

PERSONNEL POLICIES MANUAL



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**CITY OF SAGINAW
PERSONNEL POLICIES MANUAL
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CHAPTER 1 INTRODUCTION

1.1 OBJECTIVES OF POLICIES

The City of Saginaw is an at will employer. This personnel policies manual is a general guide and the provisions of this manual do not constitute an employment agreement, a contract, or a guarantee to continued employment. The City reserves the right to change the provisions of this manual at any time, with or without notice to employees. This personnel policy manual does not grant property interest to any employee regardless of position, department, or rank.

These policies are designed to establish sound personnel practices for the City and to promote a higher degree of understanding, cooperation and unity through their uniform application. Some of the basic objectives of good personnel administration sought to be achieved by these policies are:

- (a) to provide fair and equal opportunity to all qualified persons to enter City employment on the basis of merit and fitness as ascertained through fair and practical methods of selection and recruitment;
- (b) to maintain a program of advancement and tenure that would make the service of the City an attractive career and to encourage each employee to give the employee's best effort to the job and to the public;
- (c) to foster upward and downward communication within the service of the City by explaining the City's employment policies and benefit;
- (d) to establish and promote high morale among City employees by providing a uniform policy for all personnel, including procedures for discipline, opportunities for advancement, general conduct and consideration for employee needs and desires.

1.2 EQUAL OPPORTUNITY POLICY

The City provides equal employment opportunities. Discrimination against any person in recruitment, examination, appointment, training, promotion, discipline, or any other aspect of personnel administration because of political or religious opinions or affiliations; because of membership in employee organizations; because that person reports a violation

of law; or because of race, color, national origin, marital status, sex, age, religion or disability is prohibited. The City does not discriminate on the basis of genetic information.

1.3 APPLICABILITY AND SCOPE

These policies apply to all City employees unless specified otherwise by state law, City charter, departmental policy approved by the City Council, or other official City Council action. Nothing in this manual shall be considered to create a property right or property interest in employment. Furthermore, no employee shall have a contractual right in continued employment except by specific contract approved by the City Council. A person on retainer or under contract is not considered to be a City employee in the absence of a specific agreement to that affect.

1.4 DISSEMINATION AND FAMILIARITY OF POLICIES

All City employees shall be informed of the existence of these policies, and each department shall keep at least one (1) copy available for reference by its employees. Each employee shall be provided a copy of these policies for the employee's personal use and reference and it shall be the employee's responsibility to become thoroughly familiar with all provisions herein.

Upon receipt of a copy of this personnel policies manual, each employee will sign an acknowledgment of receipt. This acknowledgment will become part of the employee's permanent personnel record. It is the responsibility of the employee to read, understand and become familiar with the policies manual.

1.5 RESPONSIBILITY FOR IMPLEMENTATION OF POLICIES

The City Manager will be responsible for the administration of these personnel policies and may issue detailed procedures to implement them. The City Manager and Department Heads may delegate authority to appropriate staff members to act on their behalf in the administration of these policies.

With the exception of matters of appointments, reserved to the City Council by statute or City ordinance, the City Manager will have the responsibility for the conduct and general administration of all functions of the City. The Department Heads have the authority and responsibility for the proper and effective administration of their departments and these rules and regulations within their respective departments. Routine matters and duties in connection therewith may be assigned to a subordinate employee. However, final authority in the form of review and approval is reserved to the City Manager. The administration of personnel records will be the responsibility of the City Manager and the Human Resource Manager as appointed by the City Manager.

1.6 VISITORS IN THE WORKPLACE

To provide for the safety and security of City employees and property, only authorized visitors are allowed in the workplace. The City's prohibition against unauthorized visitors helps to maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

Absent extraordinary circumstances and/or the express approval of the City Manager, children of employees are not permitted to accompany their parents to work. This policy is not meant to prohibit children from, on occasion, visiting their parents at work and they must not negatively impact the work environment of the City or other employees.

1.7 OTHER EMPLOYMENT

The City does not wish to control the personal affairs of its employees or regulate their personal time. However, because outside activities such as holding a second job may interfere with, or detract from an employee's work on behalf of the City, work for other employers is strongly discouraged in most instances. Employees will not be permitted to hold another job (including self-employment and volunteer work) that might discredit the City, result in a conflict of interest (or potential conflict of interest) or result in anything less than a satisfactory performance of the employee's regular and normal duties on behalf of the City. Other outside activities that similarly distract from an employee's ability to satisfactorily perform his or her job with the City are also discouraged.

Employees shall not engage in outside employment without first notifying their respective Department Head. Department Heads may restrict employees outside employment, when doing so is in the best interest of the department or the City.

Employees may not do contract work for another department within the City.

Under no circumstances may an employee on FMLA leave, sick leave, disability leave, or workers' compensation leave work another job.

1.8 AMENDMENTS

These policies may be changed, supplemented or superseded at any time by resolution, with or without notice to the employees, by the City Council. Any change will be in writing and employees will be notified as soon as possible.

CHAPTER 2 FILLING VACANCIES

2.1 VACANCY IDENTIFICATION

Department Heads shall notify the human resource office immediately when job vacancies occur or are imminent. Only those positions allocated in the annual budget or new positions created by the City Council shall be filled.

2.2 ANNOUNCEMENT OF VACANCIES

The Human Resource Manager shall announce, by appropriate means, all vacancies to be filled in the City service. Each announcement shall specify the title, salary and nature of the job; the required qualifications; whether competition is open to the general public or restricted to City employees; the type of selection procedure to be utilized; and the deadline for and method of application. Each announcement shall contain a statement that the City is an equal opportunity employer. Each announcement shall include a statement that if the applicant needs any type of accommodation in regard to the application process to contact the Human Resource Manager prior to the deadline stated on the announcement. An adequate period of time shall be allowed in the selection process to ensure fair and open competition for the vacant position.

2.3 METHODS OF FILLING VACANCIES

The City has six (6) methods of recruiting and selecting persons to fill vacancies. They are:

- (a) promotion from within;
- (b) lateral transfer within a department or from one department to another;
- (c) reinstatement, provided the person remains qualified;
- (d) public announcement and competitive consideration of applications for employment;
- (e) selection from a valid current eligibility list (eligibility lists are generally used by the police and fire departments and are generally valid for one year);
- (f) demotion.

2.4 APPLICATIONS

An application packet will be prepared for each vacancy announced. The packet will consist of the following: a) copy of job posting; b) copy of job description; c) application; and d) forms for additional required information. An application packet will only be available through the human resource office at City Hall. Application packets will only be given out when a position is posted.

All persons seeking initial employment or promotion, transfer and reinstatement shall complete and submit an application and the required information included in the application packet for the position desired. Only applications officially received in the normal prescribed manner shall be considered and all information submitted therein is subject to verification. All applications received shall be kept a period of ninety (90) days.

2.5 EXAMINATION AND EVALUATION PROCEDURES

Each of the following methods of examination may be used in determining eligibility for employment:

- (a) written examinations;
- (b) oral interview board;
- (c) personal interviews;
- (d) physical assessments.

The Department Head shall determine the most appropriate means of evaluating applicants against job requirements to identify the best qualified applicants. Reference checks, interviews, background checks, performance tests, written tests and/or other screening procedures may be used as deemed appropriate. Applicants shall be required to provide any information and undergo any examinations necessary to demonstrate compliance with prescribed qualification requirements or proficiency for the position involved.

Where used, written tests shall be given to applicants in the presence of each other. Seventy percent of the questions must be answered correctly to pass a written examination. Applicants must pass the written examination (if used) to be eligible to participate in any additional method of testing. All applicants will be asked the same questions.

2.6 DISQUALIFICATION

An applicant shall be disqualified for consideration if the applicant:

- (a) does not meet the qualifications necessary for performance of the essential functions of the job with or without reasonable accommodation;
- (b) would pose a direct threat to the health and safety of themselves or other employees;
- (c) has made a false statement of material fact on the application;
- (d) has committed or attempted to commit a fraudulent act at any time during the selection process;
- (e) is an undocumented worker not legally permitted to work in the United States according to the Immigration Reform and Control Act of 1986.

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

2.7 DRIVER'S LICENSE/DRIVING RECORD

The ability of the City to insure the employee as a driver of vehicles for the City, and the maintenance of that insurability, are critical to the successful operation of our City. Accordingly, it will be the policy of the City that if the City is unable to secure and maintain insurance at a reasonable rate to cover an employee's liability as a driver, and driving is an essential function of an employee's job, the employee will be terminated.

2.8 REFERRAL AND SELECTION

A Department Head's selection of applicants shall be in accordance with the policies provided herein and departmental procedures which have been approved in advance by the City Manager and which provide a consistent and uniform selection process. After the initial screening of applications, a background will be completed before hiring any applicant.

If the position requires driving, the City will request the applicant's driving record to ensure the applicant meets the requirements for insurability by the City's insurance carrier.

2.9 PROMOTION POLICY

A promotion is the assignment of an employee from a position in one class to a position in another class requiring more responsibility, experience, education, technical or professional expertise and which is usually at a higher rate of pay. It shall be City policy to provide promotional opportunities whenever possible.

2.10 TEMPORARY PROMOTION

The Department Head may authorize a temporary promotion to insure the proper performance of City functions if a position is vacant or its regular incumbent is absent. Employees so promoted may be additionally compensated for the duration of their temporary assignments in amounts as recommended by the Department Head and approved by the City Manager. However, nothing herein shall be construed to prevent the assignment of additional or a higher level of duties to an employee without additional compensation. Temporary promotions shall not be used to circumvent normal selection procedures and those employees involved shall not acquire any status or rights in the classes to which temporarily promoted.

2.11 TRANSFERS

A transfer is the reassignment of an employee from one position to another. A transfer not involving promotion or demotion may be affected at any time for administrative convenience or upon request of the employee to the Department Head, or if interdepartmental, to the effected Department Head, provided that the employee is qualified to perform the duties of the position to which transfer is contemplated. Transfers may be made administratively or in conjunction with an announced selection process. Transfers between classes or between departments shall become effective with the recommendation of the Department Heads and approval of the City Manager.

2.12 REINSTATEMENT

A person who resigned in good standing, who was laid off or who was separated for incapacity may be reinstated in the service of the City up to one (1) year following leaving the City's employment, provided, such person is qualified for the position and the reinstatement would be in the best interest of the City.

2.13 NON-DISCIPLINARY DEMOTIONS

A demotion is the assignment of an employee from a position of one class to a position in another class having fewer responsibilities or requiring less experience, education, technical or professional expertise, and which is usually at a lower salary. With the recommendation of the Department Head and approval of the City Manager, and if qualified to perform the duties of the lower level position, an employee may be administratively demoted at his or her own request, or as an alternative to layoff. Non-disciplinary demotions shall not be considered disciplinary actions or disqualify the employee involved from consideration for later advancement. Demotions affected as alternatives to layoffs may be rescinded at any time. /

CHAPTER 3 APPOINTMENT

3.1 AUTHORITY

Except as otherwise provided by state laws or City Charter, the appointing authority for all City positions, shall rest with the City Manager.

3.2 TYPES OF APPOINTMENTS

An appointment is ordinarily of indefinite duration and may be made to a regular or part time position. A regular position is one where an employee works a minimum of forty (40) hours in a regular work week schedule. A part time position is one where an employee works less than thirty (30) hours in a regular work week schedule. An appointment may be made for a limited term in unusual circumstances. Such temporary appointments are ordinarily limited to six (6) months or less and may be made to regular or part time positions requiring continuous, seasonal, or intermittent performance.

3.3 NEPOTISM

No person related within the second degree of affinity or within the third degree of consanguinity to the Mayor, any member of the City Council, the City Manager or any Department Head shall be appointed to any office, position or other service of the City. This prohibition shall not apply to officers or employees who have been employed by the City continuously for more than one (1) year prior to the election of the Mayor or the City Council, the appointment of the City Manager or the appointment of the Department Head.

In addition, no regular full-time or part-time employee may be assigned to the same budgeted department employing a person related within the second degree of affinity or within the third degree of consanguinity, nor shall any employee hold a position which in any way bears a supervisory or decision-making relationship to a position held by an employee related by consanguinity within the third degree or by affinity within the second degree. Seasonal or Temporary employees may be assigned to the same budgeted department employing a person related to the employee, however, no seasonal or temporary employee may hold a position which in any way bears a supervisory or decision-making relationship to a position held by any employee related by consanguinity with the third degree or by affinity within the second degree.

In the case of a marriage of two employees, or other situation giving rise to a relationship prohibited by this policy, the individuals concerned will decide who will terminate employment. If no decision can be made within 30 calendar days, the City Manager will decide.

FIRST DEGREE	SECOND DEGREE	THIRD DEGREE
Husband	Brother	Uncle
Wife	Sister	Aunt
Father	Grandfather	Nephew
Mother	Grandmother	Niece
Son	Grandson	Great-Grandfather
Daughter	Granddaughter	Great-Grandmother
	Father-in-Law	Great-Grandson
	Mother-in-Law	Great-Granddaughter
	Brother-in-Law	
	Sister-in-Law	
	Son-in-Law	
	Daughter-in-Law	

3.4 RESIDENCE REQUIREMENTS

There shall be no absolute residence requirements for City employment. However, employees of the fire department, police department and public works departments that are likely to be called to work in case of emergency will be required to reside within reasonable commuting ranges (**one hour** or less travel time) of the City. Employees who are allowed to drive City vehicles between their places of residence and work may be required to reside within the City or within reasonable commuting ranges.

3.5 MEDICAL EXAMINATIONS AND DRUG SCREEN TEST

After an offer of employment is made, the prospective employee will be required to undergo a medical examination and drug screen test at a clinic designated by the City. Seasonal employees are required to undergo a drug test only. The clinic will be provided a job description for the position to be filled by the prospective employee. The cost of the medical examination and drug screen test will be borne by the City. Employment shall be contingent upon the results of the medical examination and drug screen test. No one who is given a medical examination shall be employed by the City unless the examining physician has certified that the applicant meets the minimum standards of physical fitness required to fulfill the tasks and duties of the position for which the applicant is applying. Employees transferring from one position to another shall not be automatically required to undergo a medical examination, although such an examination may be required if the physical demands of the position differ substantially from the old position.

Other Examinations

Department Heads may require other job-related or pre-employment examinations that the Department Head deems appropriate to ensure an applicant's fitness for a position. All such tests must be coordinated through the Human Resource Manager before being given

and the results of all examinations shall be filed in the human resource office. A drug screen examination shall be required once an offer of employment is made and prior to beginning work or being promoted. Employment or promotion shall be contingent upon the results of the drug screen examination

3.6 EMPLOYEE ORIENTATION

Upon completion of the selection process, and after an offer of employment has been made, the new employee shall be provided with a thorough orientation concerning working for the City, the nature of the job, benefits, and obligations and responsibilities of the position. In addition, the City will obtain information needed for insurance programs, etc. that was not provided in the employment application.

CHAPTER 4

PERFORMANCE EVALUATION AND COMPENSATION

4.1 EMPLOYEE CLASSIFICATION

The City Manager shall be responsible for the preparation of a written classification plan for City service based on analysis of the duties and responsibilities of positions. Positions shall be allocated by appropriate classes based on objective factors. The classification plan shall be used for setting pay levels which are commensurate with the responsibilities, work requirements and duties of each position. The City Manager and Department Heads shall continually review the duties and responsibilities of City positions and make any necessary adjustments of the classification plan as approved by the City Manager. An employee may request that his or her position be reviewed for proper classification by using established grievance procedures.

4.2 SALARY AND WAGES

Subject to the approval by the City Council, the City Manager shall prepare and administer a written compensation plan for City employees. City employees shall be paid salaries or wages in accordance with the compensation plan. In preparing the compensation plan, consideration shall be given to prevailing rates of pay among public employers; the duties, responsibilities and qualifications required for the position, and other relevant factors. There will be a starting salary and maximum salary for each grade as set by the City Council. In determining the rate of pay for a new employee, Department Heads may allow up to one year of credit for a minimum of three years' experience with City Manager approval.

4.3 FEDERAL AND COURT ORDERED GARNISHMENTS

(a) Child Support Wage Withholding. The City, upon receipt of a court order or letter signed by the employee, will automatically deduct child support in accordance with the directions contained in the court order or employee letter. An employee letter cannot supersede a court order. If child support is ordered by a court, another court order must be issued to cancel or modify the amount of the original court order.

(b) IRS Garnishments. The City will adhere to any wage garnishment issued by the Internal Revenue Service. A garnishment issued by the IRS must be released by the IRS.

4.4 EMPLOYEE PAY SCHEDULE

All employees will be paid biweekly (every two weeks) on Friday for a fourteen (14) day period. Each fourteen (14) day period will consist of two (2) work weeks. Each work week will begin on Thursday and end on Wednesday. Pay dates falling on a recognized holiday will be scheduled for the preceding day.

4.5 EMERGENCY DUTY PAY

Employees called back to work in emergencies shall be compensated for actual time worked. If an employee is on vacation and called in, the vacation time will be changed to regular time.

4.6 STANDBY DUTY AND COMPENSATION

Employees on standby duty may be required to carry a pager and/or cell phone, which shall be furnished by the City. At all times after regularly scheduled working hours when an employee has been designated to be available for on-call and subject to call back, the employee is free to pursue personal activities but may be requested to call back within designated guidelines set by the department. All employees designated to be on-call are expected to be fit (mentally and physically) to accomplish services needed within the time frame required.

Each department shall establish internal procedures for handling emergency services which could require call back of all employees as necessary to provide the needed service, regardless of on-call status. An employee will be considered officially scheduled and designated as on-call only when approved by the employee's supervisor with procedures established by the department.

Nonexempt employees will be compensated for each day they are on call. In addition, nonexempt employees who are called back during their on-call status to the workplace will be paid at their regular rate of pay for actual hours worked. If the actual hours worked when called back are less than two hours, the employee will be paid for two hours for the first call out and any additional call out for the day will be compensated for the actual hours worked. Time worked immediately after regularly scheduled working hours at the request or approval of the supervisor will not be considered call-back and will be paid at the regular rate of pay until overtime requirements are met.

4.7 OVERTIME AND COMPENSATORY TIME

Nonexempt employees, except certain police and fire department personnel, who are required by their supervisors to work in excess of forty (40) hours in a work week shall receive compensation for all hours in excess of forty (40) at the rate of one and one-half (1½) times the regular hourly rate at which he or she is employed. In the alternative the employee may receive one and one-half hours (1½) of compensatory time off. The Fair Labor Standards Act requires that all employees be paid overtime wages at a rate of one and one-half (1½) times their regular rate of pay. All remuneration to the employee in any given year must be included when determining the regular rate of pay. This includes standby duty pay, etc., in addition to regular pay.

Police personnel working a fourteen (14) day work cycle who are required by their supervisors to work in excess of 80 hours in a fourteen (14) day cycle shall be compensated for all hours worked in excess of the 80 hours at a rate of one and one-half

(1½) times the regular hourly rate of pay or one and one-half (1½) hours of compensatory time off. Fire department personnel working a twenty-seven (27) day work cycle will be compensated at a rate of one and one-half (1½) times their regular hourly rate of pay for all work in excess of 204 hours in a twenty-seven (27) day cycle.

Effective January 2010, the maximum compensatory time which may be accrued by any affected employee shall be 168 hours for police employees working a twenty-eight (28) day work cycle, 380 hours for fire department employees working a twenty-seven (27) day work cycle and 210 hours for all other employees.

Effective January 2011, the maximum compensatory time which may be accrued by any affected employee shall be 192 hours for police employees working a twenty-eight (28) day work cycle, 264 hours for fire department employees working a twenty-seven (27) day work cycle and 192 hours for all other employees.

The maximum hours may be changed at the discretion of the City Manager at any time. An employee who has accrued the maximum number of compensatory hours shall be paid overtime for any additional overtime hours of work. No traveling to and from schools, conferences or seminars after working hours shall be considered when determining overtime pay. All overtime work must be clearly reflected on the employee's time records before it is allowed. For efficiency, Departments Heads may require employees to take overtime in lieu of compensatory time, depending on schedules and projects.

Compensatory time earned or taken must be recorded on an internal form. This form will be completed by the employee and then submitted to the employee's supervisor and Department Head for approval. The Department Head will forward it to the human resource office. All forms for time earned or taken (Sunday through Saturday) must be turned in with payroll information no later than the following Wednesday. Compensatory time shall not be used before it is earned without the approval of the City Manager.

Exempt employees who are required to work in excess of forty (40) hours in a week shall be compensated for all hours at the rate of one hour for one hour of compensatory time.

4.8 EMPLOYEE PERFORMANCE EVALUATION

The work performance of each employee shall be evaluated in accordance with procedures developed and approved by the City Manager. Normally, an employee shall be evaluated at least annually. Special evaluations may be made by the Department Head. Performance evaluation reports shall be on forms provided by the City Manager through the human resource office. All performance evaluation reports shall be permanently placed in the employee's personnel file. Employees shall be provided copies of their performance evaluation reports.

Performance evaluations are designed to help supervisors and employees measure how well work is being performed and to provide a tool for management decisions regarding pay increases, promotions and retention of employees.

Evaluators shall individually discuss the evaluation results with the employees and shall counsel them regarding their careers and any improvements in performance which appear desirable or necessary. Both the Department Head or supervisor and the employee must sign the evaluation acknowledging that they have discussed the evaluation with their supervisor. If the employee refuses to sign the evaluation, they will be put on notice of violation of the personnel policies manual and can be terminated. Employees dissatisfied with their performance evaluation who received an unsatisfactory rating or a rating of below standard overall may appeal using the Employee Appeal Policy provided in Chapter 7, Section 7.12.

4.9 TERMINATION PAY

Employees who leave the service of the City shall receive all pay which may be due to them in accordance as follows:

- (a) an employee will be paid for any hours worked and for any overtime compensation due to them;
- (b) an employee will be paid for any compensatory time accumulated;
- (c) any indebtedness to the City that the employee may have incurred will be deducted from the final pay authorization;
- (e) the employee will receive their final payroll check for all hours worked, as well as vacation and compensatory time on the next regular scheduled payday.
- (f) the City Manager may give up to eighty (80) hours of termination pay if he/she determines in good faith that the City would be justified;
- (g) regardless of the circumstances of the termination, the final payroll check will be released by the Human Resource Manager or the Department Head to the former employee only. It will not be released to anyone else such as a spouse or friend. No exceptions will be made.

Any employee who dies while employed by the City shall have the final payroll check paid to his or her designated beneficiary and any unpaid salary, unused vacation time and accumulated benefits.

CHAPTER 5 LEAVES

5.1 HOLIDAYS

The purpose of this policy is to identify the rules and procedures regarding employee compensation for official holidays of the City. All permanent full-time and permanent part-time employees are immediately eligible for paid time off for an official City holiday. Time off for holidays will be paid at the eligible employee's regular hourly rate of pay and will be considered time worked for purposes of calculating overtime pay or compensatory time accrual.

The following holidays are official City holidays.

New Year's Day	Labor Day/September 11 (observed) for Fire
Martin Luther King Day	Thanksgiving Day
Presidents Day	Day After Thanksgiving
Good Friday	Christmas Eve
Memorial Day	Christmas Day
Independence Day	

Generally, holidays occurring on Saturday will be observed on the preceding Friday, and holidays occurring on Sunday will be observed on the following Monday. Exceptions to the dates that holidays are observed are at the discretion of the City Manager.

Public Safety shift employees who work varying schedules will observe the actual holidays if they fall on Saturdays or Sundays when scheduled to work on certain holidays and receive pay according to the City's current policies.

Eligibility for Holiday Pay

Employees on the payroll as full-time or part-time employees on the holiday shall be eligible for holiday pay at their base hourly rate of pay. Employees who would normally work on a day of the week observed as a holiday will be paid for the number of hours normally worked on that day had the holiday not occurred.

Temporary or Seasonal employees may be granted paid holidays at the City Manager's discretion.

Work during Holidays

Full-time and part-time employees (other than public safety shift employees) required to work on a holiday shall receive holiday pay as defined above, plus the regular rate of pay or straight comp time hours for all hours worked on said holiday.

Holiday during Leave

Employees on vacation or approved sick leave on a designated holiday shall be paid holiday pay and not charged with vacation or sick leave for the day. Employees on leave without pay both the day before and the date after a holiday shall be considered as a leave without pay on the holiday and shall not be paid for the holiday. Similarly, employees absent without leave either the day before or the day after a holiday shall be considered absent without leave on the holiday and shall not receive pay for the holiday. Employees must submit a doctor's note if they are sick the day before or after a holiday to receive compensation.

General Information

Department Heads shall ensure that employees working non-traditional schedules or on shifts receive the benefit of the full number of official paid holidays.

Department Heads shall determine an alternate holiday to fit with the operational needs of the department, or if said holiday falls on the department's regularly scheduled days off.

5.2 VACATION

All regular full-time employees and part-time employees who work at least twenty-nine (29) hours per week shall be entitled to vacation leave benefits which shall be based upon the length of service with the City.

The following tables outline the monthly accrual hours:

40 HOUR EMPLOYEE

YEARS OF SERVICE	WEEKS	BREAKDOWN OF ACCRUED HOURS	YEARLY VACATION HOURS
6 Months	1 week	Lump Sum	40
1 Year	1 week	Lump Sum	40
1 Year - 5 Years	2 weeks	6.7 hrs. for 8 months 6.6 hrs. for 4 months	80
5 Years - 15 Years	3 weeks	10 hrs. for 12 months	120
15 Years - 25 years	4 weeks	13.4 hrs. for 4 months 13.3 hrs. for 8 months	160
25 Years Plus	5 weeks	16.7 hrs. for 8 months 16.6 hrs. for 4 months	200

40 HOUR WEEK – POLICE OFFICERS

YEARS OF SERVICE	WEEKS	BREAKDOWN OF ACCRUED HOURS	YEARLY VACATION HOURS
6 Months	1 week	Lump Sum	40
1 Year	1 week	Lump Sum	40
1 Year - 5 Years	2 weeks	6.7 hrs. for 8 months 6.6 hrs. for 4 months	80
5 Years - 15 Years	3 weeks	10 hrs. for 12 months	120
15 Years - 25 years	4 weeks	13.4 hrs. for 4 months 13.3 hrs. for 8 months	160
25 Years Plus	5 weeks	16.7 hrs. for 8 months 16.6 hrs. for 4 months	200

12 HOUR SHIFT – POLICE DISPATCHER

YEARS OF SERVICE	WEEKS	BREAKDOWN OF ACCRUED HOURS	YEARLY VACATION HOURS
6 Months	1 Week	Lump Sum	48
1 Year	1 Week	Lump Sum	48
1 Year - 5 Years	2 Weeks	8 hrs. for 12 months	96
5 Years - 15 Years	3 Weeks	12 hrs. for 12 months	144
15 Years - 25 years	4 Weeks	16 hrs. for 12 months	192
25 Years Plus	5 Weeks	20 hrs. for 12 months	240

24 HOUR SHIFT - FIREFIGHTER

YEARS OF SERVICE	WEEKS	BREAKDOWN OF ACCRUED HOURS	YEARLY VACATION HOURS
6 Months	1 Week	Lump Sum	60
1 Year	1 Week	Lump Sum	60
1 Year - 5 Years	2 Weeks	10 hrs. for 12 months	120
5 Years - 15 Years	3 Weeks	14 hrs. for 12 months	168
15 Years - 25 years	4 Weeks	20 hrs. for 12 months	240
25 Years Plus	5 Weeks	24 hrs. for 12 months	288

29 HOURS – PART-TIME WORKER

YEARS OF SERVICE	HOURS	BREAKDOWN OF ACCRUED HOURS	YEARLY VACATION HOURS
6 Months	0	No hours earned for less than 12 months	0
1 Year	60	5 hrs. for 12 months	60
1 Year - 5 Years	60	5 hrs. for 12 months	60
5 Years - 15 Years	90	7.5 hrs. for 12 months	90
15 Years - 25 years	120	10 hrs. for 12 months	120
25 Years Plus	150	12.5 hrs. for 12 months	150

For these purposes, a day of vacation leave shall equal the number of hours such employee works in a normal shift. A week of vacation shall equal the number of days such employee works in a week.

Absence due to sickness, injury, pregnancy or disability in excess of that hereinafter authorized for such purposes may, at the request of the employee and within the discretion of the Department Head, be charged against vacation leave allowance. The Human Resource Manager, with assistance from Department Heads, shall keep records of vacation leave allowance and use. The City Manager and/or Department Heads shall schedule vacation leaves with particular regard to operating requirements and, insofar as possible, with the requests of the employees.

Vacation leave shall be administered according to the following rules:

- (a) regular employees will receive a lump sum equivalent to one week following six (6) months of employment and a lump sum equivalent to one week following one year of employment; employees shall begin to accrue vacation hours at the end of the first full month of employment following the completion of twelve months of service;

- (b) The maximum amount of vacation leave an employee may carry over each year is an amount equal to the amount of vacation leave provided to the employee during the year ending on the day immediately preceding the employee's anniversary date. Any vacation leave exceeding this amount earned but unused by the employee by their anniversary date will be lost.
- (c) when a regularly scheduled holiday occurs during the period of an employee's vacation, that holiday shall not be considered as a vacation day, vacation leave shall be charged only for time during which the employee would ordinarily have worked;
- (d) vacation leave shall not be advanced to employees except in emergencies with the approval of the City Manager;
- (e) vacation leave credits are not transferable between employees;
- (f) employees being laterally transferred, promoted or demoted shall retain accumulated vacation leave;
- (g) employees who separate from employment with the City shall be paid for any accumulated vacation leave;
- (h) vacation time will not be earned while an employee is on disability, worker's compensation or Family Medical leave.

Temporary and seasonal employees shall not be entitled to paid vacation leave benefits.

5.3 SICKLEAVE – Effective January 1, 2016

Permanent full-time shall be eligible to accrue sick leave. The intent of sick leave is to prevent loss of income to employees who are absent due to illness or injury, which is not job-related. Sick leave abuse will not be tolerated.

Accrual Rate – 2016

During 2016, Permanent full-time employees will accrue sick leave at the following rates:

	Days Per Year	Hours Per Year	Hours Accrued	Maximum Sick Accrual Hours
40-48 hour employees	10	80	Jan 1st – 40 hrs. credited Jul – Dec – 6.7 hrs. accrued each month	80
24 hour firefighters	5 Shifts	120	Jan 1 st – 60 hrs. credited Jul – Dec – 10 hrs. accrued per month	120

Accrual Rate – Maximum Cumulative Accrual

Beginning January 1, 2017, Permanent full-time employees will accrue sick leave at the following rates:

	Days Per Year	Hours Per Year	Hours Accrued Per Month	Maximum Sick Accrual Hours
40-48 hour employees	10	80	6.7 for the first 8 months of the calendar year 6.6 for 4 months of the calendar year	320
24 hour firefighters	5 Shifts	120	10	480

Sick leave shall be administered according to the following rules:

- (a) an employee will not be eligible to take sick leave until he or she has completed six months of service with the City. Sick leave may not be taken in advance of it being earned;
- (b) part time, seasonal or temporary employees are not eligible for sick leave;
- (c) sick leave shall not be granted in increments of less than one (1) hour;

- (d) Sick leave may be allowed in case of medical, dental, or optical appointments, personal illness, injury, pregnancy, serious illness or injury requiring hospitalization, physical or mental incapacity of an employee, and funerals;
- (e) No payment will be due for time absent beyond a period of seven consecutive calendar days beginning with the day on which the employee is absent during a full scheduled work day. Coverage beyond this point will be set forth in the disability leave plan (chapter 5, section 5.4);
- (f) Sick leave may be allowed when it is necessary to care for an ill or incapacitated spouse, child, or for a parent outside the employee's home;
- (g) a limit of five (5) sick days will be allowed per year when necessary to care for a seriously ill, injured, or incapacitated spouse, child, or for a parent outside the employee's home requiring hospitalization and/or their care when returning home.
- (h) employees are expected to schedule preventative medical, dental and optical appointments so that there will be minimal disruption to the work areas. For regularly scheduled appointments, employees are to give the supervisor as much notice as possible for the upcoming appointment;
- (i) if an employee becomes ill and cannot report for work, their absence must be reported to the immediate supervisor or Department Head prior to, or within one (1) hour after their regular reporting time, so that such absence will be charged to sick leave;
- (j) after an employee's accumulated sick leave has been exhausted, the accrued vacation may be substituted. When absence due to illness exceeds the amount of paid leave earned and authorized, the pay of an employee shall be discontinued until the employee returns to work;
- (k) official holidays and regular days off shall not count against sick leave;
- (l) employees who become ill during the period of their vacation may request that their vacation be temporarily terminated and

Their time charges to sick leave. A physician's statement will normally be required in such instances;

- (m) a doctor's excuse with the doctor's original signature must be submitted to the Human Resource Manager upon the second workday missed due to illness before the employee may be paid for sick leave. Failure to do so may result in dismissal, suspension and/or forfeiture of such pay.
- (n) a doctor's excuse with the doctor's original signature may be required for Fire Department shift personnel when an absence due to illness exceeds for more than one twenty-four (24) hour shift;
- (o) the Department Head and/or the City Manager may require satisfactory proof of illness or the need to care for a spouse, child or parent at any time when an employee is absent on sick leave;
- (p) Department Heads shall be responsible for reporting all sick leave used by an employee on the employee's time record.

Unused Sick Leave

Any unused sick leave accumulated during a calendar year shall be carried over into the next year as long as the total accumulated sick leave does not exceed a maximum forty (40) working days for 40-48 hour employees (320 hours), or twenty (20) shifts for 24 hour firefighters (480 hours). When forty (40) working days, for 40-48 hour employees, or twenty (20) shifts, for 24 hour firefighters, have been accumulated, the employee will cease accruing sick leave.

Cash Exchange for Sick Leave

Sick leave credits are not transferable between employees, nor, in most instances, compensated upon separation from the City. Full-time employees with 10 years of service with the City who resign or retire in good standing from city service shall be paid for unused sick leave not to exceed forty (40) working days for 40-48 hours employees or twenty (20) shifts for 24 hour firefighters based on the following:

Years of Service	Hours Paid 40-48 Hour Employee	Hours Paid 24 Hour Firefighters
10	80	120
15	160	240
20	240	360
25	320	480

5.4 DISABILITY LEAVE PLAN

A. Disability Leave Generally

Only full time employees are eligible for disability leave.

After an employee has been off for a period of seven (7) consecutive calendar days the employee will then be transferred from the Sick Leave Plan to the Disability Leave Plan.

To be totally disabled for purposes of the City's Disability Leave Plan means that the employee is unable to perform the essential functions of the employee's job. If an employee is able, as determined by the employee's physician to perform light duties, the employee may be required to do so. This may or may not be in the employee's department as determined by the City Manager. Leave available under the Family Medical Leave Act will run concurrently with Disability Leave.

An employee using disability leave will be assigned as an forty hours per week employee. Each employee will be entitled to the same amount of disability leave regardless of the employee's position and shift worked prior to the disability leave.

Any employee who is receiving disability pay from any source, such as Texas Municipal Retirement or Social Security, will not be eligible to participate in the City's Disability Leave Plan.

Any employee who is seriously injured and received compensation from the City's Disability Leave Plan, insurance benefits, etc. must include full reimbursement to the City in any claims or lawsuits filed for personal injury damages. Upon being reimbursed, the City will add back any/all disability hours that the employee used for that particular injury.

B. Types of Disability Leave

The Disability Leave Plan contains two types of disability leave 1) on the job injury or illness and 2) non-occupational illness or injury. These components are set forth in greater detail, as follows:

1. On-The-Job Injury or Illness:

On-the-job injury or illness will be covered by Worker's Compensation Coverage and the Disability Leave Plan. Employees suffering on the job injuries may be entitled up to a maximum of twenty (20) week (100 days or 800 hours) of disability leave for any on the job injury or illness. While using on-the-job injury leave an employee cannot claim a non-occupational illness or injury. While using on-the-job injury leave, the employees' workers compensation pay will be supplemented in an amount necessary to make up the difference between such payments and the employee's full regular pay. At no time will an employee's pay including any worker's compensation pay, be more than his or her

normal salary for any pay period. While using on the job injury disability leave, the employee will not earn vacation or comp time.

To be qualified for above benefits, an employee must be under the care of a qualified physician and furnish doctor reports to the human resource office as frequently as required under workers compensation. A fax will be accepted.

Under no circumstances may an employee covered by workers compensation and the disability leave plan for an on-the-job injury or illness work another job.

2. Non-Occupational Illness or Injury

Employees suffering from non-occupational illnesses or injuries may be entitled up to a maximum of twenty (20) week (100 days or 800 hours) of disability leave. An employee using non-occupational illness or injury leave will receive full pay based upon his or her term of employment. The following table lists the appropriate illness and injury disability leave based upon net credit service.

<u>If net credited service is</u>	<u>The employee receives Full pay for</u>
1 year to 3 years	2 weeks
3 years to 5 years	3 weeks
5 years to 15 years	6 weeks
15 years to 20 years	12 weeks
20 years to 25 years	15 weeks
25 years or more	20 weeks

Full pay will include full salary, all benefits, and insurance premiums. To be qualified for above benefits, an employee must be under the care of a qualified physician and furnish doctor reports to the human resource office every thirty (30) days on the City's disability leave form. A fax will be accepted.

The City has the right to consult a city's physician and have the employee examined by such doctor if needed. If an employee is using non-occupational illness or injury disability leave that will require a specific amount of time off for recovery following such surgery, one disability leave form will be sufficient to cover the period of the specified leave period. If at the end of the stated recovery period the employee is not released to return to work, he/she must begin submitting disability leave forms every thirty (30) days as stated above.

While on non-occupational illness or injury disability leave, an employee will not earn vacation, comp time, or time in service with the City.

Under no circumstances may an employee on non-occupational illness or injury disability leave work another job.

C. Calculation of Disability Leave

The maximum of total disability leave that can be claimed by any employee is twenty (20) weeks during the entire tenure of service for the City. This maximum can be reached by one continuous disability leave or several different disability claims over a period of time. For example:

Employee A has twenty (20) weeks of non-occupational disability time that can be used while he/she is employed by the City. Employee A has been employed by the City for ten years. Employee A has surgery in May and is off for three weeks at full pay. This amount is deducted from the balance of twenty (20) weeks and employee A's new balance is seventeen (17) weeks. Employee A is involved in an off-the-job accident in January and is off work five (5) weeks at full pay. This amount is deducted from the balance of twenty (20) weeks and employee A's new balance is twelve (12) weeks at full pay. Employee A now has twelve (12) weeks to use for the remainder of the term of his employment with the City. After the twelve (12) weeks is used, employee A will have to use vacation time, comp time, or be off without pay for any additional causes of non-occupational illness or injury.

At the end of each calendar year, each employee who used disability leave will receive a statement showing his/her non-occupational illness or injury disability leave balance.

D. Failure to Return from Disability Leave

If an employee is unable to return to work following the exhaustion of disability leave, and the employee has exhausted Family Medical Leave, the employee may be terminated. Separation for failure to return from disability leave shall not be considered disciplinary action.

5.5 FAMILY MEDICAL LEAVE ACT

The City provides leave to eligible employees in accordance with the Family and Medical Leave Act (FMLA). Under the FMLA, eligible employees may take up to twelve (12) weeks of unpaid leave during a twelve month period for specified family and medical reasons or up to twenty-six (26) weeks of unpaid leave during a single twelve month period to care for an ill or injured service member.

Calculation Period. The twelve (12) month period during which an employee is eligible for twelve (12) work weeks of family medical leave will be measured from January 1 to December 31. The single twelve (12) month period during which an employee is eligible for twenty six (26) work weeks of family medical leave to care for an ill or injured service member will be measured from the first day the eligible employee takes family medical leave to care for the covered service member and ends twelve (12) months after that date.

Family Medical Leave Runs Concurrently With Other Types of Leave.

FMLA leave runs concurrently with other types of leave. If an employee has any available accrued sick leave, it must be used concurrently with any available family medical leave. If the employee has no sick time, or once all accrued sick time has been used, all unused holiday and vacation leave will be used and will run concurrently with any remaining family medical leave. If the employee is eligible for disability, it too must be used concurrently with any available family medical leave. Family medical leave shall also run concurrently with leave taken by an employee as worker's compensation leave if the illness or injury meets the criteria for a serious health condition.

Employee Eligibility. To be eligible for family medical leave, an employee must have worked for the City:

- (A) at least twelve (12) months, and
- (B) at least 1,250 hours during the twelve (12) months preceding the start of the leave.

The twelve (12) month period an employee must have been employed with the City to be eligible for FMLA leave need not be consecutive months. However, prior service which occurred more than seven years prior to the request for leave will not be considered in determining whether the employee worked for the City for at least twelve (12) months.

Leave Entitlement. Eligible employees may take a total of twelve (12) work weeks of family medical leave during a twelve (12) month period for one or more of the following reasons:

- (A) the birth of the employee's child or placement of a child with the employee for adoption or foster care;
- (B) to care for a spouse, child, or parent of the employee with a serious health condition;
- (C) when the employee is unable to perform the functions of his or her role specification because of his or her own serious health condition.
- (D) For any qualifying exigency arising out of the fact that the spouse, son, daughter or parent of the employee is on active duty or has been notified of an impending call to active duty status in support of a contingency operations.

Family medical leave for birth or placement for adoption or foster care must conclude within twelve (12) months of the birth or placement.

Eligible employees are entitled to take up to twenty-six (26) weeks of family medical leave during a single twelve (12) month period for the employee to care for a spouse, child, parent, or next of kin who is a service member undergoing medical treatment, recuperation or therapy, is on out-patient status, or is on the temporary disabled retired list for a serious injury or illness.

Notice Requirements: In order for the City to accommodate an employee's workload during his or her absence, employees seeking to take family medical leave must provide their Supervisor, Manager, Department Head or Human Resources with **at least thirty (30) days' advance notice** when the leave is foreseeable. If the leave is not foreseeable, employees are expected to provide their Supervisor, Manager, Department Head or Human Resources with **as much advance notice as possible**. In the event of medical leave for planned medical treatment for the employee or for the employee's spouse, child or parent, the employee is required to make a reasonable effort to schedule the treatment so as not to unduly disrupt the City's operations.

When an employee takes paid or unpaid leave for a reason that qualifies for family medical leave, the employee shall include in the notice or request given to the Department Head, a description of the reason for the leave. (Note under the FMLA, an employee requesting paid or unpaid leave for an absence covered by the FMLA is not required to expressly mention FMLA. If the employee states a reason that qualifies as family medical FMLA leave, the employee, will likely have met the FMLA's notice requirements).

In the absence of unusual circumstances, nothing herein excuses an employee from complying with requirements to notify his/her immediate supervisor of an absence as required by Section 5.3 of these policies.

Within five business days of receipt of notice from an employee requesting paid or unpaid leave, the Human Resource Manager shall notify the employee of the employee's eligibility to take FMLA leave and the employees' rights and responsibilities for taking FMLA leave.

This written information must be provided to the employee in a language in which the employee is literate.

Within five business days of receipt of enough information to determine whether the leave is being taken for an FMLA-qualifying reason (e.g. after receiving certification) the City must notify the employee whether the leave will be designated and counted as FMLA leave.

All supervisors must **immediately** notify the Human Resource Manager if they have reason to believe that an employee's absence is due to an FMLA-covered reason.

Medical Certification and Other Required Documentation. Employees must provide the City with a medical certification from the employee's health care provider supporting the need for family medical leave due to a serious health condition affecting the employee or the employee's spouse, child or parent. Contact the Human Resources Department for specific certification details required.

The certification must state:

- (A) the date on which the serious health condition commenced;
- (B) the probable duration of the condition;
- (C) the appropriate medical facts within the knowledge of the health care provider regarding the condition;
- (D) for leave taken to care for an employee's spouse, child, or parent, a statement that the eligible employee is needed to care for the child, spouse, or parent and an estimate of the amount of time that the employee is needed to care for the child, spouse, or parent;
- (E) for leave taken for the employee's own serious health condition, a statement that the employee is unable to perform the functions of the role of the employee;
- (F) in the case of certification for intermittent leave, or leave on a reduced leave schedule, for planned medical treatment, the dates on which the treatment is expected to be given and the duration of the treatment;
- (G) in the case of certification for intermittent leave, or leave on a reduced leave schedule for the employee's own serious health condition a statement of the medical necessity for the intermittent leave or leave on a reduced leave schedule, and the expected duration of the intermittent leave or reduced leave schedule; and
- (H) in the case of certification for intermittent leave, or leave on a reduced leave schedule for leave taken to care for the employee's child, spouse or parent, a statement that the employee's intermittent leave or on a reduced leave schedule is necessary for the care of a child, spouse, or parent who has a serious health

condition, or will assist in their recovery, and the expected duration and schedule of the intermittent leave or reduced leave schedule.

The City may require, by giving a written request to an employee, that FMLA leave for a qualifying military exigency provide a certification that sets forth the following:

- (A) a statement or description, signed by the employee, of appropriate facts regarding the qualifying exigency for which FMLA leave is requested. The facts must be sufficient to support the need for leave and should include information on the type of qualifying exigency for which leave is requested and any available written documentation which supports the need for leave;
- (B) the approximate date on which the qualifying exigency commenced or will commence;
- (C) if an employee requests leave because of qualifying exigency for a single, continuous period of time, the beginning and end dates for such absence;
- (D) if an employee requests leave because of a qualifying exigency on an intermittent or reduced schedule basis, an estimate of the frequency and duration of the qualifying exigency; and
- (E) if the qualifying exigency involves meeting with a third party, appropriate contact information for the individual or entity with whom the employee is meeting and a brief description of the purpose of the meeting.

The City may require, by giving a written request to an employee, that FMLA leave to care for an injured or ill service member be supported by a certification by an authorized health care provider of the covered service member. The certification must be furnished in a timely manner when requested. A certification must state:

- (A) whether the covered service member's injury or illness was incurred in the line of duty or active duty;
- (B) the approximate date on which the serious injury or illness commenced and its probable duration;
- (C) a statement or description of appropriate medical facts regarding the covered service member's health condition for which FMLA leave is requested. The medical facts must be sufficient to support the need for leave;

- (D) information sufficient to establish that the covered service member is in need of care, and whether the covered service member will need care for a single continuous period of time and an estimate as to the beginning and ending dates for the period of time;
- (E) if an employee requests leave on an intermittent or reduced schedule basis for planned medical treatment appointments for the covered service member, whether there is a medical necessity for the covered service member to have such periodic care and on estimate of the treatment schedule of such appointments;
- (F) if an employee requests leave on an intermittent or reduced schedule basis to care other than planned medical treatment, whether there is a medical necessity for the covered service member to have such periodic care;
- (G) the following additional information:
 - (i) the name and address of the employer of the employee requesting leave, the name of the employee requesting leave, and the name of the covered service member for whom the employee is requesting leave to care;
 - (ii) the relationship of the employee to the covered service member;
 - (iii) whether the covered service member is a current member of the Armed Forces, the National Guard or Reserves, and the covered service member's military branch, rank, and current unit assignment;
 - (iv) whether the covered service member is assigned to a military medical facility as an outpatient or to a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients and the name of the medical facility or unit;
 - (v) a description of the care to be provided to the covered service member and an estimate of the leave needed to provide the care.

Invitational Travel orders or Invitational Travel Authorizations issued to any family member to join an injured or ill service member at his or her bedside will be accepted in lieu of the required certification for the duration of time specified in the orders or authorizations.

Employees seeking FMLA leave for a qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty, or has been notified of an impending call to active duty status in support of a contingency operation must also provide a certification of the need for FMLA leave.

If the City determines that a certification provided for leave taken for the employees own serious health condition, for the employee to care for the employees spouse, child or parent or the employee to care for an injured or ill service member is incomplete or insufficient, the City will provide the employee with seven calendar days to cure any deficiency. If the deficiency is not cured, the City has the right to either deny FMLA leave or contact the health care provider for purposes of clarification and authentication of the medical certification. Any contact with a health care provider will be made only by a health care provider, the Human Resource Manager or the City Manager and, when necessary, upon receipt of a HIPAA (Health Insurance Portability and Accountability Act) authorization provided by the employee. If an employee refuses to provide HIPAA authorization and does not otherwise clarify the certification, the City may deny FMLA leave.

If the City has reason to doubt the validity of the medical certification provided for leave taken for the employees own serious health condition, for the employee to care for the employees spouse, child or parent or for the employee to care for an injured or ill service member the City may require, that the employee obtain the opinion of a second health care provider designated or approved by the City. A health care provider approved under this paragraph may not be employed on a regular basis by the City.

If the second opinion described above differs from the opinion in the original certification provided, the City may require, at the expense of the City, that the employee obtain the opinion of a third health care provider designated or approved jointly by the City and the employee. The opinion of the third health care provider is final and binding on the City and the employee.

If employee submits a complete and sufficient certification in support of his or her request for leave because of a qualifying exigency, and the qualifying exigency involves meeting with a third party, the City may contact the individual or entity with whom the employee is meeting for purposes of verifying the meeting or appointment unit of the Department of Defense to request verification that a covered military member is on active duty status.

Delay or Denial of Family Medical Leave Benefits. The City may delay the taking of family medical leave under the following circumstances:

- (a) if an employee fails to give timely advance notice when the need for family medical leave is foreseeable, family medical leave may be delayed until thirty (30) days after the date the employee provides notice to the City of the need for the leave;
- (b) if an employee fails to provide in a timely manner a requested medical certification to substantiate the need for family medical leave, fails to provide clarification or cooperate in the City's efforts to seek clarification, the continuation of leave may be delayed until the employee submits the certificate.

If the employment relationship terminates, an employee's rights to continued leave, maintenance of health benefits, and restoration cease under FMLA. If an employee fraudulently obtains family medical leave, the City may deny job restoration and/or maintenance of health benefits.

Intermittent Leave. Eligible employees may take family medical leave on an intermittent or reduced schedule basis only if medically necessary to care for a seriously ill spouse, child or parent; or because of the employee's serious health condition. Intermittent leave may be taken to care for a newborn or newly placed adopted or foster care child only with the approval of the employee's Department Head and the City Manager.

Employees needing intermittent/reduced schedule leave for foreseeable medical treatment must work with their supervisor to schedule the leave so as not to unduly disrupt the City's operations, subject to the approval of the employee's health care provider. In such cases, the City may temporarily transfer the employee to an available alternative position (with equivalent pay and benefits) in order to better accommodate repeated periods of absence.

Benefits During FMLA Leave. During any period of family medical leave, the City will continue to pay its portion, if any, of any group health insurance coverage for the employee on the same terms as if the employee had continued to work. Where applicable, the employee must timely pay his or her share of health insurance premiums while on leave. Upon at least 15 days written notice, the City may discontinue insurance coverage if the employee's share of health insurance premiums are more than thirty (30) days past due. The City may recover premiums it paid to maintain health coverage for an employee who fails to return to work from family medical leave, unless the employee is unable to return due to a serious health condition or something else

beyond the employee's control. Medical certification is required under such circumstances.

The employee's use of family medical leave will not result in the loss of any employment benefit that accrued prior to the start of the employee's leave; however, benefit accruals, such as vacation and sick leave, will be suspended during any unpaid leave.

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

Job Restoration After FMLA Leave. Upon returning from family medical leave, an employee will be restored to his or her original job or to an equivalent job in terms of pay, benefits, and other terms and conditions of employment. Under certain circumstances, however, the City is not required to reinstate "key" employees. Certain highly compensated key employees may be denied reinstatement when necessary to prevent "substantial and grievous economic injury" to the City's operations. A "key" employee is a salaried eligible employee who is among the highest paid ten percent of employees within 75 miles of the worksite. Employees will be notified of their status as a key employee, when applicable, after they request family medical leave.

Spouses Employed by the City. If an employee and the employee's spouse are both employed by the City, both are jointly entitled to a combined total of twelve (12) work weeks of family leave for the birth or placement of a child for adoption or foster care, or to care for a parent with a serious health condition and a combined total of twenty-six (26) work weeks of leave during a single twelve (12) month period to care for an ill or injured service member.

Other Employment. Under no circumstances may an employee on family medical leave work another job, whether for pay, as a volunteer or as self-employment, unless expressly authorized in writing by the Department Head and the City Manager.

FLSA Considerations. Salaried executive, administrative, and professional employees of the City who meet the Fair Labor Standards Act (FLSA) criteria for exemption from minimum wage and overtime do not lose their FLSA-exempt status by using any unpaid family medical leave. This special exception to the "salary basis" requirements for the FLSA's exemptions extends only to eligible employees' use of leave required by the FMLA.

Other Provisions. The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law which provides greater family or medical leave rights.

This policy is intended to explain benefits available to eligible employees under the FMLA. It is not intended to create any rights to leave beyond those created by the FMLA. If you would like additional information on the FMLA, please contact your Supervisor, Manager, Department Head or Human Resources. When an employee gives notice of the need for family medical leave, the employee will be given additional information regarding rights and responsibilities under the FMLA. In addition, employees may contact the nearest office of U.S. Department of Labor's Wage & Hour Division for more information.

5.6 INJURY LEAVE

An employee injured in the line of duty will receive workers' compensation benefits in most cases. At no time during any type of injury leave will an employee's pay including any workers' compensation pay be more than his/her normal salary for each pay period.

An Accident Investigation Form must be completed by the employee and immediate supervisor and submitted to the Human Resource Manager for every accident regardless of the severity or nature of the accident.

More information regarding Workers Compensation Benefits may be found in Chapter 12 herein.

5.7 MILITARY LEAVE

The City complies with all federal and state laws relating to employees in reserve or active military service, and does not discriminate against employees who serve in the military. The City supports its employees and their service in state and national military units and provides them with a number of military leave benefits.

This policy covers regular employees who serve in reserve or active military service, on a voluntary or involuntary basis. Please note that this policy is generally not applicable to temporary employees who have brief or non-recurrent positions with the City and who have no reasonable expectation that their employment with the City will continue for a significant period of time.

Notice to City of Need for Leave. Employees must provide as much advance written and/or verbal notice to the City as possible for all military duty leave (unless giving notice is impossible, unreasonable, or precluded by military necessity). Absent unusual circumstances, such notice must be given to the City no later than twenty four (24) hours after the employee receives the military orders. To be eligible for paid military leave, employees must complete and submit the necessary documentation, including the official documents setting forth the purpose of the leave and, if known, its duration.

This documentation must be given to the employee's Department Head and the Human Resource office as far in advance of the leave as possible.

Paid Leave for Training and Duty

- (a) **Full Pay For Up to fifteen (15) Days.** In accordance with Section 431.005, Texas Government Code, regular full and part-time employees of the City will be paid for military absences of up to 15 workdays per calendar year. For purposes of calculating paid leave time, the City may temporarily transfer twenty-four (24) hour shift employees to a forty (40) hour, seven (7) day work-week schedule. This paid military leave may be used when an employee is engaged in National Guard or U.S. armed forces training or duty ordered or approved by proper military authority. The paid leave days may be taken consecutively or scattered throughout the year.
- (b) **Other Paid Leave.** Employees who are not eligible for paid military leave or who have exhausted all available paid military leave may, at their option, use any other available paid leave time, *except sick leave* (i.e., vacation leave, holiday leave or comp time) to cover their absence from work.
- (c) **Unpaid Leave.** After an employee has exhausted all available paid military leave (and any other paid leave time that the employee chooses to use to cover a military absence), the employee will be placed on leave without pay for up to five (5) years.
- (d) **Benefits.** The City will continue to provide employees on paid military leave with most City benefits.
- (e) **Medical and Dental.** While an employee is on military leave the City will continue to pay its portion of the monthly premium for group health and dental benefits.
- (f) **Other Benefits.** While on paid military leave, employees continue to accrue vacation, sick leave and other benefits provided to other employees on paid leave. While on unpaid military leave, employees are generally ineligible for most City-provided benefits. Benefit accruals, such as vacation and sick leave, do not accrue while an employee

is on unpaid leave, including unpaid military leave. While on unpaid military leave, benefit accruals will be suspended and will resume upon the employee's return to active employment. Upon return to active employment following military leave, employees will be treated as though they were continuously employed for purposes of determining seniority and benefits based on length of service, such as vacation accrual.

- (g) **TMRS.** Typically, an employee's period of uniformed service is deemed to constitute service for purposes of vesting and benefit accrual. Thus, employees earn service credit for time spent on active duty military leave. Service time is credited when an employee returns to work. To qualify for service credit, an employee must return to work for the City within ninety (90) days after discharge; receive an honorable discharge; and timely complete the necessary application. In order to receive monetary credit, an employee has the lesser of five (5) years or three (3) times the length of the military service to make up any TMRS contributions that were missed while on military leave.

- (h) **Returning from Leave**

- (i) **Reemployment Rights.** In most cases, employees who complete their military service will be re-employed in their previous position or a similar position with the City. Federal law requires that employees returning from military leave be rehired in the position they would have had if they had been continuously employed. Since most jobs and promotions in the City are not awarded based on seniority, it is impossible to know what job an employee might have had if he/she had been continuously employed. This means most employees returning from military leave will typically be restored to the job they held at the commencement of their military leave.
 - (ii) **Deadline to Notify City of Intent to Return to Work.** The deadline for an employee to return to work and/or notify the City that he/she intends to return to work following military leave depends

upon how long the employee's military service lasted.

- (a) For service of **less than thirty-one (31) days**, employees have eight (8) hours following their return home from service to report for their next scheduled work period.
- (b) For service **between thirty-one 31 days and one hundred-eighty (180) days**, employees have fourteen (14) days following their release from service to apply for reemployment.
- (c) For service of **more than one hundred-eighty (180) days**, employees have ninety (90) days following their release from service to apply for reemployment.

These deadlines may be extended for two (2) years or more when an employee suffers service-related injuries that prevents him/her from applying for reemployment or when circumstances beyond the employee's control make reporting within the time limits impossible or unreasonable.

- (iii) **Required Documentation.** To qualify to return to work, an employee returning from leave must provide documentation of the length and character of his/her military service. Also, evidence of discharge or release under honorable conditions must be submitted to the City if the military leave lasted more than thirty one (31) calendar days.
- (iv) **Rights to Continued Employment.** Employees who actively serve in the military, and take military leave in excess of six (6) months will not be discharged by the City without cause for one (1) year following the date of their reemployment. Employees who actively serve for between one and six months will not be discharged without cause for 6 months following the date of their reemployment.

- (v) **Changed Circumstances.** If the City's circumstances have changed to such an extent that it would be impossible or unreasonable to reemploy an employee, the City has no legal obligation to reemploy an employee following his/her return from military leave. (For example, a reduction-in-force that eliminates the position held by an employee returning from military leave.) The City is not required to make efforts to qualify returning employees for particular positions or to make accommodations for employees who suffered service-related disabilities when such efforts or accommodations would impose an undue hardship on the City.

5.8 CIVIC DUTY LEAVE

Employees shall be granted sufficient leave with pay when necessary, and as determined by the Department Head, in order to vote in an official election or when called for jury duty or court service. Employees excused or released from jury duty shall report to their work stations in accordance with departmental instructions. Employees may retain the amount paid to them for jury duty in addition to the paid leave. Proof of jury duty or court service shall be required and submitted to the department head and Human Resource Manager before pay is granted. This shall be placed in the employee's personnel file.

5.9 AUTHORIZED LEAVE WITHOUT PAY

In circumstances not falling within other provisions of these policies, the Department Head may authorize an employee to take leave without pay under such terms and conditions as may be mutually agreeable and approved by the City Manager. The City Manager may revoke such authorization at any time. Employees taking leave without pay shall not lose or gain seniority. Leave without pay shall not ordinarily be authorized for periods in excess of thirty (30) calendar days. Employee benefits will remain in effect during periods of authorized leave without pay; however, the employee must pay his/her entire cost of the insurance premiums. The employee will not accrue or earn any new benefits until he or she returns to work.

5.10 PROFESSIONAL DEVELOPMENT LEAVE

The Department Head with the approval of the City Manager may grant leaves with pay together with the necessary travel and expense allowance in order to permit employees to

attend conferences, schools or seminars. All conferences, schools or seminars must be designed to improve the efficiency of the employee, foster professional development, or be a job requirement. However, requests for all such leaves in excess of one (1) day must first be submitted in writing to the Department Head and/or City Manager no less than one (1) week prior to the proposed date of such leave and approval. Failure to obtain the proper approval may result in the denial of the request to attend the conference, school or seminar.

The Department Head will be responsible to determine that sufficient funds have been budgeted. Forms as provided by the City Manager must be completed and approval that funds are available prior to attendance must be obtained.

5.11 FUNERAL LEAVE

A full-time City employee who has completed one continuous year of full time service may be eligible for up to 24 hours of funeral leave per calendar year in cases of the death of a member of the employee's immediate Family. In order to establish eligibility for funeral leave the employee shall be required to disclose the relationship of the deceased person to the Department Head. An employee not otherwise meeting the qualifications under this provision may claim the absence against available sick or personal leave. The employee would otherwise be required to take Leave Without Pay if no leave is available. Funeral leave with pay does not accumulate.

For purposes of this policy, immediate family is defined to include the employee's spouse, child, brother, sister, mother, father, grandparents, grandchildren, stepparents, and shall include the spouse's immediate family, step siblings, and a legal guardian may also be considered as immediate family.

CHAPTER 6 CONDUCT

6.1 WORK STANDARDS

It shall be the duty of each employee to maintain high standards of cooperation, efficiency and economy in his or her work for the City. The Department Heads shall organize and direct the work of their departments to achieve these objectives. If work habits, attitude, production and/or personal conduct of an employee falls below appropriate standards, supervisors should point out the deficiencies at the time they are observed. Counseling and warning the employee in sufficient time for improvement should ordinarily precede formal disciplinary action, but nothing herein shall prevent immediate formal action as provided elsewhere in these rules whenever the interest of the City requires.

6.2 ATTENDANCE

Department Heads are responsible for the establishment of work schedules and maintenance of employee attendance records. Employees shall be at their place of work in accordance with City and departmental policies and regulations. If an employee cannot come to work for any reason, they must report to their immediate supervisor or Department Head prior to, or within one (1) hour after his/her regular reporting time.

An employee failing to report to work or remain at work as scheduled without proper notification to his immediate supervisor or without authorization or excuse has committed a serious offense and may not be paid for the time involved. Absence without leave constitutes abandonment of duties and an employee absent from work for three or more consecutive work days without making proper notification will be considered to have voluntarily resigned.

6.3 POLITICAL ACTIVITY

City employees will not be appointed or retained on the basis of their political support or activities. Employees of the City are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies. However a City employee shall not

- (a) publicly endorse or campaign in any manner for any person seeking a City of Saginaw public office;
- (b) use his/her position or office to coerce political support from employees or citizens;

- (c) use his/her official authority or influence to interfere with or affect the result of a campaign issue, an election or a nomination for public office;
- (d) make, solicit or receive any contribution to the campaign funds of any candidate for City Council, directly or indirectly through an organization or association; or take any part in the management, affairs or political campaign of any such candidate; provided nothing herein shall infringe the constitutional rights of such office or employee to express his or her opinions and to cast his or her vote;
- (e) use working hours or City property to be in any way associated with soliciting or receiving any subscription, contribution or political service or to circulate petitions or campaign literature on behalf of an election issue or candidates for public office in any jurisdiction;
- (f) contribute money, labor, time or other valuable thing to any person for City election purposes;
- (g) hold an appointive or elective office of public trust where service would constitute a direct conflict of interest with City employment, (e.g. City Council). Upon becoming a candidate for such an office, an employee must immediately resign or be dismissed upon failure to do so. If the employee loses the election, he or she may seek reinstatement if the employee's former position is still open and available.

6.4 SOLICITATION

Solicitation of funds or anything of value for any purpose whatsoever shall not be permitted by employees on the job except with the express approval of the Department Heads. No employee shall be required to make any contribution or shall be penalized or rewarded in any way in connection with his or her employment according to the response to the solicitation.

6.5 PHYSICAL FITNESS

It shall be the responsibility of each employee to maintain the standards of physical fitness required for performing his or her essential job functions.

6.6 PERSONAL APPEARANCE

The City of Saginaw is a public service organization committed to upholding a positive and professional image while delivering exceptional services to the public. It is the policy of the City that each employee maintains the highest standards of a professional appearance appropriate for the designated responsibilities of his or her assigned duties. Health and safety standards must also be considered in dressing for work. This policy is not intended to preclude cultural or religious customs.

(A) Professional Dress: Acceptable attire and grooming for employees provides benefits to citizens and employees alike by enhancing productivity and instilling a sense of professionalism. Employees are expected to exercise good judgment and dress in a professional and appropriate manner as a representative of the City and a reflection of his or her own department. It is especially important for employees who frequently assist the public, or are seen by the public, to project a positive image and professional appearance. An employee dressed unprofessionally reflects poorly upon his/her department and the City.

(B) Uniformed employees. Employees who wear uniforms shall:

- (1) keep uniform articles clean and in good repair;
- (2) keep shirts tucked in and unbuttoned no lower than the second button from the top;
- (3) wear shoes that are enclosed and appropriate to the job being performed;
- (4) wear appropriate caps or hats with the uniform. If the cap or hat has a bill, the bill must be aligned with the center of the face. No hat shall be worn backwards or sideways;
- (5) keep hair clean and appropriate for protective clothing and safety equipment;
- (6) not wear any portion of the city issued uniform for the employee's personal off-duty attire with the exception of to and from the workplace;
- (7) not intentionally damage or destroy any part of the uniform (The city must be reimbursed for uniform articles intentionally damaged or destroyed.); and
- (8) return all uniform articles as requested when employment with the city is terminated.
- (9) uniformed public safety employees shall abide by departmental policies.

(D) Non-uniformed office employees. Supervisors are responsible for setting appropriate dress standards for their departments. Supervisors will offer guidance as to proper attire. In setting dress standards, supervisors should consider these factors:

- (1) employees must present a clean and appropriate appearance.
- (2) employees are expected to dress appropriately for their job and the nature of the work performed.
- (3) the nature of the employee's public contact.
- (4) safety considerations, such as necessary precautions when working near machinery.

(E) Non-uniformed non-office employees. Non-uniformed non-office employees must also present a clean professional image appropriate to the work they are performing; therefore, they should adhere to the following guidelines:

- (1) shirts shall be worn at all times and shall not be unbuttoned below the second button from the top.
- (2) short shorts are considered unsafe and inappropriate.
- (3) footwear appropriate to safety and the nature of the job shall be worn.
- (4) no torn or tattered clothing shall be worn.

(F) General guidelines. All employees shall adhere to the following guidelines:

- (1) no immodest attire shall be worn.
- (2) appropriate underclothing shall be worn at all times.
- (3) hats, caps or any article of clothing which displays alcoholic beverages, drugs, pornography or advertising material of any kind is unacceptable as determined by the department head.
- (4) hair styles of both male and female employees shall be appropriate to the position of the employee, and extremes of any type are unacceptable. Extremes include length, color, and style. Hair shall be clean and neatly groomed at all times.

(5) beards and moustaches shall be kept clean and neatly trimmed. For reasons of safety, persons who may be required to wear self-contained breathing apparatus shall not wear facial hair which might interfere with the facial mask.

(6) All visible tattoos must be covered. Body piercing jewelry will only be worn on the ear. No other areas of the body should be visible with body piercing jewelry. Extreme jewelry styles (example: ear spacers) are not acceptable.

(G) Enforcement. It is the responsibility of the department head to enforce the provisions of this section. Employees in doubt about a particular article of clothing or matter of grooming should consult the department head. Generally, the department head will determine appropriateness; however, the city manager has final determination. Failure to comply with this section after one warning shall constitute a violation subject to disciplinary action.

(H) Appeals. A grievance concerning a supervisor's decision pursuant to this section shall be made through the grievance procedure.

6.7 FINANCIAL OBLIGATIONS

All employees are expected to keep their personal financial affairs in good order. Failure to pay just debts, including taxes, may constitute grounds for disciplinary action.

6.8 CONFLICT OF INTEREST

The City and its employees must, at all time, comply with all applicable laws and regulations. The City will not condone the activities of employees who achieve results through violation of the law or unethical business dealings. This includes any payments for illegal acts, indirect contributions, rebates, and bribery. The City does not permit any activity that fails to withstand the closest possible public scrutiny.

All business conduct should be well above the minimum standards required by law. Accordingly, employees must ensure that their actions cannot be interpreted as being, in any way, in contravention of the laws and regulations governing the operations of the City. Employees who are uncertain about the application or interpretation of any legal requirements should refer the matter to their supervisor, who, if necessary, should seek the advice of the City Manager or the City Attorney's office.

The City expects that employees will perform their duties conscientiously, honestly, and in accordance with the best interests of the City of Saginaw. Employees must not use their position or the knowledge gained as a result of their position for private or personal advantage. Regardless of the circumstances, if an employee knows or has reason to suspect that a course of action he or she has pursued, is presently pursuing, or is

contemplating pursuing may involve the employee in a conflict of interest with the City, the employee must immediately communicate all the facts to his or her supervisor.

All employees share a serious responsibility for the City's good public relations, especially at the community level. Their readiness to help with religious, charitable, educational, and civic activities brings credit to the City and is encouraged. Employees must, however, avoid acquiring any business interest or participating in any activity that would, or would appear to

- (a) create an excessive demand on their time to the extent that it deprives the City of the employee's best efforts on the job;
- (b) create an obligation, interest or distraction that may interfere with the independent exercise of judgment in the City's best interest.

An employee of the City shall not:

- (a) invest in or acquire a personal financial interest in any business that has a contractual relationship with the City, or that provides goods or services to the City, if such interest could influence or create the impression of influencing an employee's decisions in the performance of duties on behalf of the City;
- (b) accept entertainment, gifts or personal favors that could, in any way, influence or create the impression of influencing the employee's decisions in the performance of duties on behalf of the City;
- (c) receive payment or compensation of any kind, except authorized under the City's policies. In particular, the City strictly prohibits the acceptance of kickbacks or commissions from suppliers or others. Any breach of this rule will result in termination and prosecution to the fullest extent of the law;
- (d) use a municipal title, position or uniform in any advertisement or endorsement of products.

6.9 GENERAL DEPARTMENT

The attitude and deportment of an employee, whether in public or private, should at all times be such as to promote the good will and favorable attitude of the public toward the City Administration and its programs and policies.

6.10 OPERATION OF MOTORIZED EQUIPMENT AND VEHICLES

All drivers of motorized vehicles and equipment owned by or used by the City shall be responsible for maintaining the standards of physical fitness required in the operation of such motor vehicles and shall be required to obey all traffic rules and regulations prescribed by law, to have a valid and proper driver's license and to use every safety measure possible to prevent accidents. All drivers and passengers must use seat belt restraints at all times.

It shall be the duty and responsibility of all operators of motorized equipment, both heavy and light, to report any defect in mechanical equipment when same occurs and to use every precaution to prevent additional property loss, expense or recurrence of such condition.

Only those personnel authorized by the Department Heads and approved by the City Manager shall be permitted to take City vehicles home after duty hours. Vehicles furnished by the City are for City business use or as authorized by the City Council.

Operators of all motorized vehicles and equipment used in the service of the City government who violate this regulation or become involved in any accident shall be subject to disciplinary action, if upon investigation it is determined that the employee is responsible for such action or through carelessness or recklessness he or she contributed to the cause of such accident. All accidents involving City owned vehicles shall be reported to the Department Head and police department and submit a written investigation of the accident to the City Manager. In addition, an Accident Investigation Form must be completed by both the employee and their supervisor and submitted to the City Manager for every accident regardless of the severity or nature. These two reports (Supervisor's Investigation of Accident Report and Employee's Accident Investigation Form) must be completed and submitted to the City Manager within three (3) days after knowledge of the accident.

6.11 PASSENGERS IN CITY VEHICLES

Only City employees or City reserve police officers shall be allowed in City vehicles unless otherwise determined by the City Manager. An exception shall be made for the transportation of prisoners. Violation of this section shall be grounds for disciplinary action including reprimand, suspension, and termination.

6.12 HOUSEKEEPING DUTIES

All employees shall be responsible for maintaining neat, sanitary and orderly office spaces, working areas, vehicles and equipment.

6.13 USE OF CITY EQUIPMENT AND FACILITIES

The use of City equipment and facilities for private use is prohibited. Under no circumstances shall City equipment or facilities be loaned or rented to any City employee under circumstances which differ from those which make City equipment or facilities available to the general public.

6.14 UNAUTHORIZED OR IMPROPER USE OF OFFICIAL BADGE OR AUTHORITY

No official or employee whose duties involve the use of a badge, card or clothing insignia as evidence of authority or for identification purposes shall permit such badge, card or insignia to be used or worn by another person who is not authorized to use or wear of same. They should not permit same to be out of his or her possession without good cause or approval of his or her Department Head or other authorized superior. Such badge, card or insignia shall be used only in the performance of the official duties of the position to which they relate.

6.15 EMPLOYEE PURCHASING

This policy is to establish restrictions on purchases made by employees for personal reasons. No employee can purchase materials or services for any use other than for the City. No employee can use their employment with the City to purchase materials or services.

6.16 TIME CLOCK

It will be the policy of the City that no employee shall punch any time card other than their own. To do so will be grounds for disciplinary action and possible termination.

6.17 SEATBELT REQUIREMENTS

All employees who drive or ride in City vehicles must wear their seatbelts at all times.

6.18 SMOKING REQUIREMENTS

No smoking is allowed in any City owned buildings or vehicles. This policy prohibits the use of traditional cigarettes and e-cigarettes.

6.19 DRUG-FREE WORK PLACE

The City recognizes that the status of an employee's health affects his or her job performance and safety, as well as that of other employees. The City also recognizes that drug and alcohol abuse ranks as one of the major health problems in the world and adversely affects an employee's performance and safety on the job, and the safety of its citizens and residents, as well. Therefore, it is necessary and required by law for the City to provide a drug-free working environment for its employees. This policy applies to all employees of the City regardless of rank or position and includes temporary and part time employees.

In order to maintain a drug-free work place, the City prohibits the unlawful manufacture, distribution, dispensing, possession, sale or transfer of illegal drugs, use or being under the influence of the following substances in the work place, during working hours, or in a City vehicle whether on or off City property, or while on City business as follows:

- (a) illegal drugs, which are controlled substances and marijuana as defined the Texas Health and Safety Code, Controlled Substance Act;
- (b) alcoholic beverages, which means alcohol or any beverage containing more than one-half (1/2) of one percent (1%) of alcohol by volume that is capable of use for beverage purposes alone or when diluted;
- (c) drug paraphernalia, which means equipment, a product or material of any kind mentioned in the Texas Health and Safety Code, Controlled Substances Act;
- (d) inhalants, which means knowingly or intentionally using or possessing with intent to use inhalant paraphernalia to inhale, ingest, apply, use, or otherwise introduce into the human body a substance containing a volatile chemical in violation of the Texas Health and Safety Code;
- (e) legal drugs (by prescription, over-the-counter, or through illegal possession) used in amounts hazardous to one's individual health and/or safety.

Use of alcohol or any illegal drugs or substances mentioned above off City property, when it affects the employee's work performance, the safety of other employees, or the employer's position in the community is prohibited.

After an offer of employment is made and prior to beginning work with the City, the prospective employee shall be required to submit to a urine and/or blood test as a means to determine the presence of illegal or unauthorized drugs, alcohol, or inhalants. All

prospective employees shall be informed that the offer of employment is contingent upon the results of the drug test.

Prior to any drug screen test, the prospective employee will sign a consent form authorizing the test and the release of the test results. The prospective employee will be required to list all medication on the authorization form that they are currently taking. Refusal to consent to a requested drug screen test may result in the withdrawal of the conditional offer of employment.

A drug and alcohol screen test will be required on any public safety employee involved in an on-the-job accident. Also, any employee involved in a work related accident is subject to a drug and alcohol screen test. This will be determined by the Department Head with approval by the City Manager. An employee's refusal to submit to a test or a search is a violation of this policy and can result in disciplinary action, including termination.

The City reserves the right to test an employee for drug or alcohol use when there is "probable cause" that use of a substance is affecting performance; and/or the employee is engaged in any of the prohibited activities listed in this policy. Testing for "probable cause" will only be conducted when authorized by the City Manager.

Every reasonable effort will be made to prevent public knowledge of employees being tested and the results of those tests. Once a drug or alcohol screen test is performed, if the results are positive a confirmation of the results must be made. If the results are confirmed, the employee will be subject to disciplinary action, including termination.

It shall be the responsibility of the employee to notify their supervisor if they are taking any prescribed drugs that could affect the performance of their job or ability to comprehend instructions. The employee must have a written statement from their doctor regarding the prescription effect on the employee's performance. The statement must be presented to the employee's immediate supervisor. When risks or accident potential are unacceptable due to prescribed medication, the employee will be directed to take sick leave, if applicable or use vacation or comp time, or be off without pay until such time that the risks or accident potential are eliminated.

Each Department Head and/or Supervisor will be held accountable for being familiar with this substance abuse policy. They will be required to keep accurate records of employee performance. Any situation involving an employee under the influence of drugs, or the use, sale, possession, or distribution of drugs shall be reported immediately to the Department Head and City Manager. It is the Department Head's and/or supervisor's responsibility to document situations of suspected or actual drug use.

Violation of these rules is a violation of the personnel policies manual. Employees who are convicted or plead nolo contendere or guilty to violations of criminal drug and alcohol statutes on the job are considered to be in violation of this section. In addition, an

employee is required to notify his/her supervisor of any criminal drug statute charge no later than five (5) days after the charge is made.

The City shall inform all employees about the dangers of drug and alcohol abuse in the work place and of this policy of maintaining a drug-free work place. A copy of this section of the personnel policies manual shall be given to all employees, and each employee shall acknowledge receipt of the policy by a signed document and will be kept in the personnel file.

6.20 ILLEGAL DISCRIMINATION AND HARASSMENT POLICY

Pursuant to Title VII of the Civil Rights Act of 1964, the City prohibits all forms of discrimination, including harassment, on the basis of race, color, ancestry, religion, national origin, age, sex, marital status, disability, or veteran status. In keeping with this commitment, the City will not tolerate discrimination or harassment.

The Human Resource Manager is responsible for enforcing this policy and will serve as the investigative officer for harassment, discrimination and retaliation issues. The Human Resource Manager will receive training about harassment, discrimination and this policy, and will be responsible for investigating complaints.

The Human Resource Manager will distribute this policy to all employees. Employees are expected to read this policy and adhere to its provisions at all times.

The City shall provide mandatory training in discrimination and harassment matters for Department Heads and supervisors.

Definitions of Harassment. Harassment constitutes discrimination and is illegal under federal and state law.

For the purpose of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- (b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual;
- (c) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include, but are not limited to unwanted sexual advances or requests for sexual favors; sexual jokes and innuendo; verbal abuse of a sexual nature; commentary about an individual's body, sexual prowess or sexual deficiencies; leering, whistling or touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that singles out, denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, sexual orientation, national origin, age, disability, marital status, veteran status, citizenship or any other characteristic protected by law or that of his/her relatives, friends or associates, and that:

- (a) has the purpose or effect of creating an intimidating, hostile or offensive work environment;
- (b) has the purpose or effect of unreasonably interfering with an individual's work performance;
- (c) otherwise adversely affects an individual's employment opportunities.

Harassing conduct includes, but is not limited to epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that singles out, denigrates or shows hostility or aversion toward an individual or group and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.

Individuals and Conduct Covered. This policy applies to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to the City. Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings and business-related social events. This policy also applies to citizens, vendors, and visitors to the workplace. Likewise, employees are also prohibited from harassing citizens, vendors, and other third parties.

Mandatory Reporting of Harassment, Discrimination or Retaliation. The City requires reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. An employee who believes that he/she has been a victim of such conduct must **immediately** report their concerns to a supervisor, Department Head, the Human Resource Manager, or the City Manager, whomever the employee feels most comfortable approaching. Any employee who observes or becomes aware of possible sexual or other unlawful harassment,

discrimination or retaliation must immediately report it to a Department Head, the Human Resource Manager, or the City Manager.

The report may be either oral or written. However, oral reports of harassment, discrimination or retaliation must be reduced to writing by either the complainant or the person who receives the report, and must be signed by the employee.

Anonymous reports will be taken seriously and investigated.

Supervisors and Department Heads must promptly report all harassment, discrimination and retaliation complaints to the Human Resource Manager.

In addition, the City encourages employees who encounter harassment to firmly and promptly notify the offender in a professional manner that the behavior is unwelcome and that the conduct must stop.

Investigation. Allegations of harassment, discrimination or retaliation will be investigated promptly. Within a reasonable time, the Human Resource Manager will produce a written report and provide a copy of the report to the complainant, upon request. The investigation will include individual interviews with the parties involved and, where necessary, with individuals who may have other relevant knowledge. All employees are required to cooperate with the investigation. The Human Resource Manager will recommend remedial measures based upon the results of the investigation, and the City Manager will promptly consider and act upon the recommendation. To the extent practicable and allowed by the Texas Public Information Act, the City will keep complaints and the terms of their resolution confidential.

Retaliation. Retaliation against an individual for reporting a good faith charge of harassment, discrimination, or retaliation, or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will result in serious disciplinary action. Acts of retaliation must be reported immediately and will be promptly investigated and addressed.

Responsive Action. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay, or termination.

False complaints, exaggerated and malicious complaints of harassment, discrimination or retaliation as opposed to complaints, which even if erroneous, are made in good faith, will result in appropriate disciplinary action.

Conclusion. The City has developed this policy to ensure that all its employees can work in an environment free from harassment, discrimination and retaliation. The City will make every reasonable effort to ensure that all concerned are familiar with these policies and aware that any complaint of violation of such policies will be investigated and resolved appropriately.

Any employee who has any questions or concerns about these policies should talk with his/her Department Head, the Human Resource Manager, or the City Manager.

Finally, this policy should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristics, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion in order to avoid allegations of harassment. The law and policies of the City prohibit disparate treatment on the basis of sex or any other protected characteristic with regard to terms, conditions, privileges and perquisites of employment.

6.21 Possession of Weapons.

(A) Definitions. In this section:

- (1) CITY WORK SITE includes:
 - (a) City buildings and real property;
 - (b) other assigned work locations; and
 - (c) City owned or leased vehicles and equipment.
- (2) CITY BUILDING means a building or portion of a building owned, leased, or otherwise controlled by the City.

(B) Prohibition. Unless specifically authorized by the City Manager, it is the policy of the City that a City employee (other than a peace officer) shall not carry on or about his or her person, any instrument or weapon that is specifically designed, made, or adapted for the purpose of inflicting serious bodily injury or death, including, but not limited to, clubs, firearms, handguns, illegal knives, explosives, crossbows, bows and arrows, throwing stars, and knuckles, regardless of whether or not the person is licensed by the State of Texas to carry a concealed handgun:

- (1) at a City Work Site;
- (2) in any City Building; or
- (3) while conducting City business.

This section will not prohibit an employee licensed by the State of Texas to carry a concealed handgun from carrying a handgun in the employee's private vehicle while parked on a City Work Site, or while traveling in their personal vehicle.

6.22 Personal Use of Social Media

- (a) "Social Media" includes various forms of discussion and information sharing tools including social networking, blogs, video sharing, podcasts, vikis, message boards and online forums. Technologies include picture and video sharing, wall postings, e-mail, instant messaging, and music sharing, to name a few. Examples of Social Media applications include, but not limited to Google and Yahoo Groups, Wikipedia, Facebook, YouTube, Twitter, LinkedIn, and blogging.
- (b) City time and equipment should not be used for updating social media sites, including updating personal pages or profiles. Time spent on social media sites should be limited in the same manner as time spent on the telephone or internet when conducting personal business.
- (c) If the employee's personal social media includes any information related to the City, the employee shall make clear to the readers that the views expressed are the employee's online and not reflective of the views of the City.
- (d) Employees are expected to act responsibly on and off duty, and to exercise good judgement when using social media. Employees should be aware that postings on social media sites, even if done off premises and while off duty, could have an adverse effect on the City's legitimate business interests.
- (e) Employees may not use the City's logo, letterhead or other identifying material including pictures of themselves or co-workers wearing or displaying the City's logo.
- (f) Employees are expected to refrain from posting on personal social media sites information that may constitute a violation of these policies, even if the posting is made off premises and while off duty. In addition, employee shall not post pornographic pictures of any type that could identify them as an employee of the City.
- (g) Employees are expected to remove postings violating this policy, even when placed by others on a personal social media site.

CHAPTER 7

DISCIPLINE, APPEALS AND GRIEVANCES

7.1 DISCIPLINARY POLICY

The City expects its employees to accept reasonable and appropriate work assignments willingly and to perform them in a satisfactory manner. Employees are also expected to comply with all rules, regulations and policies pertaining to job performance standards and personal conduct on the job. If an employee fails to perform satisfactorily, or if their personal conduct is unacceptable, disciplinary action may be taken.

The City will attempt to review and resolve all employee problems as promptly and equitably as possible and at the lowest possible organizational/supervisory level. All employees will be provided with a fair, expedient, objective and consistent means of resolving work-related problems.

7.2 GROUNDS FOR DISCIPLINARY ACTION

A Department Head may take disciplinary action against an employee, to include termination, for any rule, policy or law violation. Disciplinary action will be imposed (either written or verbal) for violations of City or departmental policies and procedures, rules and regulations. Disciplinary action may also be imposed for acts which are not specifically addressed in policies and procedures and rules and regulations, but which may adversely affect the City or put the health and safety of fellow employees or citizens at risk.

Grounds for disciplinary action shall include, but shall not be limited to the following:

- (a) illegal, unethical, abusive or unsafe acts;
- (b) violation of rules, regulations, policies or procedures;
- (c) insubordination;
- (d) inefficiency;
- (e) incompetence;
- (f) neglect of duties;
- (g) failure to report injuries to immediate supervisor;
- (h) participation in prohibited political activities;

- (i) unauthorized soliciting while on duty;
- (j) tardiness;
- (k) failure to conduct themselves in a courteous and proper manner while on duty;
- (l) falsification of official documents or records;
- (m) use or being under the influence of drugs or alcoholic beverages not prescribed by a physician while on duty;
- (n) damaging city equipment, tools, machines and/or property; and/or failure to report such cases;
- (o) wasting materials and supplies;
- (p) carelessness, recklessness and/or engaging in horseplay;
- (q) immoral conduct or indecency;
- (r) abuse of illness, injury, disability or other benefits;
- (s) threat of an abusive or violent act;
- (t) unauthorized use or disclosure of official information;
- (u) unauthorized or improper use of official authority;
- (v) conviction of a felony or failure to report a conviction.

7.3 TYPES OF DISCIPLINARY ACTION

Formal disciplinary action taken shall be consistent with the nature of the deficiency or infraction involved and the record of the employee. Formal disciplinary action shall include written reprimand, suspension without pay, reduction in pay, demotion and termination. Any of the foregoing types of formal disciplinary action may be invoked for a particular deficiency or infraction, depending upon the exact circumstances. An employee may be formally warned at any time that he or she may be dismissed or otherwise disciplined for further unsatisfactory performance and/or conduct. Nothing herein shall prohibit the administration of informal disciplinary action, such as verbal warnings. Informal disciplinary action shall be documented in the employee's official personnel file.

To the greatest extent practical, the City shall use a progressive disciplinary system as follows:

- (a) verbal warning;
- (b) written reprimand;
- (c) demotion;
- (d) dismissal.

7.4 WRITTEN REPRIMAND

In the interest of good discipline, 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. A copy of the reprimand shall be kept in the employee's official personnel file. Written reprimands are a permanent part of an employee's file.

The Department Head, the issuing supervisor, and the employee must sign the written reprimand. The signature of the employee on the reprimand does not admit guilt, it only acknowledges being informed of the reprimand. If the employee refuses to sign, a third party will be called in as a witness. The third party will then sign the reprimand noting that he/she witnessed the employee's refusal to sign the document. Refusal to sign a written reprimand shall be considered insubordination, and may be grounds for further disciplinary action.

7.5 SUSPENSION

The Department Head may, with the approval of the City Manager, suspend an employee without pay for a period not to exceed sixty (60) days in any one (1) calendar year. A notice of suspension 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 suspension shall be permanently noted in the employee's official personnel file. Any offense of a similar nature occurring within three (3) years may constitute grounds for dismissal.

The Department Head, the issuing supervisor, and the employee must sign the suspension. The signature of the employee on the suspension does not admit guilt, it only acknowledges being informed of the suspension. If the employee refuses to sign, a third party will be called in as a witness. The third party will then sign the suspension noting that he/she witnessed the employee's refusal to sign the document. Refusal to sign a suspension shall be considered insubordination, and may be grounds for further disciplinary action.

An employee charged with a law violation may be suspended without pay until the charge is dismissed, or until the decision settling the case is rendered. A verdict of "not guilty" may make the suspended employee eligible for reinstatement upon such terms and conditions as may be specified by the Department Head and approved by the City Manager.

7.6 REDUCTION IN PAY

In the interest of good discipline, an employee's pay may be reduced. The reduction shall be permanently noted in the employee's official personnel file, but the employee shall not be disqualified from consideration for later pay increases.

The Department Head, the issuing supervisor, and the employee must sign the reduction. The signature of the employee on the reduction does not admit guilt, it only acknowledges being informed of the reduction. If the employee refuses to sign, a third party will be called in as a witness. The third party will then sign the reduction noting that he/she witnessed the employee's refusal to sign the document. Refusal to sign a reduction shall be considered insubordination, and may be grounds for further disciplinary action.

7.7 DEMOTION

In the interest of good discipline, an employee may be demoted to any available lower rank. The demotion shall be permanently noted in the employee's official personnel file, but the employee shall not be disqualified from consideration for later advancement.

The Department Head, the issuing supervisor, and the employee must sign the demotion. The signature of the employee on the demotion does not admit guilt, it only acknowledges being informed of the demotion. If the employee refuses to sign, a third party will be called in as a witness. The third party will then sign the demotion noting that he/she witnessed the employee's refusal to sign the document. Refusal to sign a demotion shall be considered insubordination, and may be grounds for further disciplinary action.

7.8 TERMINATION

The City is an at will employer. In the interest of good discipline, an employee may be dismissed from City service.

7.9 PRE-DISCIPLINARY MEETING

When a proposed disciplinary action includes suspension of one day or one shift (or more), a reduction of an employee's rate of pay, demotion, or termination, the employee will be given an opportunity to respond to the allegations prior to disciplinary action being taken. The employee's supervisor will meet with the employee, inform the employee in writing of the specific rule(s) violated; the specific acts of the employee

which were in violation of the rule; and that discipline could be imposed, and give the employee at least 24 hours to respond to the charges, either orally or in writing.

7.10 REVIEW BY DEPARTMENT HEAD

Any proposed disciplinary action in excess of a verbal reprimand must be reviewed by the employee's Department Head prior to being given to the employee.

7.11 FELONIES AND MISDEMEANORS

Employees must immediately notify their supervisor and/or their Department Head if they are arrested, charged, indicted, convicted, receive deferred adjudication, or plead nolo contendere to any misdemeanor or felony; provided, however, employees who do not drive as part of their job duties with the City are not required to report minor traffic violations.

When an employee is arrested, charged or indicted for a felony or misdemeanor, or accused of official misconduct or other serious criminal violation, and the evidence obtained during an internal administrative investigation supports a violation of any City or departmental policy or rule, disciplinary action may be taken independently of and before any legal action or criminal conviction.

At the City Manager's discretion, an employee arrested, charged or indicted for a felony or misdemeanor, or accused of official misconduct or other serious criminal violation, may be placed on unpaid administrative leave until the charge, indictment or information is dismissed or fully adjudicated without trial, and, if tried, until the trial and appeal (if any) are completed and all related administrative matters are concluded. An employee on administrative leave may be reinstated to the position held before being placed on administrative leave (if available) if the indictment or information is dismissed, the employee is acquitted, or the conviction is reversed on appeal.

7.12 EMPLOYEE APPEALS POLICY

The City provides employees with a process for appealing certain matters to the Assistant City Manager and/or the City Manager. Matters not specifically mentioned in this policy are **not** appealable. The City provides most employees with two levels of appeal. The first level appeal is to the Assistant City Manager. The second level appeal is to the City Manager.

Appealable Actions. Employees may appeal the following:

- (a) annual Performance Evaluations if the employee is rated unsatisfactory or below standard overall; appealable only to the Assistant City Manager;

- (b) allegedly unlawful treatment;
- (c) disciplinary action involving an unpaid suspension of at least 1 day or 1 shift (or more), demotion, reduction in rate of pay, or termination.

Appeal Form. All appeals must be written and submitted to the Assistant City Manager. The written appeal must include the employee's signature and date, before the appeal will be considered. Any documentation relevant to the appeal must be attached to the appeal, including copies of applicable policies, rules or regulations; names of individuals involved in the action and date it occurred; the adverse action taken or the alleged unlawful treatment complained of; the remedy sought; and any other information or documentation relevant to the appeal.

Time Limits for Filing Appeal. An employee wishing to make an appeal must submit a written appeal to the Assistant City Manager within five business days of the act giving rise to the appeal. If an employee fails to file his or her appeal by the deadline, the employee waives his or her right to appeal.

First Level of Appeal. All appeals are initially heard by the Assistant City Manager. First level appeals to the Assistant City Manager are conducted in a meeting format with the employee and his or her supervisor(s) in attendance. If, during the meeting the Assistant City Manager finds that he or she needs additional information in order to make a determination, the Assistant City Manager may suspend the meeting for up to five business days. The Assistant City Manager will reschedule the appeal meeting at a time mutually agreeable to both the employee and the City. The Assistant City Manager will provide the employee with a written decision within five business days of the conclusion of the appeal meeting.

Second Level of Appeal. If an employee is unsatisfied with the outcome of the first level of appeal, the employee may pursue a second level of appeal to the City Manager. To request a second level of appeal, the employee must submit a copy of the employee's original appeal to the City Manager's office within five business days of the employee's receipt of the Assistant City Manager's first level appeal decision.

Second level appeals to the City Manager are conducted in a meeting format with the employee and his or her supervisor(s) in attendance. If, during the meeting the City Manager finds that he or she needs additional information in order to make a determination, the City Manager may suspend the meeting for up to five business days. The City Manager will reschedule the appeal meeting at a time mutually agreeable to both the employee and the City. The City Manager will provide the employee with a written decision within five business days of the conclusion of the appeal meeting.

The decision of the City Manager is final.

Frivolous Appeals. An unreasonable number of appeals filed by an employee or group of employees which are designed to thwart the City's orderly processing of appeals, or which are patently irrelevant or incomprehensible, as determined at the City Manager's sole discretion, will be rejected as "nonappealable." Employees involved in the filing of such appeals may also be subject to disciplinary action, up to and including termination of employment.

Upper Management Appeals. Where an appealable action is initiated by a Department Head, the appeal of such action shall be to the City Manager. In this circumstance, there shall be only one level of appeal, which shall conform to the above procedures established for a Second Level of Appeal and the decision of the City Manager is final. Where an appealable action involving a Department Head is initiated by the City Manager, there shall be no right to appeal and the decision of the City Manager shall be final.

CHAPTER 8

NONDISCIPLINARY SEPARATION

8.1 RESIGNATION

An employee may leave the City service in good standing by submitting his or her resignation. Two weeks notice would be appreciated, but it is not required.

An employee failing to report for duty or remain at work as scheduled without proper notification, authorization or excuse for a period of three (3) consecutive business days shall be considered as absent without leave which constitutes abandonment of duties. Absence without leave will be considered as an employee's resignation from City service.

8.2 LAYOFF

An employee may be laid off because of changes in duties or organization or for lack of work or funds. Whenever possible, an employee laid off from one City department shall be transferred to a suitable position elsewhere. If possible, two (2) weeks notice shall be given an employee prior to layoff. The City Manager may approve two (2) weeks pay in lieu of notice. Layoffs shall be carried out on the basis of demonstrated job performance and efficiency, with the most proficient employees being retained the longest. Seniority within City service shall be used to determine the order of layoff among employees with substantially equivalent records of job performance and efficiency, with the most senior employees being retained the longest. Temporary employees shall be laid off before regular employees performing similar duties. Layoffs shall not be considered disciplinary actions.

8.3 RETIREMENT

Eligible employees may be separated by retirement in accordance with applicable programs. (See Chapter 10, Section 10.9)

8.4 RETIREMENT RECOGNITION

Employees who have worked for the City continuously for ten years or more will receive a plaque in recognition of their retirement from the City. The City will have a come and go reception for the employee. The department in which the employee works will host the reception and handle the arrangements.

Employees with fifteen years or more of service will be reviewed individually and the City Manager will make the final decision regarding a gift.

8.5 UNSATISFACTORY SERVICE

An employee may be separated for unsatisfactory service when their ability to handle the duties of the position fall below the desirable standards for continued employment, as supported by performance evaluation records and supporting documentation.

CHAPTER 9 PERSONNEL RECORDS

9.1 PERSONNEL FILES AND RECORDS

The Human Resource Manager, as appointed by the City Manager, shall maintain the official personnel files and records for all City employees. Important events in each employee's history with the City will be recorded and kept in the employee's official personnel files. Performance reviews, change of status records, commendations, disciplinary actions, and educational and professional attainment records are examples of records maintained in your file.

Employees must promptly inform the Human Resource Manager of any changes in name, address, home phone number, and family status (births, marriage, death, divorce, legal separation), and name and address of dependents (for benefits and tax withholding purposes only), beneficiary designations, persons to be notified in an emergency, and relevant certifications of licenses. This responsibility also applies to employees on leaves of absence.

Personnel files of employees are the property of the City and access to the information they contain is restricted. However, access to the information in an employee's personnel file may be subject to disclosure in accordance with the Texas Public Information Act.

9.2 MEDICAL RECORDS

The City is firmly committed to protecting the privacy rights of its employees. In an effort to ensure that employee's privacy rights are protected, the following is intended to provide guidelines for the appropriate handling of medical records.

Medical related information such as medical examinations and post-offer inquiries, workers compensation, disability reports, and the physician's portion of the Family and Medical leave Act Forms must be kept in a locked file separate from the personnel files. An employee's medical related information must be kept confidential and only those individuals having a business need to know will be informed of medical related information for an appropriate business/management purpose. Officials who have access to such information are required to maintain the confidentiality of the information. In addition, supervisors, Department Heads, and others included in making and implementing personnel management decisions involving employees with medical conditions should strictly observe applicable privacy and confidentiality requirements.

CHAPTER 10 EMPLOYEE BENEFITS

10.1 EMPLOYEE BENEFITS - OVERVIEW

Benefit eligibility is dependent upon a variety of factors, including employee classification and length of service. Generally, however, regular full-time employees are eligible for most benefits, and regular part-time employees are eligible for certain benefits on a pro-rata basis. Temporary/Seasonal employees are generally not eligible for City benefits. Employees should contact the Human Resource Manager to obtain information regarding the benefits for which employees may be eligible.

Benefits available to eligible employees include, but are not limited to:

- Holidays
- Civic Duty Leave
- Sick Leave
- Disability Leave
- Vacation Leave
- Funeral Leave
- Military Leave
- Group Health, Dental and Life/Accident Insurance
- TMRS Contributions
- Professional Development Leave
- Workers' Compensation Benefits
- Family and Medical Leave Act

While the City pays the full cost of most of these benefits, some of the benefit programs require contributions from participating employees.

10.2 BENEVOLENT FUND

The City provides a benevolent fund which is a supplement to the life insurance benefits. This fund applies to all regular City employees and part time City employees while on or off duty. This applies to reserve police officers and school crossing guards who die while on duty for the City. A total of \$1,500.00 will be paid directly to the family of the employee in the event of an employee death. The family will receive these funds within 24 hours of the death.

10.3 PROFESSIONAL MEMBERSHIPS AND SUBSCRIPTIONS

The City will participate in the cost of professional memberships and subscriptions for employees applicable to their positions; provided the necessary funds are available. Requests for memberships and subscriptions must be submitted on forms provided by the City and approved by the Department Head prior to participation.

10.4 LUNCH PERIODS

The scheduling of employee lunch periods will be determined by the Department Head to facilitate serving the public and permitting efficient department operations. Lunch periods shall be no more than one (1) hour in length and may be less when required for efficient service to the public.

10.5 FIRE, POLICE, PUBLIC WORKS AND RECREATION DEPARTMENT UNIFORMS

The City will supply all fire, police, public works and recreation department personnel with appropriate uniforms. Replacement cost of uniforms will be provided by the City as required. All uniforms must be returned upon termination.

10.6 WORKERS' COMPENSATION INSURANCE AND INJURY WAGE CONTINUATION BENEFITS

The City has workers' compensation insurance coverage to protect all employees. Upon employment, a notice shall be given to the employee informing him/her about the insurance. This notice will be signed by the employee and placed in his/her permanent personnel file.

In most cases, a City employee injured as a result of duties performed in the course of his or her job shall be eligible to receive workers' compensation benefits from the City's insurance carrier at no expense to the employee. In addition, the City will supplement the employee's worker's compensation pay in an amount, necessary, to make up the difference between such payments and the employee's full regular pay. No pay is to exceed one hundred percent (100%) of the employee's regular salary. Employees pay is based on a forty (40) hour work week while on disability.

An employee with a worker's compensation injury who is able as determined by the treating physician, to perform light duty may be required by the Department Head to do so for his or her original department or another department.

An employee who is physically able and who fails to report an on-the-job injury within twenty-four (24) hours after it occurred to his or her supervisor and take such first aid treatment as may be necessary may not receive or be eligible for injury benefits. When an employee is injured on the job, the Department Head will immediately submit a written accident report to the Human Resource Manager. In addition, an Accident Investigation Form must be completed by the employee and their supervisor and submitted to the Human Resource Manager for every accident regardless of the severity or nature.

The Department Head will be responsible for any subsequent reports that are to be filed, including "Employer's First Report of Injury." All reports required by Section 5.7 must be submitted to the Human Resource Manager within three (3) days after knowledge of the accident.

10.7 SOCIAL SECURITY

All employees of the City are covered under the Federal Insurance Contributions Act (FICA). This type of government insurance, known as "Federal Old Age and Survivor's Insurance" (OASDI), provides for benefits for retirement and disability. This insurance is financed by social security taxes which are paid through payroll deductions by the employee. The City contributes a matching amount toward financing this insurance.

10.8 UNEMPLOYMENT INSURANCE

All employees of the City are covered under the Texas Unemployment Compensation Insurance program and the City pays this tax. This program provides payments for unemployed workers in certain circumstances as provided by law.

10.9 RETIREMENT

The City is a participant of the Texas Municipal Retirement System. The City establishes the percentage to be deducted from each employee's earnings and the City doubles the contribution for each employee. A participant may retire with a combination of a minimum total of five (5) years of service and age sixty, or twenty years of service at any age.

The Texas Municipal Retirement System was established in 1948 as a retirement and disability pension system for municipal employees in the State of Texas. It is administered in accordance with the Texas Municipal Retirement System Act (Texas Government Code, Title 8, and Subtitle G). As such, TMRS is a public trust fund which has the responsibility of administering the system in accordance with the TMRS Act and bears a fiduciary obligation to the State of Texas, the TMRS member cities and the public employees who are its beneficiaries.

Any employee (regular and part time employees who work at least twenty (20) hours per week) is automatically a member of this system regardless of your age at the time of employment. A percentage of employee earnings will be deducted from each paycheck and set aside, along with money contributed by the City, to guarantee a retirement income for life. Participation begins on the date of employment.

The City has a five year vesting plan. Under this plan, if an employee has credit for five years of service, and later terminates employment with the City (without withdrawing their deposits), the employee becomes eligible for service retirement at age 60 (that would include the City's funds on deposits and accumulated interest).

Please refer to the TMRS Benefits Guide which is published by the Texas Municipal Retirement System and given to each employee. Copies of these handbooks are available in the human resource office. Information is also available at the TMRS website.

10.9.1 RETIREE MEDICAL COVERAGE BENEFIT THROUGH COBRA

The definition of a retired employee would be any employee of the City of Saginaw with insurance benefits that has worked for the City of a total of 10 years and is at least 60 years old or an employee that has worked for the City for 25 years and is any age.

If the retired employee chooses to continue medical coverage through Cobra they will be allowed an amount of \$100.00 per month to be applied toward medical coverage for 18 months or whenever the retiree turns 65, whichever may occur first. The maximum premium the City would contribute would be \$100.00 per month for a maximum of 18 months or \$1,800.00.

10.10 LONGEVITY PAY

GOALS:

To increase employee morale and develop a special pay period to reward employees with continued length of service with the City.

QUALIFICATIONS

Qualifications are as follows

- (a) regular full time employees;
- (b) part time employees who work continuously at least twenty (20) hours per week year round;
- (c) employees with twelve (12) or more completed months of service on December 1 of each year shall be eligible to receive longevity pay.

GUIDELINES:

The guidelines are as follows

- (a) eligible employees will be paid \$7.00 of longevity for each completed month of service with the City;
- (b) employees with less than twelve (12) months of service on December 1 shall not be eligible to receive longevity pay for that year;
- (c) longevity will be paid to all eligible employees on the first Friday of December each year;

- (d) longevity pay will be considered a special payroll for the longevity pay only, less taxes;
- (e) eligible employees will be paid a pro rata amount based on completed years of service and number of completed months since their last longevity check plus \$7.00 per month for each complete month which was not calculated in their first longevity check upon their separation from the City's employ.

10.11 MANDATORY DIRECT DEPOSIT

Effective October 15, 2011, direct deposit of pay is mandatory for all current, hired (or rehired) employees. Direct deposit allows you to receive payments in a safe, secure and efficient manner by having your funds deposited directly into the bank account of your choice.

10.12 TRAVEL EXPENSE

The Department Head, with the approval of the City Manager, may authorize official travel by employees, if such travel is essential to the conduct or planning of activities of the City. Travel costs should be submitted to the Department Head after they have occurred. The cost for travel shall be reimbursed at the current IRS rate if a personal or private vehicle is used. Other travel expenses will be reimbursed on an actual cost basis upon the furnishing of a voucher for the cost. The Mayor, Council and Department Heads shall receive \$50.00 per day as per diem. If an employee who receives a car allowance travels more than 75 miles (one-way) from the employee's regularly assigned work location, the employee may be eligible for mileage reimbursement when traveling for business related purposes.

10.13 CERTIFICATION PAY

In order to receive compensation, the license or certificate must be deemed beneficial to the City as a part of the employee's required work responsibilities. To qualify for certification pay, licenses and certificates must be obtained from the appropriate State certification or licensing agencies and/or recognized professional associations performing similar certification or licensing functions. Licenses and certificates must be directly related to the employee's present position, and current job duties and/or job requirements. The licenses and certificates must be maintained in an active status in order to receive compensation. It is the sole responsibility of the employee to provide current copies of licenses or certifications in order for compensation to be considered. If a license or certification has expired, the related compensation will stop. In no event will retroactive certification pay be awarded for changes in policy or an employee's failure to provide or maintain proof of current licenses and certifications in his/her personnel file.

All requests for license or certification pay must be done through a payroll status change form. The Human Resources Department will not initiate an employee's certification pay until the first pay period of the month following the date of the certificate. Certification pay will be paid on the first pay check of each month (12 times per year).

10.14 Bad Weather

If weather conditions are such as to make travel conditions hazardous, the City Manager will make a determination whether City offices shall open late or be closed. The City Manager shall advise the dispatch office of this determination. This determination affects only nonessential personnel. For purposes of this section, all fire and police personnel are deemed essential personnel. Essential Personnel shall also include all employees designated as "essential" by the Director of Public Works. In lieu of such emergency declaration, any staff member not reporting or reporting late to work may be charged with vacation leave, sick leave, or if such is not available, leave without pay.

10.15 Tuition Reimbursement Policy

The Tuition Reimbursement Program provides an opportunity and an incentive to encourage employees in pursue higher education and expertise in their related job duties and/or to provide avenues for career development. The City believe this investment will result in higher performance, better service and efficiency throughout the organization, and the expectation that the employee is committed to continue employment with the City.

This program is subject to availability of funds in the City budget. The Tuition Reimbursement Program may be suspended at any time with or without notice by the City Manager or the City Council.

Participation in the Tuition Reimbursement Program is a privilege of employment, not a right. Therefore, participation in the program is subject to approval and is not guaranteed for any employee.

Eligibility to Participate

In order to be eligible to participate in the Tuition Reimbursement Program, an Employee:

- Must be a regular, full-time employee.
- Must have a least one-year full-time employment with the City.
- Must be meeting the performance expectations of the Employee's current position.
- Must not have any formal disciplinary actions within the previous 24 months. Formal disciplinary actions include verbal reprimand, written reprimand, demotions, or suspensions.
- Must not currently be on a Performance Improvement Plan.

- Must be proposing coursework or a degree program that has been approved by the Department Head and City Manager as being beneficial to the city and applicable to the employee's related job duties and/or to provide avenue for career development.
- Must attend a "fully-accredited" college, community college, or university.
- Must earn a passing grade of "C" or higher in any approved coursework to be eligible for reimbursement.

Application Process

Employees requesting tuition reimbursement must be enrolled in a fully-accredited college or university. Employee must complete coursework that is related to their current City employment or to a position that the employee could reasonably progress to or transfer to within the City. Prior to participating in the program, employees must submit an application, degree plan, and a summary statement that explains how the degree/course will assist the employee in the employee's current role and/or how the degree/course could help prepare the employee for a position that the employee aspires to transfer to within the City. The Application for Tuition Reimbursement must be submitted to the Department Head no earlier than two months prior to the start of class, but no later than fifteen (15) days before the start of the class/program. The Department Head will review the employee's application materials and make a recommendation to the City Manager as to whether or not the degree/course is eligible for reimbursement. The City Manager will have final approval as to the eligibility of degree plan/course for reimbursement.

Limits on Tuition Reimbursement

- Expenses Excluded: Textbooks, course supplies, testing, parking, late fees, penalties, orientation fees, applications for graduation, installment fees, costs related to acquiring official transcripts or certificates, travel, student ID cards, costs for computers, internet connections required for on-line coursework and other miscellaneous expenses.
- It is expected that time needed for completing the educational requirements of the employee's coursework will be limited to the employee's personal time off, vacation or other paid leave. Occasional time allowances may be made between the supervisor and employee to participate in required activities such as examinations, registrations, etc.
- Employees will not be reimbursed for tuition already covered by other types of assistance or benefits, such as scholarships, tuition waivers, grants, financial aid, or other programs.

Reimbursement

- All reimbursement request must be received within 45 calendar days of the course end date.
- All request for reimbursement must include proper documentation as listed on the Tuition Reimbursement Form.
- Reimbursement will be issued through Payroll.
- Please allow a minimum of 30 business days for reimbursement processing.
- If the employee fails to submit a Tuition Reimbursement Form within 45 calendar days of the course end date, the employee forfeits the tuition reimbursement benefit.
- Reimbursement is subject to the availability of funds in the City budget. The Tuition Reimbursement Program may be suspended at any time with or without notice by the City Manager or the City Council.

Maximum Benefit

The maximum amount available through tuition reimbursement to any employee is \$5,000 per calendar year. The City of Saginaw has chosen to cap the annual amount an employee may receive in tuition reimbursement under this plan at this dollar amount. The city will only reimburse actual tuition and fee expenses. At no time shall the city be required to reimburse more than what the student actually paid for tuition and fees.

Service Requirement

As a condition of participation in the Tuition Reimbursement Program, employees must agree to remain employed with the City for two years for every one year of tuition reimbursement. If the employee fails to remain employed by the City for this time period, for any reason, the City will deduct the dollar amount of any tuition reimbursement provided the employee during the twenty-four (24) month period before the employee's termination/resignation date from the employee's accrued, unused leave balances normally payable upon separation. In the even the employee's accrued, unused leave balances are insufficient to pay the amount owed, the employee agrees that the balance must be repaid to the City of Saginaw. NOTHING HEREIN WILL ALTER THE EMPLOYEE'S AT-WILL EMPLOYMENT STATUS.

Approval Requirement

An Employee Tuition Reimbursement Application Form must be completed and approved prior to registration for courses.

The Department Head will recommend approval or disapproval for the tuition reimbursement. If the Department head approves course(s) for possible reimbursement, he/she must indicate the reason the course is directly related to the duties of the employee's position. Similarly, if the Department Head recommends disapproval for the tuition reimbursement, the reason for such disapproval should be indicated. The Department Head will then forward the application with his/her recommendation to the City Manager for final review and/or approval.

CHAPTER 11 EMPLOYEE INCENTIVE PROGRAM

11.1

11.2 SERVICE AWARD PROGRAM

GOAL:

The goal of the Service Award Program is to increase employee morale and develop a spirit of unity by recognizing employees for the completion of years of service with the City.

QUALIFICATIONS:

Those who qualify are:

- (a) full time employees;
- (b) part time employees who work continuously at least 20 hours per week for the entire year;
- (c) Elected Officials (Mayor and Council).

RECOGNITION AND AWARDS:

Service pins will be given to employees for the completion of five years employment with the City. A diamond will be added for every five years employment thereafter.

5 years	14 kt. gold emblem with one 2 point diamond
10 years	one, 2 point diamond to be added
15 years	one, 2 point diamond to be added
20 years	one, 2 point diamond to be added
25 years	one, 2 point diamond to be added and a keepsake gift (approximately \$300)
30 years	one, 2 point diamond to be added
35 years	one, 2 point diamond to be added
40 years	one, 2 point diamond to be added

MISCELLANEOUS:

- (a) Service pins were awarded for the first time on July 18, 1992;

- (b) Employees reaching years of service set forth in the "Recognition and Awards" are awarded service pins at the quarterly incentive party. Quarterly parties are held the third Tuesday of each month (January, April, July, and October);
- (c) employees completing additional years of service after the pin has been awarded will need to return the pin to the Human Resource Manager the month prior to their anniversary date so a diamond can be added. The employee will be recognized and their pin, with an additional stone, will be awarded to them at the next quarterly party;
- (d) if an employee loses their pin, it can be replaced at the employee's expense.

10.3 EMPLOYEE SUGGESTION PROGRAM

The purpose of the Employee Suggestion Program is to improve the way we do business and recognize City employees for their positive efforts in the form of suggestions to reduce expenditures, increase revenue, productivity, and efficiency, and improve departmental services and service to the citizens of the City of Saginaw.

This program is subject to the availability of funds in the budget.

Eligibility to Participate

All employees of the City of Saginaw, both regular full-time and part-time, are eligible to participate and receive cash awards if the suggestion is implemented, except for the following:

- City Manager
- Assistant City Manager
- Department Heads
- Temporary Part-Time Employees
- Seasonal Employees

Two or more employees may submit an idea as a team. The award will be divided equally among the team members.

Definition

Suggestion: The idea will need to clearly outline how the suggestion will improve job performance and/or provide cost savings. Successful suggestions will include adequate detail and data, as well as pictures and sketches if needed. Suggestions indicating the need for change or improvements without suggesting how to make the change or improvement would not be a valid suggestion under this program.

Objective

The objectives of the employee suggestion program are:

- To stimulate and reward employees for initiative and creativity that leads to a reduction in operating costs.
- To provide a means for recognizing individual ideas and contributions to the City.
- To provide an opportunity to simplify work methods and operations and to improve services, safety, and health.
- To improve service to the citizens of the City of Saginaw.

Eligible Suggestions

- Improve service to our citizens
- Save time, materials, or cost
- Improve a procedure
- Improve safety conditions for the employees
- Improve tools and/or equipment
- Eliminate unnecessary processes
- Simply reduce or eliminate reports and forms

Ineligible Suggestions

- Call attention to a problem but offer no solution.
- Normal maintenance unless it solves a maintenance problem.
- Salary adjustments or job reclassifications.
- Suggestions that are within the scope of the employee's job responsibilities.
- Recommendations to use or purchase a specific product or brand.

How to Submit

- All suggestions must be submitted using an Employee Suggestion Program Form.
- Describe the specific problem, concern, or issue and provide a workable solution.
- Supply as much detail as possible and include examples or attachments to validate your idea.
- Describe how the City will benefit from your suggestion. An eligible suggestion should generate cost savings, revenue enhancements, or process improvements that positively impact City operations and services.
- Sign and date the form. If a suggestion has more than one suggester, each must sign the form.
- Submit it to your department head for review and signature.
- Send the completed form along with any attachments to the Human Resources Department.

Employee Suggestion Review Committee Appointment

- This committee would be nominated by department heads and appointed by the City Manager and would consist of five members from various departments.
- This committee will meet as needed.

Employee Suggestion Review Committee Responsibilities

- The Suggestion Review Committee evaluates the suggestion and the information submitted with the suggestion concerning its impact on departments. The Suggestion Review Committee will discuss the suggestion with the appropriate department head for additional input and consideration.
- The Suggestion Review Committee makes a recommendation on the suggestion and submits the suggestion along with their recommendation to the City Manager for review and comments, as well as a recommendation on implementation or rejection.
- If recommended for implementation by the City Manager, the Suggestion Review Committee then determines the award and recognition.
- Savings and revenues will be verified by the Finance Director.

- Award amounts will be recommended by the Suggestion Review Committee.
- The award recommendation brought to City Council for review and approval.

Award Details

- Depending on the type of suggestion and its benefit to the City (i.e., tangible or intangible), the Suggestion Program Committee may recommend that one or more types of awards or recognition be granted to the employee. These may include certificates or recognition, plaques, gift certificates, or monetary awards. Awards will range from \$25 to a maximum of \$5000 for documented net savings. Awards for suggestions that are of intangible value are determined according to their impact on City operations and can range from \$25 to \$1500. No monetary award will be made until the actual cost savings or other tangible benefits to the City have been verified.
- Awards for suggestions with verifiable monetary value will be 10% of the first year's net savings or net increase in revenue, up to a maximum of \$5000. The total cost to implement a suggestion is subtracted from the gross savings to determine the net savings.
- Some awards can be paid promptly after the implementation of the suggestion; however, others must wait until the first year's net savings can be calculated. Every circumstance is different.
- If duplicate suggestions are received, the one bearing the earliest receipt shall be eligible for an award, and all others shall be ineligible.
- Joint suggestions by a group of employees are welcome. The amount of the award shall be prorated among those employees making the suggestion.

CHAPTER 12

SAFETY

12.1 SAFETY POLICY

The City holds in high regard the safety, welfare, and health of its employees. The City will constantly work towards the maintenance of safe and healthful working conditions; consistent adherence to proper operating practices and procedures designed to prevent injury and illness and conscientious observance of all Federal, State and City safety regulations.

Department Heads shall be responsible for preparing and promulgating safety procedures applicable to all personnel and operations under their control. Each employee is required to adhere to all safety procedures set forth by the City, state and federal agencies. It is the obligation of all employees to report any unsafe conditions to the appropriate Department Heads.

12.2 RESPONSIBILITIES

Department Heads hold final accountability for the working conditions, loss control, and safety practices of subordinate supervisors and general loss control record under their span of management responsibility. It is the direct responsibility of the Department Head to assure compliance with prescribed safety and loss provisions of the City.

Supervisors are held directly accountable for the prevention of accidents in their area of responsibility. They are directly responsible for:

- (a) maintaining safe working conditions and practices;
- (b) the safety of all employees under their supervision;
- (c) the use of required personal protective equipment by their employees;
- (d) conducting safety meetings with employees;
- (e) enforcing all City and departmental safety policies, rules, and regulations;
- (f) reporting all accidents within the prescribed time limits;
- (g) investigating accidents;
- (h) acquiring a basic knowledge of first aid and C.P.R.;
- (i) advising Department Head of situations that need correcting.

Employees are held responsible for exercising care and good judgment in preventing accidents and for knowing and observing the safety rules pertinent to their duties. An employee who causes or contributes to a preventable accident is subject to disciplinary action.

Employees are directly responsible for:

- (a) reporting to their supervisors and seeking first aid for all injuries however minor;
- (b) reporting to their supervisors any unsafe conditions, equipment, or practices as soon as possible;
- (c) using any personal protective equipment and/or clothing that is provided for them;
- (d) complete an employee report of accident form immediately following an accident and forwarding it to their supervisor.

CHAPTER 13 MISCELLANEOUS PROVISIONS

13.1 DEPARTMENT HEAD LISTING

The following shall be considered Department Heads for the purpose of personnel administration:

Assistant City Manager/Finance Director
City Secretary
Fire Chief
Police Chief
Director of Public Works/Community Development
Director of Recreation/Community Services
Library Director

13.2 OFFICIAL ORGANIZATIONAL CHART

The City Council adopted an official organizational chart which designates the responsibility by Department Head and division of each department. The chart is located on page 82.

13.3 PROPERTY CONTROL

- (a) Department Heads shall insure that property under their control is properly safeguarded, accounted for and administered. The City Manager shall maintain or delegate the maintenance of an up-to-date inventory of all City property. All acquisitions, disposal or transfers of property shall be reported to the City Manager or the designated representative of the City Manager;
- (b) postage, stationery, office supplies, tools, vehicles and equipment purchased and owned by the City are to be used only in the conduct of City business. No City employee shall use these items in the conduct of his or her personnel affairs;
- (c) employees shall only use copy/reproduction machines for City business;
- (d) use of employee owned tools will be at the employee's risk. The City will not replace or repair any tools other than those belonging to the City.

13.4 UTILITIES

Department requests for new City electric, gas and telephone utility installations or additional service must be approved by the City Manager or designated authority.

13.5 NEWS RELEASES

When communicating with the media, employees should remember that they represent the City and should conduct themselves accordingly. No employee should give a news or press release on behalf of the City without the prior authorization of the City Manager.

13.6 PURCHASING

Department Heads will be responsible to supervise and direct the purchasing for their respective departments. The Department Heads will follow the rules set out by the City Manager and approved by the City Council.

13.7 FLOWER FUND

The City will send flowers for the death of an employee, employee's spouse, mother, father, daughter, son, sister, brother, and City Councilmembers and their immediate families. The family may request a memorial in lieu of flowers. Flowers will also be sent to employees and City Councilmembers who are hospitalized overnight or have an extended illness.

All flowers will be ordered by a designated City Hall representative. Each department is responsible for notifying the representative of any above listed incident which is directly related to their department. All flowers will be sent from the City as a whole and not by individual departments.

13.8 GUN/UNIFORM/EQUIPMENT POLICY

Police Officers will be afforded the opportunity to purchase approved duty style weapons through payroll deduction with the recommendation of the Police Chief and approval of the City Manager.

13.9 FOOTWEAR POLICY

Employees working in public services, recreation, water and sewer, inspections and garage will be afforded the opportunity to purchase boots through payroll deduction with the recommendation of the Director of Public Works and approval of the City Manager.

CITY OF SAGINAW ORGANIZATIONAL CHART

