

**CITY OF EVERMAN, TEXAS
RESOLUTION NO. 2024-05-06**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS,
APPROVING AMENDMENTS TO THE CITY'S PERSONNEL MANUAL TO MAKE
NECESSARY ADJUSTMENTS TO ACCOMMODATE A FOUR DAY WORK PERIOD
FOR CERTAIN MUNICIPAL DEPARTMENTS; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, the City has established and has put into effect a City Personnel Manual dated February 2022 governing employment with the City of Everman; and

WHEREAS, pursuant to section 1.05 of that Personnel Manual, the Personnel Manual may be amended from time to time by action of the City Council; and

WHEREAS, City management has made recommendations to adjust operating hours to Monday through Thursday from 7:00am to 6:00pm for certain municipal departments to include City Administration, City Hall, Public Works, Utility Billing, City Services, Permitting, and Municipal Court; and

WHEREAS, City Management believes that these actions would result in providing additional services to citizens as well as an increased work-life balance, morale, recruitment, and retention for employees; and

WHEREAS, the City Council of the City of Everman finds it to be in the best interest of the City and of service to the general welfare to approve the recommended amendments;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVERMAN, TEXAS THAT:

SECTION 1. The City of Everman Personnel Manual, dated February 2022 is hereby amended at the specified sections thereof, each such amended section to read in its entirety as follows:

“Article IV. COMPENSATION.

Sec. 4.06. Overtime on Holidays

A non-exempt employee who is required to work on an official paid holiday will be paid at the rate of two times the employee's regular hourly rate of pay for the first ten hours worked. Hours worked in excess of ten (10) are paid at the overtime rate.

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Sec. 4.10. On-Call Status

- (a) **Requirement for on-call status.** An employee who provides essential services to the public is expected to respond to a reasonable assignment by the employee’s supervisor to be in “on-call status” periodically. The employee is free to pursue personal activities, but must respond to a call back within designated guidelines by the appropriate departmental director. On-call status is not considered time worked and will not be counted in the total number of hours the employee works during the work period. An employee who is called and reports to work will be compensated for the actual number of hours work at the applicable rate based on the total number of hours the employee works during the work period.
- (b) An employee will be considered to be officially scheduled and designated as “on-call” when:

 - 1) An on-call need has been identified by the department head, instructions have been communicated by the supervisor to the employee concerned and the employee has acknowledged the on-call status and availability instructions; and
 - 2) The employee indicates to the supervisor how the employee can be contacted by phone.
 - 3) Eligible public works employees are to be assigned as “on-call” on a weekly rotational basis (Wednesday to Wednesday) at the sole discretion of the Director of Public Works. Employees will receive stipend compensation in the amount of \$100 per week for each week that they are assigned as “on-call”. This stipend will be compensated on the employee’s regular payroll following approval by the Director of Public Works.

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Article V. LEAVE POLICIES

Sec. 5.01. Holidays.

- (a) **Eligibility.** All employees are eligible for paid holidays. When an official paid holiday occurs on a scheduled workday of an employee who works

the day or shift before and following the holiday, the employee is entitled to holiday pay and shall receive pay for the number of hours the employee normally would have worked, up to 10 hours.

(b) Part-time and temporary employees. Part-time and temporary employees who would have normally worked on a day of the week observed as a holiday shall be entitled to a paid holiday for the number of hours they would have worked on that day if the holiday had not occurred.

(c) Worked holiday. As many employees as possible shall be given each holiday off without loss of pay. Full-time regular employees who are required to work on a holiday which is a workday, shall be paid at the rate of two times the employee's regular hourly rate of pay for the first ten (10) hours worked. Hours worked in excess of ten are paid at the overtime rate. [See Sec. 4.06]

(d) Loss of holiday pay. An employee will not receive pay for a holiday if the employee is:

- (1) terminating employment with the city, and the last day as a paid employee is the workday before a paid holiday;
- (2) on leave of absence without pay the workday before the paid holiday;
- (3) absent on the workday before or following a paid holiday, without leave or without notifying the employee's supervisor in advance; or
- (4) absent without leave on a holiday when the employee is scheduled to work.

(e) Holidays designated. The following days are the official paid holidays for the city:

- (1) New Year's Day (January 1);
- (2) Martin Luther King Day (January 18th)
- (3) Memorial Day;
- (4) Independence Day;
- (5) Labor Day;
- (6) Thanksgiving Day;
- (7) Day after Thanksgiving Day;
- (8) Christmas Eve;

- (9) Christmas Day;
- (10) One floating holiday; and
- (11) Any other holiday declared by the city manager or city council.

- (f) **Religious holidays.** An employee wishing to observe a religious holiday not designated in Subsection (e), shall at the employee's option be given leave without pay or have the time charged to other appropriate leave.
- (g) **Substitute holidays for Monday-Thursday Operations.** If a designated holiday falls on a Friday, Saturday, or Sunday, the City Manager will make the determination on whether to observe the holiday either the day immediately prior or following. This is only applicable to positions that normally operate on a Monday- Thursday basis.
- (h) **Unusual schedules.** Department heads shall ensure that eligible employees working unusual schedules or on shifts, receive benefits for the full number of holidays.

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Sec. 5.12. Personal Day

- (a) Full-time employees will receive one full-day of leave a year to be taken at any time the employee chooses, with the approval of a supervisor. The employee shall be compensated for their normally assigned shift or normally assigned hours. Below is a guideline of hours to be applied:
 - (1) Administrative of office employee: 10 hours
 - (2) Police Officer or Dispatcher: 12 hours
 - (3) Shift based Firefighter: 24 hours

SECTION 2. Within seven (7) working days of adoption of this resolution, the Human Resources Director is directed to disseminate the amended policy, section 9.01(e) set forth herein, to all City employees by one or more of the following means: (1) prominent posting in all City departments, (2) email transmission, (3) distribution by department heads to all department employee, and/or (4) such other means as will apprise employees of the amendment.

SECTION 3. This resolution shall become effective _____.

PASSED AND APPROVED this the _____ day of May, 2024.


City of Everman, Texas

Ray Richardson, Mayor

Attest:

Mindi Parks, City Secretary

Approved as to Form:



Victoria Thomas, City Attorney