



CITY OF LITTLEFIELD
PERSONNEL POLICIES

Approved by City Council 07/27/2021
Amended 10/22/2024

CITY OF LITTLEFIELD
PERSONNEL POLICY
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INTRODUCTION

The City of Littlefield is a Home Rule City with a Council-Manager form of government. The City's power and authority to enact legislation, promulgate rules and regulations, and adopt policy is limited only by the Constitution of the State of Texas, statutes of the State, Federal laws, and the City Charter.

These policies set forth guidelines for the employees of the City of Littlefield in order to promote consistent, equitable, and effective practices for the City. These policies are not a contract. These policies shall not be construed as altering the at-will employment relationship or as creating a contract between the City of Littlefield and its employees.

All employees of the City of Littlefield are hired on an at-will basis. The City or the employee may terminate the employment at any time with or without cause. The City of Littlefield retains the authority to terminate, promote, or demote an employee or eliminate a position at any time.

AUTHORITY

These policies are established by the City Council for the City of Littlefield. Any deletions, amendments, revisions or additions to the policies must be approved by the 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. These policies do not supersede any agreement with an individual employee as a condition of employment.

In addition to these personnel policies, Department Heads/Supervisors may establish departmental rules and regulations that relate specifically to personnel issues in their departments, as long as they do not conflict with these policies. If there is a conflict between a departmental rule or policy and these policies or any future amendments to these policies, the terms of these policies shall prevail. Departmental rules and regulations must be approved by the City Manager and filed with the Director of Human Resources. The City Secretary shall serve as Director of Human Resources. The City Manager may designate another employee to serve in absence of the City Secretary.

OBJECTIVES OF POLICY

The objectives of this Policy are to provide general rules and regulations, outline employee benefits, and establish procedures to uniformly and fairly administer personnel issues.

A copy of these policies shall be furnished to each present employee and each new employee at the time of his/her employment.

The fundamental objectives of these policies shall be:

- (A) Promote and increase effective, efficient, and economical municipal service.
- (B) Provide fair and equal opportunity to all qualified individuals to enter City employment on the basis of demonstrated merit, ability, and physical and moral fitness as ascertained through fair and practical methods of selection free of personal and political considerations.
- (C) Develop a program of recruitment, advancement and tenure that will make municipal service attractive as a career and encourage each employee to render his/her best services to the City.

- (D) Promote and maintain high morale among City employees by providing good working relationships, uniform personnel policies, and considerations for employee welfare.
- (E) Provide that continuity of employment shall be subject to good behavior, satisfactory performance of work, necessity for the performance of work and the availability of funds.

COVERAGE

These policies shall apply to all employees and appointed officials in the service of Littlefield City government, except that these policies shall not apply should the same be inconsistent or contrary to any state or federal regulation affecting municipal personnel or to the City Charter. For the purpose of this policy, the term "employee" includes appointed officials except where a distinction is clearly made. The City Council reserves the right to modify by contract any or all terms of this policy for an appointed official (City Manager, Municipal Judge, or City Attorney) as authorized by the City's Home Rule Charter.

ADMINISTRATION

- (A) The City Council shall present to the City Manager rules, regulations and changes as necessary for the effective administration of the personnel system. The City Manager may propose rules and changes to the City Council.
- (B) Amendments, changes or revisions of the rules and regulations shall be made by the City Council at any regular or called Council meeting. The City Manager shall arrange for the distribution of any amendments, changes or revisions of the Personnel Policy prior to the effective date of such amendments, changes or revisions.
- (C) The City Manager shall be responsible for the implementation of the personnel policy.
- (D) The City Manager shall be responsible for all matters relating to personnel (hiring, promoting, demoting, discipline, termination, etc.) except for those matters that are specifically reserved to the City Council by state statute or the City Charter.
- (E) The City Manager may involve Department Heads, committees, and/or other individuals or groups to assist in personnel matters; however, the final authority with regard to all employees of the City is reserved to the City Manager unless otherwise dictated by the City Charter or delegated by the City Manager to the Human Resources Director or other designee.
- (F) The City Council shall have the sole responsibility to solicit, screen, and interview qualified candidates for the appointed positions of City Manager, City Attorney, and Municipal Judge. The City Council may solicit the assistance of any other qualified person or third party to fill appointed positions.
- (G) The City Manager shall have the authority to appoint and suspend or remove all city employees and appointive administrative officers provided for, by, or under the Charter, except as otherwise provided by law, the Charter or personnel rules adopted pursuant to the Charter. The City Manager may authorize any administrative officer subject to the City Manager's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office, or agency; direct and supervise the administration of all departments, offices, and agencies of the city; dismiss, demote, promote, discipline or suspend any employee subject to the provisions of this policy, the City Charter, any state or federal regulation, and funds allocated in the budget.

- (H) The City Manager may promulgate or approve appropriate rules, regulations and procedural instructions necessary to promote and increase efficiency and economy in the service of the City, provided the prescribed rules, regulations or procedural instructions do not conflict with or permit a lesser standard than that imposed by the City Council in this policy, the City Charter, or by state or federal regulations.
- (I) In the event the position of City Manager is vacant, the City Council or some other person, as appointed by the City Council, shall administer the rules and regulations set out in this policy.
- (J) The attached Organization Chart depicts the division of authority and responsibilities. Division Directors are delegated authority to hire, discipline, or fire employees under their division. All formal actions are subject to approval by the City Manager. The City Manager may make minor, or temporary, changes to the organization to accomplish necessity of work. The City Council shall approve updates to the Organization Chart as needed. The attached Appendix A shows the Chart at the time of adoption of this policy. To some extent the terms “division”, “department”, “Department Head”, or “Division Director” may be used interchangeably in this manual, unless the specific context of a reference indicates one is being used to mean a subpart of the other.

ARTICLE 1: EMPLOYMENT

SECTION 1: EQUAL EMPLOYMENT

It shall be the policy of the City of Littlefield to fill all vacant positions and award promotions solely based on educational background, related work experience and other job related factors, without regard to political opinions or affiliations, race, color, creed, religion, age, sex, veteran status, disability, or national origin except when any such characteristic is a bona fide occupational qualification.

The City of Littlefield shall not discriminate against a qualified individual with a disability (as defined in THE AMERICANS WITH DISABILITIES ACT, PUBLIC LAW 101-336, effective January 26, 1992 and as subsequently amended) in regard to job application procedures, selection, hiring, advancement, or discharge of employees, employee compensation, job training, and other terms, conditions, and privileges of employment.

SECTION 2: RECRUITMENT

The City of Littlefield will seek to fill vacancies within the workforce in the manner that will best benefit the City. Recruiting methods may include but are not limited to: internal promotion or transfers within the city work force, referrals from Texas Workforce or other job listing agencies, newspaper postings, job posting websites, city website and walk-in applicants.

The City of Littlefield is allowed, but not required, to publicly publish notices of job vacancies.

SECTION 3: SELECTION

Division Directors or Department Heads are responsible for recruitment, selection, discipline, and removal of employee under their supervision. Except for appointments reserved to the City Council by law or the City Charter, the City Manager has final authority to select and employ all City employees.

SECTION 4: EMPLOYMENT AND ORIENTATION

The City Manager or Department Head shall notify each new employee of his/her employment date. On the first day of employment, each new employee shall report to the Director of Human Resources

to complete all required employment forms, prior to starting any work for the City. All new hires, or rehires, will undergo orientation pursuant to the job description.

SECTION 5: PROBATIONARY PERIOD

All initial and promotional appointments shall serve a probationary period of six (6) months. This period may be extended for an additional three (3) months if deemed necessary by the City Manager upon recommendation by the Division Director or Department Head.

Probationary employees are eligible for holiday pay, sick leave and any other benefits and privileges provided by the City as provided herein with the exception of vacation. However, accrued vacation leave may not be taken until the completion of ninety (90) days of service. Upon successful completion of the probationary period, an employee shall have earned Regular status, whether full time or part time.

SECTION 6: FULL-TIME REGULAR STATUS

Employees who have successfully completed the probationary period and are scheduled to work 30 hours or more per week shall have earned full-time status and are entitled to all benefits and privileges provided by the City of Littlefield. For the purposes of medical, dental, and vision insurance, employees that work 30 or more hours per week (or 130 hours per month for variable hour employees) are considered full time.

SECTION 7: PART-TIME EMPLOYEES, REGULAR AND TEMPORARY

Part-time employees, as designated by the City Manager, are employees hired to work on an as-needed basis. Temporary part-time employees are paid by the hour for all hours worked and are not eligible for holiday pay, sick leave, vacation pay or any other benefits provided by the City.

SECTION 8: LIMITED DUTY

There are no full-time limited duty positions available in the employee ranks of the City of Littlefield. The City has no obligation to create a position to accommodate an employee's ability. The creation of any such limited duty positions would impose an undue hardship on the operations of the City.

SECTION 9: TERM OF EMPLOYMENT

The City of Littlefield, through its City Manager, reserves the right to terminate or demote an employee at any time, with or without cause subject to provisions of State or Federal law or the City Charter. The City Council may approve reorganization of divisions and departments. Within the bounds of the approved budget, the City Manager may eliminate or create a position subject to approval from the City Council. All personnel determinations that involve an appointed officer (City Manager, City Attorney, and Municipal Judge) shall be made by the City Council at any regular or special meeting.

SECTION 10: HOURS OF WORK

Normal hours of operation for the City are from 8:00 am to 5:00 pm Monday through Friday with a one (1) hour lunch break. A Division Director or Department Head may authorize breaks in the morning and afternoon of up to 15 minutes according to work load and productivity.

Water Department, Police Department, EMS, and Fire Department employees may be assigned a schedule that is outside of normal work hours. All employees are subject to being required to work outside normal work hours in the case of emergency, subject to the Department of Labor overtime rules.

The City Manager, Division Director or Department Head may require or allow a variance to normal work hours for a single employee, employees of a department, a class or employees, or any other employee when such variance is in the best interest of the City.

The City Manager may allow adjustments to normal work hours for an employee that may be subject to the Americans with Disabilities Act, Family & Medical Leave Act, Worker's Compensation, or for other good cause.

SECTION 11: OUTSIDE EMPLOYMENT

A City employee must obtain the approval in writing from the Division Director or Department Head before accepting outside employment. That approval shall not be unreasonably withheld. The Division Director or Department Head must keep a record of all employee outside employment; such record shall show the name of the business or individual person that the City employee is working for; and it shall show the type of work and the number of hours and hours assignment worked by the City employee working on such outside employment. Outside Employment shall not interfere, in any way, with the value and performance of the City employee's duties with the City. As a condition of continued City employment, the employee and the Division Director or Department Head must remember that the job with the City comes first.

SECTION 12: PERSONNEL FILES

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.

Most 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, City Secretary, or by an employee authorized to do so by the City Manager.

An employee 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 records of instances in which supervisors and others have had access to personnel files.

Employees are expected to promptly inform the City Manager or City Secretary 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.

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 and drug testing results are maintained in separate confidential files.

ARTICLE 2: QUALIFICATIONS

SECTION 1: RESIDENCE

- (A) An employee of the City of Littlefield must be a citizen of the United States or a non-citizen that is authorized to work in the United States in accordance with federal law.
- (B) All employees of the City are encouraged to live within the city limits.
- (C) A Division Director, Department Head, and appointed officer should reside within a fifteen (15) minute driving time of, the corporate limits of the City. Consideration for variance from this requirement may be given by the City Manager on a case-by-case basis and in accordance with state law, if it is shown that the variance is in the best interest of the City and the citizens of Littlefield will be served more effectively.
- (D) Other municipal employees may reside inside or outside the corporate limits of the City. However, employees with emergency responder responsibilities must be able to respond to an emergency condition within a reasonable time. Reasonable time will vary according to department and job requirements and in compliance with state law. Reasonable time for a position will be determined by the Division Director or Department Head and approved by the City Manager and stated in writing to employees.

SECTION 2: EDUCATION

The minimum education requirement for any person considered for full-time employment with the City of Littlefield is a high school diploma or GED. The City may require additional educational standards for any position, so long that such requirement is stated in the job posting prior to hiring.

SECTION 3: PECUNIARY INTEREST

An employee of the City of Littlefield shall have no financial interest in the profits of any contract, service or other work performed by the City; nor shall any employee profit directly or indirectly from contract, purchase, sale or service between the City and any person or company.

SECTION 4: ANTI-NEPOTISM

A person related to the Mayor, any Councilmember, or the City Manager within the third degree by blood or within the second degree by marriage shall not be appointed or hired to fill any full-time position with the City. This does not affect an employee hired prior to the time a relative is elected or appointed as Mayor, Councilmember, or City Manager.

A person so related to a Division Director or Department Head shall not be appointed or hired for full-time employment within that department.

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

No member of the City Council shall be hired or appointed to fill a full-time position within the City of Littlefield work force during the term for which he/she shall have been elected or appointed or within one (1) year after the expiration of such term.

SECTION 5: JOB REQUIREMENTS

Minimum age for initial employment will vary in accordance with the duties and responsibilities of the position, the conditions under which they are to be performed and also, according to the best interest

of the department as interpreted by the City Manager. Persons under the age of eighteen (18) years will be ineligible for employment in any full-time regular position. All full-time positions must have Job description on file with Human Resources before or at the time a position is filled. The Job description shall be given to any applicant upon making application or at the time of interview.

SECTION 6: TRAINING

The City of Littlefield is committed to offering the highest degree of service possible to its citizens through the development of a well-trained and professional workforce. The following requirements are promulgated to ensure that the employees of the City receive adequate training to provide the level of service necessary to meet this commitment.

- (A) Employees of the City of Littlefield may be required to attend various training sessions as a condition of continued employment. Such training sessions must be designed to improve the employee's knowledge and efficiency in performing the duties of his/her job description. Eligible training sessions must be approved by the City Manager or Division Director
- (B) The City will pay the cost of the approved training sessions, travel, and/or lodging required to attend the training sessions subject to the provisions of Article 3 of this policy and budgeted funds. Training costing the City over \$2,000.00 may be subject to a payback agreement as determined by the City Manager to protect the City in the event an employee elects to terminate employment in 90 days or less after completing city paid training.
- (C) Licenses and or certifications may be required to fill various positions as determined by the City Manager, Division Director or Department Head.

ARTICLE 3: TRAVEL AND SUBSISTENCE ALLOWANCE

SECTION 1: STATEMENT OF POLICY

When employees of the City of Littlefield are required to travel on official business, including training, the City will pay reasonable amounts for transportation, meals and lodging. An employee is expected to show good judgment and an appreciation for economy when incurring travel expenses. Expense limits established by these policies are limits and not allowances or authorization to spend that much if less would be adequate. The City Manager, Division Director or Department Head may authorize additional costs due to health, disability, or other reasonable factors.

SECTION 2: ADVANCES

Travel advances may be made to cover anticipated travel expenses with the approval of the City Manager.

SECTION 3: TRANSPORTATION

- (A) The City may purchase tickets in advance for employees traveling by common carrier. All employees shall travel in tourist or economy class where such services are available. Employees may retain frequent flyer miles, nights, and credits for flights and hotels, as desired.
- (B) City owned vehicles may be used for out-of-town travel when approved by the City Manager, Division Director or Department Head. Itemized receipts must document all expenses incurred for operation of such vehicles.
- (C) Employees who, with authorization from the City Manager, Division Director or Department Head, use their personal vehicle for official out-of-town business shall be reimbursed at the

maximum amount allowed by the Internal Revenue Service for mileage. Provided however, if such mileage reimbursement for a trip will exceed other modes of travel, then the employee must use a city vehicle or air flight or be reimbursed at the lower amount. Adequate vehicle liability insurance must either be previously provided or secured by the employee prior to utilizing a personal vehicle for official business.

- (D) In all cases, an employee will be reimbursed only for the most economical and efficient rate for transportation as determined by the City Manager.

SECTION 4: LODGING

An employee is expected to make hotel or motel reservations well in advance whenever possible and to take other actions to ensure that lodging is secured at moderate rates. If an employee is to attend a formal, organized meeting or conference, he/she may stay at the hotel or motel where the meeting is to be held. Except when authorized by the City Manager, the City will pay no more than the regular single room rate. The City does not pay for alcohol, room service, in-room entertainment.

SECTION 5: SUBSISTENCE ALLOWANCE

- (A) Employees that are required to travel out of town for City purposes may be granted a subsistence allowance as follows:

Breakfast	\$12.00
Lunch	\$15.00
Dinner	\$20.00

(These rates may be adjusted according to latest IRS Rates)

Variance from the allowable subsistence expenses must be approved by the City Manager.

- (B) Where registration or tuition fees include one or more meals, only the meals not covered by such fees will be reimbursed by the City. Where prices or tickets to conference luncheons or dinners exceed individual meal limits, the applicable meal and daily limit may be increased by the excess amount.

ARTICLE 4: SICK LEAVE

SECTION 1: POLICY

The City provides sick leave to safeguard employee health and morale. The abuse or misuse of sick leave is grounds for dismissal.

SECTION 2: RATE OF EARNINGS

Probationary and regular full-time re employees accrue sick leave at a rate of eight (8) hours per month. Unused sick leave may be carried over from year to year until an employee accumulates 480 hours. Should the City of Littlefield create positions requiring non-traditional work schedules, sick leave will be granted proportional to that of other employees as determined by the City Manager.

An employee that works less than 40 hours per week but more than 30 hours per week on a regular schedule will accrue sick leave hours as stated here but prorated for the average number of hours worked each week.

SECTION 3: COMPENSATION

Except as provided here, any sick leave days that are unused at time of termination will expire and employees will not receive any compensation for any remaining days in their sick leave account. Sick pay may not be applied to absences for which the employee is receiving compensation for lost wages under some other insurance program, including worker's compensation. Upon retirement an employee shall be paid up to 80 hours (10 days) of any unused sick leave.

SECTION 4: USE OF SICK LEAVE

- (A) Sick leave may be used for medical, dental, psychological, or eye appointments and must be charged in units of whole hours. Employees must return to work when the appoint is completed unless directed otherwise by physician.
- (B) Sick leave may be used for its intended purpose due to a need of the employee or illness in the immediate family (spouse, children, parents, or other dependent relatives as determined by the City Manager).
- (C) Sick Leave may be used for up to 3 days of bereavement leave in the event of a death of an employee's relative in the 1st degree of consanguinity or affinity. Bereavement days must be taken within 10 days of the loss of relative. The City Manager may approve additional use of sick days, and timing of use in the event of special circumstances. If employee has no accumulated sick leave the City Manager may authorize advancement of sick leave of two days. Employees are encouraged to attend funeral services of close friends or other relatives upon authorization of the Division Director or Department Head, as work load permits.
- (D) An employee taking sick leave for doctor appointments, non-emergency surgery, or other scheduled medical procedure shall file a leave request form with his/her immediate supervisor prior to taking sick leave.
- (E) Pregnancy or birth of a child is an eligible purpose of the City's sick leave policies.
- (F) An employee accrues sick leave on the day(s) the employee uses sick leave.
- (G) The City Manager, Division Director or Department Head may require a doctor's return to work certificate, or other documentation, anytime an employee uses sick leave. (It is suggested that employees make a practice of submitting a doctor's return to work certificate with all claims for sick leave.) Such note is mandatory when an employee has missed three (3) or more consecutive work days or after any period of in-patient or out-patient treatment.
- (H) An employee needing to take sick leave shall report such to his/her immediate supervisor at the onset of illness but no later than one hour prior to the scheduled work period. When possible, this report shall be made by the employee in person. If the employee's conditions make it impossible to report in person, the employee must report by telephone or through another person who has knowledge of the employee's status. The direct supervisor must also be contacted on each additional day of absence. An employee that fails to make such a report will be treated the same as an employee that fails to report for work and may be subject to disciplinary action including dismissal. (Amended 01/24/2023)
- (I) Should an employee unequivocally give notice, either verbally or in writing, of intent not to return to work, the City's obligations, if any, to maintain benefits (subject to COBRA or other legal requirements) and to restore the employee to his/her former position of employment with the City cease.

- (J) An employee who has been receiving sick leave benefits and has been released by the attending physician must return to work the day after receiving such release. An employee that fails to timely return to work after being released will be treated the same as an employee that fails to report to work and may be subject to disciplinary action including dismissal.
- (K) Under no circumstances is Sick Leave authorized for use in lieu of Vacation Leave or Compensatory time.

SECTION 5: SICK LEAVE POOL

A sick leave pool is established within the City to benefit certain employees for catastrophic illness or injury of the employee or for an immediate family member.

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

- Requires the services of a licensed practitioner for a prolonged period of time; and
- Forces the employee to exhaust all leave time earned and lose compensation from the City, and
- Poses a threat to life or requires in-patient or hospice care; or
- Requires extensive out-patient treatment or care at home; or
- Affects the physical or mental health of the employee or the employee's immediate family.

Employees or family members suffering from conditions which are short-term in nature (i.e. flu, measles, common illnesses, common injuries, short-term post-surgical recovery, etc.) are not catastrophic.

The City Manager shall appoint a three-member committee consisting of two directors and one non-supervisor to administer of the sick leave pool and make all determinations concerning eligibility to donate, eligibility to receive, and all other decisions necessary to administer this policy. No more than 160 hours may be granted to an employee in any 12-month period.

Eligibility to donate time:

- Full-time employees are eligible to donate time to the sick leave pool.
- Donations must be made in eight (8) hour increments. Provided however, that no donation or combination of donations may ever leave the donor with a remaining balance of less than 24 hours of sick leave.
- Donating employees may not designate a particular employee to receive the donated time.
- All donations are final and irrevocable, that is, there is no refund or withdrawing of donated leave.

Eligibility to receive time:

- Eligible recipients are full-time regular employees that have donated at least eight (8) hours per year to the sick leave pool.
- An eligible employee shall be employed by the City of Littlefield for twelve (12) consecutive months and have exhibited satisfactory performance.
- The condition of an eligible employee or family member must meet the criteria of a catastrophic illness or injury.
- An eligible employee must exhaust all accrued sick leave, vacation time, personal time, compensatory time, and any other time that the employee may have accumulated.

Any benefit usually paid by the employee through a payroll deduction (such as dependent health care coverage) will remain the responsibility of the employee receiving the paid leave through this program.

SECTION 6: PAID QUARANTINE LEAVE POLICY (Amended July 27, 2021)

Statement of Purpose/Applicability

Pursuant to Texas Local Government Code Section 180.008, the City of Littlefield hereby adopts this paid quarantine leave policy for fire fighters, peace officers, and emergency medical technicians who are employed by, appointed by, or elected to the city and ordered to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty.

(Ref. Tex. Loc. Gov't Code 180.008(b).)

Definitions

(1) "Emergency medical technician" means an individual who is employed by the city and certified as an emergency medical technician under Chapter 773, Health and Safety Code.

(2) "Fire fighter" means a paid employee of the city's fire department who: (a) holds a position that requires substantial knowledge of firefighting; (b) has met the requirements for certification by the Texas Commission on Fire Protection under Chapter 419, Government Code; and (c) performs at least one of the following functions: (i) fire suppression; (ii) fire prevention; (iii) fire training; (iv) fire safety education; (v) fire maintenance; (vi) fire communications; (vii) fire medical emergency technology; (viii) fire photography; (ix) fire administration; or (x) fire arson investigation.*

(3) "Health authority" means a physician appointed by Lamb County to administer state and local laws relating to public health within the city's jurisdiction.

(4) "Paid quarantine leave" means: (1) all employment benefits and compensation, including leave accrual, pension benefits, and health benefit plan benefits provided by the city; and (2) if applicable, reimbursement for reasonable costs related to the quarantine, including lodging, medical, and transportation costs.

(5) "Peace officer" means police officers [may include others, such as marshals, some of whom may be elected] licensed by the Texas Commission on Law Enforcement and employed by the city.

(Ref. Texas Local Gov't Code 180.008(a); 143.003(4)(A); Tex. Health & Safety Code 121.021; Tex. Code Crim. Pro. Art. 2.12.)

Quarantine Leave

A City of Littlefield fire fighter, peace officer, or emergency medical technician who is ordered to quarantine or isolate by the person's supervisor or the county's health authority due to a possible or known exposure to a communicable disease while on duty is entitled to receive paid quarantine leave for the duration of the leave.

(Ref. Texas Local Gov't Code 180.008(c).)

No Reduction in Compensation and Benefits

The City of Littlefield will not reduce a fire fighter's, peace officer's, or emergency medical technician's sick leave balance, vacation leave balance, holiday leave balance, or other paid leave balance in connection with paid quarantine leave taken in accordance with this policy.

ARTICLE 5: FAMILY MEDICAL LEAVE

SECTION 1: GENERAL PROVISIONS

In accordance with the Family and Medical Leave Act (FMLA), the City will grant job protection for family and medical leave to eligible employees for up to 12 weeks per 12-month period. Due to the use of accrued leave as provided in this policy, FMLA leave may be paid, unpaid, or a combination. FMLA may be used for any one or more of the following reasons:

- (A) In order to care for a child following the child's birth, adoption, or placement to foster care with the employee.
 - 1) Leave must be taken within the 12-month period following the child's birth or placement with the employee.
 - 2) If married spouses both work for the City, their combined total leave in any 12-month period may be limited to an aggregate of 12 weeks if the leave is taken for the birth or placement of a child.
- (B) In order to care for an immediate family member (spouse, child, or parent) of the employee if such immediate family member has a serious health condition.
- (C) The employee's own serious health condition that makes the employee unable to perform the functions of his/her position.

SECTION 2: SERVICEMEMBER FAMILY LEAVE

Eligible employees who are the spouse, child, parent, or next of kin of a covered Servicemember are entitled to up to 14 weeks of additional during a single 12-month Servicemember period (for a total of 26 weeks when combined with other FMLA leave), to care for such covered Servicemember who incurred a serious injury or illness in the line of active duty in the Armed Forces. Available leave not taken during the 12-month Servicemember period, which begins on the first day leave is taken, will be forfeited. No more than 26 weeks of leave may be taken in a single 12-month Servicemember period, and no additional extended leaves may be taken in other years for the same injury or illness. If married spouses both work for the City, their total Servicemember Family Leave may be limited to an aggregate of 26 weeks.

SECTION 3: DEFINITIONS

- (A) "12-month period" means a rolling 12-month period measured backward from the date leave is taken.
- (B) "12-month Servicemember period" means a single 12-month period measured forward from the first day Servicemember Family Leave is taken.
- (C) "Child" means a child either under 18 years of age, or older than 18 who is incapable of self-care because of a disability, for whom the employee has actual day-to-day responsibility for care, including a biological, adopted, foster or step-child. For purposes of a son or daughter on covered active duty or call to covered active duty, or for Servicemember Family Leave, the child may be of any age.
- (D) "Parent" means a biological parent of an employee or an individual who stood in place of parent to an employee when the employee was a child.
- (E) "Next of Kin" means the nearest blood relative of a Covered Servicemember.

- (F) “Covered Active Duty” means: 1) in the case of a member of a regular component of the Armed Forces, duty during the deployment with the Armed Forces to a foreign country; and 2) in the case of a member of a reserve component of the Armed Forces, duty during the deployment with the Armed Forces to a foreign country where they may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force.
- (G) “Covered Servicemember” means: 1) a member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing recuperation for a serious injury or illness; or 2) a veteran who is undergoing recuperation for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the preceding period of five years.
- (H) “Veteran” means a person who served in the active military, naval, or air service, and who was discharged or released under conditions that were not dishonorable.
- (I) “Serious Injury or Illness” means an injury or illness that was incurred by a member of veteran of the Armed Forces in the line of duty while on active duty (or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty) and, in the case of a member, renders the member medically unfit to perform his or her duties, or in the case of a veteran, manifested itself before or after becoming a veteran.
- (J) “Qualifying Exigency” includes: 1) notification of a call to covered active duty seven or fewer days from date of deployment; 2) military events and related activities, including post-deployment activities (e.g. official ceremonies, support programs, counseling, etc. related to covered active duty or a call to such); 3) attending to childcare and school activities; 4) attending to financial and legal matters; 5) to spend up to five days with a military member who is on short-term temporary rest and recuperation leave during the period of deployment; and 6) any additional activities related to the call to covered active duty otherwise agreed to by the employer and employee.
- (K) “Serious Health Condition” means an illness, injury, impairment, or physical or mental condition that involves 1) inpatient care (overnight stay); 2) incapacity requiring absence from work for more than three calendar days and that involves continuing treatment (two or more visits within 30 days) by a health care provider; 3) continuing treatment by a health care provider for a chronic or long-term health condition that is incurable or which, if left untreated, would likely result in a period of incapacity of more than three calendar days; or 4) prenatal care by a health care provider.

SECTION 4: COVERAGE AND ELIGIBILITY

To be eligible for family medical leave an employee must have worked for the City for at least the prior 12 consecutive months and have worked at least 1,250 hours in that period.

SECTION 5: INTERMITTENT OR REDUCED LEAVE

An employee may take leave intermittently (a few days or a few hours at a time) or on a reduced work schedule. The employee may be required to transfer temporarily to a position with equivalent pay and benefits that better accommodates recurring periods of leave. An employee may not take intermittent leave following the birth or placement of a child except at the discretion of the City Manager.

SECTION 6: USE OF PAID LEAVE

An employee is required to use accrued paid leave (vacation, sick leave, and any applicable workers compensation time off) and may elect to use compensatory time in order for FMLA leave to be paid

time off. When an employee has used all accrued paid leave, the employee may continue FLMA as unpaid leave for the balance of the applicable FMLA period.

SECTION 7: EMPLOYEE NOTICE REQUIREMENT

- (A) An employee must give 30 days' prior notice in the event of a foreseeable need for FMLA leave. A "Request for Family Medical Leave" form should be completed by the employee and returned to the City. In unexpected or unforeseeable situations, an employee should provide as much notice as is practicable, followed by the completed form. The notice must indicate that 1) the employee is unable to perform the functions of the job or that a covered family member is unable to participate in regular daily activities; 2) the anticipated duration of the absence; and 3) whether the employee intends to visit a health care provider or is receiving continuing treatment.
- (B) If an employee fails to give 30 days' notice of foreseeable leave with no reasonable excuse, leave may be denied until 30 days after the employee provides notice.
- (C) When planning medical treatment, an employee must make a reasonable effort to schedule the leave so as not to unduly disrupt the City's operations.
- (D) In the event of leave to attend to a qualifying emergency, the employee shall provide as much notice as is reasonable and practical under the circumstances, followed by FMLA forms later.

SECTION 8: EMPLOYER NOTICE REQUIREMENTS

- (A) Notice of Designation of Leave: Within five days after the employee requests or the City learns of the need for FMLA leave, the City will provide a written notice stating whether leave is available, how much leave has been designated as FMLA leave and how much leave remains. If any part of the requested leave is not designated as FMLA leave, the City will provide written notice of and reason for denial.

SECTION 9: MEDICAL AND MILITARY CERTIFICATION

- (A) Certification of Serious Health Condition: For leave taken because of the employee's or a covered family member's serious health condition, the employee, must submit a completed "Physician or Practitioner Certification" form and return the certification to the City. Medical certification must be provided by the employee within 15 days after requested. If the employee fails to provide adequate certification within this time period, then the City will inform the employee in writing, what additional information is necessary and will allow the employee at least seven days to correct or provide the certification. The City may delay leave until such certification is produced. In the case of medical emergency, the employee must submit certification as soon as is reasonably possible.
- (B) City may Require Second Opinion: The City may require a second or third opinion (at its own expense), periodic reports on status, intent to return to work, and a fitness-for-duty report to return to work.
- (C) Certification Related to Covered Active Duty or Call to Covered Active Duty: The employee requesting leave related to a family member's covered active duty or call to covered active duty shall provide supporting documentation of such status issued by the applicable Armed Services branch.
- (D) Certification for Extended Servicemember Family Leave: Employees requesting extended Servicemember Family Leave must provide documentation of the injury, recovery or need for care, such as an official Armed Forces communication, showing that the injury or illness was incurred

on active duty and, in the case of a member, renders the member medically unfit to perform military duties, or in the case of a veteran that the veteran was a member of the Armed Forces within the preceding five years.

- (E) Confidentiality of Medical Records: Documentation related to the employee's or family member's medical condition will be confidential and maintained in the employee's medical records file.

SECTION 10: EFFECTS OF BENEFITS

- (A) An employee granted a leave under this policy will continue to be covered under the City's group health insurance plan with the same conditions as if the employee had been continuously at work during the leave period.
- (B) Any employee contribution will still be required either through payroll deduction or by direct payment to the City. The employee will be advised in writing at the beginning of the leave period as to the amount and method of payment. Employee contribution amounts are subject to any change in rates that occurs while the employee is on leave.
- (C) If an employee's contribution is more than 30 days late, the City may terminate the employee's insurance coverage or other benefit requiring the employee contribution.
- (D) If the City pays the employee contributions missed by the employee while on leave, the employee is required to reimburse the City (through a payroll deduction schedule) upon return from leave. The employee will sign a written statement authorizing the payroll deduction for delinquent payments.
- (E) If the employee fails to return from unpaid leave for reasons other than 1) the continuation of a serious health condition of the employee or a covered family member or 2) circumstances beyond the employee's control (certification required within 30 days of failure to return for either reason), the City may seek reimbursement from the employee for the portion of the premiums paid by the City on behalf of that employee (employer contribution) during the period of leave.
- (F) An employee is not entitled to seniority or benefit accrual during periods of unpaid leave but, will not lose benefits already accrued prior to the start of the leave. Paid time off does not accrue while on unpaid leave.

SECTION 11: JOB PROTECTION

- (A) If the employee returns to work within 12 weeks following a family medical leave (or 26 weeks if combined with Servicemember Family Leave), he/she will be reinstated to his/her former position or an equivalent position in terms of pay, benefits, and status.
- (B) The employee's restoration rights are to the same status as they would have been had the employee not been on leave. If the position would have been eliminated or the employee would have been terminated but for the leave, the employee does not have the right to reinstatement upon return from leave.
- (C) If the employee fails to timely return to work at the conclusion of FMLA leave, then he/she will be considered to have abandoned the job.

SECTION 12: UNLAWFUL ACTIONS AND ENFORCEMENT OF FMLA RIGHTS

It is unlawful for the City to interfere with, restrain, or deny the exercise of FMLA rights, or to discharge or discriminate against anyone for opposing such unlawful practices or for participating in a proceeding

related to FMLA. An employee may file a complaint with the U.S. Department of Labor's Wage and Hour Division or may bring a private lawsuit against an employer for violating his/her rights under the FMLA.

ARTICLE 6: VACATION

SECTION 1: PURPOSE

It is the policy of the City of Littlefield to provide paid vacation leave, providing an opportunity for healthful rest and relaxation to all full-time regular employees.

SECTION 2: RATE OF EARNING

(A) All Full-Time employees will accrue vacation time on a monthly basis at the following rate:

Years of Service (Completed)	Rate Per Year (hrs.)
0-5	80
6	88
7	96
8	104
9	112
10 or more	120

- (B) An employee that works less than 40 hours per week but more than 30 hours per week on a regular schedule will accrue vacation hours as stated above but prorated for the scheduled weekly hours as determined by the City Manager.
- (C) If at any time an employee's number of accrued hours equals the yearly rate plus 40 hours, additional accruals will cease. Example: An employee has worked for 6 complete years and employee has accumulated 128 (88+40) hours, the very next month's accrual of 7.33 hours (in this case) will be lost at the time it is regularly accrued.
- (D) The City Manager may adjust vacation time during the transition period so that all employees are treated fairly according to years of service.

SECTION 3: USE OF VACATION LEAVE

- (A) Vacation leave will be taken and charged in units of whole hours.
- (B) Except in the case of an emergency, all vacation leave must be requested at least three (3) days in advance and be approved by the employee's supervisor or the City Manager. A conflict of vacation schedules between two or more employees shall be resolved by the Department Head and subject to approval by the Division Director or City Manager.
- (C) The City retains the right to cancel an approved vacation leave for any employee in the case of an emergency requiring the need of that employee.
- (D) When a paid holiday is observed by the City during the period an employee is on paid vacation, the employee shall receive only his/her holiday pay and that time shall not be charged against his/her vacation time unless that employee works a shift in an emergency service position. Said positions will be charged vacation time in this instance.

- (E) When an employee leaves the service of the City, after completion of probationary period, he/she shall be paid for any unused accrued vacation leave, up to one-hundred twenty (120) hours at the time of separation. The rate of pay for unused vacation leave will be determined by the salary rate in effect at the time of separation.

ARTICLE 7: HOLIDAYS

SECTION 1: OFFICIAL HOLIDAYS

The following shall be observed as official holidays for the employees of the City of Littlefield:

New Year's Day (January 1st)
President's Day (3rd Monday in February) approved 10/22/2019
Good Friday (The Friday Before Easter)
Memorial Day (The Last Monday in May)
Independence Day (July 4th)
Labor Day (The First Monday in September)
September 11th (Observed on any day)
Thanksgiving – Two Days (Fourth Thursday in November)
Christmas – Two Days (December 24th and 25th)
Floating Holidays – Two days (Observed on any day)

One additional Floating holiday will be granted to eligible employees each October 1st. New Hires will be granted Floating Holidays on a Pro Rated basis. Floating Holidays cannot be carried over past October 1st of each year.

SECTION 2: USE OF HOLIDAYS

- (A) Should a holiday fall on Saturday or Sunday, it will be observed on the preceding Friday or the Monday following as determined by the City Manager.
- (B) The City Council may declare special holidays to be observed in accordance with the provisions of this section.
- (C) Employees that are required to work on a designated holiday, or if a holiday falls on an employee's day off the Department Head may designate another day off for that employee. In the event an employee works shift work and staffing levels do not allow an employee to observe a holiday, the Division Director may elect to pay that employee in addition to their regular pay in lieu of taking the holiday off. In this case, said pay will not be at overtime rate.
- (D) Holidays may not be accumulated or transferred to another date except as authorized in this policy.
- (E) Part-time employees will not be paid for holidays except for holiday hours actually worked.
- (F) In the event an employee wishes to not observe one of the Official Holidays listed above or for religious reasons desires a different holiday, then the City Manager will try to make a reasonable accommodation in order to be sensitive to various religious beliefs.

ARTICLE 8: OTHER LEAVE

SECTION 1: ADMINISTRATIVE LEAVE

In very limited and special circumstances, full-time regular employees may be granted leave, with or without pay, at the discretion of the City Manager.

SECTION 2: EMERGENCY

Emergency Leave may be granted by a Division Director or Department Head if in the best interest of the City. Emergency leave may be, with or without pay, and is subject to approval by the City Manager.

SECTION 3: CIVIL RESPONSIBILITIES

- (A) Employees who are required by due process of law to render jury duty or court service shall receive their regular pay from the City during such period. The employee shall be entitled to retain any fee paid for such service.
- (B) All employees eligible to vote are encouraged to exercise this privilege, and will be granted one (1) hour of paid leave to do so.

SECTION 4: MILITARY LEAVE

Military leave will be granted in accordance with all applicable State and Federal Laws. References to military service within this section are as defined by the Uniformed Services Employment and Reemployment Rights Act (USERRA). Military benefits under this section will terminate upon the employee's separation from the uniformed service under a disqualifying discharge or other than honorable conditions. Benefits under this section will terminate if the employee's cumulative service exceeds five (5) years, unless the length of service is involuntarily extended under certain circumstances.

All employees who are members of the Uniformed Services are eligible for military leave. However, if a temporary employee's military duty extends beyond the employee's fixed employment term, the leave will not be extended beyond the employment term.

A. NOTICE OF MILITARY SERVICE

Employees must furnish the Division Director or Department Head with a copy of official military orders. Emails do not satisfy this requirement.

B. RETURN TO WORK

Employees will be promptly reemployed after a period of military service under the conditions of this section.

1. Upon return from service lasting less than 31 days, employees must report at the beginning of the first scheduled work day after release from service, plus 8 hours.
2. Upon return from service lasting from 31 days to 180 days, employees must report no later than 14 calendar days after completion of military service.

3. Upon return from service lasting over 180 days, employees must report no later than 30 calendar days after completion of military service.
4. The employee will return to the position of employment in which he/she would have been employed if the period of employment with the City had not been interrupted by military service, provided the employee remains qualified to perform the duties of that position.
5. If the length of service exceeds 90 days, the employee may be transferred to a position of like seniority, status and pay if the employee is qualified to perform the duties of that position with or without reasonable efforts by the City to qualify the person, if such position is available.
6. If, after a period of military service, the employee is not and cannot be qualified to be employed in any of the foregoing positions after reasonable efforts by the City, he/she will be placed in any other position of lesser status and pay for which he/she is qualified to perform if such position is available.
7. Seniority benefits and accruals will be continued as if there had been no break in the employee's employment.
8. Any employee who has not completed his/her probationary employment period with the City when beginning active duty in the armed forces will, upon his/her return, resume such period at the point at which it was interrupted.
9. The returning employee may be required to attend refresher training or demonstrate passable proficiency in use of safety equipment or procedures to assure safety of the employee and others and, to learn any new procedures implemented or equipment acquired during the employee's absence, to the same extent as other employees are required to learn such.

C. TIME GRANTED

Employees with military obligations will be granted fifteen (15) working days paid military leave each calendar year. Leave in excess of fifteen (15) days may be charged to accrued Vacation Leave and/or Compensatory Time. If the employee lacks Vacation Leave and/or Compensatory Time, the employee will be placed in Leave Without Pay status.

D. MILITARY SALARY CONTINUATION

1. Employees who are mobilized to Active Duty and deployed in direct support of military conflict or officially designated ("named") national defense operations are eligible for supplemental salary continuation for the duration of the conflict/commitment. The employee must provide a copy of official military orders in order to request this provision. This provision does not apply to normal military training obligations.
2. In some instances, training specifically associated with the deployment of may be credited for Military Salary Continuation. However, these will be addressed on a case-by-case basis.
3. Military Salary Continuation will be calculated as the difference in monthly salary

between his/her current position with the City and military pay. The employee is required to provide a copy of the most recent Leave and Earnings Statement to validate military pay.

4. Employees whose monthly military salary exceeds that of his/her normal City salary will not receive Military Salary Continuation.

E. LEAVE

1. Includes travel time expressly included in the employee's written deployment orders. The City does not recognize verbal orders or those received through unofficial channels.
2. Includes time required for physical examination for admission into military service, to determine or maintain a selective service rating, state service in the National Guard, to maintain reserve status, or for training required and paid for by the service.
3. Will not be granted for diagnosis or treatment of any service-related injury, sickness, or disability, for obtaining or sustaining any disability rating, or for treatment in any government facility unless done so under military orders. Leave of this nature will fall under the Sick Leave provisions of this chapter.
4. Military leave will only be given in lieu of regularly scheduled work hours.
5. Employee benefits will continue for the employee while on military leave and premiums will continue to be deducted from the employee payroll checks.

SECTION 5: COMPENSATORY TIME OFF AND OVERTIME PAY

Employees should strive diligently to avoid working more than their regularly scheduled hours in any one week, however, when circumstances require a nonexempt employee to work more hours in any week, he/she shall be compensated as required by the Fair Labor Standards Act. (A "nonexempt employee" means one who is not exempted from the required overtime rules of the Fair Labor Standards Act. An "exempt employee" is one who works in a job category or status that is not covered by the Act and is therefore not entitled to overtime pay.)

The City is required to compensate nonexempt employees who work over forty (40) hours in a week, by either paying at one-and-half times the employee's base pay rate for such overtime hours worked, or to provide compensatory time at that same rate. The City prefers to pay for over time and discourages the accumulation of compensatory time because of the contingent financial liability this creates for the City.

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 must be used or paid within 30 days after the date it was earned, unless the City Manager approves a longer period for the use of that time due to extenuating circumstances of the City or the individual. 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.

SECTION 6: BREAK TIME FOR NURSING MOTHERS

The City will provide a reasonable break time to nursing mothers to express breast milk for up to one year after the birth of a child according to state law. See Appendix B attached to this policy.

ARTICLE 9: APPROVAL OF LEAVE

- (A) With the exception of emergency leave, all leave must be requested in advance on a Leave Request Form and submitted to the employee's Division Director or Department Head.
- (B) The Leave Request Form must then be reviewed by Human Resources or Payroll Clerk to verify that leave has been accrued and is available for the employee's use.
- (C) All leave must be approved by the City Manager or Division Director or Department Head.

ARTICLE 10: COMPENSATION

SECTION 1: SETTING OF SALARIES

- (A) Salaries of all City employees are set by the City Council, usually at the time the Annual Budget is adopted
- (B) Salaries may be reviewed and/or adjusted during the budget hearings each year. The City Council reserves the right to review and/or adjust salaries at any regular or called meeting.
- (C) The City Manager, upon recommendation of the Division Director or Department Head, shall determine the beginning salary for newly hired employees based on the employee's knowledge, skills, experience, policy and approved budget.
- (D) The City Manager shall approve any salary adjustment for promotion based on policy and budgeted funds. Salary adjustments are subject to City Council review.
- (E) Employees should strive diligently to avoid working more than their regularly scheduled hours in any one week, however, when circumstances require a nonexempt employee to work more hours in any week, he/she shall be compensated as required law and authorized by this policy.

SECTION 2: SALARY ADJUSTMENT AND CERTIFICATION PAY FOR PROFESSIONAL DEVELOPMENT

- (A) The City of Littlefield supports and encourages employees to pursue professional development through training and certification.
- (B) A salary adjustment or certification pay may be considered, upon recommendation from a Division Director or Department Head, for the completion of approved training and/or certification that enhances an employee's skills in a measurable way and that benefits the delivery of public service. Approved training and/or certification includes, but is not limited to, water/wastewater certification, advanced police certification, municipal clerk certification, solid waste, fire, EMS and any other extensive training as approved by the City Manager, within authorized budget limits.
- (C) An employee that fails to maintain a certification or who fails to continue the required training may lose the professional development salary increase or certification pay.

SECTION 3: LONGEVITY

Employees hired after August 17, 2015 are not entitled to longevity pay. Those hired before said date receive \$4.00 per month per year of service. An employee receiving longevity pay and who then leaves City employment, and later returns to City employment, is no longer eligible for longevity pay.

ARTICLE 11: OTHER EMPLOYEE BENEFITS

SECTION 1: GROUP LIFE INSURANCE

Group Life Insurance will be offered to the employees of the City of Littlefield and their dependents subject to the current policy in effect.

SECTION 2: GROUP MEDICAL, DENTAL, AND VISION INSURANCE

Group Medical, Dental, and Vision Insurance will be offered to all full-time employees of the City of Littlefield and their dependents subject to the current policy in effect. For the purposes of medical, dental, and vision insurance, employees that work 30 or more hours per week (or 130 hours per month for variable hour employees) are considered full time.

SECTION 3: RETIREE MEDICAL, DENTAL, AND VISION INSURANCE

Insurance for retirees shall be provided according to existing programs as adopted by the City Council.

SECTION 4: RETIREMENT PLAN

A Retirement Plan may be offered to the employees of the City of Littlefield. Presently, a retirement plan is offered for eligible employees through participation in the Texas Municipal Retirement System. This is subject to change and budget appropriation.

SECTION 5: WORKMAN'S COMPENSATION INSURANCE

Workman's Compensation Insurance will cover all City employees pursuant to Texas Law. The provisions of the Texas Employers Liability Act, other applicable law, and the requirements of the insurance carrier govern any claims under this Section.

SECTION 6: COPIES OF POLICIES

The City shall furnish to each employee, upon request, a copy of the City's current insurance, retirement plan, and statement of other benefits available.

ARTICLE 12: DRUG-FREE WORKPLACE

SECTION 1: GENERAL POLICY

It shall be the policy of the City of Littlefield to maintain a work environment that is safe, productive and free from the use of illegal and non-prescription drugs, alcohol, and unauthorized use of prescription drugs. This policy is adopted to adhere to the requirements of state and federal law, assure the safety and well-being of City employees and to maintain a positive public image of the City of Littlefield. Adherence to this policy is a condition of employment for all City employees.

SECTION 2: APPLICABLE SUBSTANCES

This policy applies to illegal substances, unauthorized non-prescription drugs, alcoholic beverages, inhalants and unauthorized or illicit use of prescription drugs, and any other substance which may impair an employee if used or abused. An employee undergoing prescribed medical treatment with any drug that may alter his/her physical or mental ability to safely work must report this treatment to that employee's immediate supervisor.

SECTION 3: PROHIBITED CONDUCT

The conduct described below is prohibited by this policy. An employee is subject to immediate discipline, up to and including discharge, if found violating this policy or the following prohibitions.

- (A) Use, possession, manufacture, distribution, dispensation, or sale of any Applicable Substances defined in this policy while on City premises or business, or in City supplied vehicles (or personal vehicles used for City business), at any time.
- (B) Storing in a locker, desk, motor vehicle, or other repository on City premises any Applicable Substances defined in this policy.
- (C) Use of alcoholic beverages or any Applicable Substances defined in this policy. that adversely affects the individual's work performance or his/her own or others' safety at work.
- (D) Possession, use, manufacture, distribution, dispensation, or sale of illegal drugs. or abuse of prescription drugs.
- (E) Refusing to submit to a search or test, when requested by the City Manager or the employee's supervisor in a situation in which reasonable suspicion exists that a violation of this policy has occurred or following an on-the-job accident.
- (F) Failing to adhere to the requirements of any drug or alcohol treatment or counseling program in which the employee is enrolled while employed by the City of Littlefield.
- (G) Conviction under any criminal drug statute.
- (H) Failure to notify the City Manager or Supervisor of any arrest or conviction under any criminal drug statute within five (5) days of the arrest or conviction.
- (I) Smoking of tobacco or any other material is prohibited in all city-owned, enclosed areas except for the meeting room of the Fire Station.

SECTION 4: TESTING

- (A) The City of Littlefield will provide, at no cost to the employee, a random drug testing program for any employee that has a CDL driver's license or who are otherwise required by state or federal regulations to be enrolled in such a program.
- (B) Anyone that has been offered employment with the City must submit to a pre-employment drug test.
- (C) Any employee involved in an on-the-job accident involving a motor vehicle, tools, or equipment will be required to submit to drug testing. Employee drug testing may also be required for accidents not involving a motor vehicle.

- (D) Individual drug testing shall be required when there is documented reasonable suspicion that drugs or alcohol is affecting job performance or conduct in the work place.
- (E) The results of such drug testing shall be released by the testing facility to the City Manager or the Director of Human Resources. The City, except when litigation is involved, will hold this test finding confidential.
- (G) All required drug and alcohol testing will be paid for by the City of Littlefield and shall require a split-sample methodology.

SECTION 5: DISCIPLINARY ACTION

Any employee suspected of violating this Drug Free Workplace Policy may be immediately suspended with or without pay pending completion of an investigation. During the course of an investigation, the suspected employee shall have the opportunity to provide a defense or an explanation. In the event that a determination is made by the City that the employee violated the Drug-Free Workplace Policy, the employee shall be disciplined, up to and including termination. Should the determination be made that no violation occurred; the employee will be reinstated without penalty and will be paid any lost wages.

SECTION 6: REHABILITATION

The City of Littlefield does not sponsor a drug or alcohol abuse rehabilitation program. However, certain assistance may be provided by the City's group health care insurance policy.

SECTION 7: OTHER LAWS AND REGULATIONS

The provisions of this Policy shall apply in addition to, and shall be subordinated to, any requirements imposed by applicable federal, state, or local laws, regulations or judicial decisions. Unenforceable provisions of this policy shall be deemed to be deleted.

ARTICLE 13: ANTI-HARASSMENT / DISCRIMINATION POLICY

SECTION 1: GENERAL POLICY

It shall be the policy of the City of Littlefield to provide a work environment free of harassment, discrimination, exploitation or intimidation of any employee based upon his/her race, color, sex, religion, national origin, age, disability or other characteristic protected by law. Most commonly concerns arise in the context of a sexual harassment or gender discrimination claim. For convenience, this policy will discuss harassment and discrimination in terms of sex, but the provisions of this policy apply equally to all forms or basis of unlawful discrimination or harassment in the workplace. Furthermore, it is the policy of the City of Littlefield to promptly investigate any complaint of such behavior in the workplace. All employees are expected to comply with this policy, and failure to do so will result in appropriate disciplinary action up to and including termination.

The City of Littlefield prohibits all forms of harassment and other undesirable behaviors described just above. (ADA).

SECTION 2: DEFINITION

Sexual harassment refers to unwelcome sexual advances, requests for sexual favors, or other physical or verbal conduct of a sexual nature. It may occur as either:

(i) a "this-for-that" type of proposition (known as *quid pro quo*) the submission to which becomes a term or condition of a person's employment, benefits, or status. This type of sexual harassment is any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

- Submission to the request is made explicitly or implicitly a term or condition of employment.

- Submission or rejection is used as the basis for making employment decisions.

Or,

(ii) occurrences of sexually-related references, materials, or behavior so frequently as to be pervasive in the workplace and thereby create a hostile working environment. The conduct must have the purpose or effect of substantially interfering with an individual's work or creates a hostile, intimidating, or offensive work environment.

Sexual harassment is a form of sex (gender) discrimination. Discrimination occurs when an employment decision is made on the basis of an applicant's or employee's personal characteristic that is not a bona fide job requirement or qualification.

Sexual harassment can occur in a variety of circumstances, including but not limited to the following:

- The victim and the accused harasser may be a woman or a man. The victim does not have to be of the opposite sex.
- The harasser can be the victim's supervisor, an agent of the employer, a supervisor in another area, a co-worker, or a non-employee.
- The victim does not have to be the person harassed but could be anyone affected by the offensive conduct.
- Unlawful sexual harassment may occur without economic injury to or discharge of the victim.
- The harasser's conduct must be unwelcomed.

Examples of sexual harassment include, but are not limited to: unwanted physical contact, foul language, sexually oriented propositions, sexually oriented jokes or remarks, obscene gestures or the display of sexually explicit pictures, cartoons or other materials that are offensive to another employee.

SECTION 3: IMPLEMENTATION AND SUPERVISOR'S RESPONSIBILITY

It shall be the responsibility of the City Manager to inform supervisors and employees of this policy, the gravity of such behavior and the procedure to be employed in the event such an allegation develops. Each supervisor has the responsibility to maintain the workplace free of harassment. This duty includes discussing this policy with all employees and to assure them that they are not to endure insulting, degrading, or exploitative treatment.

SECTION 4: COMPLAINT PROCEDURE

- (A) Any employee who feels that he or she has been unlawfully harassed or discriminated against, must immediately tell the harasser that the conduct is offensive, unwanted, and insist that it stop.
- (B) If harassment or discrimination continues, the employee must report the matter to his/her immediate supervisor, a Department Head, the City Manager, or the Director of Human Resources. Complaints received by someone other than the City Manager must be immediately forwarded to the City Manager.
- (C) The employee alleging harassment or discrimination must provide written details of the alleged conduct outlining the nature of the complaint in order for the City to pursue the complaint.
- (D) The City Manager or designee will diligently investigate the alleged complaint. The investigation will be conducted as discretely as possible, but absolute confidentiality cannot be assured due to both the legal rights of the accused and the fact that the mere questioning of witnesses will expose the existence of the investigation.

- (E) Upon finding that the preponderance of the evidence indicates harassment or discrimination has occurred, the City Manager will determine the appropriate disciplinary action up to and including termination. Appropriate discipline considerations: duration and severity of the confirmed harassment or discrimination; attitude of the offender; any past instances of such conduct by the offender; any past disciplinary record of the offender; likelihood of the conduct recurring; the availability of separating the victim and the offender in the workplace; availability of re-training or education for the offender concerning harassment or discrimination; and, any other relevant factor under the specific circumstances.
- (F) In a situation where the City Manager is accused of unlawful harassment or discrimination, the offended party report the matter to the Mayor or any City Council Member.
- (G) The reporting party shall be notified in writing of the outcome of the investigation (that is, whether the harassment or discrimination was confirmed, not confirmed, or inconclusive); any corrective action to be taken by the City toward the reporting party; and, whether the offender was appropriately disciplined.

ARTICLE 14: GRIEVANCES AND COMPLAINTS

SECTION 1: GENERAL POLICY

The Grievance and Complaints process is provided for situations that are not addressed by other policies such as harassment or discrimination; disciplinary appeals; or drug free workplace policies.

An employee of the City of Littlefield has a right to present a grievance or complaint free from interference, restraint, coercion, discrimination, or reprisal. A grievable action may include, but not be limited to: unsafe working conditions, unfair treatment, involuntary transfer, promotion, demotion, harassment that was not resolved by use of the Article 13 procedure, or discrimination. Compensation can only be a grievable action as it directly relates to alleged inequities among City employees.

SECTION 2: PROCEDURE

Before filing a Formal Grievance, an employee should make every effort to resolve potential grievances or complaints with his/her immediate supervisor, informally as part of day to day activities. Employees are required to follow strict compliance with the Chain of Command (per the latest Organization Chart) In the event an employee cannot resolve the issue through the chain of command, then an employee may begin the Formal Grievance Process.

A Formal Grievance may be filed by an employee based on: the improper application of the provisions of this policy, departmental rules, working conditions, or an alleged violation of a law.

Formal Grievance Procedures:

- (A) All Formal Grievances must be in writing on a form provided by the City Secretary and filed with City Secretary.
- (B) The City Secretary will promptly provide copies to the affected supervisors and create a file for the grievance.
- (C) Upon receipt of a Formal Grievance each supervisor, beginning with the immediate supervisor, will respond in writing within two (2) working days to the aggrieved employee on a form provided by the City Secretary. A copy of each supervisory response shall be sent to the City Secretary. Failure to timely respond will cause the grievance to advance to the next supervisor up the Chain of Command.

- (D) The aggrieved employee will have two (2) working days to provide a written appeal to the Department Head or Division Director, if the aggrieved employee is not satisfied with the supervisor(s) response. If the aggrieved party is satisfied with the response of the Department Head or Division Director the Formal Grievance Process ends.
- (E) The Department Head or Division Director is responsible for making sure timelines are met in all Formal Grievances. The Department Head or Division Director will file a final written determination with the City Secretary and the aggrieved employee within 14 working days after the original Formal Grievance.
- (F) If the aggrieved employee is not satisfied with the written response of the Department Head or Division Director, the aggrieved employee may, within three (3) working days after final determination by the appropriate the Department Head or Division Director, present to the City Manager a written statement notifying the City Manager of the employee's desire for an additional review of the grievance. The City Manager will investigate the complaint and determine the matter. The decision of the City Manager will be communicated to all parties involved within 14 working days after receipt of this request for additional review. Except as provided below, the decision of the City Manager shall be final.

In an instance in which an employee alleges the violation of any laws, the final decision will be made jointly by the City Council and the City Manager in consultation with the City Attorney. Nothing in this procedure prohibits an employee from filing a grievance to the proper state and/or federal agency for complaints involving violation of state or federal law. Disregard of this Grievance Procedure constitutes grounds for disciplinary action and is a failure to exhaust administrative remedies, in such cases.

ARTICLE 15: DISCIPLINARY ACTIONS

SECTION 1: GENERAL PURPOSE

It is the policy of the City of Littlefield to ensure that disciplinary actions taken against employees are fair, equitable, and consistent in all departments without regard to disability, race, religion, age, sex, national origin or political affiliation.

SECTION 2: DUTIES AND RESPONSIBILITIES

It is the duty of employees to comply with and to assist in carrying out the provisions of the personnel rules and regulations.

It is the duty of all supervisory personnel to promptly discuss improper or inadequate performance with the employees to correct deficiencies and avoid disciplinary action.

All supervisory personnel have the authority to suspend an employee for gross misconduct, insubordination, violation of safety rules, or other actions that cause an immediate threat to the operation of City functions. A suspension under this clause is with pay, subject to further review and final disposition. Only the City Manager may suspend an employee without pay. The misconduct and suspension should be reported to the City Manager, and all other effected Department Heads or Division Directors, as soon as possible. A suspended employee shall not return to work until authorized by the City Manager.

Some positions are governed by state law and employees holding those positions may be afforded special rights in the disciplinary process. Supervisors and Directors are responsible for following those special requirements.

SECTION 3: GROUNDS FOR ACTION

- (A) Generally, discipline shall be, when circumstances permit, of an increasingly progressive nature for each successive instance of employee misconduct. Disciplinary action includes, but are not limited to oral reprimand, written reprimand, temporary suspension without pay, demotion, or termination. Each level of progressive discipline shall be fully documented in the employee's personnel record.

Generally, the City will seek to pave rough parity between disciplinary actions. However, in recognition of the fact that each instance of misconduct differs in some respect, the City reserves the right to treat each occurrence individually without setting a precedent for future cases. The following grounds for action are not to be a limitation of the retained management rights of the City but are to be used as a guide.

All supervisors may recommend disciplinary action of a subordinate to a higher supervisor. All disciplinary action will be taken by Division Directors, however the City Manager may take disciplinary action on a Division Director or any employee, as stated in the City Charter.

If a disciplinary situation or complaint arises against an official who is a direct appointee of the City Council, then the City Manager shall refer that matter to the City Council for its review and disposition. The City Manager shall assist the City Council as requested.

- (B) Employee behaviors that may result in disciplinary action include, but are not limited to, the following:
- (1) Abuse of travel and subsistence allowance or abuse of sick leave, vacation leave, or any other leave.
 - (2) Quitting work, wasting time, loitering, unauthorized or excessive use of phones, internet or other social media, or leaving assigned work areas during working hours without permission.
 - (3) Discourtesy to persons with whom the employee comes in contact while in the performance of his/her duties.
 - (4) Taking more than specified time for meals or rest periods.
 - (5) Productivity or workmanship not up to required standards of performance according to employee's job description or departmental policies.
 - (6) Chronic tardiness or absenteeism.
 - (7) Violating a safety rule or safety practice.
 - (8) Engaging in horseplay, scuffling, wrestling, malicious mischief, distracting the attention of other, catcalls, demonstrations on the job or other similar types of disorderly conduct.
 - (9) Creating or contributing to unsafe or unsanitary conditions while on the job.
 - (10) Carelessness or an intentional act or omission that results in injury to City personnel, or damage to materials, equipment, vehicles, tools or property.

- (11) Failure to report an accident or personal injury or damage to property (to self or another) in which the employee was involved while on the job.
- (12) Failure or refusal to work special hours as needed for emergency repairs or situations.
- (13) Provoking, arranging, or instigating a fight, or participating in a fight any time while on duty.
- (14) Sleeping during while on duty.
- (15) Reporting to work while under the influence of alcohol or drugs.
- (16) Being in possession of intoxicating beverages, illegal narcotics, or other illegal drugs during working hours.
- (17) Making or publishing false statements concerning any employee, supervisor, City Manager, Mayor, or City Council Member.
- (18) Unauthorized use of City vehicles, tools, or facilities.
- (19) Driving a motor vehicle while on duty without a valid State of Texas driver's license, or failure to report the loss or suspension of a driver's license when an employee is required to drive while on duty.
- (20) Deliberately misusing, destroying or damaging any City property or property loaned or leased to the City.
- (21) Falsification of personal or City records including, but not limited to, employment applications, accident records, work records, leave records, purchase orders, receipts, time sheets or any other record, report or document.
- (22) Making false claims or misrepresentation in an attempt to obtain accident benefits, Workman's Compensation, expense reimbursement, unemployment compensation payments, or any other financial gain for the employee or others.
- (23) Insubordination by the refusal or failure to perform work assigned, or to comply with written or verbal instructions of a supervisor.
- (24) Unauthorized possession or use of firearms, explosives or weapons on City property or in a City owned vehicle without approval of Department Head, Division Director, or City Manager.
- (25) Theft or removal from City locations, without proper authorization, any City property loaned or leased to the City, or property of any other employee.
- (26) Unlawful, lewd, indecent or obscene language, conduct, or posting on social media, on City owned or controlled property or at a City sponsored or supervised function, or in a city uniform.
- (27) Failure to return from an authorized leave of absence as scheduled.

- (28) Conviction of a felony charge or Class A misdemeanor offense, whether in Texas or a similar level of crime in another jurisdiction.
- (29) Repeated convictions of misdemeanor charges such as speeding, reckless driving or accidents involving injuries to persons, or damage to property or equipment.
- (30) Accepting gratuities in return for performing City duty or services.
- (31) Discourtesy to supervisors by disregard of Grievance Procedures.
- (32) Any other conduct that hinders operation, good order, or morale of the City organization.
- (33) Violation of this policy, safety policy or approved departmental policy.

SECTION 4: EMPLOYEE APPEAL OF DISCIPLINARY ACTION

Within three (3) working days after final disciplinary action by a Division Director is issued, an employee or terminated employee may file a written appeal to the City Manager of that disciplinary action. Within five (5) working days after receipt of a disciplinary action appeal, the City Manager will issue a response. The City Manager may investigate the appeal for a period of up to 15 additional days (after the initial response). The City Manager may uphold, reverse or modify the action taken. If no response is issued within the initial 5 days, the disciplinary action taken by the Division Director is upheld. The action of the City Manager is final.

An employee who is a direct appointee of the City Council may request a rehearing by the Council by filing a written request for such with the mayor within three (3) working days after the council issues its determination. The council shall address the request at its next regularly scheduled meeting, at which it may proceed to either deny the request or to grant it and immediately proceed to reconsider the matter. The Council's decision is final.

ARTICLE 16: PROFESSIONAL CONDUCT AND POLITICAL ACTIVITY

SECTION 1: GENERAL POLICY

- (A) For purposes of this Article, each position created and filled by the City of Littlefield is considered to be a professional position. Therefore, employees are expected to present themselves in a professional manner.
- (B) An employee's appearance and conduct reflect on all City officials and employees, and should be as outstanding as possible. An employee's clothing should be suitable for the type of work required but should also be as clean, neat, free of holes and tears as possible depending on the situation.
- (C) Courtesy and professionalism is a necessity in any personal dealings with the public.
- (D) Information concerning City business should be held in confidence. Most City records are available to the public through established and required procedures. Persons asking for City information should be referred to the City Secretary.
- (E) Employment-related decisions for City of Littlefield employees shall not be made on the basis of their political beliefs, support, lack of support, or activities. City employees are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law

and these policies. No City of Littlefield employee is prohibited from becoming a candidate for public office. However, City of Littlefield employees shall not:

- Use the employee's position or office to coerce political support or opposition from employees or citizens.
- Use the employee's official authority or influence to interfere with or affect the result of any campaign issue or election or nomination of a candidate for any public office.
- Use working hours, the employee's official authority, or City property or resources to solicit or receive any contribution to the campaign of any candidate or political action group (whether it is registered or not), directly or indirectly through an organization or association, for a candidate for any office.
- City employee shall not take any part in the management, affairs or political campaign of any City Council candidate.
- Use working hours or City property to be in any way concerned with soliciting or receiving any subscription, contribution or political service to circulate petitions or campaign literature on behalf of any election issue or candidate for any public office.

Provided that, nothing herein shall infringe upon the rights of an employee to seek office himself/herself, or to appropriately express his or her opinions, or to cast a vote.

ARTICLE 17: USE OF CITY VEHICLES, TOOLS, EQUIPMENT

SECTION 1: GENERAL POLICY

City vehicles, tools, and equipment shall be used only for City business. (For this policy, the term "vehicle" shall be used to refer to all types of personal property of the City.) Only the employee assigned a City vehicle or an employee temporarily designated by the assignee may operate the vehicle. City employees assigned or otherwise operating City vehicles shall observe the following practices:

- (A) Operate the vehicle safely, economically, and in strict compliance with all traffic regulations and any applicable instructional or safety manual.
- (B) Comply with routine maintenance schedules or report the need for such to the appropriate person.
- (C) Assume responsibility for reporting needed repairs to the appropriate person.
- (D) Radio equipped vehicles shall maintain radio contact with the base station when on duty or on call.
- (E) No posters, stickers or advertisements shall be placed upon City owned vehicles without prior approval of the City Manager.
- (F) City vehicles assigned to an employee on a full-time basis may be used for transportation to and from an employee's residence when the employee is officially on call, or when a vehicle is duly assigned to an employee on a temporary basis. This policy and privilege is subject to federal Internal Revenue Service rules.
- (G) Unless authorized by the City Manager, City vehicles may be used only for the transportation of City employees or other persons engaged in some form of City activity.
- (H) Police Department Exception: In order to increase the presence of law enforcement, employees of the Littlefield Police Department that are assigned a vehicle are authorized to use that vehicle for local personal use subject to departmental policy and to any federal Internal Revenue Service rules.

- (I) Prohibited software/applications/developers on city-owned or leased equipment: In accordance with Senate Bill 1893 (codified as Chapter 620 of the Texas Government Code), the City of Littlefield prohibits the installation or use and requires the removal of TikTok or any successor application, or any other social media application specified by the Department of Information and Department of Public Safety, on any city-owned or leased electronic device, except to the extent necessary for providing law enforcement or developing or implementing information security measures, with the user implementing appropriate risk-mitigating measures. Adopted 10/22/2024

ARTICLE 18: SAFETY POLICY AND WORKERS COMPENSATION

SECTION 1. GENERAL POLICY

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

SECTION 2: EMPLOYEE RESPONSIBILITIES

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 persons in the vicinity.

An employee must report every on-the-job accident (that results in property damage or personal injury or death), no matter how minor, to his or her supervisor immediately. The supervisor is responsible for immediately investigating the matter, taking photographs and documenting the nature and extent of the accident. If serious bodily injury or major property damage is involved, the City Manager shall be immediately notified so that he has the opportunity to come to the scene. The Division Director shall promptly review the investigation and file all photos and accident reports with the City Secretary.

Failure to report an on-the-job accident or injury, no matter how minor, is grounds for disciplinary action. Failure or refusal of a supervisor to immediately respond is also grounds for disciplinary action.

SECTION 3: EMPLOYEE SUGGESTIONS

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

SECTION 4: ON-THE-JOB INJURIES

- (A) **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 the 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.
- (B) **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.

- (C) **Exclusion** Injuries caused by willful intent or 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 each excluded specifically from coverage by injury leave with pay.
- (D) **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, or other authorized form of care provider, the employee 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 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.
- (E) **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 the employee 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 or refusal 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 safely perform the essential functions of the position, or the employee is a qualified individual with a disability and cannot safely perform the essential functions of the position with or without reasonable accommodation, then employee will be either terminated or offered a currently open position for which the person is qualified and able to safely perform the essential functions. The City's efforts to reasonably accommodate the employee will be conducted in accordance with applicable law.

- (F) **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.

EMPLOYEES BOUND BY POLICIES

A copy of these policies shall be furnished to each present employee and each new employee at the time of his/her employment. Each employee shall be bound by these policies.

CONFLICTING PROVISIONS REPEALED

All other policies, rules, departmental policies, or parts thereof, in conflict with these policies are hereby repealed.

SEPARABILITY OF PROVISIONS

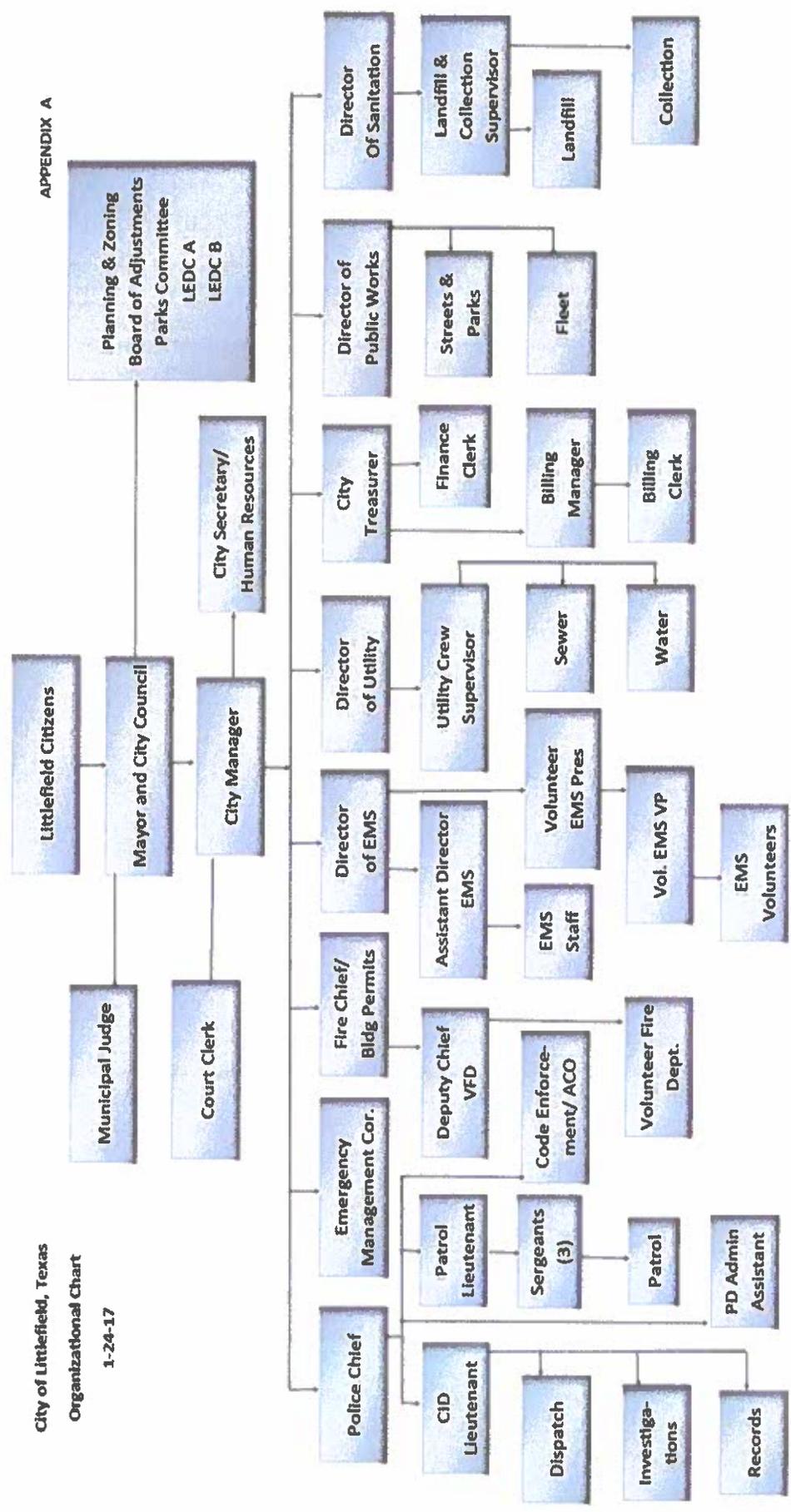
If any section, subsection, subdivision, sentence, clause or phrase of this policy for any reason is held to be invalid, such decisions shall not affect the validity of the remaining portions of this policy.

EFFECTIVE DATE

These Personnel Policies were passed and approved by the City Council for the City of Littlefield on the 27th day of July, 2021. The effective date of these Personnel Policies shall be July 27, 2021.

APPENDIX A

City of Littlefield, Texas
Organizational Chart
1-24-17



Appendix B

MOTHER-FRIENDLY WORKSITE PROGRAM POLICY

Statement of Purpose

This policy establishes a “Mother-Friendly” employee worksite lactation support program at City of Littlefield in accordance with Texas Health and Safety Code § 165.003 and, the regulations of the State Department of Health Services, at Title 25 Tex. Admin. Code Pt. 1, ch. 31 Sub ch. A. The program provides a work environment that is supportive of lactating mothers and encourages breastfeeding of their children for up to one year or beyond following their birth. The benefits of the program are increased attendance due to less time lost for care of sick children, reduced cost of insurance claims for sick children and mothers, reduced losses of institutional knowledge and turnover as a result of a mother opting not to return to work in order to breastfeed, and increased morale.

Health Information

The American Academy of Pediatrics (AAP) affirms that “breastfeeding and human milk are the reference normative standards for infant feeding and nutrition” that “confer unique nutritional and non-nutritional benefits to the infant and the mother and, in turn, optimize infant, child, and adult health as well as child growth and development.” Research shows that there are significant risks of not breastfeeding, and the AAP concludes that “infant feeding should not be considered a lifestyle choice but rather as a basic health issue.”

Culture of Tolerance

City of Littlefield encourages employees and management to have a positive, accepting attitude toward working women and breastfeeding. City of Littlefield promotes and supports breastfeeding and the expression of breastmilk by employees who are providing breastmilk to their infants when they return to work. The City provides the preceding paragraph and other information to all employees about the benefits of breastfeeding and this policy that supports breastfeeding. This policy is to ensure that managers and employees are supportive of employees’ needs related to combining working and breastfeeding.

Policy Dissemination

See, “Education” below.

Program Components

Time

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

Lactating mothers may use time during the standard workday for milk expression. This may include various combinations of standard break periods, lunch periods, and other time as necessary. Lactating mothers must be afforded flexibility in their work schedules. The use of accrued leave or

leave without pay is not required to cover time used for milk expression. While in general, this policy may require two to three lactation breaks a day, scheduling will be arranged on a case-by-case basis and be based on the specific needs of the employee. Supervisors and managers are responsible for ensuring that the duties of the lactating employee are covered during her expression breaks. Support also includes assistance with finding child care nearby. (If the child-care facility is close, it will be easier for baby to be brought to the mother or for the mother to go to the baby on her breaks.)

Education

Informational materials about breastfeeding are available to employees at <https://www.dshs.texas.gov/wichd/lactate/position.shtm> . This Mother Friendly Workplace policy is included in the Employee Handbook. Human Resources will alert all employees about this policy during New Employee Orientation.

Space

A. City of Littlefield shall provide, at a minimum, a private, accessible area, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, for the purpose of expressing breastmilk each time such employee needs to express the milk. It will also provide access to a clean, safe water source and a sink; and provide access to a hygienic place to store expressed breast milk.

B. The City will try to provide and Employees may use, when available, the dedicated employee lactation rooms designated for the purpose of expressing breastmilk and which include the following:

- A locking door, an electrical outlet, a clean work surface, and comfortable chair.
- A safe, clean water source and sink for washing hands and cleaning breast pump equipment within the designated breast pump room.
- A clean refrigerator used for the sole purpose of storing expressed breastmilk.
- A hospital-grade multi-user double electric breast pump that may be used with an employee's own personal-use milk collection kit.