telephone reference checks
- acceptable driving record (if applicable),
- selective service registration (if applicable),
- official transcript(s)/license(s) (if applicable), and/or
- an application with an original signature.

If the applicant accepts the offer, the hiring Department Head will notify the selected candidate. The offer is also contingent upon verification of employment eligibility on the first day of employment. The hiring Department Head will endeavor to send all other interviewed candidate's written notification of non-selection. If the candidate declines the offer, the hiring Department Head may select another applicant from the pool to be submitted for "approval to hire" or repost the position.

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## SECTION FOUR STAFF

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### 4.01 AUTHORITY

The City Administrator has authority to make all hiring decisions, subject to designation of positions and budgeting for such position by the City Council, with the exception of Department Heads, City Secretary and Municipal Judge, and any position required by applicable law to be filled by appointment by the City Council, which positions shall be submitted for approval by the City Council.

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### 4.02 BASIS OF SELECTIONS

Selections shall be made on the basis of the qualifications of applicants ascertained through fair and practical selection methods as set forth in this Manual.

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### 4.03 TYPE OF APPOINTMENT

Employment in a position shall be designated regular, temporary, or non-regular part time appointments.

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### 4.04 REGULAR APPOINTMENTS

Regular employment may be either a full-time time or part-time position. Except as established by state or federal law, regular employment is subject to the rules governing orientation.

**REGULAR FULL-TIME:** A regular full-time employee regularly works at least eighty (80) work hours per two-week period. A regular full-time employee is entitled to benefits as provided in these policies after satisfactory completion of the required probationary period and appointment to a regular position.

**REGULAR PART-TIME:** A regular part-time employee regularly works twenty (20) or more hours per week, but does not regularly work forty (40) or more hours per week. Upon satisfactory completion of the required probationary period and appointment to a regular part-time position, a regular part-time employee is entitled to benefits, determined on a pro-rata basis according to the number of hours worked per month, as provided in these policies.

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#### **4.05**

#### **TEMPORARY AND NON-REGULAR PART TIME APPOINTMENTS**

Temporary appointments shall be for a short period of time, generally not to exceed six (6) consecutive months to fill a temporary need or to fill a temporary vacancy in a position, or to fill a position funded by a grant or other source of funding other than the City's regular tax receipts. Temporary employees may be full-time or part-time.

Non-regular part time employees are employed to regularly work fewer than twenty (20) hours per week, such as part-time police officers employed for night and weekend shifts, and for other occasional substitution work. Non-regular part time employees may occasionally work more than twenty (20) hours per week, but shall not work more than 1,000 hours in any fiscal year.

Temporary employees and non-regular part-time employees are not eligible for benefits other than worker's compensation coverage as may be arranged by the City and any other benefits that are required by applicable law.

However, in the event that a full time temporary position is filled by a regular full or part time employee of the City, such employee will be eligible for all benefits applicable as if such temporary position was a regular position.

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#### **4.06**

#### **NO VESTED RIGHTS**

Acceptance of a regular full or part-time temporary, or non-regular part time position does not give the employee any vested right to continue employment.

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#### **4.07**

#### **NEW EMPLOYEE ORIENTATION**

Upon completion of the selection process to any position with the City, all employees should be provided with a thorough new employee orientation. This orientation is not the same as the six-month probation provided for in Section Five of this Manual, but is a general introduction concerning City employment, the nature of the job, and the benefits, obligations, and responsibilities of the position.

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## **SECTION FIVE PROBATION**

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### **5.01 PROBATION**

All regular full-time and part-time employees, when initially hired, shall be required to successfully complete a probationary period of six (6) consecutive months. When a regular full-time or part-time employee is promoted or transferred, he or she shall also be required to successfully complete a probationary period of six (6) consecutive months in the new position.

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### **5.02 PURPOSE OF PROBATIONARY PERIOD**

Department Heads shall use the probationary period to closely observe and evaluate the work and fitness of new or newly promoted or transferred employees and to counsel them and encourage adjustment to their jobs and the City service. Only those employees who meet acceptable standards during their probationary periods may be retained and appointed to positions as regular employees. At the end of this probationary period, the Department Head shall submit a detailed written report to the City Administrator, with a recommendation that the employee be appointed to a regular position, continue in an extended probationary period or be terminated. All employees, new or re-hired to the position, will begin work under a continuous six month initial probationary period. The period of probation may be extended based on performance or compliance circumstances. For employees absent from working on an allowed leave as a result of injury, illness, or other allowed reasons, the period of probation may be extended by the length of any such absence. Upon completion of the probationary period and upon the recommendation of the Department Head and with the approval of the City Administrator, employees may be appointed to a regular position. However, an employee may be terminated at will and without cause subsequent to completion of the probationary period and prior to appointment as a regular employee even if the probation has been successfully completed.

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### **5.03 REVOCATION OF PROBATION**

An employee's probation may be revoked and employment in the position terminated when, in the judgment of the Department Head as approved by the City Administrator, the employee's fitness and/or quality of work are not such as to merit continuation in the job. Revocation of probation may occur at any time within the probationary period and shall not be considered part of the disciplinary process. The employee may be discharged from employment at any time and for any or no reason during the probationary period. A newly-promoted employee whose probation has been revoked may return to his or her former job if that position is available and if same is in the best interest of the City.

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**5.04****APPEAL OF REVOCATION OF PROBATION**

There is no right of appeal or entitlement to use of the grievance procedure in connection with a termination due to the failure of probation, unless the employee alleges discrimination based on race, sex, color, national origin, religion or disability or any other unlawful discrimination or retaliation.

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**5.05****BENEFITS DURING PROBATIONARY PERIOD**

During the probationary period, new employees shall not earn or accrue or be entitled to take paid vacation. Upon successful completion of probation and appointment to a regular position with the City, the employee becomes eligible for vacation. Such benefits are computed retroactively from the date of original employment so that, at the conclusion of the probationary period, the employee will have accrued benefits for the prior six (6) month probationary period. New employees shall accrue and may use paid medical leave at the end of the first month of employment on the conditions applicable to use of accrued medical leave by other employees.

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## **SECTION SIX PERFORMANCE EVALUATION**

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### **6.01 PURPOSE OF PERFORMANCE EVALUATION**

Performance evaluation is designed to help both Department Heads and employees measure how well work is being performed and to provide a fair and equitable tool for management decisions regarding training, assignment, promotion, merit raises, and retention of employees.

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### **6.02 RESPONSIBILITY**

It is the responsibility of the Department Heads to conduct employee performance evaluations. Evaluation requires observation, analysis of employee actions, and knowledge of the employee and his or her work habits. Department Heads are encouraged to use performance evaluations to both praise employees for work well done and to point out areas in which improvement is necessary.

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### **6.03 PERFORMANCE EVALUATION REPORT**

All employees' job performance should be evaluated annually by their supervisor, in accordance with the City's Performance Evaluation Handbook. Department Heads should be evaluated annually by the City Administrator with assistance and input from the Mayor.

Performance evaluation reports shall be signed by the employee, as an acknowledgment of being evaluated. All evaluations shall be placed in the personnel file of each employee to become a permanent part of those records.

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### **6.04 COUNSELING**

Employees shall be provided copies of their own performance evaluation reports. Evaluators should individually discuss the reports with the employees and should counsel them regarding their careers and any improvements in performance which appear desirable or necessary.

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### **6.05 APPEAL**

Employees dissatisfied with their performance evaluations may seek reconsideration by using established appeal procedures contained in the Performance Evaluation Handbook.

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## **SECTION SEVEN JOB DESCRIPTIONS AND CLASSIFICATIONS**

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### **7.01 PLAN PREPARATION AND MAINTENANCE**

The City Administrator with the assistance of Department Heads, shall analyze the duties and responsibilities of the various employment positions, and prepare and administer a written job description and classification plan. The Mayor and City Council shall approve the job description and classification plan.

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### **7.02 EFFECT OF RECLASSIFICATION**

An employee whose position is redefined or reclassified may continue to serve in such position if the duties and responsibilities of that position are not significantly changed and if such is in the best interest of the City.

If the duties and responsibilities of the redefined or reclassified position are significantly changed and/or if the employee does not meet the new qualifications prescribed, a transfer may be made provided that another position is available, the employee is qualified for such position, and the transfer is in the best interest of the City.

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### **7.03 DISTRIBUTION**

The job description for each employee's position will be (1) given to each employee, (2) reviewed by the employee, an (3) placed in the employee's personnel file along with a signed verification that the employee has reviewed it.

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### **7.04 REQUESTS OF CLARIFICATION**

If an employee does not request clarification of his or her job description, it will be assumed that he or she understands the responsibilities assigned to the position which he or she occupies.



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## **SECTION EIGHT WORK SCHEDULE AND TIME REPORTING**

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### **8.01 WORKING HOURS**

Working time includes all time spent in mental or physical exertion which is controlled or required by the City and pursued primarily for the City and its business. Most regular City employees have a forty (40) hour work week and work eight hours each workday. However, because of the special nature of certain positions, some regular full-time employees may work more than 40 hours weekly, in accordance with the schedules set by their Department Heads. Working schedules vary by Department, but 8:00 a.m. to 5:00 p.m. Monday through Friday, with one hour for lunch, is the working time for most City employees. A meal period is not working time except for Police Officers. Working time does include required attendance at training or other meetings, before or after the employee's regular working schedule.

It is the responsibility of all non-exempt employees (See Section 9.07) to adhere to Departmental work schedules, and to refrain from performing work that is "unscheduled" or "unapproved." No overtime hours may be worked unless scheduled in advance by the employee's supervisor, or unless express prior written approval is given for such overtime work.

City Hall is open from 8:00 a.m. to 5:00 p.m. and remains open during the noon hour, Monday through Friday, except for holidays.

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### **8.02 TIME REPORTING**

Department Heads and their employees shall keep accurate records of all hours worked, dates worked and leave time taken. Time records must be signed by the employee and the employee's Department Head. In addition to violating the rules, regulations and policies set forth in this Manual, "doctoring" or otherwise falsifying time records violates the Fair Labor Standards Act.

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## **SECTION NINE COMPENSATION**

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### **9.01 BASIS**

The City Council shall set the salaries and wages of all City employees through the budget approval process. The Mayor and City Council shall annually review the salaries and wages of all City employees and make any necessary adjustments as they deem appropriate. In determining salaries and wages, consideration shall be given to the duties, responsibilities and qualifications required of the job, the experience and performance of the employee, and other relevant factors. Salary increases, or a component thereof, may be based upon merit.

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### **9.02 PAYMENT DELIVERY**

Should an employee be on vacation or medical leave on a payday, paychecks will be mailed to the employee's home upon request, or may be picked up at City Hall. Written notification must be given by the employee before anyone else may pick up an employee's paycheck and proof of identity will be required. Direct Deposit of paychecks is available and employees are encouraged to use direct deposits of wages or salary.

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### **9.03 ADVANCES**

Advances for hours worked, not to exceed 40 hours, may be made when an Emergency Order has been issued by Travis County, the State of Texas, or the Federal Government. Advances will be subject to applicable payroll taxes and federal income tax withholding and any other applicable payroll deductions for benefit programs or as required by law or lawfully authorized by the affected employee. Repayment of advances will be due in full upon terminating employment with the City of Sunset Valley if not paid in full. By signing below, the undersigned employee authorizes the following deductions from wages for repayment of an amount advanced: \$50 per pay period until paid in full, with all unpaid amounts deducted from the final paycheck.

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### **9.04 FAIR LABOR STANDARDS ACT**

The City is subject to the wage and overtime provisions of the Fair Labor Standards Act. Under the Act, all City employees fall into two categories: exempt and non-exempt. Entitlement to overtime compensation or compensatory time off in lieu thereof depends on whether an employee is exempt or non-exempt.

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## **9.05**

### **EXEMPT EMPLOYEES UNDER FLSA**

The United States Department of Labor has devised certain tests for determining whether an employee is exempt. If an employee is an executive, administrative or professional position, he or she is considered to be exempt.

An exempt employee is not entitled to overtime compensation. He or she is expected to render necessary and reasonable overtime services with no additional compensation. The salary for an exempt employee is established with that fact taken into consideration. Records of time worked in excess of the regular work week may, however, be reported by exempt employees. An exempt employee whose regular hours of work are 8:00 a.m. - 5:00 p.m. may exercise discretion in taking regularly worked hours off when attendance at meetings or other extra duties require substantial additional work; however, absence during regular hours of work in those cases must be reported in advance to the City Administrator to ensure that adequate supervision of any employees supervised by the exempt employee is provided.

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## **9.06**

### **NON-EXEMPT EMPLOYEES UNDER FLSA**

All employees other than those designated executive, administrative and professional are considered non-exempt, and are subject to the overtime provisions of the FLSA.

Employees who are not police officers and who are subject to the overtime provisions of the Fair Labor Standards Act (FLSA) are entitled to time off at the rate of 1.5 hours for each hour physically worked over 40 hours in one work week. All overtime worked must be pre-approved by the supervisor. Overtime hours may be paid at the applicable overtime rate in the pay period worked, or may be accrued as compensatory time, which also accrues at a rate of 1.5 hours for every overtime hour worked. An employee (other than police officers - separate specific policies apply to police officers) may accumulate no more than 240 hours of compensatory time. An employee who has been accrued 240 compensatory hours will receive overtime pay for any additional overtime worked, until compensatory hours are used, in whole or in part.

Employees will not receive overtime while working at their personal residence unless advance authorization for such work was given by the employee's supervisor. Employees who inappropriately claim overtime are subject to disciplinary action up to and including termination.

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## **9.07**

### **OVERTIME AND COMPENSATORY TIME OFF FOR NON-EXEMPT EMPLOYEES**

For all employees except Police Officers, overtime is time worked by a non-exempt employee in excess of forty hours in a week. For purposes of the FLSA only, a work week is a time span of seven (7) consecutive twenty-four (24) hour periods, and begins at 6:01 a.m. on Sunday and ends at 6:00 a.m. the following Saturday.

For Police Officers, overtime is time worked by a non-exempt employee in excess of eighty hours in a week period. For purposes of the FLSA only, a work period is a time span of fourteen (14) consecutive twenty-four (24) hour periods, and begins at 6:01 a.m. on Sunday and ends at 6:00 a.m. the second following Saturday.

The City can require that any non-exempt employee work overtime, and will attempt to allocate overtime as evenly as possible among all employees qualified to do the work. An employee may be disciplined for refusing to work overtime. All overtime must be accurately reported. An employee may be subject to disciplinary action for working overtime without authorization, or for failing to report overtime.

All scheduled or approved overtime work will be paid at the rate of the employee's regular base pay times one and one-half (1 ½). In calculating regular base pay, time such as annual and medical leave shall not be included.

A non-exempt employee who works approved overtime may be granted compensatory time off in lieu of monetary compensation, at the rate of one and one-half (1 ½) hours for each hour of overtime worked. The maximum compensatory time that may be accrued by a non-exempt employee is:

480 hours (320 hours of actual overtime hours worked) for those non-exempt employees engaged in public safety, emergency response or seasonal activity.

240 hours (160 hours of actual overtime worked) for all other non-exempt employees.

Any approved overtime worked in excess of the above-stated number of hours shall be paid at the rate of 1 ½ times the regular rate of pay. A non-exempt employee shall be required to take off accrued compensatory time as soon as possible, provided that the time off is approved by the Department Head and will not unduly disrupt the operations of the City. The City may schedule paid time off for the employee to deplete accumulated compensatory time if the employee does not request use of accumulated compensatory time prior to the date one year after the time was earned. Supervisors are encouraged to reasonably accommodate the employee's use of the accrued compensatory time before it lapses.

In the event a non-exempt employee exceeds the maximum number of compensatory hours allowed to be accrued, such employee shall be paid for those excess hours at a rate of one and one-half (1 ½) times the employee's regular rate of pay.

The City may require employees to use earned compensatory time as paid leave prior to using accrued vacation or other accrued leave.

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## 9.08

### APPROVAL OF OVERTIME

All non-emergency overtime must be approved in advance by the employee's supervisor. The Department Head is responsible for establishing work schedules and for controlling the hours worked by his or her employees. The Department Head shall ensure that established work schedules are adhered to, and that overtime is kept to an absolute minimum. It is also the responsibility of the Department Head to determine the availability of funds with which to pay overtime compensation.

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## 9.09

### Standby and Call-Back Policy

**Standby: An Emergency condition outside normally scheduled work hours, in which an employee is continuously available by telephone or pager, is fit for duty, and is able to respond and report to work within a specified time period. Standby does not include previously scheduled overtime or holiday time.**

1. Employee shall be placed on an as needed schedule as authorized by the Director or his/her designee.
2. Employee shall be supplied with a cell phone and/or shift pager. Employee shall be responsible to properly charge the cell phone and replace pager batteries as needed. Upon being activated, the employee shall evaluate the situation and determine the need to call other staff for assistance (see Call-Back Policy below).
3. Employee shall contact the Standby Supervisor upon any activation. The Standby Supervisor shall be the Director or his/her designee. If the Standby supervisor cannot be reached, the employee shall call the next appropriate department supervisor. In the event neither the Director nor the Assistant Director of Public Works can be contacted, the employee shall contact the City Administrator.
4. A standby shift may be authorized by the City Administrator. In the absences of the City Administrator the Department Head or Designee may authorize first 24 hour Standby shift. Standby shifts are 24 hours in length. Standby employees will be paid a standby stipend (the "Standby Stipend") of two hours at the hourly rate for each emergency standby shift completed regardless whether the employee was called to work. The additional two hours for an emergency standby shift should be noted as "Standby shift" on a City overtime form and submitted with the bi-weekly timesheets.
5. Employees on standby are allowed to come and go freely, but must be accessible for contact at all times. Employees on standby must be able to respond to a call within 30 minutes. Pages and or voice messages must be returned within 15 minutes of the original call. Standby employee must be at Sunset Valley, ready for duty, within 30 minutes of activation.
6. When an employee on standby is called out for an emergency, a minimum of one hour per occurrence, or the number of actual hours worked, will be calculated at a rate of one and one half his/her regular rate for the time worked. This compensation will be in addition to the Standby Stipend. Standby employees' time begins when they are called out and ends when City business is concluded (including travel time not to exceed 30 min in either direction). The time worked must be logged by the Standby Supervisor initiating the call.

7. Employee shall be responsible to inform the Standby Supervisor if he/she feels unable for any reason to perform his/her duty upon activation. Employees are expected to maintain a state of fitness for safety and efficiency in full compliance with applicable drug and alcohol policies.
8. Employee shall be responsible to communicate with the Standby Supervisor and the Sunset Valley Police Department on the status of the situation.
9. No persons are allowed to travel in City vehicles other than those who are doing so for a business purpose.

Premium pay for work performed in connection with standby hours worked shall be applied and credited to overtime compensation that may be owed for the work period in which standby work is performed. Only actual hours worked on a standby basis shall be counted toward total hours worked for the applicable work period. By way of example only, if an employee other than a police officer works 6 standby hours and is credited with an additional two hours as a Standby Stipend and actually works 46 hours in the seven day work period, no additional overtime compensation will be owing because the employee was paid at a premium rate for the six standby hours, satisfying the obligation to pay overtime compensation for the six hours in excess of 40, and the two hour Standby Stipend is not included in hours worked.

**Call-Back: An unscheduled or emergency return to work outside of officially scheduled work hours. Call back may occur after leaving the job site, or during a holiday or a regular day off. It does not include overtime or holiday work scheduled in advance.**

1. During each 24-hour period during which an employee is called back to work, and is not in a "standby" status, the employee shall be compensated at one and one half his/her regular rate for the time worked, with a guaranteed minimum of two (2) hours of pay for the first call-back assignment. Subsequent call-backs within the same 24 hour period will be paid time and one-half for the actual time spent on the subsequent calls. Call-Back employees' time begins when they are called out and ends when City business is concluded (including travel time not to exceed 30 min in either direction). The time worked must be logged by the Stand-by Supervisor initiating the call.
2. Once activated, the Call-Back employee is subject to all the policies and procedures as the Standby employees except that pertaining to Standby pay.
3. If an exempt employee other than a Department Head is required to respond to an emergency, mileage will be reimbursed from home to the workplace doubled (round trip).

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## **9.10 PAYROLL DEDUCTIONS**

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

1. Federal Income Taxes
2. Texas Municipal Retirement System
3. Medicare portion of Social Security

4. Dental insurance and dependent medical insurance payroll deductions are available upon completion of six month probationary period.
  5. Other deductions authorized in writing by employee.
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### **9.12 CALCULATION OF TERMINATION PAY**

An employee's final paycheck upon termination will be calculated in the following manner:

1. Total regular and overtime hours for the pay period.
  2. In addition, the employee will receive payment for any accrued vacation, holiday time and compensatory time to the extent authorized by this Manual.
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### **9.13 APPROVING AUTHORITY**

The Mayor and City Council are the approving authorities for the classification and pay plans, and the budget. The City Administrator shall be responsible for implementing pay increases, decreases, or payroll transfers as authorized under these policies.

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### **9.14 GARNISHMENT**

Under Texas law, the City is not required to take action in the event of garnishment, or attachment of judgments against an employee's earnings, except in certain limited circumstances required by applicable law, such as collection of overdue income tax and court-ordered child support payments. The City expects employees to deal responsibly with creditors. It is against City policy for employees to assign their wages to another person.

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### **9.15 MOTHER-FRIENDLY WORKPLACE**

#### **Statement of Purpose**

In recognition of the well documented health advantages of breastfeeding for infants and mothers, Sunset Valley offers a mother-friendly workplace lactation support policy in accordance with Texas Health and Safety Code 165.003 and the US Department of Labor Providing Urgent Maternal Protections for Nursing Mothers (PUMP) Act. This policy provides a work environment that is supportive of lactating mothers and encourages breastfeeding of their children up to one year following their birth.

### **Notification of Policy to All Employees**

The Mother-Friendly Workplace policy shall be disseminated to every incoming employee of the City during orientation. Supervisors are responsible for notifying all current employees of this policy and alerting pregnant and breastfeeding employees about this policy before beginning maternity leave.

### **Time and Leave**

Work schedule and work pattern flexibility will be provided to reasonably accommodate breaks for an employee to express breastmilk for a nursing child or to breast feed each time such employee has the need to express the milk or breastfeed, for up to one year after the child's birth.

An employee that is breastfeeding will be permitted reasonable break time each time the employee needs to pump while at work.

The Department Head and the employee will agree to create a break schedule that accommodates the frequency and duration required by the employee's needs to pump or breast feed. The schedule of breaks may be adjusted over time as the needs of the nursing employee change. The Department Head may consider alternative and flexible work schedules balancing the needs of the Department and the nursing employees' needs. For example, a Department Head may authorized, the employee to arrive at work earlier or stay later than her regular hours. All breaks will be considered work time and will be paid.

### **Facility, Including Breastmilk Storage**

The City of Sunset Valley shall provide a mixed-use space, other than a bathroom, for lactating mothers, that is private and is shielded from view and free from intrusion from coworkers and the public, for the purpose of expressing breastmilk each time such employee needs to express the milk or breastfeed.

The space shall have at a minimum a locking door, an electrical outlet, a clean work surface, a comfortable chair and access to a safe water source and a sink suitable for rinsing any breast-feeding equipment within a reasonable distance.

Lactating mothers will have priority over all other uses of the mixed space. If the employee prefers, she may also express breastmilk in her own private office or in another private location agreed upon in consultation with her Department Head.

Employees may store their expressed milk in either their own personal insulated cooler with ice packs or in the refrigerators in the City Hall Conference Room. As with any personal food item, handling and supervision of the expressed milk is the sole responsibility of the employee.



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## **SECTION TEN PERSONNEL ACTIONS**

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### **10.01 PROMOTIONS**

A promotion is the assignment of an employee from one position to another position with a higher maximum salary. A promotion constitutes advancement and requires higher qualifications and involves greater responsibility.

Promotions are approved by City Administrator, with the exception of any promotions to a position of Department Head, which shall be approved by the City Council. Upon promotion, an employee shall serve an orientation period in the new position for three (3) consecutive months without loss of benefits and may be returned to a lower job classification at any time during the orientation period if performance is inadequate, provided that a position is available and such action is in the best interest of the City.

A promotion is a change in duty assignment of an employee from a position in one classification to a position in another classification in a higher salary group, requiring higher qualifications such as greater skills or knowledge. Promotions generally involve a salary increase within the range of the job classification.

The change in the employee's duties or acquired knowledge and skill level that forms the basis for a promotion must be adequately documented on a Personnel Action Form supporting the requested promotion. A current job description should also be submitted when requesting a promotion due to a change in the employee's duties. Promotions are not automatic and are subject to budgetary constraints.

Promotions are submitted for approval by the City Administrator through the Department Head.

All promotions will be subject to a probationary period as required in Section 5.01.

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### **10.02 TEMPORARY PROMOTIONS**

The City Administrator may authorize a temporary promotion to insure the proper performance of City functions if a position is vacant or its regular holder is absent and subject to any budget approval or revisions required. Employees so promoted shall be compensated for the duration of their temporary assignment in amounts to be determined by the City Administrator within the budget and salary classification system approved by City Council. Temporary promotions shall not be used to circumvent normal selection procedures. Nothing herein shall prevent the assignment of higher level duties to an employee without additional compensation. Additional compensation shall be paid only in cases of formal temporary promotion effected in accordance with these rules.

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**10.03****LATERAL TRANSFERS**

Lateral transfers are movements of an employee between positions in the same pay group. Lateral transfers may be made with the same Department or among Departments of the City.

The recommendation of transfers is within the discretion of the Department Head with approval of the City Administrator.

The City will allow capable employees to transfer between Departments subject to the following conditions:

1. Both Department Heads are agreeable to the transfer;
2. The employee is the best available person to fill the position that is open;
3. The employee is qualified to fill the new position and the transfer will not create undue hardship in the Department which he or she is leaving;
4. The employee obtains proper certification, if applicable to qualify the employee for the new position, within a reasonable amount of time to be decided by the Department Heads;
5. The transfer receives the written approval of the City Administrator; upon their determination that the transfer is in the best interest of the City; and
6. The six (6) month probationary period will apply.

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**10.04****CHANGE OF DUTY ASSIGNMENT**

There may be times when it is necessary to change an employee's duty assignment from one position in one classification to a position in another classification which may be in a lower pay group. An employee who is subject to such a change may be subject to a pay reduction. The reasons therefore shall be noted in the employee's official personnel file.

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**10.05****LAYOFFS**

Whenever an employee is to be laid off or terminated for non-disciplinary reasons, the City will endeavor to provide at least ten (10) working days notice to the employee stating the reason for the layoff, and a copy of the notice will be placed in the employee's official personnel file.

## **A. Reduction-in-Force Guidelines**

A reduction in force (RIF) involves involuntary separation from employment of employees whose positions have been eliminated. These reductions may be due to budgetary constraints, or department reorganizations that alter, consolidate or reduce the delivery of services, programs, or functions.

In some situations, staff reductions may be accomplished entirely by attrition and retirement without involuntary separations from employment.

However, when the City Council find it necessary to reduce the number of employees in the city, then any relevant specific budgetary constraints or staffing allocations, or both, will be communicated to the hiring supervisors and staffing reductions will be implemented.

## **B. Implementation**

When a RIF is first implemented, functions are prioritized based on the effect that elimination or reduction of those functions is projected to have on the missions and goals of the city. Any proposed plan for a RIF or layoffs will be reviewed by the city attorney for EEO compliance and to assure that the plan does not create a statistically disproportionate impact unless such impact is justified on the basis of a business necessity.

## **C. RIF Identification Process**

When a position or group of positions is identified for a RIF where separation of all employees in that position or group of positions is not required, designated of employees to be separated is made in the following order:

1. Employees without regular status: employees working in a temporary status as of the effective date of RIF;
2. Except as provided below, regular employees with less than two years total service: Employees with less than two years service are separated based on least service in the functional job that must be curtailed; if there are ties in length of service, the tie is broken based on the most recent performance appraisals.
3. Regular employees with two or more years total service: When further reductions are required among employees, the City Administrator determines which employees are to be scheduled for separation by rank ordering employees based on current (prior twelve months) performance.

## **D. Internal and External Postings**

When a reduction in force is in effect, qualified employees will have an opportunity to apply for internal job postings for which they are qualified before these jobs are posted externally. Employees may also apply for any job that is posted externally.

## **E. Assistance for Affected Employees**

From the receipt date of the separation notice until an employee's separation date, the city will provide employees with reasonable access to city resources and services to facilitate their job search. Specific information on insurance and employee benefits after separation will be made available.

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## **SECTION ELEVEN BENEFITS**

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### **11.01 INSURANCE BENEFITS**

All regular full-time employees are provided with health, dental, accidental death and dismemberment, and life insurance with coverages approved by the City Council in the budgeting process each year. The City Council shall annually determine the cost, if any, to the employee for this coverage. Coverage for other family members is available by payroll deduction at group rates paid by the employee. This insurance coverage is not subject to any probationary period.

City employees who work a minimum of 30 hours a week may be eligible for full-time health insurance benefits. Employees may decline health coverage.

The City may offer additional optional insurance programs for employees at the employee's expense through voluntary payroll deductions.

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### **11.02 WORKERS COMPENSATION**

The City's group health insurance covers non-occupational injuries and illnesses. Any City employee injured as a result of duties performed in the course of his or her job shall be eligible to receive worker's compensation benefits, which include medical expenses and, in certain circumstances, disability pay, from the City's insurance carrier at no expense to the employee in accordance with and as directed by state and federal laws. The Texas Worker's Compensation Fund is the sole source of disability pay for occupational injuries or illness.

No employee shall be discriminated or retaliated against in connection with any condition of employment because he or she has filed a worker's compensation claim.

An employee suffering a work-related illness or injury shall submit a written report on a form provided by the city of such incident within 30 days of learning of the condition. No employee shall be discriminated or retaliated against in connection with any condition of employment because he or she has filed a worker's compensation claim.

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### **11.03 UNEMPLOYMENT INSURANCE**

All employees of the City are covered under the Texas Unemployment Compensation Insurance Program. This program provides payments for unemployed workers in certain circumstances.

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**11.04**  
**TEXAS MUNICIPAL RETIREMENT SYSTEM ("T.M.R.S.")**

All regular employees that are appointed to positions that are scheduled to work a minimum of 1,080 hours per calendar year are provided retirement benefits through T.M.R.S. There is no probationary period required. A copy of T.M.R.S. guidelines will be provided to the employee at orientation.

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**11.05**  
**SOCIAL SECURITY**

The City does not participate in the Social Security (Old-Age, Survivors, and Disability Insurance OASDI) Program. Employees do not contribute to Social Security nor earn credits in the Social Security Program during their employment with the City. The City and employees do contribute to the Medicare Program.

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**11.06**  
**LONGEVITY PAY**

Regular employees shall be entitled to Longevity Pay in the amount of \$4 per month for each year of continuous city service beginning upon the completion of five (5) years of employment. For employees in regular part-time positions, Longevity Pay will be pro-rated based on the hours worked as a percentage of a 2,080 hours worked per year.

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**11.07**  
**INCENTIVE/CERTIFICATION PAY**

The City Council may establish additional monthly payments to employees for obtaining levels of education, certification, or for assignment to specific work schedules. Such payments shall be subject to annual appropriation in the budget and may be adjusted or discontinued on an annual basis.

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**11.08**  
**TUITION REIMBURSEMENT**

The City Council may establish an annual funding amount to be used for a tuition reimbursement program.

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**11.09**  
**OTHER BENEFITS**

The City Council may from time to time add additional programs and make changes to the benefit plan for City employees.

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## **SECTION TWELVE VACATIONS**

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### **12.01 GENERAL POLICY**

Employees who have satisfactorily completed their six month probationary period and have been appointed regular employees will be credited with the appropriate number of hours of paid vacation. Accrual of hours will be credited at the end of each month. In computing vacation for the employee's first and last month of employment, the employee must have worked fifteen (15) calendar days or more to accrue any vacation leave for that particular month.

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### **12.02 HOLIDAYS DURING VACATION**

When a regularly scheduled holiday occurs during the period of an employee's vacation, the holiday is not counted as vacation time.

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### **12.03 ILLNESS OR INJURY DURING VACATION**

Employees who become ill or are injured during the period of their vacation may request that their vacation time be temporarily terminated and their time charged to medical leave. The request must be approved by the Department Head. A physician's statement may be required in such instances.

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### **12.04 USE OF VACATION LEAVE FOR MEDICAL REASONS**

Absence on account of illness, accrued medical leave, injury, or disability in excess of accrued medical leave hereinafter authorized for such purposes may, at the request of the employee, and with the approval of the Department Head, be charged against vacation leave allowance.

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### **12.05 INTERRUPTION OF VACATION**

Employees required to work during their vacations, because of an emergency or when such is deemed necessary, will receive their regular rate of pay, and their vacation will be rescheduled.

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**12.06****ACCRUAL OF VACATION LEAVE**

The City of Sunset Valley provides paid vacation time for all regular full-time employees. The City believes that this time off from work is beneficial to the health and welfare of our employees and should be taken each year in accordance with this policy. Regular part-time employees who have worked at least twenty (20) hours per week will receive vacation time on a pro-rated basis.

All regular full-time and part-time employees must complete six (6) months of continuous service from their date of hire with the City before becoming eligible to use vacation benefits. All regular full-time employees will earn vacation benefits as shown on the chart below:

<b>Length of Continuous Service</b>	<b>Maximum Yearly Vacation Time Allowable</b>	<b>Monthly Accrual Rate</b>
1 month to end of 5 years	10 working days	6.66 hours
After 6 years to end of 10 years	15 working days	10.0 hours
After 11 years and thereafter	20 working days	13.33 hours

Vacation benefits for each month are accrued and reported at the end of each month. Vacation credit cannot be used prior to the time it is accrued. An employee who resigns after giving the notice provided for hereinafter, or is dismissed or terminated from employment as a result of a reduction in force, shall be paid for all vacation time duly accrued and not canceled. Employees who are terminated with less than six (6) months service are not eligible to be paid for accrued vacation. An employee eligible for payment of accrued vacation time must work a minimum of one-half of a full month to accrue vacation benefits for that month of employment.

Vacation may be taken in increments of hours, days, or weeks, as determined by the Department Head in keeping with the necessity for maintaining the efficiency of the department. Except in connection with the use of vacation time by an employee with insufficient accrued sick for an unforeseen medical circumstance requiring the employee's absence an employee may not use accrued vacation leave without prior approval of the Department Head.

Vacation leave will be deducted for each unauthorized absence. A regular employee placed on unpaid leave of absence in excess of thirty (30) days does not accrue vacation leave during such unpaid leave of absence.

The vacation year is defined as January 1 through December 31. Vacation may be carried over from one year to the next for a maximum of one and one-half of the employee's yearly vacation time allowed. Each year, on January 1, all unused vacation time in excess of the "Maximum Accrual Vacation Time Allowable" shown in the table below will be canceled.

<b>Length of Continuous Service</b>	<b>Maximum Accrual Vacation Time Allowable</b>
1-5 years	15 working days
6-10 years	22 ½ working days
11 years and over	30 working days

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**12.07**

**VACATION LEAVE RECORDS AND APPROVAL**

The City Administrator or his/her designee shall keep records of vacation leave and use. The Department Head for whom the employee works shall be the authority to approve vacation requests submitted by non-exempt employees. The City Administrator shall be the authority to approve vacation requests submitted by exempt employees. Vacation requests should be approved in such a manner that the efficiency of the department will not be decreased, and that the City incurs no additional cost in the operation of the department.

A fair and reasonable effort will be made by the City to accommodate vacation requests. Vacation leave may be denied during a specific period, if the workload or circumstances dictate.



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## SECTION THIRTEEN HOLIDAYS

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### 13.01 GENERAL POLICY

The following are official paid City holidays:

New Years Day	January 1
Martin Luther King	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Thanksgiving Day	4th Thursday in November
Day After Thanksgiving	
Christmas Day	December 25
*The City Council may designate other days as	"special holidays" with pay.
**City Administrator may assign one "floating	holiday" with pay.

Except as provided for employees required to work on a holiday, full time employees will be paid for eight (8) hours at their regular rate for Holidays.

\*The City Council may designate other days as "special holidays" with pay.

\*\*Official paid holidays shall include one "floating holiday" to be determined by the City Administrator at the beginning of each fiscal year.

A Floating Holiday is a paid day off, which is subject to the City Holiday policy, same as the above designated paid holidays.

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### 13.02 HOLIDAYS FALLING ON SATURDAY OR SUNDAY

Whenever an official City holiday falls on a Saturday, the Friday before will be the paid holiday. If the holiday falls on a Sunday, the following Monday will be the paid holiday. In the event that either Christmas Day or the Day after Christmas falls on a Saturday or a Sunday, the City Administrator shall determine which two days of the week will be observed as paid holidays.

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**13.03****WORK DURING HOLIDAYS**

It is not always feasible to grant holidays at the scheduled time to employees assigned shifts of an "around the clock" operation.

Any Department Head who finds it necessary to do so may direct some or all employees of the Department to report for work on any holiday. In cases where a regular employee is required to work on a paid holiday, he or she will be compensated at twice his or her normal hourly rate of pay. In cases where a regular employee is required to work on New Year's Day, Christmas, or Thanksgiving, he or she will be compensated at 2 ½ times his or her normal hourly rate of pay. In cases where a regular employee is required to work on a paid holiday, no additional holiday leave shall be granted. For purposes of this section, "working on a holiday" shall be defined as any shift or work period that begins during the specified holiday. Shifts that begin on the day before the holiday and end on the holiday shall not be considered for holiday pay.

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**13.04****FORFEITURE OF HOLIDAY**

An employee who is absent without authorized leave either the day before or the day following an official holiday shall not be paid for the holiday or for the day of unauthorized leave.

An employee absent without authorized leave on a holiday on which he or she is normally scheduled to work forfeits all rights to that holiday.

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**13.05****PERSONAL HOLIDAY**

Each regular employee is entitled to one personal holiday per fiscal year that can be taken, with prior approval of the Department Head, at any time after satisfactory completion of the probationary period and appointment as a regular employee. The personal holiday must be taken prior to the end of the City's fiscal year.

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## **SECTION FOURTEEN ABSENCES AND LEAVES**

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### **14.01 DEFINITIONS**

**LEAVE TIME.** Leave time is time during working hours of a regular business day when an employee does not engage in the performance of job duties by virtue of an authorized absence. Leave time may be either paid or unpaid.

**UNAUTHORIZED ABSENCE.** An unauthorized absence is one in which the employee is absent from regular duty without permission of the employee's supervisor or Department Head. In the case of illness or injury for which it was practicable for the employee to provide advance notice, an unauthorized absence is one where the employee has failed to notify his/her supervisor prior to the start of the applicable work period. . Employees are not paid for unauthorized absences.

**SICK POOL.** The Sick Leave Pool (SLP) is a reserve of sick time off hours donated by city employees to provide eligible employees with paid sick time off for catastrophic medical conditions for themselves or family members covered under the medical leave portion of this manual.

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### **14.02 APPROVAL OF LEAVE**

All leave taken by City employees must be approved in writing by the employee's supervisor or Department Head

Requests for approval of medical leave for non-emergency medical, dental or optical appointments must be submitted at least one (1) workday in advance. In all other instances of use of medical leave, the employee must notify his or her supervisor or Department Head of the absence before the time set for beginning work, unless it is impracticable to do so. Employees absent for some other reason beyond their control must contact their supervisor or Department Head as soon as possible.

Department Heads are responsible for determining that leave time is accrued and available for use in the amounts requested by an employee, and for reporting daily leave absences to the City Administrator, or his/her designee.

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### **14.03 CIVIL LEAVE**

Employees will be granted leave with pay when needed to vote locally in a local, state or federal election, and for jury duty. Paid leave for jury duty shall be limited to a total of 66 working days in any calendar year. Paid leave may be granted for serving as a witness subpoenaed or requested

to testify by the City, or when subpoenaed in any civil litigation not involving a claim against the City.

Employees shall immediately report back to their work stations when they are finished voting or are released from their court obligations.

Full-time employees shall be allowed, with supervisory approval as to scheduling, up to two hours time off to vote in local, state, or federal elections without deduction from pay or leave time. All time must be scheduled with prior approval from supervisors. No inquiry will be made regarding an employee's political affiliation nor will political considerations affect an employee's job status. Employees should coordinate taking time off necessary to vote with their supervisors prior to taking leave.

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#### **14.04 USING LEAVE IN COMBINATION**

Unless an employee who is on medical leave requests leave without pay upon exhaustion of the medical leave, he or she may be placed on vacation status until vacation time is exhausted. Medical leave cannot be used for vacation purposes.

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#### **14.05 PAID MEDICAL LEAVE**

Full-time regular employees will accrue paid medical leave at the rate of one day for every month of continuous service. Part-time regular employees will earn paid medical leave on a pro rata basis determined by the hours usually assigned per week. Medical leave earned will be credited at the end of each month. In computing medical leave for the first and last month of employment, the employee must have worked fifteen (15) calendar days or more to accrue any medical leave for that particular month.

Medical leave may not be taken in advance of being earned.

In emergency situations, the employee must use other leave time if the employee has exhausted his or her paid medical leave.

Medical leave is authorized for the personal illness, injury or physical disability of employees or to permit employees to care for family members who are ill, injured or disabled. Family members include children (including foster children), grandchildren, parents, grandparents, spouse and domestic partner of the employee. For the purposes of this section, a domestic partner is an individual who lives in the same household and shares the common resources of life in a close, personal, intimate relationship with a City employee, if under Texas law, the individual would not be prevented from marrying the employee on account of age, consanguinity, or prior un-dissolved marriage to another. A domestic partner may be of the same or opposite gender as the employee. An employee may only have one spouse or domestic partner at any time.

No payment shall be made for accrued unused medical leave upon termination of an employee's employment with the City.

Department Heads may require satisfactory proof of illness, injury or disability, and may disallow medical leave in the absence of a physician's statement. A physician's statement is generally required in all cases for medical leave in excess of three (3) consecutive days.

Employees shall not willfully use medical leave for purposes other than those intended in these policies.

The City Administrator or his/her designee shall maintain accurate records of medical leave credits and use. Department Heads are responsible for approving medical leave. [The City Administrator is responsible for approving use of medical leave by Department Heads.] Employees on leave of absence exceeding thirty (30) consecutive calendar days (paid or unpaid) cease earning additional medical and vacation leave upon commencement of their leave of absence, and resume accruing said leave upon their return to work.

If medical leave is taken due to injury, disability or illness of the employee, the City may require a medical clearance to return to work.

Medical leave may accrue up to a maximum of 528 hours, after which no further medical leave shall accrue.

#### **14.05B SICK POOL POLICY (SLP)**

**ELIGIBILITY.** Employees suffering from a catastrophic condition, or who have an \*immediate family member suffering from a catastrophic condition and are appointed to work at least 20 hours per week for at least 4.5 months are eligible to apply for SLP hours. Eligible employees must exhaust all their own paid time off prior to applying for and receiving a SLP award. Leave management encourages all benefits eligible to employees to evaluate their short & long term disability insurance options. These options are affordable insurance elections that provide partial income replacement should you experience a serious medical condition that prevents you from performing the essential functions of your job, yet does not meet the criteria for catastrophic as defined within the SLP.

\*Immediate family members include: spouse, child, parent, someone who lives with you and is related by kinship, adoption, or marriage, a foster child certified by the Texas Department of Child Protective and Regulatory Services. Proof of relationship may be required for coverage under SLP for a family member.

**APPLYING FOR SICK LEAVE POOL HOURS.** You or your representative can make a request for SLP application. You should submit the application to the City Administrator at least two weeks before the hours are needed or as soon as possible. SLP forms are available from the HR representative.

Your application will require your health care provider to fill out a certification that will be included in your SLP packet. If the certification from your healthcare provider is incomplete or lacks sufficient medical information, the City Administrator will request additional information from you or the healthcare provider. All SLP decisions are final.

You will be placed on time off without pay if you exhaust all of your paid time off prior to review of your SLP application. SLP hours can be retroactively applied if the application is later approved.

The amount of time you are approved to receive cannot exceed 720 hours per catastrophic condition. The amount of the award will depend on the medical certification from your physician. If you work less than 40 hours per week, the maximum award is proportionate to percent of time you work each week.

If awarded SLP hours, you will continue to accrue annual & sick time off monthly, however, since you are not actively working to earn the accruals, they will remain frozen and cannot be used until you return to work.

**SUPERVISOR INFORMATION.** Supervisors should be aware that an award of SLP is in SLP hours only, not funding. Employees awarded hours of SLP will still be on your budget and their paychecks will still come from your funding.

Supervisors must coordinate the completion of timesheets on behalf of the employee during the employee's time off using the SLP option on the employee time off calendar. If an employee is working reduced or intermittent schedule, the employee should complete their own time off calendar.

Employees are not expected to work while on SLP, unless the award is for a reduced or intermittent schedule, and then only when they are scheduled to work as authorized by the healthcare provider certification.

It is possible for an employee to be awarded more than one SLP award if they are suffering from separate and distinct catastrophic conditions as certified by the healthcare provider.

**DONATING SICK LEAVE POOL HOURS.** Current or separating employees may contribute hours to the SLP. To donate, submit a Sick Leave Pool Transfer form to the City Administrator.

As a current employee who has contributed to the SLP, you may submit a written request to the City Administrator to receive a refund of donated hours if you have exhausted your own sick time off balance and you have an immediate need that does not qualify as a catastrophic illness or injury.

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## **14.06 FAMILY AND MEDICAL LEAVE (FMLA)**

In compliance with the Family and Medical Leave Act (FMLA) The city offers eligible employees up to twelve (12) weeks of unpaid leave per year (except to the extent of use of accrued paid leave or Sick Pool benefits, as applicable) for the birth, adoption, or foster care of a child, or because the employee or a spouse, parent, or child of the employee has a serious illness, all as provided by the Family and Medical Leave Act. Employees must utilize all accrued applicable paid leave while taking leave pursuant to the FMLA, unless they are receiving temporary disability or workers' compensation benefits. The use of any accrued paid leave during a qualified FMLA leave shall not extend the duration of the leave required by the FMLA - The 12 weeks of leave shall be inclusive of any paid leave used during the FMLA qualified absence.

For purposes of this policy, an eligible employee is one who has been employed by the city for at least 12 months, and who has worked at least 1,250 hours during the preceding 12 months. When calculating the required 12 months of city employment for FMLA eligibility, all city employment will be counted and it need not be continuous. The 1,250 hours refers to hours actually worked the year prior to the leave and does not include any paid time off.

An eligible employee is entitled to a total of 12 work-weeks of leave during a 12-month period. The 12-month period begins on the first day of FMLA designated leave for a qualifying event. Qualifying events are defined by the FMLA.

Additional information regarding FMLA leave may be obtained by contacting the City Administrator or his/her designee.

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**14.07  
BEREAVEMENT LEAVE**

Regular full-time and part-time employees may be granted bereavement leave with pay for a period not to exceed three (3) working days in case of death in their immediate family. This leave will not be charged against medical leave or vacation leave. Immediate family includes the employee's spouse, domestic partner (as defined in Section 14.05), or the child, parent, grandparent, brother or sister of the employee or the employee's spouse. The City Administrator or his/her designee shall maintain a record of each employee's bereavement leave.

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**14.08  
MILITARY LEAVE**

- (a) Paid leave not to exceed 120 hours per calendar year shall be granted to an employee for a period that the employee is called to active duty as a member of the National Guard or Reserve component of the United States Armed Services.
- (b) Unpaid leave shall be granted for a period of active duty described in subparagraph (a) that exceeds 120 hours in a calendar year. Unpaid leave shall also be granted for regular inactive duty services in a Reserve component of the United States Armed Services provided that the employee gives two (2) weeks advance notice of any such regular inactive duty to the City Administrator or his/her designee.
- (c) An employee may use any accrued unused vacation, holiday or compensatory hours during any unpaid leave allowed pursuant to subparagraph (b)
- (d) An employee preparing to take a leave allowed pursuant to subparagraph (a) or (b) shall provide to the City Administrator or his/her designee copies of military orders or other appropriate certification for placement in the employee's file.

- (e) An employee's medical and vacation leave shall continue to accrue while he/she is on a leave described in subparagraph (a) or (b), provided that the employee continues his/her employment with the City at the end of such leave. The employee shall notify the City of the employee's intention to return to work with the City not later than two weeks after the employee's discharge from a leave described in subparagraph (a). Failure to provide such notice will result in a forfeiture of any leave or benefits accrued.
  - (f) The City shall comply with all applicable law regarding leave for military service, including but not limited to applicable provisions of USERRA.
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**14.09  
EXTENDED LEAVE OF ABSENCE WITHOUT PAY**

The City Administrator may, in unusual circumstances, or in the case of illness or disability when an employee exhausts all paid medical leave, allow unpaid leave, which, when combined with paid leave already provided, does not exceed the maximum period of absence allowed by these policies.

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**14.10  
INJURY LEAVE**

An employee injured in connection with his/her employment with the City shall receive worker's compensation and injury wage continuation benefits under the terms and conditions prescribed in this policy in accordance with state and federal laws. Medical and vacation leave will accrue during said leave period.

For absences resulting from a work-related injury or illness for which a regular full-time employee receives Workers' Compensation benefits, the City may, upon the request of the employee, authorize a pay maintenance benefit consisting of the difference between the employee's regular weekly salary or wage for the employee's regular full-time work for the City and the Workers' Compensation income benefit for the week. This benefit shall be prorated for partial weeks of absence and the maximum total period for which accrued unused leave and pay maintenance benefits may be used shall be 66 workdays. In order to be eligible for the pay-maintenance benefit, the following criteria shall apply, and the following requirements must be met:

1. Accrued sick leave available to the employee must first be exhausted before the pay-maintenance benefit may be provided. An employee may use a fraction of a benefit day so that only the fraction of the benefit day needed to be added to the Workers' Compensation benefit to arrive at the regular daily wage or salary of the employee is used.
2. The injury or illness must be sustained while the employee was performing normal and expected duties for the City in accordance with all applicable regulations, policies, and procedures of the City.
3. The injury or illness must not have been sustained as the result of a willful act of the employee or a failure to act by the employee which: (a) was unsafe and inconsistent with training and/or instruction provided by the City; (b) was grossly



negligent; (c) was in furtherance of the commission of any criminal act; or (d) constituted official misconduct.

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**14.12**  
**MAXIMUM LEAVE**

Any employee absent from work for any reason for more than 12 consecutive weeks will be given preferential treatment for re-employment pursuant to Section 14.13 (A) of this Manual if the absence was approved by the City or was medically necessary as evidenced by a health-care provider's written statement. The position of an employee absent from work for any reason will not be held open for more than 12 consecutive weeks, whether or not such absence was approved or medically necessary, and such employee will no longer accrue any privilege or benefit of employment with the City after such period of absence, except as required by applicable law (e.g. workers' compensation benefits, continuation of coverage medical insurance benefit, if applicable). In addition, the employment of any employee absent from work on an intermittent basis for more than a total of 568 hours in any twenty-six (26) week period shall be terminated, unless otherwise required by the Family and Medical Leave Act, the American with Disabilities Act, or other applicable law. Such an employee may apply for re-employment and shall be eligible for re-employment at such time that the employee is able to perform the essential functions of the work, including those regarding attendance. The City reserves the right to terminate the employment of any employee absent from work for any period of time without City approval or when such absence is not medically necessary. Notwithstanding anything to the contrary in this Section 14.13, so long as the Family and Medical Leave Act or other applicable law regarding leaves of absence is applicable to the affected employee, the City will comply with the requirements of any such law in considering any request for leave.

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**14.13**  
**RE-EMPLOYMENT AFTER LEAVES OF ABSENCE**

An employee who applies for reinstatement and is still qualified to perform the duties of his or her former position following an approved extended leave will be considered for reinstatement to the employee's former position if it still exists, or for another position of similar status and pay. In any case, re-employment shall be offered to the employee at or near the time of application for reinstatement if a suitable position is available. The City may, but shall not be obligated to, notify an employee of future positions as they become available, if the employee is not reinstated as a result of a lack of a suitable available.

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**14.14**  
**HEALTH INSURANCE COVERAGE DURING UNPAID LEAVE**

Except as provided by applicable law, the City shall not pay the premium of any health insurance coverage provided through the City's group policy during any voluntary unpaid leave of absence through the end of the month following the month such leave begins.

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**14.15**  
**ACCOMMODATING INDIVIDUALS WITH DISABILITIES - AMERICANS WITH DISABILITIES ACT (ADA)**

The Federal Americans with Disabilities Act (ADA) prohibits discrimination in employment against qualified individuals with disabilities and requires government programs to make all services offered to the public accessible.

To be a “qualified individual,” an individual must be able to perform the essential functions of a job with or without a reasonable accommodation. Under the ADA, an individual with a disability is a person who has:

- a physical or mental impairment that substantially limits one or more major life activities;
- a record of such impairment; or
- is regarded as having such an impairment.

A reasonable accommodation will be provided for a permanent physical or mental limitation of a qualified employee or applicant unless the accommodation imposes an undue hardship on the city.

Reasonable workplace accommodations taken may include making existing facilities readily available; modifications or adjustments to the work environment or manner or circumstances under which the position is customarily performed; modifications or adjustments that enable the individual with the disability to enjoy equal benefits and privileges as other similarly situated employees without disabilities; and other appropriate adjustments to the work environment of a qualified individual with a disability.

“Undue hardship” determinations shall be based on the definitions provided by the courts, the Americans with Disabilities Act, and the Texas Human Rights Act. Undue hardship factors may include, but are not limited to, requiring a significant difficulty or expense considered in light of the size, financial resources, nature and structure of the city’s operations and how the request affects the health and safety of the requestor or other employees.

The city prohibits discrimination against applicants/employees with disabilities. Additionally, no individual with a disability shall be excluded from participation in services, programs or activities of this governmental body. The city shall not unlawfully discriminate against an applicant or an employee on the basis of his or her HIV/AIDS status or any other terminal or communicable disease.

The employee who is disabled is responsible for notifying the City Administrator of the disability and the need for reasonable accommodations.

An individual with a disability must also be qualified to perform the essential functions of the job, with or without reasonable accommodation, in order to be protected by the ADA. This means that an applicant or employee must satisfy standard job requirements for educational background, employment experience, skills, licenses, and any other qualification standards that are job related. Requests for reasonable accommodation are decided on a case-by-case basis based upon information provided by the employee. All reasonable accommodations must:

- be job related;
- be effective enough to enable the employee to perform essential job functions;
- enable the individual to perform the essential functions of the job; and

not impose an undue hardship on the city's operations.

Factors that may affect an accommodation decision include, but are not limited to, the availability of funding, the amount of disruption to the work of other employees, and the impact on the city's ability to conduct business.

An employee desiring reasonable accommodation must submit a request in writing to the City Administrator. The employee must provide:

- a description of the employee's physical or mental limitation or, if needed to affirm the diagnosis, a medical statement of the diagnosis or prognosis that creates the physical or mental limitation;
- a list of the job functions or tasks the employee cannot currently perform, but will be able to perform if reasonable accommodation is provided;
- a suggested method of accommodation, including the source and type of any special equipment that may be needed; and
- a medical statement containing an evaluation as to the effect of the diagnosed impairment or prognosis on the employee's ability to perform the duties associated with the employee's position based on the employee's job description;

The employee and the city should cooperate to conclude the review process within a period of 30 days.

Notwithstanding anything in this policy to the contrary, the city shall comply with current law pursuant to the ADA. This policy is intended to provide information to employees regarding the City's prohibition on unlawful discrimination and procedures for requesting reasonable accommodations. Nothing in this policy shall be construed to grant rights beyond or in addition to rights under the ADA.

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## **14.18**

### **Peace Officer Mental Health Leave**

- A. The purpose of this policy is to allow the use of mental health leave by the peace officers employed by the City of Sunset Valley who experience a traumatic event while on duty.
- B. This policy applies to a licensed peace officers employed by the City of Sunset Valley ("Officer").
- C. An Officer shall be allowed up to 80 hours of paid mental health leave per calendar year, subject to the following conditions:
  - 1. the leave is
    - a. approved by the Officer's supervisor, the Chief of Police or the City Administrator;  
or
    - b. ordered by a mental health professional; and
  - 2. the leave is taken as a result of a traumatic event that occurred while on duty.

- D. The City of Sunset Valley will keep requests to take mental health leave and any medical information related to mental health leave under this policy confidential to the extent allowed by law and separate from the Officer's general personnel file. The City of Sunset Valley cannot guarantee anonymity of information that is otherwise public or necessary to carry out the City's duties under the law.
- E. The City of Sunset Valley will not reduce an eligible employee's sick leave, vacation leave, holiday, or other paid leave balance for mental health leave taken under this policy.
- F. The City of Sunset Valley will keep requests to take mental health leave and any medical information related to mental health leave under this policy confidential to the extent allowed by law and separate from the Officer's general personnel file. The City of Sunset Valley cannot guarantee anonymity of information that is otherwise public or necessary to carry out the City's duties under the law.
- G. The City of Sunset Valley will not reduce an eligible employee's sick leave, vacation leave, holiday, or other paid leave balance for mental health leave taken under this policy.

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## **SECTION FIFTEEN HEALTH AND SAFETY**

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### **15.01 SAFETY POLICY**

It is the policy of the City to make every reasonable effort to provide healthful and safe working conditions for all of its employees. The City Administrator will establish a Safety Program for City Employees.

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### **15.02 EMPLOYEE RESPONSIBILITIES/REPORTS**

Employees are responsible for conducting their work activities in a manner that is protective of their own health and safety, as well as that of other individuals.

An employee must report every accident in writing, no matter how minor, to his or her Department Head, who is responsible for immediately filing an accident report on every accident involving an injury with the City Administrator or his/her designee.

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### **15.03 SAFETY SUGGESTIONS**

The City Administrator may make such recommendations to the City Council as are necessary for the improvement of working conditions and the correction of any dangerous or harmful conditions which are believed to be preventable or which are not in compliance with established rules, regulations and requirements. Additionally, employees shall report in writing immediately to their Department Head any conditions that in their judgment threaten the health and safety of employees or other individuals. Employees are encouraged to make suggestions for improvements that would make the City workplace safer.

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### **15.04 ON THE JOB INJURIES**

The City provides workers compensation insurance for all of its employees. This insurance pays for medical expenses and, in certain instances disability payments, for occupational injuries and illnesses of an employee.

Any employee who sustains an on-the-job injury or job-related illness must immediately stop work if the injury or illness so warrants, and must report the injury or illness in writing to their Department Head within twenty-four (24) hours. Department Heads must report any injuries to the Mayor within 24 hours.

An employee who sustains an on-the-job injury or job-related illness may seek medical attention from the medical facility or professional of his or her choice. The City requires statements of medical condition and release from the attending physician before the employee may return to work.

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**15.05**  
**LIGHT DUTY ASSIGNMENT**

If such an assignment is available and the employee is released by his/her health care provider to perform the work, an employee who has sustained an injury or illness compensable by workers compensation insurance may be required to perform a light duty assignment for a period of time.

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## **SECTION SIXTEEN USE OF CITY PROPERTY**

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### **16.01 GENERAL POLICY**

The City attempts to provide each employee with adequate tools, equipment, and vehicles for the City job being performed, and expects each employee to observe safe work practices and safe and courteous operation of vehicles and equipment in compliance with all municipal, county, and state regulations.

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### **16.02 PROPERTY CONTROL**

Department Heads shall insure that all property under their control is properly safeguarded, accounted for, and administered. The City Administrator or his/her designee shall maintain or delegate the maintenance of an up-to-date inventory of all City property. All acquisitions, disposals, or transfers of property shall be reported to the City Administrator or his/her designee. All property owned by the City is to be used only in conducting the City's business.

An accounting of all gasoline purchased and used by the City shall be made and reports of usage filed.

Employees may not use city time, property, facilities or equipment for purposes other than official city business except for incidental personal use as expressly provided by other provisions of this handbook.

Employees misusing city property are subject to disciplinary action up to and including termination.

Employees shall utilize city equipment for city purposes and shall follow city regulations and city procedures regarding maintenance and use of city property.

Employees may make incidental personal use of work telephones for local calls so long as such calls are infrequent and of limited duration.

Employees' excessive use of work telephones for personal or private matters may be the basis for disciplinary action, up to and including termination.

Employees in possession of city property, equipment and supplies shall return all such property upon separation, including security badges, access cards, keys, work papers and notes or diaries of official business.

Employees shall not remove, conceal, or falsify governmental records. Destruction of governmental records shall only be permitted under the City's records retention policy.



Employees shall not use a city-issued credit card for expenses which are clearly personal in nature and not necessitated by, or incidental to, city business.

An employee who has in his/her possession any property of the city at the time of termination of employment with the city shall immediately return such property.

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**16.03  
USE OF TOOLS, EQUIPMENT, PROPERTY, AND VEHICLES**

Employees who are assigned tools, equipment or vehicles by their Departments are responsible for them and for their proper use and maintenance.

No personal use of any City property, materials, supplies, tools, equipment, or vehicles is permitted.

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**16.04  
VALID DRIVER'S LICENSE**

All operators of City vehicles and motorized equipment are required to have a valid State of Texas driver's license required for that class of vehicle or equipment and to keep Department Heads informed of any change or status in their license. Suspension or revocation of the driver's license of an employee whose job duties require operation of a vehicle or equipment may result in discharge.

A record of three or more moving violations or one driving while intoxicated conviction is grounds for denying use of City vehicles or equipment to any employee.

The City Administrator or his/her designee may conduct an annual driver's license check on every employee who operates City vehicles and equipment as a routine part of his or her job duty.

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**16.05  
ACCIDENT REPORTING**

Any person operating City equipment or vehicles must report all vehicular accidents and property damage or liability claims to his or her Department Head and to the police at the time of the accident. City vehicles or equipment that have been involved in such a situation will not be moved until permission is given to do so by the City Police Department.

An official accident report must be filed on each vehicular accident involving a City vehicle or equipment, no matter how minor. The Police Department shall forward to the respective Department Head a copy of such accident report as soon as its investigation is complete. The Department Head must send a copy of the report to the City Administrator and file a copy in the personnel file of the employee involved in the accident.

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**16.06**  
**APPROVAL FOR USE**

Police officers must have the prior written approval of the Chief of Police and City Administrator before wearing the City's police uniform and wearing a City-issued firearm in connection with any secondary or outside employment.

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## **SECTION SEVENTEEN DISCIPLINE AND APPEALS**

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### **17.01 GROUNDS FOR DISCIPLINARY ACTION**

The City Administrator, a Department Head, or a supervisor shall take disciplinary action against an employee when appropriate. Grounds for disciplinary action may include, but are not limited to, the following:

- Violation of any Rule, Regulation or Policy set forth in this Manual or the Police Manual;
- Insubordination or violation of any official order or regulation;
- Absence without leave including (1) employee's failure to notify a supervisor of expected absence before the time the employee is to report to work; (2) repeated tardiness; (3) repeated early departure;
- Endangering the safety of other persons;
- Violation of drug policy;
- Unauthorized use of public funds or property;
- Negligent or willful damage or waste of public funds or property;
- Conviction of a felony;
- Conviction for official misconduct;
- Falsification of city documents or records;
- Unauthorized use of official information or unauthorized disclosure of confidential information;
- Unauthorized or abusive use of official authority;
- Incompetence, inefficiency or neglect of duty, or poor work performance;
- Disruptive behavior which impairs the performance of others; or
- Conduct unbecoming an employee of the City;

The foregoing list is not to be all inclusive, but rather, to provide examples of the types of conduct which may result in disciplinary action. Additionally, certain conduct prohibited by this Manual may also constitute violations of the law and may result in criminal prosecution.

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**17.02****TYPES OF DISCIPLINARY ACTION**

Disciplinary action taken shall be consistent with the nature of the deficiency or infraction involved. Disciplinary action may include verbal warnings, written reprimand, suspension, demotion, dismissal, restitution, counseling or training or any combination thereof. While Department Heads are encouraged to use progressive discipline, nothing shall prevent the City Administrator from approving whatever disciplinary action deemed appropriate. The rules governing disciplinary action shall apply to all employees unless specified by state or federal law, or by action of the City Council. All disciplinary action shall be documented in the employee's personnel file.

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**17.03****WRITTEN REPRIMAND**

An employee may be formally reprimanded in writing. The reprimand shall describe the deficiency or infraction involved and shall state the likely consequence of further unsatisfactory performance and/or conduct. The reprimand shall be signed by the employee stating that the employee has personally read the written reprimand and understands it. The employee's signature does not imply that the employee agrees with the reprimand. The City Administrator shall be provided a copy of the reprimand immediately.

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**17.04****SUSPENSION**

Department Head with approval of the City Administrator may suspend an employee without pay. A notice of suspension shall be given to the employee which describes the deficiency or infraction involved and which states the likely consequences of further unsatisfactory performance and/or conduct. The suspension shall be noted in the employee's official personnel file. The City Administrator shall notify the Mayor of such action.

Vacation, compensatory time or sick leave cannot be used, nor accrued, during suspension.

A Department Head may temporarily relieve from work any employee for the balance of the working day (with full pay and benefits) if the Department Head believes that the employee, by continuing to work, will tend to discredit or impair the operation of the Department. The Department Head shall immediately notify the City Administrator of any such temporary action. The City Administrator shall report any continuation to the Mayor, who must approve any continuation of such relief from duty with pay.

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**17.05**  
**DEMOTION**

An employee may be demoted, or transferred from one position to another for which the rate of pay is lower and/or responsibilities reduced. A demotion is a change in job classification that provides a lower minimum salary rate. A demotion generally will involve a decrease in salary within the range of the job classification. A demotion may be imposed as a disciplinary action for unsatisfactory performance or for misconduct for which termination is determined not to be appropriate.

A notice of demotion must be given to the employee which describes the deficiency or infraction involved and which states the likely consequences of further unsatisfactory performance and/or conduct. The demotion shall be permanently noted in the employee's personnel file. Department Heads shall recommend any such action to the City Administrator for approval. The City Council must approve any demotion from the level of Department Head.

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**17.06**  
**DISMISSAL**

An employee may be involuntarily dismissed. A notice of dismissal should be given without unnecessary delay to the employee who describes the deficiency or infraction involved. A copy of the dismissal notice shall be placed in the employee's personnel file. A dismissal of an employee must be approved by the City Administrator.

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**17.07**  
**APPEALS OF DISCIPLINARY ACTION**

An employee may appeal the disciplinary action taken against him or her, with the exception of termination, in accordance with the grievance procedures set forth in Section Eighteen. There shall be no right of appeal from an involuntary dismissal. However, an employee who is dismissed shall be provided an opportunity to discuss the dismissal and the grounds thereof with the Mayor at the earliest available opportunity.

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## **SECTION EIGHTEEN GRIEVANCE PROCEDURE**

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### **18.01 DEFINITION**

Any disagreement between an employee and a supervisor or an employee and another employee over policy, procedures, working conditions or working relationships that does not involve disciplinary action shall constitute a grievance. The Grievance Procedure provided in this Section applies to appeals of certain disciplinary actions only as allowed by Section 17.07 of these policies. This Grievance procedure is only available to City employees.

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### **18.02 GENERAL POLICY**

The City encourages the resolution of grievances through informal discussions with the employee(s) and/or the supervisor involved in the incident about which the complaint is made. If the problem is not resolved to the satisfaction of the grieving employee through informal means, the employee may file a formal grievance. No adverse action(s) will be taken against an employee by the City for reason of his or her good faith exercise of the grievance right.

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### **18.03 FORMAL GRIEVANCE PROCEDURE**

#### **Step 1**

A formal grievance must be in writing, dated, signed by the employee making the grievance and presented to the Level 1 person as indicated in the chart below within ten (10) business days of the occurrence of the incident giving rise to the complaint. The Level 1 person being presented with the formal grievance must sign and date the grievance to indicate receipt.

The chart below provides the different levels of submissions and time to respond for each step depending on the who is the subject of the grievance. If another employee or supervisor is the subject of the grievance, the employee shall present the grievance to the Department Head. If the Department Head is the subject of the grievance, the employee shall present the grievance to the City Administrator. If the City Administrator, a Council Member or any other appointed or elected official that is not a department head other than the Mayor is the subject of the grievance, the employee shall present the grievance to the Mayor. If the Mayor is the subject of the grievance, the employee shall present the grievance to the Mayor Pro Tem.

At no time during the procedural steps, shall the decision-making authority go beyond the City Council. If the grievance is not resolved in the procedural steps before reaching the City Council, the City Council shall have the final authority to make the final decision in the resolution of the matter. As shown by the chart below, some matters may not go through all the steps before

reaching the City Council. The response times as indicated in the chart are calculated from the time the written formal grievance or the written appeal to the next step is received, as applicable.

Person Making Grievance	Person Subject of Grievance	Level 1	Level 2	Level 3	Level 4
Employee	Employee	Department Head- 5 business days to respond	City Administrator- 10 business days to respond	Mayor- 10 business days to respond	City Council- Final decision within 30 days of service of the written appeal
Employee	Supervisor	Department Head- 5 business days to respond	City Administrator- 10 business days to respond	Mayor- 10 business days to respond	City Council- Final decision within 30 days of service of the written appeal
Employee	Department Head	City Administrator- 10 business days to respond	Mayor- 10 business days to respond	City Council- Final decision within 30 days of service of the written appeal	
Employee	City Administrator	Mayor- 10 business days to respond	City Council- Final decision within 30 days of service of the written appeal		
Employee	City Council Member	Mayor- 10 business days to respond	City Council- Final decision within 30 days of service of the written appeal		
Employee	Mayor	Mayor Pro Tem- 10 business days to respond	City Council- Final decision within 30 days of service of the written appeal		

The Level 1 shall attempt to resolve the grievance and should communicate his or her decision regarding the grievance to the employee in writing within the response time as indicated in the charts.

**Step 2**

If the employee is not satisfied with the proposed resolution by Level 1 or if the Level 1 fails to provide a written response within response time, the employee may, within ten (10) business days of the later of receipt of the decision or the end of the period for the Level 1 to timely respond, serve a written appeal of that decision with the Level 2. The Level 2 should respond in writing to the employee within the response time as indicated in the chart. The Level 2 may affirm, modify, or overrule the decision of the Level 1.

**Step 3**

If the employee is not satisfied with the Level 2’s response or lack thereof, he or she may, within ten (10) business days of the later of receipt of the Level 2’s decision or expiration of the time for the Level 2 to timely respond, serve a written appeal of that decision with the Level 3. The Level 3 should respond in writing to the employee within the response time as indicated in the chart. The Level 3 may affirm, modify or overrule the decision of the Level 2.

#### **Step 4**

The employee may appeal the decision of the Level 3 to the Level 4 by filing a written appeal within ten (10) business days of the later of receipt of the Level 3's written decision or expiration of the period for the Level 3 to timely respond. The Level 4 shall affirm, modify or overrule the decision of the Level 3 within the written appeal the response time as indicated in the chart. All written appeals to each step shall state in detail, the basis for the employee's dissatisfaction with the decision from which the appeal is taken. Any ground not set forth in the written appeal shall not be considered. Written appeals to the Mayor, Mayor Pro Tem and/or the City Council shall be deemed served when they are filed with the City Administrator.

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#### **18.04**

#### **WHISTLE BLOWING POLICY**

A city or local governmental entity may not suspend or terminate the employment of, or take other adverse personnel action against, a public employee who in good faith reports to an appropriate law enforcement authority, a violation of law by the employing governmental entity or another public employee.

The City will not suspend or terminate the employment of, or otherwise discriminate against, an employee who reports a violation of the law to the appropriate authority, if the employee's report is made in good faith.

The City is committed to upholding the requirements of all state and federal laws including applicable Whistle-Blower Act(s). The City will not suspend, terminate, or otherwise discriminate against an employee who appropriately reports a violation of law to an appropriate authority if the employee report is made in good faith.

Employee rights include:

- right and/or duty to report violations of law
- right to report unsafe act or condition
- right to file a Workers' Compensation Claim
- right to file a grievance
- right to file a complaint of alleged discrimination

Notwithstanding any provision of these policies, in conformance with Texas Government Code, Chapter 554, an employee should file a notice of grievance regarding an alleged violation of Chapter 554 or this policy as soon as practicable, but in any event shall file such notice of grievance not later than 90 days after the later of the date a violation occurs, or the date the employee discovered the violation through reasonable diligence.

A notice of grievance shall be filed simultaneously with the City Administrator, the Mayor, and the City Attorney and shall include a statement of the person to whom a violation of law was made, the date of such report, a statement of the facts included in such report, and the retaliation or denial of a right believed to have occurred as a result of such report. The City Attorney will make a determination as to whether to obtain an independent investigator to investigate a grievance under this section. An investigation of the alleged violation of the Whistleblower Policy will be



conducted and presented to the City Council. The City Council shall have the final authority in making all final decisions regarding alleged violations of the Whistleblower policy.

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## **SECTION NINETEEN SEPARATION FROM EMPLOYMENT**

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### **19.01 GENERAL**

Except for separations due to resignation and death, all separations from City service must be approved by the City Administrator. Involuntary termination of employment of a Department Head or City Administrator must be approved by the City Council.

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### **19.02 RESIGNATION**

An employee who intends to resign must notify his or her Department Head in writing at least ten (10) working days prior to the last day of work. The Department Head is responsible for immediately notifying the City Administrator. A Department Head shall provide similar notice to the City Administrator. As an "at-will employee," all employees are free to resign at any time, for any or no reason. Failure to give the required notice, however, will result in the forfeiture of all rights to accrued annual leave pay.

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### **19.03 LAYOFF**

See Section 10.05. (page 41)

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### **19.04 DISABILITY OR INCAPACITY**

If an employee cannot perform the bona fide requirements of his/her job for physical or mental reasons determined and documented by medical opinion, he/she may, be dismissed or, if qualified and able to perform another job in the City service, placed in that job if such placement is in the best interest of the City. Notwithstanding the foregoing, see Section 14.15 for more information about compliance with the Americans with Disabilities Act for conditions subject to the ADA.

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### **19.05 DISMISSAL**

A new employee may be dismissed at any time during the orientation period when, in the judgment of his or her Department Head, the quality and performance of his or her work does not merit continuation on the City staff, or for any other reason or no reason.

Each employee of the City is an "at-will" employee who can terminate employment with the City, or be terminated by the City, at any time and for any or no reason, except as proscribed by applicable, including state and federal employment discrimination statutes. Nothing set forth in this Manual is intended to or shall be deemed to create a contract between the City and the employee, or to create any contractual rights relating to employment. Any agreements or assurances concerning the terms, conditions or duration of an individual's employment are not binding unless they are in writing and signed by the Mayor.

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## **19.06 DEATH**

If a City employee dies, his or her estate receives all earned pay and any accrued and payable benefits.

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## **19.07 EXIT INTERVIEWS AND RECORDS**

The Department Head of an employee who is separated from employment with the City may discuss with the employee the reason(s) for the separation in an exit interview whenever reasonably practical. Reasons for the separation, if not the result of the resignation or death of the employee should be signed by the Department Head and initialed by the employee except in unusual or emergency circumstances. The employee's initials do not mean that the employee agrees to the separation or the reasons stated thereof.

On separation from the city, employees may be given the opportunity to complete an exit survey.

Coordination for the exit interview will be handled by the City Administrator directly with the separating employee.

Separating employees may be asked to complete an Exit Survey Employee Acknowledgment Form, signifying that the employee was given the opportunity to complete the survey, whether or not the employee elects to do so.

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## **19.08 EMPLOYMENT REFERENCES**

All requests for employment references must be directed to the City Administrator. Department Heads and other employees are prohibited from supplying, in their capacity as agents of the City, employment references for ex-employees or current employees, including writing letters of recommendation. Personal and other references may be given, provided that it is made clear that the reference is not provided by the employee in his/her capacity as an agent or spokesperson for the City.

After voluntary or involuntary separation, agents of the City will typically only provide neutral verification of employment, giving the first and last day worked, position and salary at time of hiring and separation.

All additional information, both positive and negative, in the employee's personnel file will be supplied to a non-requesting third party at the request of the employee only upon the written, dated and signed request of the employee, accompanied by a proper Release of Liability of the City for providing the information. Said Release shall be signed and dated by the employee before a notary public.

The request shall be only for specific items or shall be for all material included in the employee's personnel file. The request must designate to whom the information is to be sent by name, title, company or governmental entity, and address sufficient for mailing.

Information in an employee's personnel file may otherwise be subject to disclosure at the request of any person pursuant to the Texas Public Information Act.

The City's reference policy will be explained to the employee at the exit interview and the employee given the opportunity to sign a general or specific voluntary release of information in the employee's personnel file.

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## **SECTION TWENTY PERSONNEL RECORDS**

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### **20.01 GENERAL**

Personnel files are maintained by the City Administrator or his/her designee. A copy of all personnel information related to an employee shall be filed in the employee's personnel file.

Information in an employee's personnel file is confidential unless disclosure of specific items as public records is required by law. Except as required or authorized by law or subpoena, or pursuant to a signed, notarized request for release by the employee, no information from any record placed in an employee's file will be communicated to any person or organization. Only the Mayor, the City Administrator, and, as applicable, the City's Public Information Officer are authorized in such instances to release the information.

All documents and data compiled or maintained by the city are releasable to the public unless exempted from disclosure. All public information requests are handled by the City Administrator or his/her designee; therefore, employees receiving requests should forward the requests to the City Administrator immediately upon receipt.

Questions regarding record retention should be directed to the Records Retention Coordinator. Records are required to be maintained as provided in the city's record retention policy and as required by applicable state law.

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### **20.02 CONTENTS OF PERSONNEL FILES**

The City Administrator or his/her designee is responsible for the proper maintenance of all personnel files. An employee's personnel file contains copies of the following:

- Application for employment;
- The employee's acknowledgment of receipt of (1) a copy of the City's Human Resources Policy Manual, and (2) a copy of his or her job description;
- Performance Evaluation Records;
- Records of any citation for excellence or awards for good performance;
- Records of any written reprimands or other disciplinary actions;
- Time Records, records of leave accrued and taken; and
- Any other pertinent information relevant to the employee's status.

Employees must immediately notify their Department Head, who shall then notify the City Administrative Assistant, concerning the following:

- Change of address, whether mailing or residence;
  - Change of phone number, listed or unlisted;
  - Change in marital status or number of dependents;
  - Change in Social Security Number or Texas Drivers License Number.
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### **20.03 LEAVE RECORDS**

Official records of vacation and sick leave and of leave usage will be kept for each employee. It is the responsibility of each Department Head to provide an update of leave usage at the end of each payroll period to the City Administrator or his/her designee. Records will be adjusted to reflect any remaining leave to which an employee is entitled.

## **ACKNOWLEDGMENT**

I, \_\_\_\_\_ have received a copy of the Human Resources Policy Manual for the City of Sunset Valley, which I have read in its entirety. I understand the contents of the Manual and agree to abide by all rules, policies and regulations set forth in the Manual.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date