

CITY OF LITTLEFIELD

PERSONNEL POLICIES

2010

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CHAPTER 1.

GENERAL

A. STATEMENT OF PURPOSE

These policies set forth guidelines for the City. They have been prepared and adopted in order to promote consistent, equitable, and effective practices for both employees and supervisors which will result in high quality public service to the citizens of the City of Littlefield. This personnel manual shall not be construed as altering the employment relationship established by state law or as creating a contract between the City of Littlefield and its employees. All employees of the City of Littlefield are employed on an at will basis. These policies are guidelines and are not intended to address all situations which might occur in the administration of the City's Administrative Services. They are subject to amendment by the City Council as circumstances require.

B. AUTHORITY

These policies are established by the City Manager. Any deletions, amendments, revisions or additions to the policies must be approved by City Manager and City Council.

These policies completely replace and supersede any and all personnel policies previously adopted individually or as a set of policies by the City Council.

In addition to these personnel policies, supervisors may establish rules and regulations that relate specifically to personnel issues under their control, subject to the approval of the City Manager, as long as they do not conflict with these policies. If there is a conflict, these policies or any future amendments to these policies shall control.

C. SEVERABILITY

The provisions of these policies are severable. If any provision or part of a provision is held invalid, illegal, or unenforceable, this shall not affect the validity of the remaining provisions or parts of provisions, which shall remain in force and effect. Changes in state or federal law or regulations will supersede these policies from the effective date of the law or regulation forward.

D. RESPONSIBILITY FOR IMPLEMENTATION OF PERSONNEL POLICIES

The City Manager is responsible for the administration of these personnel policies. The City Manager may delegate authority to appropriate staff members, to act in his or her behalf in the administration of these policies.

Final authority with regard to all personnel matters and subjects covered by these regulations is reserved to the City Council.

E. APPLICABILITY OF PERSONNEL POLICIES

These personnel policies apply equally to all employees of the City unless a class of employees is specifically exempted by these policies.

In cases where federal or state laws or regulations supersede local policy for specific groups of employees, such laws or regulations will substitute for these personnel policies only insofar as necessary for compliance.

F. DISSEMINATION OF PERSONNEL POLICIES

The City Secretary shall maintain the official set of the personnel policies with all revisions for reference by employees. In addition, the City Secretary will provide a complete copy of these policies and copies of all subsequent revisions to each employee. If a question arises about a particular policy, the official set of policies should be consulted and will prevail.

Each City employee shall receive a copy of these policies and is required to read it carefully and to adhere to the rules and regulations stated herein. Within two weeks of employment, every employee is required to sign an acknowledgment stating that he has read and understood the policies contained in these personnel policies.

G. EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the City of Littlefield not to allow discrimination against any person in job structuring, recruitment, examination, selection, appointment, placement, training, upward mobility, discipline, or any other aspect of personnel administration based on a person's race, age, religion, color, disability, national origin, or sex.

The City prohibits retaliation or discrimination against any employee for opposing an unlawful or discriminatory employment practice, or for alleging such a practice or participating in an investigation of an allegation of discrimination.

H. PERSONS WITH DISABILITIES

It is the policy of the City to make its employment application process, employee activities, working environment, employee benefits, employee training, and employee advancement process accessible to persons with disabilities; and the City will make

reasonable accommodations for a qualified individual with a disability who is an employee or applicant for employment of the City.

I. CHANGES TO THESE POLICIES

These personnel policies may be amended or revised or new policies may be added, at any time, with or without notice, upon the approval of the City Council. Employees will be notified by the City Manager of any changes to these policies as soon as practicable.

J. SEARCHES

The City reserves the right to make general or random searches of the City's property, such as lockers, closets and desks, for alcohol, prohibited drugs, drug paraphernalia, or any other item that might be illegally in the employee's possession.

K. DRUGS AND ALCOHOL

The City of Littlefield is committed to the principal of keeping illegal drug use out of the workplace and society in general. Drug use in the workplace endangers fellow workers, public safety, employee morale, and production. Moreover, the Texas legislature has passed an act that requires employers to adopt a Drug Abuse Policy. Accordingly, the following policy is implemented in accordance with the *Drug Free Workplace Act of 1988* to help insure and maintain a drug free, healthful, safe, and secure working environment.

1. DEFINITION OF DRUG

For the purpose of this policy the definition of a "drug" includes alcoholic beverages, inhalants, and illegal drugs.

2. POLICY

The unlawful manufacture, distribution, dispensation, possession, or use of a drug on City premises is absolutely prohibited. Violations of the Policy will result in disciplinary action, which, at the City's discretion and depending upon the seriousness of the violation, may range from required participation and successful completion in a rehabilitation program to termination of employment. Depending upon the circumstances, other action, including notification of appropriate law enforcement agencies, may be taken against any violator of this Policy. In accordance with the *Drug Free Workplace Act of 1988*, as a condition of employment, employees must comply with this Policy, and notify their immediate supervisor within 5 days of the conviction for any criminal drug violation occurring in the workplace. Failure to do so will result in immediate termination of

employment. The City will in turn, as required by the Act, report such convictions within 10 days of learning of the conviction to the appropriate federal agency.

Drug and Alcohol Testing After Accident

An employee who is involved in an accident which damages City property, results in an injury or results in the employee or another person having to seek medical attention may be required to submit to drug and alcohol testing immediately following the accident. Failure to submit to the required testing will result in disciplinary action up to and including discharge.

CHAPTER 2.

EMPLOYEE RESPONSIBILITIES

A. GENERAL

The City of Littlefield is a public, tax-supported organization. Its employees must adhere to high standards of public service that emphasize professionalism, courtesy, and avoidance of even the appearance of illegal or unethical conduct at all times. Employees are required to give a full day's work, to carry out efficiently the work items assigned as their responsibility, and to do their part in maintaining good relationships with the public, their supervisors, City officials, and their fellow employees.

B. REQUESTS FOR CLARIFICATION

In the absence of any request for clarification, the City will assume that each employee understands the responsibilities assigned to the position which he or she occupies as set out in the City's job description for that job.

C. RELATIONSHIPS BETWEEN CO-WORKERS

Relationships between coworkers must never affect an employee's job performance or interfere with activities in the workplace. Supervisors may not "date", have romantic associations with or otherwise have a personal relationship with a subordinate employee. For the purpose of this section a "supervisor" is defined as a city employee who either directly or indirectly is in a position to: influence, control, promote, assign work to, discipline or otherwise affect the employment of another employee of the City. In the event a supervisor has been found to have violated this section, the supervisor and the

subordinate employee may be subject to the entire range of discipline under these policies, up to and including termination from employment.

D. PROFESSIONAL APPEARANCE

Employees of the City are hired to provide services to the citizens of Littlefield and to perform specific tasks in a professional manner. As representatives of the City, employees are encouraged to set and meet high standards both in performing quality work and in presenting a professional personal image to the public. Employees are expected to exercise regular hygiene care and to dress and groom themselves in a neat and tasteful manner appropriate for the job being performed. In the event the City requires that an employee wear a uniform, the uniform shall be worn during business hours in accordance with the supervisor's instructions.

E. TIMELINESS AND ATTENDANCE

Employees are to be punctual in reporting for work at their designated work site, shall keep appointments, and meet schedules for completion of work.

An employee who expects to be late for or absent from work must report the expected tardiness or absence to his or her supervisor not later than 30 minutes prior to the time the employee is scheduled to begin work, unless emergency conditions exist.

Failure to report within the required period is justification for disallowing paid sick leave for an absence. Unless otherwise approved by the supervisor, employees are expected to call on each day of absence. If an employee is absent for medical reasons for three or more consecutive workdays, or if the employee has already used 64 hours of sick leave cumulatively during the calendar year, the employee may not return to work without a report from a doctor describing the period of the employee's illness and stating that the employee is released to return to work without limitation. Frequent tardiness or unexcused absence is not permissible and is grounds for disciplinary action up to and including termination. Unauthorized absence from work for a period of three consecutive working days will be considered as a resignation.

F. GIFTS AND GRATUITIES

A City officer or employee may not accept any gift of free service that might tend to influence his or her official actions or impair his or her independence of judgment in performance of duties for the City. See **Conflict of Interest** section below.

G. CONFLICT OF INTEREST

1. Officers

An officer of the City will have neither financial interests in the profits of any contract, service, or other work performed for the City nor derive personal profit

directly or indirectly from any contract, purchase, sale, or service between the City and any person or company except to the extent and in the manner authorized by Chapter 171 of the Texas Local Government Code.

2. Officers and Employees

An officer or employee may not:

Solicit, accept or agree to accept a financial benefit, other than from the City, that might reasonably tend to influence his or her performance of duties for the City or that he or she knows or should know is offered with intent to influence the employee's performance;

Accept employment or compensation that might reasonably induce him or her to disclose confidential information acquired in the performance of official duties;

Accept outside employment or compensation that might reasonably tend to impair independence of judgment in performance of duties for the City;

Make any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and duties for the City; or

Solicit, accept or agree to accept a financial benefit from another person in exchange for having performed duties as a City employee in favor of that person.

3. Contracts

Specifically, with reference to contracts, no officer or employee of the City who exercises any functions or responsibilities in the review or approval of an undertaking or the carrying out of one of the City's contracts shall participate in any interest in the contract except to the extent and in the manner authorized by Chapter 171 of the Texas Local Government Code.

H. POLITICAL ACTIVITY

Employees of the City are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies.

An employee, in his or her official capacity, may not:

Use his or her official authority or influence to interfere with or affect the result of an election or nomination for office;

Directly or indirectly coerce, attempt to coerce, command, or advise a local or state officer or employee to pay, lend, or contribute anything of value to a party, committee, organization, agency, or person for a political purpose;

Use funds provided by the State of Texas to influence the passage or defeat of any legislative measure in the Texas Legislature or the outcome of any election; or

Use his or her working time or City resources to participate in a political campaign of another person for an elective position or for any other political purpose. (This includes making political speeches, soliciting by telephone, distributing or posting on city property political literature, or writing or handling letters related to a political campaign or activity.)

In addition, any City employee who is subject to the provisions of the federal Hatch Act may not be a candidate for elective office in a partisan election. (A partisan election is an election in which candidates are to be nominated or elected to represent a party whose candidates for presidential electors received votes in the last preceding election at which presidential electors were selected.) City employees are subject to this additional Hatch Act restriction if their principal employment is in connection with an activity which is financed in whole or part by loans or grants by the federal government.

All City employees are prohibited from participating in any way in any political activity while wearing a City uniform, regardless of whether the employee is on duty or on his or her own time. In addition, no City-owned property, vehicle, building, and/or office may be used for displaying campaign materials or for conducting any partisan political activity.

An employee's political activity, not in violation of this section, shall not be considered in determining his or her compensation, eligibility for promotion or demotion, work assignment, leave or travel request, or in applying any other employment practices to the employee.

Violation of this policy is grounds for dismissal and/or disapproval of funding for the position occupied by the employee involved.

I. COMMUNICATIONS

Communication with the public and the media about City issues or problems is the responsibility of the City Manager or employees designated by the City Manager. Employees are to refer members of the news media to the City Manager if a question is non-routine, controversial, or outside the scope of the employee's normal duties, and are to notify the City Manager of scheduled interviews with the news media.

J. SECRET RECORDINGS PROHIBITED

Any employee, other than authorized law enforcement personnel, who wishes to record any conversation between the employee and any other City employee or officer, or between two or more other City employees must first notify the other person(s) of his or her intent to record the conversation or comments and ask the other person(s)' authorization to make the recording. Any unauthorized recording of any conversation may be grounds for disciplinary action including dismissal. This provision does not apply to security equipment or recordings made by the City of Littlefield.

K. SOLICITATION

City employees are free to engage in fundraising efforts for outside organizations of the employee's choice, but the solicitations shall not be made during the employee's working hours, and the employee must not either represent himself or herself as a City employee or wear a City uniform when engaged in non-city-sponsored fundraising solicitations.

L. TELEPHONE USE

Telephones are to be used for City business. It is understood that occasionally personal calls are necessary; however, use of telephones for local personal calls is permitted only if the number and length of calls are kept to a minimum.

City employees and officials may not place personal long distance calls on City telephone equipment unless the charges will be billed directly by the telephone company to the individual's personal account or prior arrangements have been made for the employee to timely reimburse the City for the cost of the call.

If the City furnishes a City official or employee with cellular telephone service, any metered usage by the official or employee for personal calls must be paid personally by the official or employee on a monthly basis. Any employee required to have a cell phone may choose to utilize his or her own cell phone. The employee will receive a cell phone allowance each month as determined by the City Council when establishing the annual fiscal budget.

M. PURCHASING

Purchases by City employees shall be made only as authorized by the City Council in accordance with the City budget and shall comply with state purchasing laws and be approved by the City Manager and or Department Head. Employees shall be responsible for filing all receipts and purchase documents with the Head of Billing and Collecting.

The City of Littlefield's name or its tax exempt status shall never be used by any employee for his or her personal advantage on any purchase.

N. EMAIL AND INTERNET USAGE

The following activities are prohibited by policy:

1. Sending email that is intimidating or harassing.
2. Using email for conducting personal business.
3. Using email for purposes of political lobbying or campaigning.
4. Violating copyright laws by inappropriately distributing protected works.
5. Posing as anyone other than oneself when sending email, except when authorized to send messages when serving in an administrative role.
6. The use of unauthorized email.

The following activities are prohibited because they impede the functioning of network communication and the efficient operations of electronic mail systems.

1. Sending or forwarding chain letters.
2. Sending unsolicited messages to large groups, except as required to conduct City business.
3. Sending excessively large attachments.
4. Sending or forwarding email that is likely to contain computer viruses.

Email users must not give the impression they are representing, giving opinions, or otherwise making statements on behalf of the City of Littlefield or any unit of the City unless appropriately authorized (explicitly or implicitly) to do so. Where appropriate, an explicit disclaimer will be included unless it is clear from the context that the author is not representing the City. An example of a disclaimer is: "The opinion expressed is my own, and not necessarily that of my employer."

Individuals must not send or forward sensitive City information through non-city email accounts. Individuals must not send, forward, receive, or store confidential or sensitive information utilizing non-City accredited mobile devices. Examples of mobile devices include, but are not limited to, Personal Data Assistants, two way pagers, and cellular telephones.

DISCIPLINARY ACTION

Violation of this policy may result in disciplinary action as described in the City of Littlefield Personnel Policies. Repeated or gross infractions of this policy may result in termination. Additionally, individuals are subject to loss of City Information Resource access privileges, civil and criminal prosecution.

ACCEPTABLE USE GUIDELINES

The following are acceptable uses of the Information Resources of the City of Littlefield.

Any normal business use as previously spelled out in this policy conducted by the City employees on behalf of the City, i.e., research or data gathering for the City, correspondence with customers or vendors on business related matters, communication between employees that assist in meeting City related objectives, etc. Any use that benefits the City and its citizens is authorized.

Personal use not previously banned or limited, i.e. brief email to friends or acquaintances, viewing news or other items of interest when done under a time that could be considered a “break”, and similar activities of short duration.

The following are unacceptable uses of information resources of the City of Littlefield.

Internet usage for personal reasons i.e. music, music videos, internet radio, internet games, and bandwidth intensive usages.

Harassing or threatening messages.

Accessing sites of questionable taste, i.e. pornography, “hate” groups, chat rooms, etc. The Police Chief (under justifiable circumstances) may authorize investigating officers to access chat rooms, pornography sites, or other restricted or banned sites that are necessary for a criminal investigation. His/her authorization should be documented. The City Manager should be give general information of such authorization. After the investigation is complete, the computer history and temporary files should be “sanitized” by the I.T. department.

CHAPTER 3.

USE OF CITY PROPERTY

A. GENERAL POLICY

The City provides each employee with adequate tools, equipment, and vehicles for the job being performed, and expects each employee to observe safe work practices

and safe and courteous operation of vehicles and equipment in compliance with all applicable regulations.

B. USE OF TOOLS, EQUIPMENT, PROPERTY, AND VEHICLES

Employees who are assigned tools, equipment, vehicles, or any other City property by their departments are responsible for them and for their proper use, maintenance including cleanliness. Improper use and/or maintenance may result in disciplinary action.

City property, materials, supplies, tools, equipment, and vehicles are purchased with taxpayer funds and are intended for the maintenance and operations of the City. No personal or political use of any City property, materials, supplies, tools, or equipment is permitted at any time. Upon termination of employment, employees must return any City property in their possession. Failure to return all City property in the employee's possession may result in legal action by the City against the employee.

City employees are permitted to drive city vehicles home (within the City limits of Littlefield) evenings and weekends if approved by the City Manager and respective Department Head. The use of City vehicles by an employee during off-duty hours is otherwise prohibited unless the employee is recalled to work. This benefit may be rescinded in the event of misuse of vehicle or if the City's financial situation warrants.

C. VALID DRIVER'S LICENSE

All operators of City vehicles are required to have the valid driver's license necessary for legal operation of that vehicle in the State of Texas and to keep their supervisors informed of any changes of status in their licenses. The City Secretary will conduct periodic checks, at least annually, of the driving records of all employees who operate City vehicles. An employee who is required to drive as an essential function of his or her job must maintain a driving record satisfactory to the City's general liability insurance carrier, or the employee will be restricted from driving and/or disciplined up to and including dismissal.

Probation, suspension or revocation of the driver's license of an employee who is assigned as a vehicle or equipment operator may result in a demotion, restriction, or dismissal.

D. VEHICLE INSURANCE

The City maintains up-to-date insurance coverage on all vehicles owned by the City.

E. ACCIDENT REPORTING

Any employee operating City equipment or vehicles must report all vehicular accidents and property damage or liability claims to his or her department head and to the police department immediately.

Each vehicular accident, no matter how minor, must be reported to the police department so that an official accident report can be filed. Failure to notify the police department immediately may result in disciplinary action.

CHAPTER 4.

HIRING PRACTICES

A. METHODS OF RECRUITMENT AND SELECTION

The City has four methods of recruiting and selecting persons to fill vacancies: (1) promotion from within; (2) lateral transfer from within; (3) competitive consideration of applicants for employment; and/or (4) selection from a valid current eligibility list. A valid current eligibility list is a list of applicants for the same or a similar position for which applications were sought within the last six months. The City Manager determines the method(s) of selection to be used in filling each vacancy.

The City may, if appropriate, advertise position openings in the official newspaper(s) of the City, with the Texas Employment Commission and on the City's internet web page.

B. PUBLIC POSITION ANNOUNCEMENTS

Public announcements of position openings at the City for which there will be competitive consideration may be disseminated by the City Secretary in the manner most appropriate for the particular position being filled, as determined by the City Manager.

Current employees may apply for positions for which they believe themselves to be qualified and will be given preference in employment decisions assuming their qualifications are essentially equal to outside applicants and the employee has a consistent record of good performance. If selected for the position for which he or she applied, a City employee can transfer to another City position without loss of pay provided that his or her current pay is within the range approved by the City Council for the transfer position and sufficient funds are available in the receiving department's budget.

The length of time during which applications will be accepted for a given vacant position will be determined by the City Manager or his or her designee in accordance with the circumstances that exist at the time.

C. PRIOR SERVICE WITH THE CITY

Employees entering service with the City who have had prior service with the City may be considered for appointment above the customary entry salary level. A break in continuous service with the City forfeits any benefits accrued prior to the break.

D. QUALIFICATIONS

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

E. SELECTION

The City Manager has exclusive authority to select and employ new employees, except the City Secretary, the Chief of Police and Fire Chief, who shall be appointed by the City Manager with approval of a majority of the City Council.

F. AGE REQUIREMENTS

Persons under 16 years of age will not be employed in any full-time regular position. Persons under 18 years of age will not be hired in any hazardous occupation. Any prospective City employee under 18 years of age must have written permission (a signed Minor's Release Form) from his or her lawful parent or guardian on file in the employee's personnel file prior to the first day of employment.

Other age limitations will be applied only as required by specific state or federal law applicable to the City.

G. APPLICATION FOR EMPLOYMENT

Each person desiring employment with the City is required to submit an application on the City's official application form and other pertinent information regarding training and experience. All applicants shall be required to sign authorizations to release information regarding their employment history and driving record to the City. The City will make appropriate inquiries to verify education, experience, character, and required certificates and skills of an applicant prior to appointment. The review may include a check of the applicant's criminal record. In the case of applicants for positions which require driving a vehicle, the City will check the prospective employee's driving record prior to offering the applicant employment.

H. EMPLOYMENT OF RELATIVES (NEPOTISM)

In keeping with State Laws, no person related within the second degree by affinity or the third degree by consanguinity to the Mayor or any member of the City Council shall be appointed to any office, position, or service to the City. This prohibition shall not apply to persons employed for six months previous to the time the Mayor or members of the City Council take office.

Consanguinity Kinship Chart (Blood)

<u>1st Degree:</u>	<u>2nd Degree:</u>	<u>3rd Degree:</u>
Father	grandfather	great grandfather
Mother	grandmother	great grandmother
Brother	uncle	great uncle
Sister	aunt	great aunt
Son	nephew	great nephew
Daughter	niece	great niece
	Grandson	great grandson
	Grand-daughter	great grand-daughter
	1 st cousin	2 nd cousin

Affinity Kinship Chart (Marriage)

<u>1st Degree:</u>	<u>2nd Degree:</u>
Spouse's father	spouse's grandfather
Spouse's mother	spouse's grandmother
Spouse's brother	spouse's uncle
Spouse's sister	spouse's aunt
Spouse's son	spouse's nephew
Spouse's daughter	spouse's niece
	Spouse's grandson
	Spouse's grand-daughter
	Spouse's 1 st cousin

I. TESTING

Except for drug and psychological tests for certified police employees and any other tests that may be required by state law or these policies, the only performance tests administered for employment or promotion normally will be specifically job-related (“piece-of-the-job”) tests (e.g. typing, operating a computer, operating a piece of equipment, lifting something heavy required in the job, tabulating columns of numbers, writing samples, etc.). The City may conduct pre-employment qualification testing for certain jobs. The tests vary based on the required qualifications for the particular position. Reasonable accommodations will be made for applicants with a disability if a request for such an accommodation is made in advance of a test.

J. PHYSICAL STANDARDS

All prospective employees are required to undergo a drug test after a conditional offer of employment has been extended.

In addition, prospective new employees for active police officer certification may undergo an examination by a licensed psychologist or psychiatrist of the City’s choice which will be paid for by the City.

All records relating to the medical condition, medical testing, or drug testing of an employee or prospective employee are maintained separately from employee personnel files. These medical files are confidential and are not released to anyone unless a “need to know” has been clearly established.

K. VERIFICATION OF ELIGIBILITY TO WORK

In order to comply with the Immigration Reform and Control Act of 1986, each new employee is required to complete and sign an INS Form I-9 within three days of his or her first day of employment to provide proof of his or her identity and employment eligibility.

L. DISQUALIFICATION

An applicant is disqualified from employment by the City if he or she:

Does not meet the minimum qualifications for performance of the duties of the position involved;

Knowingly has made a false statement on the application form;

Has committed fraud during the selection process;

Is not legally permitted to hold the position;

Has offered or attempted to offer money, service, or any other thing of value to secure an advantage in the selection process;

Is not able to perform the essential functions of the position, with or without reasonable accommodation;

Has failed to submit the application to the designated place or within the prescribed time limit; or

Has failed to produce within three days of employment original legal document(s) that establish identity and employment eligibility.

Has a positive pre-employment drug screen for alcohol, inhalant or illegal drug.

M. PLACEMENT ON CITY PAYROLL

New employees must report to the City Secretary and payroll clerk before or during their first day of employment to fill out employment forms.

N. ORIENTATION AND TRAINING

Before an individual begins performing his or her actual duties, he or she will be given a brief orientation by the supervisor for whom he or she will be working or by that person's designated representative. The purpose of the session is to enable a new employee to better understand his or her job and the relationship of the job to the overall operation of the City. During the orientation, employees are given a copy of these Personnel Policies to read within two weeks and to keep and are informed of the policies continued availability to them and the reference locations. Employees are required to sign a statement that they have read and understood the policies contained in these Personnel Policies.

O. OUTSIDE EMPLOYMENT

Second jobs held by employees may be authorized under the following conditions:

1. The Department Head must be informed, in writing, of the outside employment, its nature, location, and duties involved.
2. Outside employment must be authorized by the Department Head and the City Manager
3. The authorization must be made a part of the employee's personnel file.
4. Such outside employment must not interfere with employee efficiency, constitute a conflict of interest, nor require the use of City time or equipment.

5. The eight (8) hours immediately prior to the beginning of such outside employment must be free unless approved by the Department Head.
6. If an employee shall become unable to perform the duties of his job due to an injury or other incapacity caused by or during such outside employment, the City may reduce the benefits granted by these policies to whatever extent the City deems justifiable.

CHAPTER 5.

TYPES OF EMPLOYMENT

A. CATEGORIES

There are two categories of employment with the City:

1. Full Time

A regular full-time employee is appointed to an authorized regular position that involves, on the average, 40 work hours per week. Regular full-time employees may be either hourly or salaried employees.

2. Part Time

A part-time employee is an employee hired to work an average of fewer than 40 hours per week. Temporary part-time employees are paid on an hourly basis.

3. Temporary

A temporary worker is an employee who is hired to work for less than six months or on a seasonal basis.

ALL EMPLOYEES OF THE CITY OF LITTLEFIELD ARE EMPLOYED ON AT WILL BASIS. THESE POLICIES SHALL NOT BE CONSTRUED AS CREATING A CONTRACTUAL EMPLOYMENT RELATIONSHIP WITH ANY PERSON. NO EMPLOYEE OF THE CITY OF LITTLEFIELD SHALL HAVE A PROPERTY INTEREST IN HIS OR HER CONTINUED EMPLOYMENT WITH THE CITY. ADDITIONALLY, NO OFFICER OR EMPLOYEE OF THE CITY (EXCEPT THE CITY COUNCIL ACTING AS A WHOLE) SHALL HAVE EITHER EXPRESS OR IMPLIED AUTHORITY TO MODIFY THE AT WILL EMPLOYMENT RELATIONSHIP.

B. TRIAL PERIOD

All new regular employees are probationary for a period of six (6) months.

The trial period will be utilized for closely observing the employee's work, for securing the most effective adjustment of a new employee to the position, and for dismissing any employee whose performance does not meet the required work standards.

During the trial period, the Department Head will evaluate the employee's work, ability to perform the duties satisfactorily, attitude, habits, and dependability.

At any time during the trial period, the Department Head may dismiss a new employee if, in the Department Head's opinion, the employee is either unable or unwilling to perform the duties; or if the employee's dependability does not merit continuance of City employment; or for other reasons as provided elsewhere in these policies.

At the end of the six (6) months trial period, each new employee shall receive a personal evaluation and interview by the Department Head. At such time, the employee shall be informed of his/her progress.

CHAPTER 6.

EMPLOYEE COMPENSATION AND ADVANCEMENT

A. PAYDAYS

There are two types of City employees, exempt and non-exempt (hourly). Exempt employees will not receive additional pay or comp time off for extra hours worked.

The pay period will begin at 7a.m on Wednesday and will continue for two weeks.

All employees will be paid every two weeks on Thursday afternoon following the end of a pay period.

B. CHECK DELIVERY

Paychecks will not be issued other than on the days set out above without the City Manager's approval.

Paychecks are distributed to individual employees or his or her Department Head by the Payroll Clerk.

No loans against future salary will be made to any employee for any reason.

Employees must bring any discrepancy in their paychecks (such as overpayment, underpayment, or incorrect payroll deductions) to the Department Head's attention immediately, preferably before cashing the check. If the paycheck must be cashed before the error can be corrected, the employee should save the check stub for an earnings statement. If an employee does not understand how to figure his or her pay or how to read his or her check, help should be sought from the supervisor or the Payroll Clerk. Failure to report any discrepancy may result in disciplinary action.

C. PAYROLL DEDUCTIONS

The following deductions made from employees' pay checks are either required by federal or state law or approved and authorized by the City Council:

Required federal/state deductions:

Federal Social Security and Medicare;

Federal income taxes;

Court ordered child support; and

Any other deductions required by law.

Deductions approved by City Council.

If there is a change in the employee's family status, address, or any other factor affecting his or her payroll withholding, the employee is responsible for obtaining, completing, and returning to the City Secretary and/or Payroll clerk the appropriate forms for communicating the changes.

CHAPTER 7.

WORK SCHEDULE AND TIME REPORTING

A. WORK WEEK

The normal work week for monthly salary basis employees is 8:00 a.m. to 5:00 p.m. Monday through Friday. Salaried employees shall work additional hours whenever required.

The work week may vary due to the nature of specific positions, especially emergency services such as police, EMS, and fire department personnel.

The work week for most hourly paid employees shall be 40 hours per week. Hourly paid employees will be compensated for overtime hours worked. Daily lunch periods for employees will normally be from 12:00 noon to 1:00 p.m.

City employees are required to perform only tasks related to their employment during the hours that they are on duty. City employees may not use city equipment or facilities for their personal benefit.

B. NUMBER OF HOURS TO BE WORKED

The Department Head determines the number of hours worked by an employee for the compensation to be received subject to laws governing pay and working hours and to the provisions of the City's budget.

C. EXEMPTIONS FROM FLSA (OVERTIME COMPENSATION)

Administrative and professional employees are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA) and are expected to render necessary and reasonable overtime services with no additional compensation. The salaries of these positions are established with this assumption in mind.

Extra hours worked by executive, administrative, and professional employees may be used as a factor in granting or denying paid leave other than vacation or sick leave.

D. OVERTIME WORKED

The policy of the City is to keep overtime to a minimum. However, employees may be required to provide services in addition to normal hours or on weekends or holidays. For example, in the event of an emergency, such as a natural disaster, employee(s) may be required to report to duty or to be available for duty throughout the duration of the emergency. Overtime is defined as hours worked in excess of the allowable number of hours under the Fair Labor Standards Act (FLSA). In the City, this is 40 hours per seven day workweek for all employees, except police department and fire department personnel.

E. OVERTIME COMPENSATION

All employees are subject to the provisions of the Fair Labor Standards Act (FLSA), as amended. All timekeeping records are to reflect the actual hours worked. It is anticipated that on occasion an employee may have to work overtime. Supervisors must approve overtime in advance of the time worked. Failure to receive prior approval could lead to disciplinary measures up to and including termination.

Approved paid absences, including, but not limited to, annual leave, sick leave, holiday leave, FMLA, military leave, jury and witness duty, unpaid leave,

discretionary leave without pay, and voting time off, are not counted as time worked for the purposes of computing overtime.

Nonexempt employees are compensated for overtime worked (defined as more than 40 hours of work in a seven-day period) by being given (listed in order of the City's policy preference):

Payment at the rate of one and one-half times the employee's regular hourly rate; or

Compensatory time off may be taken in lieu of paid overtime if approved by the Department Head.

F. COMPENSATORY TIME

The City discourages the accumulation of compensatory time off at one and one-half times the number of hours worked because of the contingent financial liability this creates for the City.

Any compensatory time earned must be used within a reasonable period of time of the date the overtime was worked. As a general rule, no more than 15 hours of compensatory time (representing 10 overtime hours worked) will be allowed to accumulate for employees without the express written consent of the City Manager and any compensatory time accrued should be used or paid within 30 days of the date it was earned. Any accumulated but unused compensatory time in an employee's account at the time of termination will be paid in the employee's final paycheck.

G. OVERTIME AND HOLIDAYS WORKED

The City's policy is that each employee receives a specified number of paid holidays per year, as set forth in an annual notice to employees stating which holidays will be observed in the coming year.

For additional information on holidays, see the chapter of these policies on **Holidays**.

H. TIME REPORTING

Non Exempt Employees must keep records of all hours worked and leave time taken and, where appropriate, hours credited to particular projects. Forms for this purpose are provided by the City.

Time records must be signed by the employee. Time Sheets should be completed after each day's work in order to maintain an accurate and comprehensive record of the actual time spent on particular projects.

Each supervisor is responsible for ensuring that all hours worked and leave time taken are reported on the time sheets.

I. INCENTIVE PROGRAM

Each employee for the City of Littlefield's Water and Sewer Department will receive incentive pay for the following basis:

- a) Each employee in either the water or sewer department will receive \$12.50 additional monthly pay for a "C" Certification beginning on the month following receipt of the certificate.
- b) Each employee in either the water or sewer department will receive \$25.00 additional monthly pay for a "B" Certification beginning on the month following receipt of the certificate.
- c) Each employee in either the water or sewer department will receive \$37.50 additional monthly pay for a "A" Certification beginning on the month following receipt of the certificate.
- d) Other City employees may also receive incentive pay for current Water/Sewer Certification as stated above if it is determined to be in the best interest of the City.

J. LONGEVITY PAY

All regular employees shall be entitled to additional compensation [of \$4.00 monthly] for each full year service. Only continuous service time accrued with the City will be used in determining longevity. Longevity pay will commence on the 1st anniversary. An additional year will be credited each year on the employee's anniversary date, assuming the employee maintained continuous service.

Example: An Employee begins work in July of one year would be eligible for longevity in 12 months on his anniversary date in July.

CHAPTER 8.

BENEFITS

A. EDUCATION AND TRAINING

When the City requires an employee to attend any educational or training course, conference, or seminar, the City will provide the necessary time off with pay and will reimburse the employee for associated costs, including tuition or registration fees, and authorized travel, meals, and lodging. Pay will be determined by following FLSA regulations.

B. WORKERS' COMPENSATION

All employees of the City are covered by the workers' compensation insurance program, and the City pays the premium. This coverage provides medical and salary continuation payments to employees who receive bona fide, on-the-job, work-related injuries. Detailed information about workers' compensation benefits is found in the sections of these policies under the main heading **Health and Safety**.

C. UNEMPLOYMENT INSURANCE

All employees of the City are covered under the Texas Unemployment Compensation Insurance program, and the City pays for this benefit. This program provides payments for unemployed workers in certain circumstances.

D. LEAVE TIME

Regular full-time City employees are eligible for holidays, vacation leave, sick leave, and other types of leave time under certain circumstances. Detailed information about leave and other types of released time is found in the sections of these policies under the main headings **Leave Time** and **Holidays**.

E. GROUP INSURANCE COVERAGE

Term life insurance coverage – The City of Littlefield presently has a group life insurance program under which each regular employee is enrolled.

Group medical insurance coverage – The City of Littlefield has a group medical plan under which coverage for each regular employee is automatic and paid by the City. An employee may cover his dependents (regardless of number) at a scheduled premium paid through payroll deduction. Part-time employees scheduled for forty (40) or more hours per pay period will be eligible for group medical coverage. Detailed information on the medical coverage is in the Group Insurance information provided by the insurance company.

F. RETIREMENT PLAN

The City of Littlefield participates in the Texas Municipal Retirement System (TMRS). The purpose of TMRS is to provide an adequate and dependable plan for the retirement of employees of Texas municipalities. The plan requires a contribution (by means of payroll deduction) equal to 5% of the salary of each eligible employee of the City. The City may match deposits at a rate determined by the City Council.

Monthly retirement benefits are computed on an actuarial basis and will vary with the age, length of service, and amount of salary or wages. The plan provides that employees who have previously participated in the TMRS and have withdrawn their deposits are eligible to "buy back" the previous retirement system.

CHAPTER 9.

LEAVE TIME

A. DEFINITIONS

1. Leave Time

Leave time is time during normal working hours in which an employee does not engage in the performance of job duties. Leave time may be either paid or unpaid.

2. Unauthorized Absence

An unauthorized absence is one in which the employee is absent from regular duty without permission of the department head. Employees are not paid for unauthorized absences and such absences are subject to disciplinary action.

3. Abandonment of Position

Unauthorized absence from work for a period of three consecutive working days will be considered as a resignation. Unless the City Manager determines otherwise, the resignation is not in good standing, and the employee is not eligible for reemployment.

B. APPROVAL OF LEAVE

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

Supervisors are responsible for determining that leave has been accrued and that leave time is available for use in the amounts requested by an employee. In addition, supervisors are responsible for ensuring that all vacation and sick leave usage is recorded on the time sheet.

C. VACATION

1. Full-time and part-time employees shall earn paid vacation leave.
2. Full-time and part-time employees shall earn paid annual leave based on the number of years of service to the organization.
 - a) Full-time employee's annual leave (except for full time firemen) will be credited at the rate of 5/6ths of a day for each month of service to be credited and used the following year. i.e. An employee who begins employment in April will have six months credit on September 30. The employee has earned five days [6 x 5/6 days per month] that can be taken with Department Head approval at any time during the following fiscal

year [October 1 through September 30]. After this initial adjustment, an employee will receive credit for vacation days earned as per the chart below. This may be taken any time during the following fiscal year.

- b) Part-time employee’s annual leave rates are prorated (a percentage of the 40 hour workweek), based on the number of hours actually worked.

Length of Employment	Hours vacation earned	Full Time Fireman
1-5 years	80 hours per year	96 hours per year
6 years	88 hours per year	96 hours per year
7 years	96 hours per year	120 hours per year
8 years	104 hours per year	120 hours per year
9 years	112 hours per year	120 hours per year
10 years or more	120 hours per year	144 hours per year

3. During the six (6) month trial period, employees will accrue vacation time but will not be allowed to take it until completion of the trial period. In the event of termination prior to completion of the trial period, employee will not be paid for accumulated leave.
4. No vacation will be granted before it is earned.
5. Vacation will be scheduled so as to allow minimum interference with the work of the City. Employees must submit a leave request and have approval of leave prior to taking leave.
6. Employees will not be charged for leave falling on a day that the employee would not otherwise be scheduled to work, i.e. weekend or holiday. If an employee would normally be scheduled to work a day on the weekend or a holiday but chooses to take vacation, the employee will be charged a day of vacation.
7. Vacation time is not cumulative from one year to another. Note: Under serious conditions and only by special City Council approval, vacation time may be permitted to accumulate to the following year.
8. Employees that have completed his or her trial period shall be paid their accrued vacation leave upon separation from the City if requested.
9. Vacation may be taken in 4-12 hour increments (4-24 hour increments for full time firemen) per day. All vacation pay will be at straight time.

10. A person who terminates his/her employment on or after the fifteenth of the month shall receive vacation leave credit for the full month of service.
11. Any holiday granted the entire staff will not be considered a portion of any employee's vacation if the holiday occurs during scheduled vacation leave.

Payment for Unused Vacation Leave Upon Separation

When an employee leaves the service of the City, he or she may be paid for any unused vacation leave at the time of separation. The rate of pay will be determined by the salary rate in effect at the time of termination.

Scheduling Vacation Leave

Supervisors should encourage their employees to schedule vacations and request leave well in advance. Vacation schedules must accommodate the City's work schedule; supervisors are responsible for establishing vacation schedules for employees in their departments. If the desired leave schedules conflict with City requirements, the City's requirements are given first consideration. A vacation leave request in excess of 10 working days must be submitted by the employee at least three weeks in advance and must be approved by the Supervisor.

Use of Vacation Leave

Regular, full-time employees are charged with eight hours of vacation leave for each full day they are absent on approved vacation leave.

A regular employee placed in unpaid leave of absence in excess of 10 calendar days during the year preceding his or her anniversary date will have the vacation benefit for that anniversary reduced on a proportionate basis.

D. SICK LEAVE

- 1 Full-time employees shall accumulate sick leave with pay at the rate of one day (8 hours) per month of employment, or twelve days per year. Full time firemen will accrue sick leave at the rate of 9.6 hours per month.
- 2 Part-time employees shall accumulate sick leave with pay at the rate proportionate to the hours worked per year.
- 3 During employee trial period, sick leave will be paid only with Doctor's slip.
- 4 Sick leave credits will not be paid to any employee upon separation.

- 5 A permanent employee who is laid off or resigns for physical condition affecting work and return to employment within one year from the date of separation shall have former unused sick leave credits restored.
- 6 Sick leave may be authorized when an employee's attendance jeopardizes the health of others, or for the care of immediate household family in the event of serious illness.
- 7 No sick leave benefits will be allowed for absence due to misconduct, intentional self-inflicted injury, gross negligence or absence occurring in connection with or resulting from employment with another employer.
- 8 Prolonged illness requiring lengthy absence (3 days or more) from work will require a certificate from a recognized physician substantiating the illness and estimated time of recovery. All factors will be taken into consideration in determining status of employment. If, during a continuing illness, the employee exhausts his/her sick leave, he/she may elect to use accumulated annual leave time. This is not mandatory. However, for an employee to use this time, he/she must notify his or her immediate supervisor.
- 9 In the event of prolonged illness a physician's statement will be required upon the employee's returning to work. Failure to comply may be considered as an unexcused absence.

An employee with accrued sick leave may use it if the employee is absent from work due to:

Personal illness or physical or mental incapacity;

Medical, dental, or optical examinations or treatments;

Medical quarantine resulting from exposure to a contagious disease; or

Illness of a member of the employee's immediate family who requires the employee personal care and attention. For this purpose, immediate family is defined as the employee's spouse, child(ren), or any other relative of the employee who resides in the employee's household and requires the employee's personal care and attention.

Notification Requirements

Approval of sick leave for non-emergency medical, dental, or optical appointments must be secured at least one workday in advance. In all other instances, the employee must notify his or her supervisor 30 minutes prior to their normally scheduled workday, unless emergency conditions exist, and must request that approval of sick leave be granted.

Failure to provide the required notice may result in the employee being placed on leave-without-pay status and may result in disciplinary action against the employee. Employees are expected to return to work as soon as they no longer need to take sick leave.

Use of Sick Leave

Regular, full-time employees are charged with a regular work day of sick leave for each full day they are absent on approved sick leave.

Excessive use of sick leave without adequate justification may result in disciplinary action, including dismissal.

Medical Statement

The employee's supervisor or the City Manager may request, and the employee must provide upon request, written verification by a physician of medical disability precluding availability for duty at any time that sick leave benefits are requested. A physician's statement is required for an absence for which sick leave is requested if the employee has already used three or more days in a calendar year.

Accumulation of Sick Leave

Sick leave not used by regular employees during the year in which it accrues, accumulates and is available for use in succeeding years up to a maximum of 480 hours (60 days) for regular full-time employees.

Exhaustion of Sick Leave

An employee who has exhausted accrued sick leave benefits may request to use accumulated vacation or other paid leave or may request leave of absence without pay. This may be done only with the approval of the City Manager. No advance of unearned sick leave benefits will be made for any reason.

Cancellation Upon Termination

Unused sick leave is canceled upon termination of employment without compensation to the employee.

Sick Leave Pool

A sick leave pool is established within the City to benefit certain employees for his/her own catastrophic illness or injury or for one in his/her immediate family.

A catastrophic illness or injury is defined as a severe condition or combination of conditions that:

Affects the physical or mental health of the employee or the employee's immediate family; and

Requires the services of a licensed practitioner for a prolonged period of time; and

Forces the employee to exhaust all leave time earned and to lose compensation from the City.

The City Manager is the pool administrator and reviews and acts on all donations of time and all requests for time.

Eligibility to Apply for Leave Pool

Any regular full-time employee who has been employed for twelve consecutive months with the City, has donated at least 8 hours to the sick leave pool, and has satisfactory performance may apply to use sick leave from the sick leave pool.

Employees must exhaust all accrued sick leave, vacation, floating holiday, emergency leave and compensatory time, before they are eligible to use leave from the pool.

In order to apportion only the pool hours among the maximum number of employees, an employee may make one request during a 12-month period.

The amount of time the eligible employee may draw from the pool may not exceed of the pool or 30 working days, whichever is less.

The City Manager will determine, based on the pool balance, the amount of pool leave granted to the employee.

Eligibility to Donate Time

An employee can contribute an unlimited amount of sick leave to the pool. The time must be in eight (8) hour increments.

Employees may not designate a particular employee to receive their donated time.

Once an employee has donated time to the pool, he/she cannot get it back unless he/she is eligible to use time from the sick leave pool. The employee must meet requirements under eligibility.

E. FMLA LEAVE

In compliance with the Family and Medical Leave Act (FMLA) of 1993, Title 29, Part 825 of the code of Federal Regulations, employees who have worked for the City for at least 12 months and worked at least 1250 hours during the prior 12 months may take up to 12 weeks of unpaid, job protected leave. FMLA leave is unpaid except in

cases where paid leave is available as outlined in this guideline. FMLA leave may be taken for the following reasons:

- 1 Birth and/or care of a child of the employee;
- 2 Placement of a child into the employee's family by adoption or by a foster care arrangement;
- 3 Care of the employee's spouse, child or parent who has a serious health condition;
- 4 Inability of the employee to perform the essential functions of the employee's position due to a serious health condition.

FMLA defines a serious health condition as an illness, injury, impairment, or physical or mental condition that involves:

- 1 Any period of incapacity or treatment in connection with inpatient care (overnight stay) in a hospital, hospice, or residential medical care facility; or
- 2 Any period of incapacity requiring absence from work, school, or other regular daily activities, of more than three (3) consecutive calendar days, that also involves continuing treatment by (or under the supervision of) a health care provider; or
- 3 Continuing treatment by a health care provider for a chronic or long-term health condition that is incurable or so serious that if not treated would likely result in a period of incapacity of more than three (3) calendar days.

Eligible employees may request leave for up to 12 weeks during the 12-month calendar period for the reasons stated above. The 12-month period is defined as January through December (calendar year).

F. ADMINISTRATIVE LEAVE

The City manager may authorize administrative leave, with or without pay, when warranted by unforeseen circumstances not otherwise provided for in these policies.

G. INJURY LEAVE

For information on occupational disability or injury leave for bona fide, on-the-job, work-related injuries, see the sections in these policies under the main heading **Health and Safety**.

H. MILITARY LEAVE

The City of Littlefield will grant full-time employees military leave of absence without pay for attending military reserve duty or for any period of active military service as dictated by Uniformed Services Employment and Re-employment Rights Act, USERRA, 38 U.S.C. § 4312.

Employees may take a military leave of absence from employment, including intermittent (starting and stopping at various times) leaves, for a total of 5 years, excluding yearly training. Reemployment rights extend to persons who have been absent from a position of employment because of "service in the uniformed services." "Service in the uniformed services" means the performance of duty on a voluntary or involuntary basis in a uniformed service, including:

Active duty (including Reserve and Guard members who have been called up)

Initial active duty for training

Full-time National Guard duty

Absence from work for an examination to determine a person's fitness for any of the above types of duty

Funeral honors duty performed by National Guard or reserve members

In order to have reemployment rights following a period of service in the uniformed services, a military member must meet five eligibility criteria (discussed separately below):

Must have given written or verbal notice to the employer prior to leaving the job for military training or service except when precluded by military necessity.

The period of service must not have exceeded five years.

Must have been released from service under "honorable conditions."

Must have reported back to your civilian employer in a timely manner or have submitted a timely application for reemployment.

If the above criteria are met, the employee will be promptly reinstated, which is determined on a case-by-case basis in the following order of priority:

- In the job the employee would have held had the person remained continuously employed so long as the person is qualified for the job or can become qualified after reasonable efforts by the employer to qualify the person; or

- If the employee cannot become qualified for the position in (1), then in the employee's pre-service position so long as the person is qualified for the job or could become qualified after reasonable efforts by the employer to qualify the person; or
- If the employee can't become qualified for the position either in (1) or (2), then in any other position of lesser status and pay that the employee is qualified to perform, with full seniority.

The escalator position will apply to employees, who in their absence, would have reasonably attained had they remained employed.

No leave time will be accrued while the employee is on military leave. No holiday pay will be given.

I. JURY DUTY/CITIZENSHIP LEAVE

Employees are entitled to civil leave for jury duty, for serving as a subpoenaed witness in an official proceeding, and for the purpose of voting.

When an employee has completed civil leave, he or she must report to the City for duty for the remainder of the workday. If the employee will be absent from work for more than one workday on civil leave, he or she must notify the appropriate supervisor daily at the beginning of the workday.

J. PERSONAL DAYS

Each employee shall be allowed three (3) personal days (or 24 hours if on other than 8 hour shift) each fiscal year for attending to any personal business or need. These days will be allowed without any explanation or reason required. The employee's immediate supervisor may require the employee to reschedule a personal day if the operations of the City are deemed to be severely compromised if the employee is absent that day. In most cases, 24 hours notice is required for a personal day.

Unpaid Leave of Absence

An employee may be granted an unpaid leave of absence for the purpose of recovery from an extended illness or temporary disability only after exhaustion of all accrued sick and vacation leave upon written approval of the City Manager.

During an unpaid leave of absence, an employee accrues no additional vacation or sick leave but retains rate of benefits accruals and seniority, subject to terms or provisions of benefits programs.

Medical insurance premiums will be paid by the City as long as an employee is on paid sick leave and may be continued by the employee beyond that period under

COBRA, if the employee pays the premiums, including the City's share, in full in a timely manner.

Unpaid sick leave may run concurrently with any available FMLA leave.

Conditions

An employee requesting a paid or unpaid leave of absence for an extended illness or temporary disability is required to provide a medical doctor's statement. It must include:

Diagnosis

Date upon which the employee is no longer able to perform his/her duties, and

Expected length of the recuperation period.

An employee must also submit a written statement indicating his/her intentions about returning to work at the City.

Reporting Requirements

An employee on extended leave for illness must contact the appropriate City supervisor at least once each week to report on his/her condition, unless otherwise directed by the supervisor.

Maximum Length of Time

In determining the length of time approved for this type of leave, the following will be considered:

Nature of illness or disability

Expected recuperation period

Employee's length of service with the City

Past attendance record

Department's needs, and

Prospect for temporary replacement of the employee or reassignment of the employee's duties

An unpaid leave of absence may not exceed six months.

Documentation of Decision

A summary of the basis for the decision to grant or deny unpaid leave of absence and the terms of the leave will be prepared by the City Manager or his/her designee and placed in the employee's personnel file.

CHAPTER 10.

HOLIDAYS

A. GENERAL POLICY

Holidays are days designated by the City when City offices are closed on what otherwise would be regular business days.

Holidays Observed

Paid holidays are established each year by the City Council. The City Council will establish the Holiday schedule at the beginning of each calendar year. The following may be observed as paid holidays for full time employees:

New Year's Day – 1 day

Good Friday – 1 day

Memorial Day – 1 day

Independence Day – 1 day

Labor Day – 1 day

Thanksgiving – 2 days

Christmas – 2 days

Employees who are members of religious faiths which celebrate widely recognized religious holidays that are not also City holidays may substitute one or more of those days for one or more of the holidays listed above.

Part-time employees are not paid for holidays except for holiday hours actually worked.

An employee who is absent without approved leave or is on leave without pay on the workday immediately preceding or following a holiday will not be paid for the holiday.

B. WORK DURING HOLIDAYS

It is not always feasible to grant holidays at the scheduled time, especially for employees who are assigned shifts on an “around the clock” operation. With the approval of the City Manager or supervisor, some or all employees may be directed to report for work on a holiday.

C. HOLIDAY DURING VACATION

If an official holiday falls within a regular employee’s vacation, the employee will be granted the holiday and not charged for a day of vacation.

CHAPTER 11.

HEALTH AND SAFETY

A. SAFETY POLICY

It is the policy of the City to make every effort to provide healthful and safe working conditions for all of its employees.

B. EMPLOYEE RESPONSIBILITIES AND REPORTS

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

An employee must report every on-the-job accident, no matter how minor, to his or her supervisor within 24 hours. The supervisor is responsible for filing all accident reports immediately with the City Secretary.

Failure to report an on-the-job injury, no matter how minor, is grounds for disciplinary action.

C. EMPLOYEE SUGGESTIONS

Employees shall report immediately to their supervisors any conditions that in their judgment threaten the health and safety of employees or visitors.

D. ON-THE-JOB INJURIES

Insurance

The City provides workers compensation insurance for all of its employees. This insurance provides medical expenses and a weekly payment if an employee is absent from work for more than seven days because of a bona fide, on the job, work-related injury.

Medical Attention

An employee who sustains a bona fide, on-the-job, work-related injury may seek medical attention from the medical facility or professional of his or her choice. The City requires statements from the attending physician of medical condition and of release to return to work. An employee may be required to submit to examination by an independent physician as determined by the City Manager at the City's expense.

Compensation

If an employee sustains a bona fide, on the job, work-related injury which renders him or her unfit for performing the duties of the job, the employee will receive pay from the workers' compensation insurance group.

An employee receiving workers' compensation payments does not accrue vacation or sick leave and is not entitled to receive either additional holiday pay or other holiday benefits.

Injury leave begins on the first scheduled workday of disability and continues until the employee returns to work, or is released by physician to return to work.

Exclusion

Injuries caused by willful intent and attempt to injure self or to unlawfully injure another, intoxication, acts of God except in certain limited circumstances (i.e., assigned to official duty during a tornado, lightning storm, etc.), or act of a third party for personal reasons are excluded specifically from coverage by injury leave with pay.

Reporting Requirements

While on leave because of a bona fide, on-the-job, work-related injury, each time the employee sees the physician for consultation or treatment, he or she must provide a progress report to the appropriate City supervisor, who passes the report along to the City Manager. Any change in the employee's condition which might affect his or her entitlement to workers' compensation payments must also be reported to the

appropriate supervisor. In addition, the injured employee must contact his or her supervisor at least once a week to report on his or her condition.

Return to Service

A written statement from the attending physician certifying that the employee has been released to return to work and specifying the type(s) of work he or she is capable of performing as well as any limitation(s) must be received by the City before an employee may return to work. All employees on injury leave must return to work after approval of either the employee's attending physician or an independent physician paid by the City. Failure to return to work when directed will result in appropriate disciplinary action up to and including dismissal.

Upon receipt of a release to return to work, the City may require the employee to submit to a medical examination to determine whether the employee can perform the essential functions of his or her position, with or without reasonable accommodation. If the employee cannot perform the essential functions of the position, or if the employee is a qualified individual with a disability and he or she cannot perform the essential functions of the position with or without reasonable accommodation, the employee will be terminated. The City's efforts to reasonably accommodate the employee will be conducted in accordance with applicable law.

Final Release or Settlement

At the time of final release or settlement of a workers' compensation claim, the employee must furnish the City with a certificate from the employee's physician stating the status of the employee's physical condition.

CHAPTER 12.

DISCIPLINE

A. GENERAL

In the event of employee misconduct, the employee's immediate supervisor may take appropriate disciplinary action. Some employee behaviors or actions that may result in disciplinary steps include, but are not limited to, the following:

- *Insubordination;

- *Absence Without Leave, including absence without permission, failure to notify a supervisor of sick leave, and repeated tardiness or early departure.

- *Endangering the Safety of the Employee and/or Other Persons through negligent or willful acts;
- *Use of Alcohol or Drugs while on duty, in a City vehicle, on City property, or while representing the City of Littlefield.
- *Alcohol or Drug Abuse while on duty which may affect the performance or safety of the employee or other person(s);
- *Unauthorized Use or Theft of Public Funds or Property;
- *Possession of Unauthorized Firearms or Lethal Weapons on their persons while on duty, or in City vehicles, or on City property;
- *Falsification of Documents, Records or Reports;
- *Unauthorized Use of Official Information or unauthorized disclosure of confidential information;
- *Unauthorized or Abusive Use of Official Authority;
- *Violation of the City's Sexual Harassment policy;
- *Failure to Observe the City's Policies Regarding Communications with the public (see **Communications** section in **Employee Responsibility** chapter);
- *Incompetence or Neglect of Duty;
- *Disruptive Behavior which impairs the performance of others; or
- *Other violation of any of the Requirements of these Personnel Policies or any departmental policies not in conflict with these policies.

B. PROGRESSIVE DISCIPLINE

The City may take disciplinary action, including dismissal, affecting an employee at any time. The severity of the discipline depends upon the nature of the infraction. The City may, but not necessarily will, use a progressive discipline system as follows:

- Oral Warnings** with records of each warning maintained by the department head;
- Written Reprimands** which the department head must in all cases cause to be transmitted through the City Manager to the employee's personnel file;
- Reduction in Pay** without demotion;

Suspension from duty, with or without pay, for up to 30 days and renewable for up to an additional 30 days at a time after review and documentation of the circumstances;

Demotion; or

Separation by involuntary dismissal.

Except in the case of oral warnings, disciplinary action, when appropriate, must be accomplished or preceded by oral or written notice to the employee involved. Notice includes a description of the reason for the action and, except in the case of dismissal, states the likely consequences of further unsatisfactory performance or conduct. Written notice of disciplinary action is included in the employee's personnel file.

Disciplinary action does not automatically or permanently disqualify an employee from consideration for future promotion, pay increases, commendations, or other beneficial official personnel actions.

C. APPEAL

An employee may appeal a disciplinary action to the City Manager in the same manner as provided in **Post Termination Hearings**.

CHAPTER 13.

SEXUAL HARASSMENT

Purpose, Responsibilities and Actions

Sexual Harassment, either physical or verbal, is a violation of state and federal laws which

A. DEFINITION

Sexual Harassment is any repeated or unwanted verbal or nonverbal sexual advances, sexually explicit derogatory remarks, or statements made in the workplace which the person making such actions or statements knows or should know are offensive or objectionable to another; which causes another discomfort or humiliation; or which interferes with job performance; and which includes the following:

Submission to the conduct is either an explicit or implicit term or condition of employment, or,

Submission or rejection of the conduct is used as a basis for employment decisions affecting the employee, or,

The conduct has the purpose or effect of substantially interfering with work performance, or creating an intimidating, hostile or offensive work environment.

Sexual harassment does not refer to occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome, that is personally offensive, and that lowers morale, and therefore interferes with work effectiveness.

B. POLICY: The City will maintain a workplace free of sexual harassment or intimidation.

CONDUCT IN VIOLATION OF THIS POLICY IS NOT WITHIN THE COURSE AND SCOPE OF EMPLOYMENT AND MAY SUBJECT THE PERSON PARTICIPATING IN SUCH CONDUCT TO CRIMINAL PROSECUTION. THE CITY WILL NOT TOLERATE SUCH CONDUCT ON THE PART OF ANY OFFICERS OR EMPLOYEES. A FINDING OF SEXUAL HARASSMENT CAN RESULT IN A WARNING IN THE HARASSER'S PERSONNEL FILE, TRANSFER, DEMOTION, SUSPENSION WITH OR WITHOUT PAY, OR TERMINATION.

C. RESPONSIBILITY

Supervisor's Responsibility:

Each supervisor has a responsibility to maintain the workplace free of sexual harassment. This duty includes discussing this policy with all employees and assuring them that they are not to endure insulting, degrading, or exploitative sexual treatment. Each supervisor has the responsibility to assist any employee who comes to that supervisor with a complaint of harassment.

The Employee's Responsibility:

Any employee who believes he or she has been subjected to harassment prohibited by this policy should immediately tell the harasser to stop his or her unwanted behavior and immediately report that behavior as outlined below:

An employee who believes that he or she is being harassed should report the incident(s) to his or her supervisor as soon as possible so that steps may be taken to protect the employee from further harassment, and so that appropriate investigative and disciplinary measures may be initiated. Where it is not practical to report the incident(s) to the immediate supervisor (such as where the supervisor is unavailable or where the allegation of misconduct involves the supervisor) the employee may instead report the incident(s) to the City Manager.

If an employee becomes aware of harassing conduct, regardless of whether such harassment directly affects that employee, the employee should immediately report that information to a supervisor or the City Manager.

The Administration's Responsibility:

It is the responsibility of the City Manager to inform supervisors and employees of the policy concerning sexual harassment, the gravity of such behavior and the procedure to be employed in the event such an allegation is made.

The City Manager shall respond to all complaints in accordance with this policy.

The City Manager shall prohibit retaliation of any kind against employees who, in good faith, bring sexual harassment complaints or assist in investigating complaints.

The City Manager shall hold all employee complaints in strict confidence except to the extent necessary to investigate and prosecute the complaint or unless disclosure is required by state law.

D. PROCEDURE FOR COMPLAINT

All complaints will be immediately forwarded to the City Manager.

Complaint To Be In Writing

The individual alleging sexual harassment must provide details of the alleged conduct in writing in order for the City to pursue the complaint. If the complainant refuses to provide details sufficient to allow the City to properly investigate the complaint, the matter may or may not be further investigated by the City. The determination as to whether to further investigate shall be at the discretion of the City Manager and the City Attorney.

Investigation

Immediately upon receipt of a complaint of sexual harassment, the City Manager will conduct a thorough investigation to determine if sexual harassment has occurred or if any policy has been breached. If such investigation confirms the allegation, appropriate disciplinary action, up to and including dismissal, will be taken. Any evidence deemed relevant may be considered during the investigation and review of the complaint including but not limited to:

Nature and seriousness of the complained action;

The effectiveness and advisability of counseling;

Any contribution on the part of the complainant;

Suspension During Investigation

If the circumstances warrant, the respondent may be suspended with or without pay for a period not to exceed two (2) weeks, pending a complete investigation.

Respondent's Written Answer

After the City Manager has completed the initial investigation, the respondent will be given a copy of the complaint filed against him or her and shall be informed of the seriousness of the allegation. The respondent will have the opportunity to respond to the allegation in writing within forty-eight (48) hours after receipt of a copy of the complaint. In the event the respondent requires additional time to prepare a response, the respondent may request additional time from the City Manager. A request for additional time may not be unreasonably denied.

Decision

Following receipt of the respondent's answer and the completion of any additional investigation, a written decision will be delivered to the complainant and the respondent. The decision may include, but should not necessarily be limited to, no adverse personnel action, counseling, admonishment, reprimand, transfer of department, demotion, suspension with pay, suspension without pay, and/or termination of employment.

Records of a Sexual Harassment Complaint Kept Separate

All records concerning a sexual harassment complaint shall be kept in a locked file in the Personnel Department. Access shall be only with the City Manager's approval to parties who have a direct and relevant need to know, unless access is otherwise required by state law.

CHAPTER 14.

GRIEVANCES

A. POLICY

It is the policy of the City, insofar as possible, to prevent the occurrence of grievances and to deal promptly with those which occur. No adverse action will be taken against an employee for his or her exercise of the grievance right.

A grievance may be filed by an employee on one or more of the following grounds: improper application of rules, regulations, and procedures (but not the rules, regulations, and procedures themselves); unfair treatment; illegal discrimination based on race, religion, color, sex (including sexual harassment), age, disability, or national origin; disciplinary action taken without appropriate justification; improper application of fringe benefits; improper working conditions, or any violation of state or federal law.

The City of Littlefield follows a progressive grievance procedure which ensures the employee of due process in the City's consideration of his or her work-related grievances: the right to be represented, the right to mount a defense, and the right to present written response(s) regarding resolution of the grievance.

B. FINAL AUTHORITY

An employee may appeal the decision of a supervisor to a department head and, through the chain of command, to the City Council. Except as hereafter provided the decision of the City Council is final.

Appeals To The City Council

In an instance in which an employee alleges that the action taken is in violation of any laws of the State of Texas or Federal Law, the grievance shall be determined as described in section Chapter 14, except the final decision shall be made by the City Council.

C. PROCEDURE The following procedures are applicable to employees:

Informal Grievances

The first step in the grievance procedure is for the employee to attempt to resolve the grievance by informal conference with his or her supervisor. If this informal conference does not result in a resolution of the problem(s) that is satisfactory to the employee, he or she may file a formal, written grievance.

Formal Grievances

Formal grievances must be in writing, signed by the employee, and presented to the employee's department head within 10 calendar days after the alleged grievance occurred. The grievance document shall include the following:

- 1 The names of each individual involved in the grievance either as a party whose action is subject to the grievance or as a witness;
- 2 A description of the basis of the appeal sufficient to reasonably appraise the decision maker of the nature of the grievance;

- 3 A description of any documentation or physical evidence which should be considered in determining the grievance;
- 4 IF A GRIEVANCE INVOLVES A VIOLATION OF LAW, A DESCRIPTION OF THE CITY POLICY OR PROCEDURE, ORDINANCE, STATE OR FEDERAL LAW, IF ANY, WHICH THE EMPLOYEE IN GOOD FAITH BELIEVES HAS BEEN VIOLATED OR MAY BE RELEVANT TO THE APPEAL AS WELL AS A DESCRIPTION OF HOW THE PROVISION IS RELEVANT TO THE GRIEVANCE.
- 5 A statement of the specific remedial action requested by the employee.

An employee may be represented throughout the grievance process by a representative of his or her choosing, including another City employee.

After being presented with a written and signed grievance, the department head will (1) consult with the employee and such other persons as may be necessary to gather the facts; (2) notify the City Manager, (3) attempt to resolve the grievance with the employee and, if requested by the employee, with the employee's representative; and (4) communicate the decision to the employee in writing within 10 calendar days after receipt of the grievance, sending a copy of the decision to the City Manager.

If the employee either receives no written decision from the department head within ten (10) calendar days from the date the grievance was filed, or the employee is not satisfied with the proposed resolution, he or she must deliver to the City Manager a written statement notifying the City Manager of the employee's desire for an additional review of the grievance within five (5) calendar days. The City Manager will review the facts and the file, meet with the parties involved, and respond in writing to the employee within fourteen (14) calendar days of the date the appeal was received in the City Manager's office.

If the employee either receives no written decision from the City Manager within fourteen (14) calendar days from the date the grievance was filed with the City Manager or the employee is not satisfied with the decision of the City Manager, he or she may deliver to the City Manager a written statement notifying the City Manager of his or her desire to appeal the grievance to the City Council. The City Council will review the facts and the file and may meet with the employee or such witnesses as the City Council may desire. The City Council will issue its decision within twenty-one (21) calendar days of receipt by the City Council. The decision of the City Council is final.

Maximum Time Periods

At each stage of the grievance process, the time periods specified are maximums. Grievances should be dealt with promptly and written responses provided as quickly

as possible, preferably within 10 working days in simple grievance matters. In no case should the total time for a final resolution exceed 60 calendar days.

Grievances Relating to Sexual Harassment or Discrimination

Any employee may file a grievance related to alleged sexual harassment or discrimination on the basis of race, religion, color, sex, national origin, age, or disability. Any complaint relating to sexual harassment shall be filed in accordance with **SEXUAL HARASSMENT**. The grievance relating to discrimination should be filed according to the procedure set forth **GRIEVANCES**.

If an employee believes he or she is being sexually harassed, that employee should tell the harasser that his or her conduct is offensive and insist that it stop. If the conduct does not cease immediately, the employee should report the matter according to the procedures outlined in **SEXUAL HARASSMENT**. The City will investigate the matter promptly and take whatever corrective action is appropriate. Any employee who complains in good faith of sexual harassment will be protected against retaliations or reprisal for making the complaint.

Documentation

A copy of all documentation relating to the grievance will be forwarded to the City Manager's office immediately upon conclusion of each step in the grievance process to be placed in the employee's personnel file.

Requirement for Appeal if Dissatisfied. If the employee is dissatisfied with any decision during the grievance process, he or she must appeal to the next step within the established time period. Failure to appeal is a determination that the employee is satisfied with the last decision.

CHAPTER 15.

SEPARATIONS

A. TYPES OF SEPARATIONS

All separations of employees are designated as one of the following types:

Resignation;

Retirement;

Reduction in Force;

Dismissal;

Disability; or

Death.

B. RESIGNATION

An employee who intends to resign must notify his or her supervisor, in writing, of the date on which he or she wishes resignation to be effective. This notification should be given at least ten (10) working days prior to the employee's last day of employment. The supervisor is responsible for notifying the City Manager within 24 hours.

An employee who resigns without sufficient notice is subject to having a written reprimand placed in his or her file documenting this violation of personnel policies, unless there is a valid reason for not giving sufficient notice is approved by the City Manager.

The City, at its option, may elect to accept a resignation immediately.

Employees who fail to give at least 10 days notice will not be eligible for rehire and will not be eligible to be compensated for unused vacation time.

C. REDUCTION IN FORCE

An employee may be separated when his or her position is abolished, or when there is either a lack of funds or a lack of work.

When a regular employee who has completed the probationary period is dismissed as a result of a reduction in force, he or she will be given a minimum of two weeks' written notice and paid in full to the time of discharge including accrued benefits. In addition, the City department head will attempt to guide the employee to any available suitable job openings in the area for which the employee qualifies.

D. DISMISSALS

Dismissal During Trial Period

At any time during the trial period a new regular employee may be dismissed if, in the Department Head's opinion, based upon a recommendation of the employee's supervisor, the employee is either unable or unwilling to perform the duties; or if the employee's dependability does not merit continuance of City employment; or for other reason as provided elsewhere in these policies.

Pre-Termination Hearing

Prior to dismissal, a regular employee who has completed the probationary period will be presented with the reason(s) for this action, orally or in writing, and will be granted an opportunity to present to the supervisor or City Manager reasons why dismissal should not occur. Reasons can be presented orally or in writing at the employee's option. The supervisor or City Manager shall prepare a concise written statement of the reason(s) for the proposed dismissal and, if time permits, furnish a copy to the employee at the meeting. The description shall be placed in the employee's personnel file.

Post-Termination Hearing

If a City employee who has completed the trial period is dismissed, or regardless of trial status if the employee alleges that the termination constitutes a violation of law, he or she may appeal the dismissal by requesting a hearing before the City Manager. The dismissed employee shall request the hearing in writing and shall include in the request the following information:

The names of each individual involved in the appeal either as a party whose action is being appealed or as a witness;

A description of the basis of the appeal sufficient to reasonably appraise the City Manager of the nature of the appeal;

A description of any documentation or physical evidence which should be considered by the City Manager in determining the appeal;

**A DESCRIPTION OF ANY CITY POLICY OR PROCEDURE ,
ORDINANCE, STATE OR FEDERAL LAW, IF ANY, WHICH THE
EMPLOYEE IN GOOD FAITH BELIEVES MAY HAVE BEEN
VIOLATED OR WHICH MAY BE RELEVANT TO THE APPEAL AS
WELL AS A DESCRIPTION OF HOW THE PROVISION IS RELEVANT.**

The request must be received in the City Manager's office not later than seven (7) calendar days after the effective date of the dismissal. If the dismissed employee timely requests a hearing, the employee's status between the effective date of dismissal and the date of the final decision on the appeal constitutes an indefinite suspension without pay.

The hearing will be before the City Manager. The City Manager shall notify the appealing employee by certified mail, return receipt requested, addressed to the employee's address of record, of the location, date, and time of the hearing. The City Manager shall conduct the hearing within 15 calendar days from the date of the employee's request for a hearing, unless both the City Manager and the appealing employee agree upon a postponement.

The appealing employee is entitled to appear in person at the hearing, to be represented by legal counsel, to present witnesses and documentary evidence, and to confront and examine adverse witnesses. Formal rules of Evidence do not apply at the hearing, but the City Manager may exclude irrelevant, immaterial, or unduly repetitious evidence.

The City Manager shall decide the appeal within 15 calendar days after completion of the hearing

The City Manager shall affirm or reverse the dismissal at his or her discretion. If the finding is in the employee's favor, the City Manager may award the appealing employee with back pay and all benefits. If the finding is not in the appealing employees favor, The City Manager shall notify the appealing employee of the decision by certified mail, return receipt requested, addressed to the employee's address of record.

If the employee either receives no written decision from the City Manager within fourteen (14) days from the date the appeal was filed with the City Manager or the employee is not satisfied with the decision of the City Manager, the employee shall provide a written statement notifying the City Manager of his or her desire to appeal the determination to the City Council. The City Council will review the facts and the file and may meet with the employee or such witnesses as the Council may desire. The City Council will issue its decision within twenty-one (21) calendar days of receipt by the City Council. The decision of the City Council shall be final.

E. CALCULATION OF SEPARATION PAY

Upon voluntary separation from City employment, a regular employee who has completed at least one year of continuous employment will be paid for accrued unused vacation leave up to the maximum allowable accumulation limit.

Payment for accrued unused leave balances will be included in the employee's final paycheck and will be calculated in the following manner:

The total work time and allowable vacation (see section on **Vacation Leave** to determine allowable vacation) and compensatory leave time for nonexempt employees will be calculated as a total number of hours for which compensation is due and paid at the employee's regular hourly rate in effect at the time of termination.

For employees who are subject to the Fair Labor Standards Act, any overtime hours worked during the employee's final pay period, which have not been compensated through any of the time-off methods described under the **Overtime Compensation** section in these policies, will be paid in the final paycheck at a

rate of one and one-half times the employee's regular hourly rate for each overtime hour worked.

Compensatory time for nonexempt employees, which has been entered and carried on the employee's records at one and one-half times the number of hours worked, will be paid at a rate of time and one-half for the total number of hours on the employee's compensatory time record.

Unused sick leave will be canceled upon termination of employment, and the employee will not be compensated for it.

The employee will receive his or her final paycheck on the next regularly scheduled payday following his or her last day of employment.

F. DOCUMENTATION/EXIT INTERVIEWS

Reason(s) for a separation are stated in writing, signed by the City Manager and except in unusual or emergency circumstances, initialed by the employee. The City Manager or City Secretary shall discuss with the employee the reason(s) for the separation in an exit interview whenever possible. The exit interview record is important and may be instrumental in determining the City's liability, or lack of liability, for unemployment insurance costs.

CHAPTER 16.

JOB DESCRIPTIONS AND PERFORMANCE EVALUATIONS

A. JOB DESCRIPTIONS

The City Manager shall establish and periodically review a job description for each position in the City.

B. DISTRIBUTION

During the employee's orientation, the job description and performance evaluation form for each employee's position will be (1) given to the employee, (2) reviewed by the employee, and (3) copies placed in the employee's personnel file along with a certification that the employee has reviewed them.

C. REQUESTS FOR CLARIFICATION

In the absence of any request for clarification, each employee is assumed to understand the responsibilities assigned to the position which he or she occupies.

D. EMPLOYEE PERFORMANCE EVALUATIONS

Supervisory personnel conduct a written performance evaluation of and an evaluation interview with each City employee at least once annually on or about the employee's employment anniversary date or at other time as determined by the City.

Performance evaluations have the primary purpose of improving the employee's understanding of his or her progress on the job and the department head's understanding of the employee's viewpoints about factors that affected his or her performance during the period covered by the evaluation. Scheduled evaluations provide a required opportunity to assess progress and to plan for future performance improvements, but should never replace day-to-day communication between department head and employee regarding performance expectations and actual performance.

The performance evaluations are used for development purposes in identifying strengths and weaknesses and making plans for future performance improvements. Additionally, performance evaluations may be used when considering any pay increases for employees.

Performance evaluation records are maintained in each employee's personnel file.

CHAPTER 17.

PERSONNEL FILES

A. GENERAL

Personnel records, except medical records, are maintained in a central location by the City Secretary. Medical records are kept in a separate confidential file maintained by the City Secretary.

Information in an employee's personnel file is public information and must be disclosed upon request unless specific items are accepted from disclosure by law. No information from any record placed in an employee's file will be communicated to any person or organization except by the City Manager or by an employee authorized to do so by the City Manager.

An employee or his or her representative designated in writing may examine the employee's personnel file upon request during normal working hours at the City

Secretary's office. The employee may request copies of items or materials in his or her personnel file, but may not remove anything from the file.

When a supervisor requires access to the official personnel file of an employee under his or her supervision for the handling of personnel matters, the City Secretary will provide access to the specific file(s). The City Secretary shall keep a records of instances in which supervisors and others have had access to personnel files.

Employees are expected to inform the City Manager of any changes in or corrections to information recorded in their individual personnel files such as home address, telephone number, person to be notified in case of emergency, or other pertinent information.

B. CONTENTS OF PERSONNEL FILES

An employee's official personnel file may contain at least the following:

- *An employment record;
- *A copy of the employee's application for employment/resume;
- *A copy of the employment offer and letter of acceptance, if applicable;
- *A signed copy of the employee's acknowledgment of having received and reviewed a copy of the Personnel Policies;
- *Employee's job description(s);
- *Records of any citations for excellence, awards for good performance, or job-related training/education;
- *Records of disciplinary action(s);
- *Performance evaluations;
- *Any other pertinent information having a bearing on the employee's status and
- *Any written statements from the employee explaining, rebutting, or clarifying other items in the file.

An employee's personnel file does not contain information regarding an employee's medical record(s), nor does it contain any information relating to drug testing. Medical records are maintained in separate confidential files.

CHAPTER 18.

PROFESSIONAL DEVELOPMENT

A. GENERAL POLICY

The City encourages its regular full-time and part-time (at least 20 hours per week) employees to take advantage of educational or training opportunities and professional memberships which are related to and will enhance the performance of their work with the City.

B. REQUIRED ATTENDANCE AT SEMINARS AND CONFERENCES

When the City requires an employee to attend any educational or training course, conference, or seminar, the City will provide the necessary time off with pay and will reimburse the employee for associated costs, including tuition or registration fees, hotel costs, and/or airline or other public transportation costs directly to the entity involved. See additional information in the sections of these policies under the main heading **Travel**.

C. PROFESSIONAL MEMBERSHIP AND SEMINARS

Subject to the prior approval of the City Manager, an employee who joins a professional association related to his or her work at the City may be reimbursed for dues and necessary travel expenses when meetings are judged to offer special training or information of value to the employee in his or her work at the City. Likewise, subject to the City Manager's prior approval, an employee may be reimbursed for conference or seminar expenses if the conference or seminar is related to his or her work and proper authorization is obtained in advance.

CHAPTER 19.

TRAVEL

A. TRAINING AND TRAVEL EXPENSE

The City will train employees at the city's expense. The City will pay all transportation expenses for travel relating to work/training. If an employee takes a personal vehicle, they will be reimbursed at the current IRS rate. Mileage is the only personal vehicle cost allowed. Personal vehicles should not be used if a suitable City vehicle is available.

All lodging expenses will be paid for at the single room occupancy rate. An employee taking a spouse will pay the difference in rates for double occupancy if

there is such a charge. The City will not pay extra charges such as movies, etc. A detailed billing of hotel expenses must be submitted with the travel voucher to the City Secretary for reimbursement.

Employees will be allowed \$40.00 per day to cover meals and incidentals (M & IE). In areas with higher per diem rates, consideration will be given to paying the higher rate with receipts. Employees must submit receipts as proof of higher expenses before this will be considered. Employees may receive a travel advance to cover estimated costs of travel, food, and lodging. All travel advances must be reconciled by the Head of Billing and Collections not later than ten days after an employee has returned from travel. All employees and City Council members accruing expenses that will be reimbursed by the City will submit a travel voucher with receipts for any reimbursements that are to be received. Employees using a travel card for expenses will submit a voucher and all receipts within ten working days of completion of travel.

CITY OF LITTLEFIELD

ACKNOWLEDGMENT OF RECEIPT OF PERSONNEL POLICIES

I hereby acknowledge that I have received a copy of and received training on the Personnel Policy Manual describing the City of Littlefield's policies for employees. I understand that the handbook does not create a contract and that it may be changed at anytime. I understand that my employment is at will. Either the City of Littlefield or I can terminate my employment at any time with or without cause and with or without notice. I understand that my employment is for no fixed or definite time.

Employee Signature

Date

Employee Printed Name

Requested Changes to Personnel Policy Manual -Approved by City Council 06/24/10

The following were included in our old policy manual but were unintentionally left off new manual. I recommend each be added in the designated position in the new policy manual.

7 I. Incentive program- Each employee for the City of Littlefield's Water and Sewer Department will receive incentive pay for the following basis:

a. Each employee in either the water or sewer department will receive \$12.50 additional monthly pay for a "C" Certification beginning on the month following receipt of the certificate.

b. Each employee in either the water or sewer department will receive \$25.00 additional monthly pay for a "B" Certification beginning on the month following receipt of the certificate.

c. Each employee in either the water or sewer department will receive \$37.50 additional monthly pay for a "A" Certification beginning on the month following receipt of the certificate.

d. Other City employees may also receive incentive pay for current Water/Sewer Certification as stated above if it is determined to be in the best interest of the City.

7. J. Longevity pay- All regular employees shall be entitled to additional compensation [of \$4.00 monthly] for each full year service. Only continuous service time accrued with the City will be used in determining longevity. Longevity pay will commence on the 1st anniversary. An additional year will be credited each year on the employee's anniversary date, assuming the employee maintained continuous service.

Example: An Employee begins work in July of one year would be eligible for longevity in 12 months on his anniversary date in July.

The following changes in the new policy manual are recommended as they conflict with current practices or other sections of the policy manual.

7. E. Approved paid absences including but not limited to annual leave, sick leave, holiday leave, FMLA, ~~MLA~~, military leave, jury and witness leave, ~~emergency leave~~, discretionary leave without pay, and voting time off are not counted as time worked for the purposes of computing overtime.

Chapter 9

C. Use of Vacation Leave

Regular, full time employees are charged ~~eight~~ the hours the employee would normally be scheduled to work for each full day they absent on approved vacation.

and

C. 6. ~~Employees will not be charged for leave falling on a holiday which occurs during a period of vacation leave.~~

Employees will not be charged for leave falling on a day that the employee would not otherwise be scheduled to work, i.e. weekend or holiday. If an employee would normally be scheduled to work a day on the weekend or a holiday but chooses to take vacation, the employee will be charged a day of vacation.