

ORDINANCE NO. 479

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EL LAGO, TEXAS, ADOPTING THE PERSONNEL POLICIES AND PROCEDURES MANUAL FOR THE CITY OF EL LAGO, TEXAS, IN ORDER TO PROVIDE INFORMATION REGARDING GENERAL EMPLOYMENT, CITY POLICIES, COMPENSATION, EMPLOYEE BENEFITS, AND TERMINATION OF EMPLOYMENT; REPEALING ALL CONFLICTING POLICIES AND ORDINANCES RELATED TO THE PERSONNEL POLICIES AND PROCEDURES MANUAL; PROVIDING FOR SEVERABILITY; AND, PROVIDING AN EFFECTIVE DATE.

* * * * *

WHEREAS, the 1995 Policies and Procedures Manual (the “1995 Manual”) for the City of El Lago, Texas (the “City”) has not been the subject of a comprehensive review and examination by the Mayor and City Council (the “Council”) of the City since 2015; and

WHEREAS, various provisions of the 1995 Manual must be updated to reflect changes in Federal and State law, and to reflect best practices for municipal personnel management practices; and

WHEREAS, the Council desires to adopt a new policies and procedures manual for the personnel of the City as provided herein; and **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL LAGO, TEXAS:

SECTION 1. THAT, the 2021 City of El Lago Personnel Policies and Procedures Manual (the “2021 Manual”) attached to this Ordinance as “Exhibit A” is hereby approved and adopted, and is incorporated into this Ordinance for all intents and purposes.

SECTION 2. THAT, the 1995 Manual, including any amendments thereto, and any other personnel policies or Ordinances in conflict with the 2021 Manual or this Ordinance are hereby repealed, and the 1995 Manual, any amendments thereto, and all such personnel policies or Ordinances shall be replaced by the 2021 Manual and this Ordinance.

SECTION 3. THAT, should any provision, section, subsection, sentence, clause, or phrase of this Ordinance or the 2021 Manual be held unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance and the 2021 Manual shall not be affected thereby and shall continue to be in full force and effect, and all provisions of this Ordinance and the 2021 Manual are declared to be severable for that purpose.

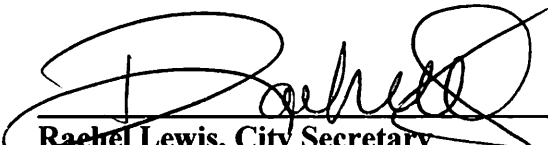
SECTION 4. THAT, the this Ordinance and the 2021 Manual shall become effective upon the date of approval of this Ordinance.

PASSED, APPROVED, AND ADOPTED this the 2nd day of June, 2021.



SHAWN FINDLEY, MAYOR

ATTEST:



Rachel Lewis, City Secretary



EXHIBIT A – 2021 City of El Lago, Texas Personnel Policies & Procedures Manual

Exhibit A

Employee Manual

City of El Lago



ORDINANCE 479

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CITY OF EL LAGO CODE OF ETHICS

The offices of elected and appointed officials, as well as city staff or volunteers, are one of trust and service to the citizens of El Lago. Staff and officials of the City of El Lago are expected to serve and govern in a manner associated with a commitment to the preservation of the values and integrity of representative local government and democracy, and a dedication to the promotion of efficient and effective governing. It is implied that all officials, staff and volunteers will adhere to the Texas Local Government Code and rulings of the Texas Ethics Commission. Furthermore, certain ethical principles as described below shall govern the conduct of every employee, council member, appointed official or volunteer; who shall:

1. Be dedicated to the highest ideals of honor and integrity in all public relationships in order that they may merit the respect and confidence of the citizens of El Lago;
2. Recognize that the chief function of local government at all times is to serve the best interests of ALL of the people, not just selected individuals;
3. Be dedicated to the public, be cooperative and constructive, making the best and most efficient use of available resources;
4. Refrain from any activity or action that may hinder one's ability to be objective and impartial on any matter coming before the council;
5. Refrain from any activity or action that may be perceived as, or is, a conflict of interest, and hold oneself to the highest authority for honesty and integrity;
6. Not seek nor accept gifts or special favors; understanding that it is dishonest to seek personal gain by use of confidential information or misuse of public funds, property or time;
7. Recognize that public and political policy decisions, based on established values, are ultimately the responsibility of the city council, and
8. Conduct city business in open meetings in accordance with Texas Open Meetings Act (TOMA) in order to be directly accountable to the citizens of El Lago.

Your agreement to follow and adhere to this City of El Lago Code of Ethics is a requirement for employment with the City of El Lago. Please complete the signature page of the City of El Lago Employee Personnel Manual and return to your Supervisor.

INTRODUCTION

This Personnel Manual (or “Manual”) is a compilation of personnel policies, practices and procedures currently in effect at the City of El Lago (“City”).

The Manual is designed to introduce you to our City, familiarize you with City policies, provide general guidelines on work rules, benefits and other issues related to your employment, and help answer many of the questions that may arise in connection with your employment.

This Personnel Manual is not a contract. The City of El Lago does not offer individual employees formal employment contracts. This Manual does not create a contract, express or implied, guaranteeing you any specific term of employment, nor does it obligate you to continue your employment for a specific period of time. The purpose of the Manual is simply to provide you with a convenient explanation of present policies and practices at the City. This Manual is an overview or a guideline. It cannot cover every matter that might arise in the workplace. For this reason, specific questions regarding the applicability of a particular policy or practice should be addressed to the City Secretary or the Mayor.

The City reserves the right to modify any of our policies and procedures, including those covered in this Manual, and will notify employees of such modifications by supplying an updated copy of the Personnel Manual.

The policies and procedures contained in this manual shall be superior to and control over any contradictory oral statements made by any party, and any agreements or assurances concerning the terms, conditions or duration of an individual’s employment with the City are not binding unless such agreements are in writing and signed by the Mayor of the City.

DEFINITIONS

Please be aware of the intent of the following terms as used in the El Lago Personnel Policy:

City – shall mean the City of El Lago in general to include its governing body.

Mayor – shall mean the duly elected Mayor of the City of El Lago, the Mayor Pro Tem acting in the Mayor’s stead or other identified and appropriately designated City Official acting on the Mayor’s behalf.

Employee – refers to one who is either currently working for the city or has recently accepted an offer of employment from the City.

Immediate Family – refers to the employee’s child, spouse, parent, stepparent, grandchild, grandparent, sibling, parent-in-law or son/daughter-in-law

SECTION I - General Employment Information

“At Will” Employment

All non-elected officers and employees of the City shall be appointed or hired for an indefinite term and either the City or the employee can terminate the employment and compensation at will, at any time, with or without cause, and with or without notice. Neither the policies contained in this manual nor the existence of the manual itself shall be considered evidence of any “contract” or agreement of any kind between the City and any employees of the City, nor shall they in any way affect the “at will” nature of employment with the City described herein.

Classifications of Employment

The following terms will be used to describe employment classifications and status:

Exempt Employees

Exempt employees are not subject to the overtime pay provisions of the federal Fair Labor Standards Act (FLSA). An exempt employee is one whose specific job duties and salary meet all of the requirements of the U.S. Department of Labor’s regulations. In general, an exempt employee is one who is paid on a salary basis at not less than the federally approved amount per week* and holds an administrative, professional, or management position.

*Effective January 2020, the minimum salary amount for exempt employees established by the Department of Labor in 29 CFR 541 is \$684 per week.

Non-Exempt Employees

Salaried employees who are not administrative, professional, or managerial employees (as defined by the U.S. Department of Labor) and hourly employees whose regular weekly rates do not exceed the federally approved amount as listed under Exempt Employees are generally not exempt from the FLSA’s overtime provisions and shall be compensated at 1.5 times their hourly pay beyond 40 working hours per work week or provided comp time at a rate of 1.5 hours per hour worked beyond 40 hours per work week.

Full-Time Employee

Full-time employees are those who are regularly scheduled to work 40 hours per week, not hired on a temporary basis.. Full-time employees are eligible for all City benefits.

Part-Time Employee

Part-time employees are those who are regularly scheduled to work fewer than 35 hours per week. These employees are considered non-exempt and will be paid on a straight hourly wage basis. Part-time employees regularly working 35 or more hours per week are eligible for certain City paid benefits as contained herein.

Temporary or Seasonal Employee

Temporary employees may be hired for an interim period of time, usually to fill in for vacations, leaves of absence, or projects of a limited duration. Temporary employees are paid as a non-exempt employee and are not eligible for City paid benefits except for health insurance as required by the Affordable Care Act (ACA) for employees working 30 or more

hours per week. If your status changes from temporary (or seasonal) to part-time or full-time, you are considered hired on the date you become a part-time or full-time employee for the purposes of calculating eligibility for benefits.

Equal Employment Opportunity

The City is an equal opportunity employer. We will extend equal opportunity to all individuals without regard to race, religion, color, sex (including pregnancy, sexual orientation and gender identity), national origin, disability, age, genetic information, or any other status protected under applicable federal, state, or local laws. Our policy reflects and affirms the City's commitment to the principles of fair employment and the elimination of all discriminatory practices. Details of our equal employment opportunity policies are further explained in the Anti-Discrimination and Harassment sections in **SECTION II – City Policy Awareness** below.

Hours of Work

The work week is generally Monday through Friday, with varying departmental operating hours and includes up to a one hour lunch each day. Maintenance employees generally work from 7:30 A.M. to 4:30 P.M. Monday through Friday. Administrative staff work from 8:30 A.M. to 5:30 P.M. Monday through Friday. Individual or departmental employee work hours are determined based upon the needs of the City and may be changed and approved by the Mayor.

Immigration Law Applicable to All Employees

The City complies with the Immigration Reform and Control Act of 1986 by employing only U.S. citizens and non-citizens who are authorized to work in the United States. All employees are asked on or before their first day of work to provide original documents verifying the right to work in the United States and to sign a verification form required by federal law (Form I-9). If you cannot verify your right to work in the United States within three (3) days of hire, the City is required by law to terminate your employment.

Inclement Weather

The City is open for business unless there is a government-declared state of emergency or as advised otherwise by a supervisor or the Mayor. Use common sense and best judgment when traveling to work in inclement weather.

In the event that the City's facilities are closed by the City, State or Federal government, employees will be paid for the day. If the City's facilities are open and you are delayed getting to work or cannot get to work due to inclement weather, the absence will be charged to (1) personal days; (2) vacation time; or (3) unpaid time off, in that order may be paid as approved by the Mayor.

When severe weather develops or is anticipated to develop during the day and a decision is made by the Mayor to close early, employees will be compensated to the end of regularly scheduled hours for that day. If an employee elects to leave prior to the time the Mayor closes the City, employees will be required to use personal and/or vacation days in an amount equal to the number of hours between the leaving and the time the office closed.

Office and Maintenance Attire

Employees of the City are expected to present a clean and professional appearance. Any dress code exceptions on designated “special days” will be identified and specified by the Mayor.

All employee clothing should be modest and at no time should reveal the midriff, back, cleavage or under garments such as bras or underwear. Clothing and shoes should be in good repair and without holes, tears, frayed bottoms or excessive fading.

Administrative Personnel

The dress code for Administrative Personnel is business-casual attire. Example of appropriate attire include the following:

Men – tucked-in button down, polo or other collared shirt; slacks; dress socks; closed-toe leather shoes (or an equivalent) or dress boots.

Women – Dresses; blouses, button-downs, or polo shirts; slacks, dress Capri/crop pants or skirts; pumps, *dressy* sandals, loafers, boots or flats.

Examples of attire not allowed include, but are not limited to, the following: hats, caps, any article with images or advertisements other than a modest logo (example of small alligator or polo logo), T-shirts of any sort unless worn as an underlayer, hoodies, sweatshirts, sweatpants, jeans of any sort (excluding a denim dress slack for women), painter style pants of any color or material, shorts, skirts or dresses that are three or more inches above the knee, rubber or beach-style flip-flops, gardening shoes, athletic shoes, or heels above 4 inches, platforms exceeding an inch or highly sparkled footwear.

Maintenance Personnel

Men and Women – City provided clothing including shirts with City logo, caps, outerwear, work boots, and employee provide blue jeans (or other work pant) with the exception for when working on the pool, in which case cargo or other shorts are allowed.

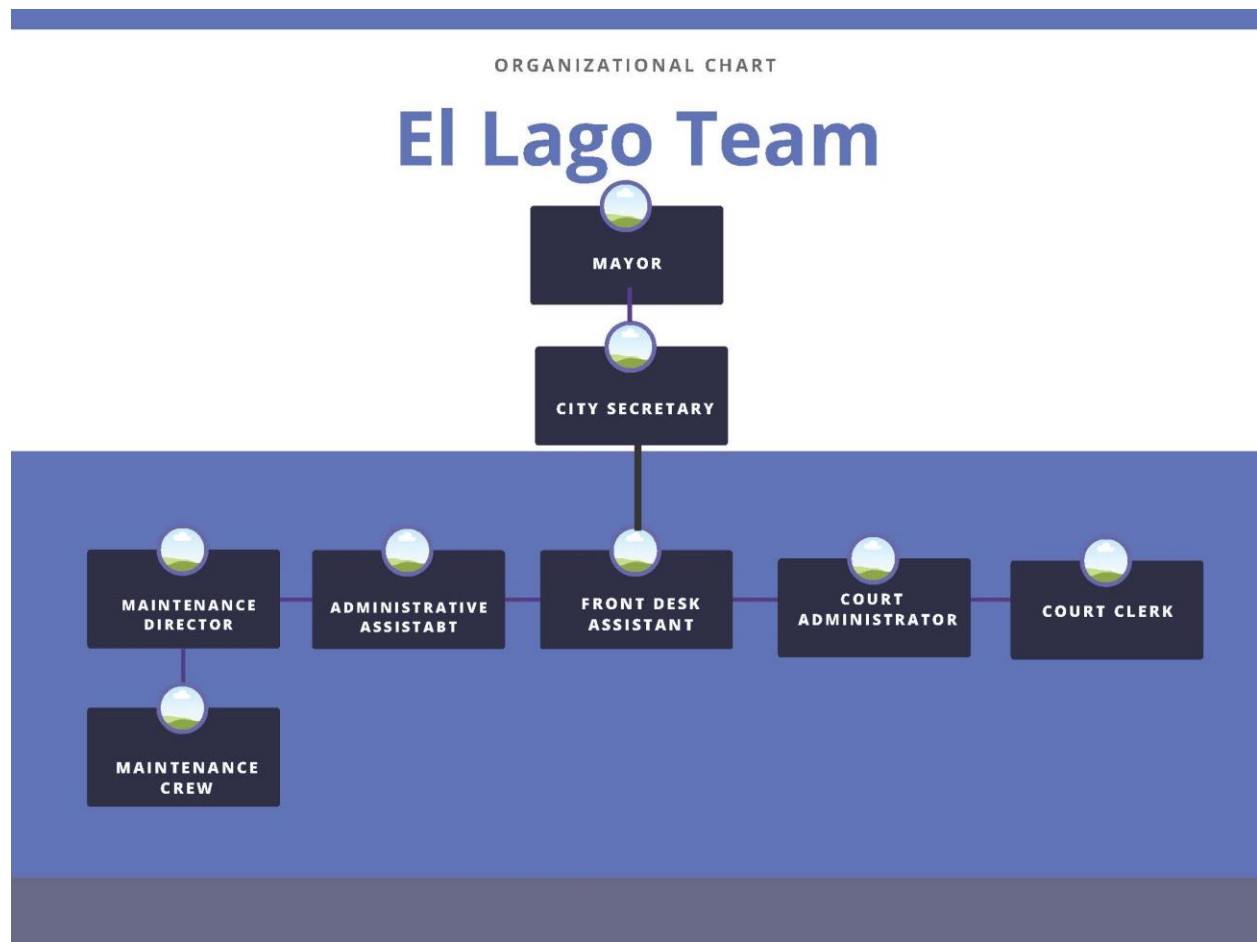
Office Equipment

Certain equipment is assigned to staff depending on the needs of the job, such as a calculator, camera, scanner, computer, printer and access to our server. This equipment is the property of the City and cannot be removed from the office without prior approval from your supervisor. It is expected that you will treat this equipment with care and report any malfunctions immediately to staff members equipped to diagnose the problem and take corrective action.

Ombudsman[KR1]

The City Council has an appointed Ombudsman for employees to contact when concerns or conflict arise, and the employee is not comfortable seeking the consult of a supervisor. The Ombudsman, at the employee’s request, may talk with the employee’s supervisor or other involved parties to initiate action to help resolve the situation. While directed to help defuse conflict and aid in employee relations with one another, residents or supervisors; at no time is the Ombudsman considered to be legal counsel and is always working on behalf of the interest of the city at large.

Organizational Chart



Orientation Period

Every new employee, full or part-time, is placed on “orientation” status for the first six months of employment, during which time the employee’s job performance is evaluated. The employee shall not be eligible for a salary increase, the payment of a bonus, or other additional financial compensation until such time as the employee is no longer on orientation status. However, employees on orientation status are eligible for city benefits as contained herein.

Overtime Hours

Your job may periodically require working additional hours on certain days or weekends. Employees should not work overtime hours without prior approval of their Supervisor except in emergency circumstances. For budgetary reasons, every attempt should be made to compensate for any additional hours worked by using a flex schedule in that same week. All changes to the regular schedule to compensate for unscheduled hours will be predetermined between the Supervisor and the employee.

Personnel Records

It is important that the City maintain accurate personnel records at all times. You are responsible for notifying the City Secretary or the Mayor of any change in name, home address, telephone number, marital status, number of dependents, immigration status, or any other pertinent information. Promptly notifying the City of such changes will help avoid compromise of your benefit eligibility, the return of W-2 forms, or other documents and/or notifications.

Performance Reviews

An employee's first performance review will take place after 6 months of employment with the City. Thereafter, performance reviews will normally be conducted on an annual basis. All performance reviews will be completed in writing by your supervisor on a form designated by the City and reviewed during a conference with you. Factors considered in your review include the quality of your job performance, your attendance, meeting the requirements of your job description, dependability, attitude, cooperation, compliance with City employment policies, any disciplinary actions, and year-to-year improvement in overall performance. Compensation increases or decreases are given by the City at its discretion in consideration of various factors, including your performance review.

Punctuality and Attendance

Employees are expected to report to work on time and when scheduled to avoid unnecessary interruptions and absences. The City recognizes that illness or other circumstances beyond an employee's control may cause an absence from work from time to time. However, frequent absenteeism or tardiness may result in disciplinary action up to and including discharge. Excessive absenteeism or frequent tardiness puts an unnecessary strain on your co-workers and can have a negative impact on the function of the City.

Whether a tardy appearance or absence is known in advance or is unexpected, in all situations the employee's immediate supervisor should be promptly notified by a phone CALL to either the office during working hours or to the supervisor's cell phone during off hours. An email or text message is not considered appropriate notification unless it is responded to immediately. In the event your immediate supervisor is unavailable, the City Secretary or the Mayor, (in that order) should be notified. If a voicemail must be left, it should be left on both the supervisor's city phone voicemail and their cell and a phone number must be provided in the voicemails where the employee may be reached.

Workspace

Employees are responsible for maintaining the workspace assigned to them. A clean, orderly workspace provides an environment conducive to working efficiently. Employees should keep in mind that their workspace is part of a professional environment that portrays the City's overall dedication to serving its citizens. Therefore, your workspace should be clean, organized and only include limited personal items.

SECTION II - City Policy Awareness

Anti-Discrimination Policy

The City is an equal opportunity employer and makes all employment decisions without regard to race, religion, color, sex (including pregnancy, sexual orientation and gender identity), national origin, disability, age, genetic information, or any other status protected under applicable federal, state, or local laws. This policy applies to all terms and conditions of employment, including but not limited to, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, benefits, compensation and training. The City complies with all applicable federal, state and local laws related to discrimination.

The City makes decisions concerning employment based strictly on an individual's qualifications and ability to perform the job under consideration, the comparative qualifications and abilities of other applicants or employees, and the individual's past performance within the organization.

If you believe that an employment decision has been made that does not conform with management's commitment to equal opportunity, you should promptly bring the matter to the attention of your immediate supervisor, the City Ombudsman, a member of City Council or the Mayor. Your complaint will be promptly, thoroughly and impartially investigated. There will be no retaliation against any employee who files a complaint in good faith, even if the result of the investigation produces insufficient evidence to support the complaint.

Americans with Disabilities Act

The federal Americans with Disabilities Act (ADA) prohibits discrimination against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, fringe benefits, job training and other terms, conditions and privileges of employment. The ADA does not alter the City's right to hire the best-qualified applicant, but it does prohibit discrimination against a qualified applicant or employee because of his or her disability, or because of a perceived disability. As a matter of City policy, the City prohibits discrimination of any kind against people with disabilities.

Disability Defined

Under the ADA, an applicant or employee is considered to have a disability if the person (1) has a physical or mental impairment that substantially limits one or more major life activities; (2) has a record or past history of such an impairment even if they do not currently have the impairment; or (3) is regarded or perceived (correctly or incorrectly) as having such impairment.

A qualified employee or applicant with a disability is an individual who satisfies the requisite skill, experience, education and other job-related requirements of the position held or desired, and who, with or without reasonable accommodation, can perform the essential functions of that position.

Reasonable Accommodation

A reasonable accommodation is any change in the work environment (or in the way things are usually done) to help a person with a disability apply for a job, perform the duties of a job, or enjoy the benefits and privileges of employment.

Qualified applicants or employees who have a disability should request reasonable accommodation from their immediate supervisor, the City Secretary or Mayor in order to allow them to perform a particular job. On receipt of a request for accommodation, a meeting will be scheduled to discuss the disability and appropriate accommodation. Additionally, information from your health care provider(s) regarding the nature of your disability and the nature of your limitations or other steps necessary to help determine viable options for reasonable accommodation may be requested. It will then be determined whether your disability can be reasonably accommodated, and alternatives will be explored endeavoring to implement a mutually agreeable accommodation.

Reasonable accommodation may take many forms and may vary from one employee to another. Please note that according to the ADA, the City does not have to provide the exact accommodation requested and if more than one accommodation works, the City will determine which accommodation to provide. Furthermore, the City does not have to provide an accommodation if doing so would cause undue hardship to the City.

Communication Policy

The City has an approved Communication Policy, a copy of which should have been provided to you and is available through the City Secretary's office. The Communication Policy reviews procedures for employees and City Officials alike on topics including, but limited to, the following:

Email

Internet

Social Media

Television and News Media Relations

Confidentiality

Read the policy thoroughly and carefully as you will be held accountable for its contents; and retain the policy for your reference.

Conflict of Interest Policy

The City expects all employees to act in the best interests of performing their job responsibilities. A conflict of interest occurs when an employee prioritizes, promotes, or protects the gains or interests of themselves, another person, a political group, organization, or other outside party and those acts/interests have an actual or potential adverse impact on the City and/or its citizens.

Employees are not allowed to receive gifts, gratuities, free trips, free meals, personal property, or any other item of value from any outside person or organization as an inducement to do business with or provide services for, or in recognition of having done business with them or provided services for them. Employees receiving gifts or gratuities in violation of this paragraph may be terminated without prior notice at the determination of the Mayor. Employees may accept unsolicited non-monetary gifts only if they are items of less than \$50 and as long as the

acceptance of such gift is not intended to serve as a reward for any official action on their part or could be reasonable inferred or expected that the gift was intended to influence them in the performance of their official duties.

Disciplinary Policy

The City requires employees follow rules of conduct that will protect the interests and safety of the City, its citizens and employees. Any violation of the rules of conduct or actions warranting discipline (described further below) may result in discipline.

Progressive Discipline

In certain instances, the City will use a progressive disciplinary system. Progressive discipline gives an employee the ability to correct their actions and understand the City's expectations before further discipline is administered. The City is not obligated to use all of the progressive disciplinary steps and may begin the disciplinary process at any level, up to an including immediate discharge. The disciplinary steps used will depend upon the severity of the conduct, the employee's work performance, prior disciplinary history, and any mitigating circumstances. Disciplinary action may consist of one or more of the following:

- Oral Warning – given for a minor infraction. The employee shall be made verbally aware of the infraction and advised of what is expected in the future and consequences for failure of improvement.
- Written Warning – given for a more severe infraction or when an oral warning did not provide satisfactory results. A written warning is made part of the employee's personnel file and should include a description of the infraction with associated dates, time and names of witnesses if applicable. The written warning will be discussed with the employee with opportunity for the employee to explain the infraction. The employee shall be required to read and sign the warning, acknowledging it was read and discussed before being placed in the personnel file. The receipt of three (3) written warnings shall be grounds for the immediate discharge of the employee.
- Suspension (with or without pay) – given to discipline an employee for a serious violation of City rules, policies or procedures; or to discharge a volatile situation pending investigation into alleged offenses or violations of City policies. Such action will be directed by the Mayor and documented for the employee's personnel file. City council will be apprised of the suspension at the next scheduled meeting and decide whether the employee will be paid or not paid during the suspension. Any employee who is suspended longer than 60 days may continue insurance coverage by paying the entire cost of the premium according to the provisions of the insurance plan and subject to applicable law, or elect COBRA coverage to maintain insurance coverage.
- Termination –imposed when no other form of discipline will serve to correct or improve a situation. Only serious offenses will warrant discharge for a first offense. Before any employee is discharged, all facts shall be investigated, documented, and reviewed with the employee. The Mayor shall take the final action on the discharge.

Actions Warranting Discipline

The following are some, but not all, grounds for discipline and discharge, if deemed appropriate;

- The use, possession, sale, purchase, transfer or under the influence of intoxicants, alcoholic beverages and/or illegal drugs while on duty on City premises or City work sites or while operating or using city vehicles or any private vehicles on City premises;
- The falsification of official City records, including time records;
- Theft, willful damage, and/or unauthorized use of City property, including records and confidential information;
- The unauthorized use of City vehicles for personal business;
- The failure to follow established safety guidelines;
- The abuse of sick leave or other leave or vacations procedures contained herein;
- Absence from City employment without authorization;
- Fighting or engaging in disorderly conduct which may endanger any person or City equipment or property;
- Immoral and/or indecent conduct on City premises or while conducting City business;
- The use of City time, material and/or equipment for personal or unauthorized use;
- Engaging in the sexual harassment of an employee of the City or permitting or tolerating such harassment of another employee of the City;
- A violation of any City policy, procedure, manual, or local, state or federal law;
- The acceptance of a gift, meal or gratuity over fifty (\$50.00) from any individual or firm with which the City does business;
- Failure to satisfactorily perform your job duties;
- Insubordination; or
- The receipt of three (3) written warnings.

Appeal Rights

Where a disciplinary action involves the termination of an employee, the employee may, within ten (10) days after termination, request an appeal hearing before City Council to explain and request a different judgement.

Felonies and Misdemeanors

Employees must immediately notify their supervisor if they are arrested, charged, indicted, convicted, received deferred adjudication, or plead nolo contendere to any misdemeanor or felony offense. An employee arrested, charged, or indicted for a misdemeanor, federal offense, or accused by information of official misconduct or other serious criminal violations may be suspended (with or without pay) until the charge, indictment or information is dismissed or fully adjudicated without trial, and if tried, until the trial and appeal are completed. Such determination will be made by the Mayor. City Council will determine if the employee is to be paid while suspended.

Drug and Alcohol Abuse Policy

The City takes drug and alcohol abuse seriously and is committed to providing a workplace that is absolutely free of illegal drugs for its employees.

The use, possession, selling, distribution, concealing or transporting on or in City property of illegal drugs, controlled substances, unauthorized alcoholic beverages and other intoxicating substances is absolutely prohibited.

All employees are absolutely prohibited from engaging in the unlawful manufacture, possession, use, distribution, concealing, transporting or purchase of illicit drugs, alcoholic beverages or other intoxicants, as well as the misuse of prescription drugs on City premises or at any time and any place during working hours.

All employees are required to report to their jobs in appropriate mental and physical condition, ready to work and without any intoxicating substance impairing mental faculties. Employees that are taking prescription drugs that may interfere with their ability to perform their job are required to report such use to their Supervisor or the Mayor. The City may require employees in safety-sensitive positions to refrain from working while taking any drug or medication until written authorization from the employee's physician about their ability to perform the job safely is received.

Substance abuse is an illness that can be treated. Employees who have an alcohol or drug abuse problem are encouraged to seek appropriate professional assistance. Employees should inform their immediate supervisor, the City Secretary or the Mayor when seeking assistance in addressing substance abuse. Help under the City's medical insurance plan may also be available.

When work performance is impaired, admission to or use of a treatment or other program does not preclude appropriate action by the City.

The City reserves the right to conduct reasonable suspicion drug testing on an employee if there is reasonable suspicion to believe that the employee has violated the prohibitions of this policy while in the course and scope of employment.

Employees who work in safety-sensitive positions may be subject to random testing for drugs and alcohol at the discretion of the City.

Any violator of this substance abuse policy will be subject to immediate discipline, which may include discharge.

Email and Internet Access Policy

Access to email and the Internet is given principally for work-related activities or approved educational/training activities. Incidental and occasional personal use is permitted. *This privilege should be used only in accordance with the City's Ethic's and Communication Policies and in no case affect the employee's performance or employment-related activities.*

No Confidentiality

The City email and Internet system is a City-provided privilege and is, at all times, the property of the City. By using email and/or accessing the Internet, Intranet and electronic mail services through facilities provided by the City, you acknowledge that the City (by itself or through its Internet Service Provider) may from time to time monitor, log and gather statistics on employee Internet activity and may examine all individual connections and communications. **There is no expectation of privacy.** *Note that all email is archived on the server in accordance with our records retention policy, and all emails are subject to review*

by the City. The release of specific information is subject to applicable open records laws and City rules, policies and procedures. Existing rules, policies and procedures governing the sharing of confidential information also apply to the sharing of information via commercial software.

Responsibilities and Obligations

Employees may not access, download or distribute material that is illegal, or which others may find offensive or objectionable, such as material that is pornographic, discriminatory, harassing, or an incitement to violence.

You must respect and comply with copyright laws and intellectual property rights of both the City and other parties at all times. When using web-based sources, you must provide appropriate attribution and citation of information to the websites. Software must not be downloaded from the Internet without the prior approval of qualified persons within the City.

Violation of this Policy

In all circumstances, use of Internet access and email systems must be consistent with the law and City policies. Violation of this policy is a serious offense and, subject to the requirements of the law, may result in a range of sanctions, from restriction of access to electronic communication facilities to disciplinary action, up to and including termination.

Employee Privacy Policy

The privacy and security of employee's personal information which we collect from our employees is important to us. It is equally important for employees to understand how this data is handled. The City will not knowingly collect or use personal information in any manner not consistent with this policy and applicable laws.

Collection and Use of Information

In the course of conducting our business and complying with federal, state, and local government regulations governing such matters as employment, payroll, tax, insurance, etc., we must collect personal information from you. The nature of the information collected varies somewhat for each employee, depending on your employment responsibilities, the location of the facility where you work, and other factors. We collect personal information from you solely for business purposes, including those related directly to your employment with the City, and those required by governmental agencies.

The primary purposes for collection, storage and/or use of your personal information include, but are not limited to:

- **Human Resources Management.** We collect, store, analyze, and share (internally) Personal Information in order to attract, retain, and motivate a highly qualified workforce. This includes recruiting, compensation planning, succession planning, reorganization needs, performance assessment, training, employee benefit administration, compliance with applicable legal requirements, and communication with employees and/or their representatives.
- **Business Processes and Management.** Personal Information is used to run our business operations including, for example, scheduling work assignments, managing City assets,

reporting and/releasing public data (e.g., annual reports, etc.); and populating employee directories. Information may also be used to comply with government regulation.

- Safety and Security Management. We use such Personal Information as appropriate to ensure the safety and protection of employees, assets, resources, and communities.
- Communication and Identification. We use your Personal Information to identify you and to communicate with you.

Limited Disclosure

The City acts to protect your Personal Information and ensure that unauthorized individuals do not have access to such information by using security measures to protect Personal Information. We will not knowingly disclose, sell, or otherwise distribute your Personal Information to any third party without your knowledge and, where appropriate, your express written permission, except where disclosure is reasonably necessary to comply with the law.

Ethics Policy

The City has a City Council approved Ethics policy, a copy of which is provided in this manual. Please read the policy thoroughly and then sign your agreement on the *Acknowledgement and Agreement Signature Page* and submit to your supervisor. Your signed agreement will be retained in your permanent employment file.

Grievance Policy

Any employee who has a grievance is encouraged to contact the Ombudsman to discuss the grievance to help determine appropriate action and resolution.

Employees who believe they have not been afforded the rights and privileges to which they are entitled under the terms of this Personnel Policy or the laws of the State of Texas or the United States, or who feels that they have experienced illegal discrimination in the application or interpretation of the terms of this Personnel Policy, has the right to file a grievance.

It is expected that any employee with a grievance must first try to resolve the grievance with their immediate supervisor within a reasonable time following the incident. This may be done orally in an informal discussion. If informal attempts to resolve the matter are not successful, the formal grievance procedure may be followed as outlined below.

Grievance Procedure

1. The employee should submit the grievance in writing to their immediate supervisor (unless the grievance is against the immediate supervisor, in that case proceed #3 below). The grievance report should include the employee's name, the date of submission, the date/time/place of the incident, a list of all those involved or present as witnesses and a detailed description of the grievance.
2. The supervisor is required to respond in writing as soon as is practicably possible, but no later than ten (10) working days following receipt of your grievance.
3. If the employee is not satisfied with the response of the supervisor or if the grievance is against the employee's immediate supervisor, the employee must submit the grievance report as outlined in #1 above, to the Mayor.

4. The Mayor will respond in writing as soon as is practicably possible, but no later than ten (10) working days following receipt of your grievance.
5. If the employee is not satisfied with the response of the Mayor, they may submit their grievance report to the City Council via the City Secretary's office within ten (10) working days after receiving the Mayor's response
6. At the next regularly scheduled City Council meeting, City Council will review the grievance and make arrangements for any necessary investigation with the intent to resolve the grievance as expeditiously as possible. The grievance will be addressed, and the Council's decision will be by formal action at a regularly scheduled City Council meeting. The City Council action will be considered the final resolution for the grievance.

Harassment (Sexual or Otherwise) in the Workplace Policy

The City is committed to providing a work environment that provides employees equality, respect and dignity. In keeping with this commitment, the City has adopted a policy of "zero tolerance" with regard to employee harassment. Harassment is defined under federal law as unwelcome conduct that is based on race, color, religion, sex (including pregnancy, sexual orientation and gender identity), national origin, age (40 or older), disability or genetic information. Harassment becomes unlawful when:

- (1) enduring the offensive conduct becomes a condition of continued employment; or
- (2) the conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

This policy applies to all terms and conditions of employment. Harassment by an employee toward a fellow employees, contractors, visitors, citizens or customers, whether at work or outside of work, is grounds for immediate termination. The City will make every reasonable effort to ensure that all employees, contractors, visitors, or citizens are familiar with this policy and understand that every complaint received will be promptly, thoroughly and impartially investigated and resolved appropriately. The City will not tolerate retaliation against anyone who complains of harassment or who participates in an investigation.

Sexual Harassment

Sexual harassment is prohibited by federal, state and local laws, and applies equally to men and women. Federal law defines sexual harassment as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when the conduct: (1) explicitly or implicitly affects a term or condition of an employee's employment; (2) is used as the basis for employment decisions affecting the employee; or (3) unreasonably interferes with an employee's work performance or creates an intimidating, hostile or offensive working environment.

Such conduct may include, but is not limited to: subtle or overt pressure for sexual favors; inappropriate touching; lewd, sexually oriented comments or jokes; foul or obscene language; posting of suggestive or sexually explicit posters, calendars, photographs, graffiti, or cartoons; and repeated requests for dates. City policy further prohibits harassment and discrimination based on sex stereotyping. (Sex stereotyping occurs when one person perceives a man to be unduly effeminate or a woman to be unduly masculine and harasses or

discriminates against that person because he or she does not fit the stereotype of being male or female.) The City encourages reporting of all perceived incidents of sexual harassment, regardless of who the offender may be. Every employee is encouraged to raise any questions or concerns about this policy with his or her immediate supervisor, the Ombudsman, a member of City Council or the Mayor.

Supervisors' Responsibilities

- All supervisors are expected to ensure a work environment free from sexual and other harassment by:
 - Encouraging employees to report any violations of this policy before the harassment becomes severe or pervasive;
 - Making sure the Mayor or other appropriate Official is aware of any inappropriate behavior in the workplace; and
 - Creating a work environment where sexual and other harassment is not permitted.

Procedures for Reporting and Investigating Harassment

Employees should report incidents of inappropriate behavior or sexual harassment as soon as possible after the occurrence. Employees who believe they have been harassed, regardless of whether the offensive act was committed by a supervisor, co-worker, vendor, visitor, or citizen, should promptly report the incident to their supervisor, the Ombudsman, a City Council member or to the Mayor. If the employee's complaint involves the Mayor of the City, either as respondent or as a witness, all actions required to be taken by the Mayor contained herein shall be taken by the Mayor Pro Tempore or the next senior member of City Council not involved in the complaint as a respondent or witness. After reporting the incident, the employee reporting the incident should, as soon as is practicable, submit the report in writing specifying in as much detail as is possible the nature and details of the complaint. Every claim of harassment will be treated seriously, no matter how trivial it may appear. All complaints of harassment, sexual harassment, or other inappropriate sexual conduct will be promptly, thoroughly and impartially investigated by the City. No City Council member named in the complaint may participate in any action on the complaint.

There will be no retaliation for filing or pursuing a harassment claim. To the extent possible, all complaints and related information will remain confidential except to those individuals who need the information to investigate, educate, or take action in response to the complaint.

Employees who believe they have been unjustly charged with harassment can defend themselves verbally or in writing at any stage of the investigation. To protect the privacy of persons involved, confidentiality will be maintained throughout the investigatory process to the extent practicable and appropriate under the circumstances. All employees are expected to cooperate fully with any ongoing investigation regarding a harassment incident. Investigations may include interviews with the parties involved, and where necessary, individuals who may have observed the alleged conduct or who may have relevant knowledge.

At the next regularly scheduled meeting of the City Council or, if circumstances warrant, at a specially called meeting of the City Council, the City Council shall review the allegations of

the complaint and the investigation, and at said meeting take whatever disciplinary action is deemed by the City Council to be appropriate or, if necessary, direct the Mayor, City Attorney, or other City Official to conduct such further investigation as is determined necessary in order for the City Council to take such action as is required.

Penalties for Violation of Anti-Harassment Policy

If it is determined that inappropriate conduct has occurred, the City will act promptly to eliminate the offending conduct and take such action as is appropriate under the circumstances. Such action may range from counseling to termination of employment and may include such other forms of disciplinary action as the City deems appropriate and in accordance with applicable law.

Smoking Policy

By City Ordinance, smoking is strictly prohibited at all times in all public places within the City, with certain exceptions as outlined in the City Code of Ordinances, Section 7.5-53. This prohibition includes all City buildings. Additionally, smoking is prohibited within twenty-five (25) feet outside the entrance, exit or wheelchair ramp serving any entrance or exit, operable windows, and ventilation systems of any enclosed area where smoking is prohibited, so as to ensure that tobacco smoke does not enter the enclosed area. The prohibition also includes the City Tennis and Pool enclosures.

Telephone and Cell Phone Policy

Access to the City telephone system is given principally for work-related activities. Incidental and occasional personal use is permitted. This privilege should not be abused and must not affect the employee's performance of employment-related activities. Telephone usage should be based upon cost-effective practices that support the City's mission and should comply with applicable rules and regulations.

You should use common sense and your best judgment when making or receiving personal phone calls at work, whether on the City system or on a personal cell phone. To the extent possible, employees should make personal cell phone calls during their breaks or lunch times. The use of cameras on cell phones during work hours is prohibited to protect the privacy of the City as well as that of fellow employees. However, this restriction will not apply to any recordings made in the exercise of any rights granted to an employee by federal law.

The City telephone system is at all times the property of the City. By accessing the telephone system through facilities provided by the City, you acknowledge that the City has the right to monitor its telephone system from time to time to ensure that employees are using the system for its intended purposes.

The City prohibits the use of hand-held cellular devices while driving a City vehicle or performing City business. Employees are strongly encouraged to use a hands-free cellular device while driving, should the use become a necessity in the course of employment. Sending and/or receiving text messages is expressly prohibited while operating any City vehicle.

Safety Policy

The City makes every effort to provide a clean, hazard-free, healthy, safe environment in which to work and to comply with all relevant federal, state and local occupational health and safety laws, including the federal Occupational Safety and Health Act. As an employee, you have a duty to comply with the safety rules of the City, and you are expected to take an active part in maintaining this hazard-free environment. You should observe all posted safety rules, adhere to all safety instructions provided by your supervisor and use safety equipment where required. Your workspace should be kept neat, clean and orderly. You are required to report to a supervisor any accidents or injuries, breaches of safety or unsafe equipment, working condition, process or procedure. In addition, if you become ill or injured while at work, you must notify your supervisor immediately. Failure to do so may result in a loss of benefits under the state workers' compensation law.

Failure to abide by the City's safety and accident rules may result in disciplinary action, up to and including termination.

Violence Prevention in the Workplace Policy

The City is committed to the safety and security of its employees. Any workplace violence would be considered a serious occupational safety hazard to our organization, staff, and citizens.

Workplace violence includes any physical assault or act of aggressive behavior occurring where an employee performs any work-related duty in the course of his or her employment including, but not limited to, an attempt or threat whether verbal or physical, to inflict physical injury upon an employee; any intentional display of force which would give an employee reason to fear or expect bodily harm; intentional and wrongful physical contact with a person without his or her consent that entails some injury; or stalking an employee with the intent of causing fear of material harm to the physical safety or health of such employee.

Acts of violence by or against any of our employees where any work-related duty is performed will be thoroughly investigated and appropriate action will be taken, including involving law enforcement authorities when warranted. All employees are responsible for helping to create an environment of mutual respect for each other as well as citizens and visitors; following all policies, procedures and practices and assisting in maintaining a safe and secure work environment.

SECTION III - Compensation

Direct Deposit

Employees must have paychecks deposited directly into an employee bank account. The direct deposit authorization form is supplied with the initial new employee documents or a copy can be obtained through the City Secretary's office.

Payroll Schedule

Employees are paid bi-weekly on Thursdays. If the regularly scheduled payroll date falls on a holiday then the payroll date will take place the banking day preceding that holiday.

Salary Deductions and Withholding

The City will withhold the following from employee's paychecks:

Taxes

Federal, state and local taxes, as required by law, as well as the required FICA (Social Security and Medicare) payments.

Insurance

Employee's contribution to dependent's health and/or dental insurance, vision insurance or other insurance premiums for yourself and any eligible family members.

Retirement

Should you elect to contribute to the City's offered 457 Retirement Plan, contributions are deducted from your pay and submitted. For more information, see 457 Retirement Plan under **Section IV – Benefits**.

Garnishment as Required by Law

Any legally garnishment (such as child support, etc.) will take place after being notified of the requirement.

Other Miscellaneous Deductions

Please note that should any other miscellaneous deductions need to be deducted from pay, employee's will be notified in advance for authorization.

SECTION IV – Employee Benefits

This section describes the benefits provided by the City and information on your eligibility for the benefits. This is a brief summary; detailed information may be obtained through the City Secretary's office.

457 Retirement Plan

The International City Manager's Association (ICMA) tax deferred 457 retirement plan is available to all full-time employees and part-time employees working more than 35 hours per week. Employees may elect to begin contributing at any time and any amount up to the designated amount stated in the most recent ICMA Contributions Limit Report. After five (5) years employment, the City will match up to 6% contributions.

Insurance

The City offers certain health, dental, life, retiree, and vision insurance and reserves the right to modify, discontinue, or expand those benefits at any time.

Enrollment, Additions and Changes

At the time of hire, employees are given an opportunity to elect and enroll in certain insurance benefits. If the employee waives participation in any of these programs for either themselves or eligible dependents, they are generally not allowed to apply for entry into the various plans until the next Open Enrollment period, which is usually August 15 to September 15th of each year. Additionally, employees may make additions or changes to their plan selections only during Open Enrollment or at the occasion of certain significant life events. Significant life events would include hire, marriage, new birth, adoption, death or termination. Employees must generally request the addition or change within 30 days of the significant event. Otherwise, all enrollments and/or changes are required to take place during the Open Enrollment period.

SPECIAL NOTE - At any time employees may change beneficiaries on their Life Insurance.

Health Reimbursement Account (HRA)

The City provides a Health Reimbursement Account (HRA) to reimburse insured employees for plan deductions and/or medical expenses. This account is in the form of a prepaid Visa style card and can be used for doctor/medical payments or to purchase medical supplies such as aspirin, crutches or bandages. Annually, a \$1,000 HRA card is provided to the employee and if/when family is added to the plan, an additional \$1,000 is provided for an annual maximum of \$2,000.

Medical, Dental and Life Insurance

The City offers medical, dental and life insurance to all full-time or part-time employees working thirty-five (35) or more hours per week. This insurance is paid 100% by the City. Details of the medical and dental plan may be found in the insurance documents or online once enrolled in the TML Health portal.

The City offers coverage for dependents of all full-time employees and part-time employees working thirty-five (35) or more hours per week. The City will contribute towards premiums for dependent coverage as follows:

- 0% for first year after hire
- 50% after one full year of employment
- 75% after two full years of employment
- 100% after three full years of employment

Retiree Insurance

For purposes of this document, “Retiree” means any person who has retired from employment with the City after fifteen years of continued full-time employment or twenty years of continued part-time employment of thirty-five or more hours per week. TML Health medical insurance, Medicare Supplemental Plan with prescription and dental coverage are all available to retirees and are paid for 100% by the retiree.

Vision Insurance

Employees may elect to participate in the Vision plan which is 100% funded by the employee. Please refer to the vision plan documentation for an explanation of the plan benefits and limitations.

Paid Leave (Holiday, Personal, Sick, Vacation, etc.)

The City provides paid leave to employees. You are expected to get approval from your supervisor before taking planned paid leave as outlined below and approval for planned leave may be denied if the operations of the City could be adversely impacted. When you are absent from work for whatever reason and your absence has not been previously scheduled, you must personally notify your immediate supervisor or manager as soon as you are aware that you will be late or unable to report to work. Every attempt should be made to contact the immediate supervisor and if unsuccessful, contact should be made with the City Secretary or ultimately the Mayor. Leaving a voicemail or a message with another staff member does not qualify as notifying your supervisor. Sending a text message is not considered proper notice unless the supervisor immediately responds to the text.

Holiday Pay

Full-time and part-time employees who work thirty five (35) hours or more per week are entitled to the following paid holidays:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day
- Friday following Thanksgiving
- Christmas Eve
- Christmas Day
- Two floating holidays

Jury Duty

Leave with full pay will be granted by the employee's supervisor for required jury duty. When the employee is not actually assigned to a case or is released early from jury duty, the employee will report to his or her regular job immediately. No overtime will be allowed for jury duty. A leave of absence without pay may be granted to an employee upon request when the employee is required to appear under subpoena or in his or her own behalf in litigation involving personal or private matters. Should any city employee be subpoenaed in matters related to their duties as a City employee, the employee shall receive full pay plus travel expense from the City for the time spent in response to the subpoena.

Leave of Absence

A leave of absence, up to three months without pay, may be granted for employees in special situations where other forms of paid leave are unavailable. However, all requested leave of absence time must be approved by the Mayor and is subject to rescission if the staffing needs of the City require the employee's presence. Any employee who is granted leave longer than 60 days may continue insurance coverage by paying the entire cost of the premium according to the provisions of the insurance plan and subject to applicable law, or elect COBRA coverage to maintain insurance coverage.

Personal Leave

Any Permanent full-time employee, or any part-time employee who works thirty-five or more hours per week, and who has completed one year of employment with the City will be eligible for three days (24 hours) of personal leave annually. These days must be taken before the employee's next anniversary date and will not carry over from one year to the next. No pay will be given in lieu of personal leave. These days may be used for any reason the employee deems necessary. Personal days must be taken in 8-hour increments and scheduled with your supervisor as far in advance as possible.

Military Service Leave

Employees serving in the uniformed services, including the Army, Navy, Marine Corps, Air Force, Coast Guard and Public Health Service commissioned corps, as well as the reserve components of each of these services, may take unpaid military leave, as needed, to enable them to fulfill their obligations as servicemembers. Servicemembers must provide advance written or verbal notice to the City for all military duty unless giving notice is impossible, unreasonable or precluded by military necessity. Employees should provide notice as far in advance as is reasonable under the circumstances. In addition, employees may, but are not required to, use accrued vacation and/or personal days while performing military duty.

Religious Observance

Federal and state equal opportunity laws generally require employers to accommodate the religious beliefs of employees, but do not require them to provide paid leave. The City respects your religious beliefs, however, and therefore, provides three (3) personal paid leave days and two floating holidays which can be used to accommodate these religious days. Employees who require additional time off may use vacation time with required advance notice as described herein.

Sick Leave

Paid sick leave may be taken when an employee must be absent due to his/her non-job-related illness or injury or the illness or injury of their immediate family. Immediate family, as defined by in the Introduction portion of this Manual, is an employee's child, spouse, parent, stepparent, grandchild, grandparent, sibling, parent-in-law or son/daughter-in-law. Sick leave is earned and subject to use as follows:

- Sick leave is accrued at the rate of 6.66 hours per month of service.
- Unused sick leave hours may be carried over from one year to the next up to a maximum of 160 hours.
- Sick leave may not be "cashed-in" for financial compensation.
- A day of sick leave is NOT permitted on any day immediately before or immediately after an eligible employee's vacation leave, personal leave, jury service leave, leave of absence, disability leave or holiday as described herein.
- Sick leave may be used for the following reasons:
 - Medical, psychological and dental appointments for yourself or immediate family members as defined above;
 - Your personal illness or that of an immediate family member for which the employee must provide care; or
 - Up to 3 days for the funeral of an immediate family member.
- When absence is due to illness or medical appointment, the City reserves the right to require appropriate medical documentation. Such documentation need only include the employee's name, the date and time the employee was seen, and if applicable, a specific instruction regarding the employee's incapacity to perform his or her job.

Sick Leave Donation

An employee may donate any amount of their own accrued sick leave to another employee who is employed by the City and has exhausted their own sick leave. An employee may not provide or receive remuneration or a gift in exchange for a sick leave donation.

Vacation

The City recognizes the importance of vacation time in providing rest, recreation and personal enrichment. Full-time employees, and part-time employees working thirty-five hours or more per week will earn vacation time based on service time and earned monthly as follows:

Earning Vacation Hours

Year of Service

1st year through 4th year of employment

5th year of employment and beyond

Time Off

Ten (10) days at 6.66 hours per month

Fifteen (15) days at 10 hours per month

Accrual and Carryover

Employees begin accruing vacation when they begin work for the City as a Full-time employee or part-time employee working thirty-five hours or more per week. Employees may use their vacation at any time after their first month of employment. Employees may generally carry over vacation days from one year to the next. However, to encourage employees to use vacation, there is a cap on the amount of vacation that can be accumulated. Employees with under 5 years of service will cap at 80 hours which is equal to 10 8-hour working days; and employees with 5 years or more of service will cap at 120 hours which is equal to 15 8-hour working days. No provision will be made for pay in lieu of vacation time.

Scheduling Vacation

Requests for vacation time should be submitted on a Vacation Request form to the employee's supervisor for approval. This form should be submitted as soon as the employee knows the dates of when they wish to take vacation and a minimum of two weeks prior to the time requested so that sufficient scheduling of employees, projects, etc. can be addressed. Vacation requests are granted on a first-come, first-served basis. In the event of a conflict in vacation requests, your supervisor will consider the City's staffing needs during the relevant period, as well as the employee's length of service with the City.

Upon separation from employment with the City either through the employee's choice or the City's discharge without cause, any unused vacation time will be paid to the employee at the employee's regular rate of pay.

Voting

The City encourages all employees to vote. Most polling facilities for elections for public office are scheduled to accommodate working voters. The City, therefore, requests that employees schedule their voting for before or after their work shift. An employee who expects a conflict, however, should notify his or her supervisor in advance so that schedules can be adjusted if necessary.

Reimbursable Expenses

The City may reimburse employees for certain expenses related to City business. All employees are encouraged to plan ahead with their Supervisor so that it is unnecessary to incur reimbursable expenses. However, from time to time, reimbursable expenses are unavoidable. For simple, single purchases, employees should note on the receipt what the purchase was, why it was necessary and the budget line item it is to be charged against (if known). All receipts must be approved by the employee's supervisor and submitted to the City Secretary's office for reimbursement.

For multiple items, an expense report must be completed with all receipts attached. See Expense Report below for more information.

Expense Reports

All multiple expenses for which an employee seeks reimbursement must be itemized on an expense report. Expense reports must be submitted within one week of incurring the expense or one week after returning to the office following travel completion.

The following information must be included in each expense report submitted:

- Employee's name
- Itemized list of all expenses for which reimbursement is requested, including the amount the City-related purpose for each and the budget line item (if known)
- For travel-related expenses, an itemization of the dates, location, and purpose of the trip and the expenses incurred (transportation, lodging, meals, etc.)

Receipts are required for all expenses and must be attached to the expense report. Any employee expense report received without the receipts will be returned to the employee. It is the employee's responsibility to work with their Supervisor, explain the missing receipts and get the Supervisor's approval for the receipt-less expense.

Non-Reimbursable Expenses

Non-Reimbursable expenses include, but are not limited to, the following:

- Personal entertainment expenses such as movies, games, and health clubs
- Costs incurred by failure to cancel transportation or hotel reservations
- Traffic and/or parking violation fines
- Spouse or other family member expenses
- Laundry service
- Alcoholic beverages

Travel Expenses

All travel for city related work or expenses should be approved in advance by the employee's supervisor or the Mayor. Upon approval for the travel and with all receipts and proper documentation of the expenses, the following expenses may be reimbursed:

SPECIAL NOTE – All receipts for expenses are required for reimbursement!

Mileage

The standard mileage reimbursement, set by the IRS, includes the costs of operating an automobile and includes such costs as depreciation, maintenance, repairs, tires, gasoline, oil, insurance, taxes, and vehicle registration fees. Normal personal commuting costs are not subject to reimbursement, only those directly related to the necessary and approved travel. A record of the beginning and ending vehicle mileage must be submitted or an internet generated mileage report such as from Mapquest is adequate.

Air Travel

If traveling by air, only coach class is reimbursable.

Other Transportation

Record on the receipt the starting and ending point for the trip and who is being transported when more than one employee is traveling. Ground transportation, including tips, parking and tolls, is reimbursable when reasonable and customary. Rental cars (and gas) shall be of the most economical variety. When two or more employees are traveling together, rental cars and taxis should be shared) when practical.

Accommodations

Travelers are strongly encouraged to use standard accommodations at reasonably priced mid-market hotels or motels.

Meals

Employees will be reimbursed for reasonable and actual expenses for meals incurred during business related travel. The City will generally reimburse travelers for three meals a day. Reasonable expenses are outlined below:

- Breakfast \$8.00
- Lunch \$12.00
- Dinner \$20.00

Gratuities are included in the above amounts

Training & Education

In an effort to encourage the education and professionalism of its employees, the City will provide tuition and book fee reimbursement based upon grade obtained to any Full-time or part-time employee who works thirty-five (35) hours or more per week [\[KR2\]](#) and who enrolls in college level or vocational courses directly related to their employment. Reimbursement will be made on a sliding scale basis: A-100%, B-75%, C-50%, D-0. Prior approval from the Mayor must be received on the Training & Education Form and the course, study and homework time must not interfere with the employee's regular work schedule. An employee may also be assigned to take a training course at City expense determined by their supervisor as necessary for better job performance.

Workers' Compensation Insurance

To provide for payment of your medical expenses and for partial salary continuation in the event of a work-related accident or illness, employees are covered by workers' compensation insurance provided by the City and based on state regulations. The amount of benefits payable, as well as the duration of payments, depends upon the nature of the injury or illness. However, all medical expenses incurred in connection with an on-the-job injury or illness and partial salary payments are paid in accordance with applicable state law. If you become ill or injured as a result of your job, immediately report the injury or illness to City Secretary or the Mayor. This ensures that the City can help obtain appropriate benefits. Failure of prompt notification may delay benefits or jeopardize your receipt of benefits. Questions regarding workers' compensation insurance should be directed to the City Secretary's office.

SECTION V - Termination of Employment

Death

Deceased employees will be removed from the City's payroll at the end of the day in which the death occurred. The employee's estate shall receive payment for the employee's salary, accrued vacation time, insurance and any other benefits due.

Discharge and Resignation

Any administrative action necessary to terminate an employee will be taken by the Mayor or the Mayor's designee as contained herein.

All resigned, released or discharged employees are required to return any and all items belonging to the City which have been in the employee's possession. It is the responsibility of the employee's Supervisor to see that all property is returned before the employee receives their final paycheck. A forwarding address should also be obtained from the employee.

Exit Interview

All employees are invited to participate in an exit interview prior to leaving the City. The exit interview is an opportunity for the City to better understand how to meet the needs of employees and also give opportunity to provide information on insurance continuation and/or other benefits for which the employee may be eligible. The Exit Interview is also the final opportunity for the employee to return any keys, card keys or other city property.

Discharge

Any employee may have his or her employment terminated by the City at any time for any or no reason with cause or without cause, and with or without notice. Employees employed by the City for more than 6 month's, who are discharged without cause, will receive two week's severance pay and all other benefits still owing at the time of release. Employees discharged for cause will not receive severance pay.

Release during Orientation Period

During the Orientation Period which is the first six (6) months of an employee's hire, the employee may be released for any reason by final action of the Mayor or Mayor's designee after a report from the employee's supervisor is filed.

Resignation

Employees, whether part-time or full-time, who voluntarily desire to terminate their employment with the City are required to give two weeks-notice of their intent to resign. Such notice will be a requirement for re-hire and failure to provide such notice may be noted on future reference requests. Employees who give notice of intent to resign may be assigned to other work without a change in their rates of pay. Employees who resign may not receive pay in lieu of working the remainder of the notice period.

Upon resigning from the City in good standing, an employee may be considered for re-hire; however, all re-hired employees will, for all intents and purposes, be considered a new employee and will be subject to orientation and minimum employment requirements for the receipt of benefits.

Discharged Employee Appeal Process

Should an employee of the City be discharged from his/her employment, such employee shall have the right to appeal said action through the Grievance Procedure as outlined in **Section II – Grievance** in this **Personnel Manual** within ten (10) days after the date of discharge.

ACKNOWLEDGEMENT AND AGREEMENT SIGNATURE PAGE

Acknowledgement of Receipt of City of El Lago Employee Manual

I acknowledge that I have received a copy of City of El Lago *Employee Manual*. I understand that I am responsible to read and understand and abide by all policies and procedures in this Manual. I also understand that this *Employee Manual* will be updated from time to time and that I will be responsible for reading and understanding the updates as well as all other policies and procedures of the City.

I also understand that the purpose of this *Employee Manual* is to inform me of the City's policies and procedures, and it is not a contract of employment. Nothing in this *Employee Manual* provides any entitlement to me or to any City employee, nor is it intended to create contractual obligations of any kind. I understand that the City has the right to change any provision of this *Employee Manual* at any time and that I will be bound by any such changes.

Signature

Date

Full Name (please print)

Agreement to the City of El Lago Code of Ethics

By my signature below, I acknowledge that I have received and read the City of El Lago *Code of Ethics* as contained in the City of El Lago Employee Manual. Additionally, I agree to follow and adhere to the City of El Lago *Code of Ethics* in all my efforts and dealings with and on behalf of the City of El Lago.

Signature

Date

Full Name (please print)

Please sign and date this Acknowledgement and City of El Lago Code of Ethics Agreement and return it to City Secretary, or the Mayor. Retain a second copy for your reference.