

## 1.00 GENERAL POLICIES

### 1.01 AUTHORITY

~~1.01.01 01.01.01~~ These policies are established by the City Council, ~~and any amended, revised, Amendments, revisions, or the addition of~~ new policies, must be approved by the City Council, ~~except for non-policy corrections, clerical and grammatical errors.~~

~~1.01.02. The Mayor is responsible for the promulgation of all City policies.~~

~~\_\_\_\_\_~~ This personnel policy ~~handbook completely manual~~ replaces and supersedes any and all personnel policies previously adopted, individually or as a set of policies, by the City Council.

~~1.01.03 01.01.03~~ The City Manager may adopt administrative procedures that ~~complement these policies for specific operational or personnel issues, so long as the administrative procedures do not conflict with the City Secretary, undermine or diminish these personnel policies.~~

~~In addition to these personnel policies, department 01.01.04~~ Department heads may establish ~~departmental policies procedures that relate specifically to for specific~~ personnel issues in their departments, ~~asso~~ long as ~~they department procedures~~ do not conflict with ~~these City Council approved~~ policies. If there is a conflict between a ~~departmental rule or department procedure policy~~ and ~~these policies or any future amendments to these City Council approved~~ policies, the terms of ~~thesethe City Council approved~~ policies shall prevail. ~~Additionally, departmental rules and regulations Department policies must be approved by the City Administrator, ratified reviewed by the Human Resources Director City Attorney for legal compliance, and placed officially on file and approved by the City Manager.~~

### 1.02 SEVERABILITY

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

### ~~1.03 RESPONSIBILITY FOR IMPLEMENTATION OF POLICIES AND PROCEDURES~~

#### 1.03 PROMULGATION AND ADMINISTRATION

~~1.03.04 1.03.01~~ The City ~~Administrator is responsible for~~ Manager will ensure the

implementation, enforcement, and day-to-day administration of ~~city~~City policies ~~and procedures. He/she may delegate authority to appropriate staff, including department heads, to act in his/her behalf in the administration. The City Manager may delegate authority to appropriate staff, including Department Heads, to act on City Manager's behalf in the administration of City policies.~~

~~1.03.02~~ 1.03.02 With the exception of matters of appointments and other personnel actions reserved to the City Council by statute, final authority, in the form of review and approval, is reserved to the ~~Mayor and/or City Administrator~~Manager with regard to all personnel matters and subjects covered by these ~~regulations~~policies.

## 1.04 PURPOSE

These policies set forth guidelines for the City and, are the primary rules governing employment and operating procedures within the City. ~~Also, the~~The policies contained herein inform employees of the benefits and obligations of employment with the City. They have been prepared and adopted in order to promote consistent, equitable, and effective practices by both employees and supervisors which will result in high quality public service to the citizens of Fair Oaks Ranch.

~~This employee policy handbook~~The Personnel Policies Manual is a general guide, and the provisions of this ~~handbook~~manual do not alter the at-will employment relationship or constitute an employment agreement, a contract, or a guarantee of continued employment. The City of Fair Oaks Ranch reserves the right to change the provisions of this ~~handbook~~manual at any time and without prior notice. The provisions contained in this ~~handbook~~manual are applicable to all employees. Any promises which conflict with the provisions of this ~~policy~~manual are effective only if in writing and signed by the ~~Mayor and/or the City Administrator~~Manager.

~~At-will is defined as either the employer or the employee may terminate the employment relationship at any time, without advance notice, and for any cause or no cause whatsoever, without implicating a remedy for wrongful termination.~~

## 1.05 APPLICABILITY OF PERSONNEL POLICIES

~~1.05.01 These personnel policies apply equally to all employees of the City. An "employee" is any person hired by the City. A person on retainer, under contract or City Council members, Board members, and Committee members are not considered to be City employees.~~

~~Because of the uniqueness of law enforcement operations, the Police Chief is authorized to maintain a separate POLICY AND PROCEDURES manual for law enforcement personnel. However, the law enforcement manual must be consistent with the policies mandated by this manual with regard to wage and salary administration and benefit entitlements.~~ Time and attendance parameters for law enforcement personnel will be in compliance with the

~~Federal Labor Standards Act. Any deviation from policies mandated by this manual must receive City Council approval and the Law Enforcement manual will be subject to review by City Council and the City Administrator.~~

~~1.05.02 In cases where federal or state laws or regulations supersede local policy for specific groups of employees, such laws or regulations will substitute for these personnel policies only insofar as necessary for compliance.~~

#### **~~1.06~~1.05 DISSEMINATION OF PERSONNEL POLICIES**

~~1.06.01 The City Secretary oversees the maintenance of the official set of the personnel manual with all revisions. Each Department Head shall keep a copy available for reference by their employee. Upon employment, the City Accountant will provide a complete copy of the personnel manual and, copies of all subsequent revisions to each employee. If a question arises about a particular policy, the official set of policies maintained by the City Secretary shall be consulted and will prevail.~~

~~1.06.02 Each employee receives a copy of these policies and is required to read it carefully and  
to adhere to the rules and regulations stated herein. Within two weeks of employment, every employee is required to sign the **ACKNOWLEDGMENT OF HAVING READ AND UNDERSTOOD THE POLICIES CONTAINED IN THESE PERSONNEL POLICIES** (See **Appendix B**) and return the form to the City Accountant for filing in their personnel file.~~

#### **~~1.07~~ EQUAL EMPLOYMENT OPPORTUNITY**

~~1.07.01 It is the policy of the City of Fair Oaks Ranch not to allow discrimination against any person in job structuring, recruitment, examination, selection, appointment, placement, training, upward mobility, discipline, or any other aspect of personnel administration based on a person's race, age, religion, color, disability, national origin, sexual orientation, or gender.~~

~~1.07.02 The City prohibits retaliation or discrimination against any employee for opposing an unlawful or discriminatory employment practice, or for alleging such a practice or participating in an investigation of an allegation of discrimination. (Legal references: U.S. Civil Rights Acts of 1871 and 1964, as amended; V.T.C.A. Civil Practices and Remedies Code, Chapter 106; Texas Commission on Human Rights Act, V.T.C.S., Article 5221K; U.S. Age Discrimination in Employment Act of 1967, as amended; U.S. Rehabilitation Act of 1973, as amended; U.S. Americans with Disabilities Act of 1990; U.S. Equal Pay Act.)~~

#### **~~1.08~~ AFFIRMATIVE ACTION**

~~The City of Fair Oaks Ranch will take affirmative action to see that applicants and employees are treated fairly during their employment, without discrimination based on race, age,~~

~~religion, color, disability, national origin, or sex. In addition, the City will seek to include qualified members of minorities and persons with disabilities in applicant pools. (Legal reference: U.S. Executive Order 11246; U.S. Americans with Disabilities Act of 1990).~~

## **~~1.09 PERSONS WITH DISABILITIES~~**

~~It is the policy of the City to make its employment application process, employee activities, working environment, employee benefits, employee training, and employee advancement process accessible to persons with disabilities; and the City will make reasonable accommodations for a qualified (a person who has a physical or mental condition which substantially limits a major life activity) individual with a disability who is an applicant or employee unless that accommodation will place an undue financial hardship on city operations or if the disability inhibits the individual from performing their job. (Legal references: U.S. Rehabilitation Act of 1973, as amended; and U.S. American with Disabilities Act of 1990).~~

## **~~1.10 SEXUAL HARASSMENT~~**

~~1.10.01 It is the policy of the city to provide and maintain a work environment which is free of sexual harassment, sexual exploitation, and intimidation. All employees are expected to comply~~

~~with this policy; failure to do so will result in disciplinary action up to and including termination.~~

~~1.10.02 Sexual harassment means unwelcome sexual advances, requests for sexual favors, or other physical or verbal conduct of a sexual nature 1) that creates a hostile working environment or 2) the submission of which is made a term or condition of a person's employment (quid pro quo).~~

~~1.10.03 It is illegal and against the employer's policy for any worker to harass another worker or to create a hostile working environment by either committing or encouraging:~~

- ~~% Physical assaults on another employee, including, but not limited to, rape, sexual battery, molestation, or attempts to commit these assaults; or~~
- ~~% Intentional physical contact that is sexual in nature, including, but not limited to, touching, pinching, patting, or brushing up against another employee's body; or~~
- ~~% Unwanted sexual advances, propositions, or sexual comments, including making sexual gestures, jokes, or comments made in the presence of any employee who has indicated that such conduct in his/her presence is unwelcome; or~~
- ~~% Posting or displaying pictures, posters, calendars, graffiti, objects, or other materials that are sexual in nature or pornographic.~~

~~1.10.04 If an employee feels they have been the victim of discrimination, harassment or intimidation or has observed conduct that could be construed as harassment, discrimination or intimidation, the employee should report it to their Department Head or the City Administrator. The written report should state specific details of the incident(s) and a description of what happened.~~

~~1.10.05 The Department Head must notify the City Administrator immediately when a sexual harassment complaint is received. An investigation into any complaint or a report that may be deemed as reasonable shall be initiated immediately. Both the complaint and the investigative steps and findings shall be documented thoroughly. Confidentiality will be maintained with respect to a sexual harassment complaint and only those who need to know about such a complaint will be advised of its existence.~~

~~1.10.06 No employee will be subject to any form of retaliation or discipline for pursuing a sexual harassment complaint. (Legal references: Title VII of the U.S. Civil Rights Act, Section 703, as interpreted by EEOC).~~

1.05.01 The Human Resources Department will maintain current and prior approved versions of the manual. A copy of the most recently approved manual will be available to all employees on the City's Intranet site.

1.05.02 At time of hire, new employees will acknowledge they have reviewed the personnel policies manual and return the acknowledgement to the Human Resources Department.

## **1.06 TERMS SUBJECT TO APPROPRIATION**

1.06.01 All terms, conditions, benefits, and provisions outlined in the personnel policies manual are subject to the availability of funds and annual appropriation by the City Council. Nothing in this manual shall be construed as a guarantee of funding or continued financial obligation beyond appropriations made by the City Council.

1.06.02 The City provides a comprehensive benefits package to eligible employees as approved and budgeted for by the City Council. These benefits may include medical, dental, and vision insurance; short- and long-term disability coverage; a Section 125 flexible spending plan for qualified healthcare expenses; contributions to a retirement plan; basic life and accidental death and dismemberment insurance; voluntary life and accidental death and dismemberment insurance; and access to a voluntary 457(b) deferred compensation plan. The Human Resources Department will maintain a current schedule of City-provided benefits on the Intranet portal for employee reference.

## **1.11.07 SMOKING/ AND TOBACCO USE**

Smoking ~~and~~ tobacco use, and vaping is prohibited within ~~all city~~ City facilities and vehicles.

## **~~1.12 POSSESSION/USE OF DRUGS/ALCOHOL~~**

~~1.12.01 Possession or use of illegal drugs, and possession or consumption of alcohol will not be tolerated in the work place or during work hours.~~

~~1.12.02 An employee taking prescribed medication or over the counter medication having a warning of drowsiness or other adverse condition on the label must notify their Department Head prior to the beginning of the work period.~~

~~1.12.03 See Section 10.05; Substance Abuse and Alcohol Misuse for additional information, procedures and responsibilities.~~

## **~~1.131.08~~ INSPECTION/ AND REASONABLE SEARCHES**

~~1.13.01 The City of Fair Oaks Ranch respects the privacy of its employees. However, an employee may not expect such privacy rights to extend to the use of city-owned systems, equipment or supplies or to work-related conduct and this policy is intended to notify all employees that no reasonable expectation of privacy exists in connection with such.~~

~~1.13.02 The City reserves the right to make general or random searches/inspections of employee's lockers, purses, personal vehicles, parcels, clothing, closets, desks, and other personal property while in the possession of employee during the course and scope of their employment, while located on City property or while located in City or personal vehicles parked on City property, or being used for City business. The use of privately owned padlocks or other locking mechanisms of city property is prohibited. If need be, locks will be provided by the City.~~

~~1.13.03 Personal possessions entered onto City property, as defined above, will constitute consent by the employee to searches/inspections at any time if a reasonable suspicion exists that weapons, alcohol, prohibited drugs, or drug paraphernalia may be found.~~

1.08.02 The City reserves the right to make searches of employee lockers, offices, cabinets and desks during the course and scope of their employment and while located on City property. Searches will be based on reasonable suspicion of non-compliance with City policies or investigation into misconduct. The use of privately owned padlocks or other locking mechanisms of City property is prohibited. If need be, locks will be provided by the City.

~~1.13.04 If the employee is available, they will be advised of the search/inspection. The inspection of an employee's clothing will be conducted by a person of the same gender as the employee, in the presence of a witness of the same gender. All other searches will be conducted as privately as possible, involving only persons with a need to know and only with the authorization of the Mayor or City Administrator.~~

~~1.13.05~~ 1.08.03 ~~An employee who refused to cooperate in an inspection, submit to a~~

~~reasonable search, that~~ is found to have unauthorized possession of property ~~of the City, coworkers, or customers,~~ or is found in possession of open alcoholic ~~beverages, beverage containers, illegal~~ drugs, or illegal drug-related paraphernalia on City property may be terminated. ~~The employee's refusal to cooperate will be noted in their employee folder, together with a statement that reasonable suspicion existed to conduct the search. subject to disciplinary action.~~

#### **1.141.09 WEAPONS BANNED**

##### 1.10.01 1.09.01

~~The City prohibits the carrying or possessing of weapons by any employee who is not a licensed police officer while on city in City-owned property facilities or in a City vehicle. This ban also includes keeping or transporting a weapon in a private vehicle on City business vehicles. Employees are also prohibited from carrying or possessing a weapon while performing City services or while engaged in City business whether on private property or not.~~

1.14.04 1.09.02 Weapons include general categories of guns, knives, explosives and other items with potential of combat that if used could reasonably be expected by the City to inflict harm upon another.

~~1.14.02 Appropriate disciplinary action, up to and including termination, will be taken against any employee who violates this policy. However, nothing in the policy shall prohibit any state or federal certified peace officer or law enforcement officer from carrying or possessing any weapon they are lawfully authorized to carry or possess. Employees who are required to possess weapons to perform the duties of the job are exempt from the applicable provisions of this paragraph.~~

#### **1.151.10 SUGGESTED CHANGES TO THE POLICIES; EMPLOYEE SUGGESTIONS**

1.10.01 ~~The city reserves the right to~~ City may revise, change, or terminate policies or procedures at any time, with or without notice and upon City Council approval. ~~In addition, the~~

##### 1.15.04 1.10.02

~~The City Administrator/Manager will conduct an annual regularly review of these policies as part of the budget process and submit any necessary or recommended changes to the City Council for approval prior to the beginning of the new fiscal year. Changes will be made to the policies for the following purpose: to clarify and/or enhance existing policies and procedures, to add new policies or amend existing policies in order to improve current city management practices, and to conform current policies and procedures to changes in law or council policy. Each employee. Employees will be provided with a copy notice of any approved changes to the policies within two weeks of the change. Employees are responsible for placing the issued page(s) into their Policy manual within a reasonable amount of time of City Council adoption.~~

1.10.02 1.10.03 Employees are encouraged to make constructive suggestions for improvements



~~into~~ these policies or ~~in work procedures or~~working conditions. ~~Any employee who wishes to suggest a personnel policy change should submit his or her suggestion(s) in writing, along with the rationale for making the change, through their Department Head who will forward it to the City Administrator~~ to the City Manager for consideration. ~~Employees are responsible for maintaining current knowledge and understanding of all personnel policy changes and for requesting clarification or assistance when needed.~~



## **13.00 SEPARATIONS**

### **13.01 13.00 TYPES SEPARATION OF SEPARATION EMPLOYMENT**

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

- Resignation;
- Retirement;
- Reduction in Force;
- Dismissal;
- Disability; or
- Death

### **13.02 RESIGNATION**

In order to terminate in good standing, an employee who intends to resign should notify their Department Head in writing at least 10 working days prior to their last day of work.

#### **13.01 GENERAL**

The City Administrator recognizes termination of employment as the end of the relationship between the City and the employee for any reason. When employment terminates, the Human Resources Department will designate the termination type and document the action in the employee's personnel file.

### **13.02 VOLUNTARY TERMINATIONS**

13.02.01 A voluntary termination refers to the end of the employment relationship initiated by the employee. Voluntary terminations in good standing are received by a supervisor with appropriate notice prior to their last day of work. Non-exempt employees will give at least two weeks' notice and exempt employees will give at least four weeks' notice. The City Manager may waive any portion of the notice period requirement. Except for job abandonment terminations, all employees not in their introductory period and in good standing on their last day of employment will be paid the balance of their unused vacation leave.

13.02.02 Resignation is when an employee notifies a supervisor or other City official of their intent to resign from their position. The notice can be verbal or written. In either case, the supervisor or City official will, upon notification, immediately follow up with a written response back to the employee that confirms the acceptance and effective date of the resignation. The written follow-up response will be copied to the Human Resources Department and placed in the employee's personnel file.

13.02.03 Retirement is when an employee notifies the City of their intent to end their career or long-term employment with the City based on specific eligibility requirements. A retirement notice will be given in writing to the Human Resources Department. Employees

wishing to retire must give at least 30 days' written notice to the Human Resources Department.

13.02.04 Death of an employee. If an employee dies while employed by the City, the separation will be voluntary and will be effective on the date of death. Upon the death of an employee, any final wages, accrued vacation, sick leave, or other compensation owed will be paid to the employee's estate, in accordance with Texas law. The municipality will require proof of appointment of an executor or administrator, or other legally recognized documentation, before releasing such payments. Payments will comply with applicable federal and state tax reporting requirements.

13.02.05 Job abandonment results from an unauthorized absence that exceeds three consecutive workdays without the employee notifying a supervisor or the Human Resources Department. Prior to dismissal, the Human Resources Department will make reasonable efforts to contact the employee to determine if there are mitigating circumstances (i.e., employee is incapacitated). Exceptions due to mitigating circumstances may be approved by the City Manager.

### **13.03 INVOLUNTARY TERMINATIONS**

13.03.01 An involuntary termination is when the City dismisses an employee for a justifiable reason so long as the termination is not discriminatory or illegal. The City may take an involuntary dismissal action with or without notice.

13.03.02 For cause termination is when the City ends the employment relationship due to misconduct or a breach of performance. The Human Resources Department will prepare and deliver the written dismissal action and notice, which will contain the reasons for termination. Employees terminated for cause are not eligible for the payout of their unused vacation leave. The City Manager may approve exceptions on a case-by-case basis upon request of the terminated employee.

13.03.03 At-will termination is when the City determines it is in its best interest to end the employment relationship. The Human Resources Department will prepare and deliver the written dismissal action and notice. The at-will termination notice will not contain the reasons for termination. All employees terminated at-will who are not in their introductory period on their last day of employment will be paid the balance of their unused vacation leave.

13.03.04 Terminations due to an employee no longer being able to perform the essential functions of their job, with or without accommodation will be administered in full compliance with state and federal laws. Involuntary terminations due to inability to perform the essential functions of the job will be strictly coordinated with the City Attorney's office prior to implementation.

13.03.01 Upon voluntary termination, an employee who has completed their six months of continuous employment will be paid for accrued and unused vacation leave up to the limit

of their maximum allowable accumulation and when proper written notice is given (**Section 8.03.06, Leave Time**). No payment of such benefit will be made if employment is terminated within six months of the employment hire date.

### **~~13.04 RETIREMENT~~**

~~13.04.01 An employee who intends to retire must notify their Department Head in writing at least 30 days prior to the last day of work. The Department Head is responsible for immediately notifying the City Administrator.~~

~~13.04.02 Eligibility for retirement shall be predicated upon the criteria established by the Texas Municipal Retirement System.~~

### **~~13.05 REDUCTION IN FORCE~~**

~~13.05.01 An employee may be separated when intent to resign from their position is abolished, or when there is . The notice can be verbal or written. In either a lack of funds case, the supervisor or lack of work.~~

~~13.05.02 When reductions in force are necessary, decisions on individual separations will be made after considering the relative necessity of each position to the organization, the performance record of each employee, qualifications of the employee for remaining positions with the City, and the employee's length of service City official will, upon notification, immediately follow up with the City.~~

~~13.05.03 Employees who have been laid off may reapply to the City for other positions. Former employees who are otherwise equally qualified, will be given priority consideration in the event of a vacancy.~~

~~13.05.04 When a regular employee who has completed the introductory period is dismissed as a result of a reduction in force, they will be given a minimum of two week's written notice, paid in full to the time of discharge including accrued vacation time.~~

~~13.05.05 A layoff shall not be considered a disciplinary action. An employee may be recalled to their job or another similar job in which they meet the minimum job requirements and qualifications. An employee failing to report response back to work shall be considered as having forfeited their right to re-employment.~~

### **~~13.06 DISMISSAL~~**

~~13.06.01 All employees are hired at will the employee that confirms the acceptance and can be dismissed at any time, with or without prior notice, as long as the action is not discriminatory under existing federal or state statutes.~~

~~13.06.02 All employee dismissals must be authorized by the Mayor with a copy of the effective date of the resignation. The written authorization follow up response will be copied~~

~~to the Human Resources Department and placed in the employee's personnel file.~~

~~13.06.03 Employees involuntarily terminated, not due to misconduct, will be afforded prior notice if possible, paid for unused accrued vacation, and will be eligible to apply for Texas Unemployment Compensation.~~

### **~~13.07 DISABILITY~~**

~~An employee may be separated when, for physical or mental reasons, the employee cannot perform the duties of his job. This separation must be in full compliance with statutory requirements and state and federal guidelines for the disabled. Official medical documentation substantiating the separation must be in hand prior to effecting a disability termination. Termination in itself will not negate worker's compensation if payments are still being made and no final settlement has been reached.~~

### **~~13.08 DEATH~~**

~~If an employee dies, their estate receives all pay due and any earned and payable benefits as of the date of death.~~

### **~~13.09~~13.04 EXIT INTERVIEWS**

13.04.01 All employees who leave employment will be offered the opportunity to provide constructive feedback to the City, if practicable.

13.04.02 Exit interviews will be scheduled and conducted by the Human Resources Department in-person and should occur on or about the employee's last day of employment. The Human Resources Department will maintain a standardized exit interview form that:

1. Provides an understanding of the reasons for the employee's departure from City employment,
2. Captures feedback on opportunities to improve organizational culture, leadership, communication, and working conditions,
3. Provides the departing employee a final chance to express concerns and share experience, and
4. Documents that the employee was counseled on final compensation, unemployment eligibility, and benefits rights.

The Human Resources Department will share the results of exit interviews with the terminated employee's supervisor, Department Head, and the City Manager. Exit interview forms will be kept in the employee's personnel file.

### **~~13.10~~13.05 REFERENCE CHECKS**

All requests for references will be referred to the Human Resources Department. The only reference check information that may be provided to another agency or person shall be the

former employee's:

1. Beginning and ending dates of service, and
2. Last position held with the City.

#### **13.1113.06 SEPARATION PAY**

13.06.01 Terminated employees will receive their final paycheck, to include cash value of any eligible unused vacation leave, on the next regularly scheduled payday following their last day of employment and upon receipt of all work items issued to them.

13.06.02 Unused sick leave balances will be set to zero upon termination of employment. Sick leave balances have no cash value.

#### **13.1213.07 CONTINUATION OF GROUP INSURANCE**

13.07.01 The Federal Consolidated Omnibus Reconciliation Act of 1985 (COBRA) allows certain individuals the option of continuing their group health insurance, at the individual's expense, under specified conditions, beyond the date on which it would otherwise terminate.

13.07.02 The City's will provide a "Continuation of Coverage Election Form" to be completed, if elected by the employee, at the time of separation. Premiums must be paid prior to the next eligible month of coverage for the employee to remain eligible.

## 15.00 JOB DESCRIPTIONS AND PERFORMANCE EVALUATIONS

### 15.01 JOB DESCRIPTIONS

15.01.01 The ~~City Administrator~~ Human Resources Department shall establish and periodically review official written job descriptions for each City position. Department Heads will periodically review, and the City Manager will approve job descriptions for authorized positions in their departments to ensure compliance with this policy.

15.01.02 Every person employed by the City, regardless of employment type, will have an approved job description prior to beginning employment.

15.01.03 The ~~City Secretary~~ Human Resources Department will maintain a master file of all job descriptions.

### ~~15.02 DISTRIBUTION~~

During the employee's orientation, and publish the active job description for on the appropriate employee position Intranet.

15.01.04 Each job description will be given to include the employee, reviewed by the employee, following elements:

1. Job title,
2. Department and placed/or division,
3. Which job the incumbent reports to (supervisory relationship),
4. FLSA classification and pay grade,
5. Job description overview,
6. List of essential duties and responsibilities,
7. List of minimum qualifications,
8. List of preferred qualifications,
9. List of Knowledge, Skills, and Abilities (KSA's)
10. List of physical requirements to perform the essential functions of the job,
11. Description of work environment, and
12. Date of last revision.

15.01.05 Job descriptions will be used for:

1. Recruitment announcements and candidate evaluation,
2. Establishment of performance expectations and used as a guide to support performance evaluations,
3. Classification and pay structure decisions, and
4. Legal compliance relating to employment laws.

15.01.06 Employees will acknowledge review and receipt of their job description during their initial employment onboarding period and upon any revisions. A copy of the signed acknowledgement will be kept in their personnel file along with a certification that they

have reviewed them.

### **~~15.03 REQUESTS FOR CLARIFICATION~~**

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

### **~~15.04 EMPLOYEE PERFORMANCE EVALUATION~~**

~~15.04.01 Performance evaluations have the primary purpose of improving the employee's understanding of their progress on the job and the Department Head's understanding of the employee's viewpoints about factors that affected their performance during the period covered by the evaluation. Scheduled evaluations provide an opportunity to assess progress and to plan for future performance improvements, but should never replace day-to-day communication between Department Head and employee regarding performance expectations and actual performance~~

~~15.04.02 Supervisory personnel may conduct a verbal and written performance evaluation of their employees annually by June 1 which will be used to make recommendations for employees deserving pay increases based upon job performance.~~

~~15.04.03 A performance evaluation shall be conducted at the end of the initial six-month period of employment. However, a formal performance may be conducted at any time to recognize and document occasions of either unsatisfactory or outstanding performance.~~

~~15.04.04 Evaluators shall individually discuss the evaluation results with their employee and shall counsel them regarding their careers and any improvements in performance, which appear desirable or necessary. Employees dissatisfied with their performance evaluation may seek reconsideration by using the established grievance procedure.~~

~~15.04.05 Any time that an employee receives a marginal or poor written evaluation, they must be asked to sign a statement acknowledging that they understand the evaluation of their performance. The employee must also be given a profession development or "growth" plan that outlines what must be done and the maximum time allowable to correct the deficiencies. Failure to provide a plan will negate the impact of a marginal or poor evaluation when considering formal disciplinary action in the future.~~

~~15.04.06 Performance evaluations are maintained in each employee's personnel file until superseded plus two years (29 CFR 1620.32c).~~



## **15.02 PERFORMANCE EVALUATIONS**

15.02.01 Regular performance evaluations serve as an essential process for assessing individual employee contributions to the City's mission, providing written performance feedback, documenting professional development needs, and aligning employee work plans and goals with organizational goals. Formal performance evaluations should never replace day-to-day communication and performance feedback between supervisors and employees.

15.02.02 Employees will acknowledge receipt of performance evaluations.

15.02.03 Supervisors will conduct a written performance evaluation at least annually. Written evaluations will be conducted in accordance with the annual evaluation schedule as determined by the City Manager.

15.02.04 Evaluation marks or comments that indicate substandard performance will require constructive and factual explanation that justifies the rating. Supervisors who, in the course of drafting evaluations, are expecting to make marks or comments that indicate substandard performance must coordinate with a Department Head prior to presenting performance feedback to the employee.

15.02.05 Written performance evaluations are not substitutes for performance improvement plans or disciplinary action.

15.02.06 Human Resources will publish and maintain a performance evaluation tool on the Intranet site.

## 17.00 PROFESSIONAL DEVELOPMENT

### 17.01 ~~GENERAL POLICY.~~

The ~~city~~City encourages ~~its~~ employees to ~~take advantage of~~ pursue educational ~~or training~~ opportunities, training programs and professional memberships ~~which that~~ are related ~~relevant~~ to ~~and will enhance the performance of their work with the City.~~ roles, support the enhancement of their job performance, and directly contribute to the City's mission.

### 17.02 ~~REQUIRED ATTENDANCE AT SEMINARS AND CONFERENCES.~~

~~17.02.01~~ When the ~~city~~City authorizes an employee to attend an educational ~~or course,~~ training ~~course~~ program, conference, or seminar, ~~the city~~it will provide ~~the necessary~~ paid time off ~~with pay~~ and reimburse ~~the employee for any~~ associated ~~costs~~ expenses as detailed ~~outlined~~ in Chapter ~~Section~~ 18.00 Travel. The ~~city~~City will not reimburse ~~employees costs~~ for ~~any~~ training or ~~educational course, etc.~~ education that is unrelated to ~~their~~ the employee's job duties or responsibilities.

~~17.02.01~~ 17.02.02 As defined by the Fair Labor Standards Act, (FLSA), if ~~the a~~ required class is ~~held~~ scheduled on an employee's ~~work day~~ regular workday, the employee will be ~~paid the number of hours of attendance including travel time less their normal travel time to/from home to work~~ compensated at their ~~current~~ regular straight-~~time~~ rate ~~based on the employees regular work week for the hours spent in attendance, including travel time, minus their normal commute time between home and their regular work location. The appropriate overtime rate will apply to overtime hours.~~

17.02.03 If ~~the a~~ required class or training is held on an employee's scheduled day off or before/after an employee's work day, the employee will be ~~paid the number of hours of~~ outside of the hours spent in attendance, including travel time-, in accordance with applicable wage and hour laws, compensation will be at their current ~~the regular~~ straight-~~time~~ rate ~~based on the employees regular work week unless the hours are considered overtime in which case the appropriate overtime rate will apply.~~

~~17.02.02~~ 17.02.04 The ~~city~~City reserves the right to limit the availability of education/training reimbursement ~~due to budgetary~~ based on budget appropriations or other reasons.

### 17.03 ~~PROFESSIONAL MEMBERSHIPS.~~

An employee who ~~joins~~ is a member of a professional association related to their ~~city~~ workCity employment may be reimbursed for dues and necessary travel expenses when ~~meetings are judged~~ participation is beneficial to the City and funds have been appropriated to ~~offer special training or information of value to the employee in their work at the City.~~

| cover expenses and travel costs.

## ~~18.00 TRAVEL AND SUBSISTENCE REIMBURSEMENT~~

### ~~18.00~~18.01 GENERAL POLICY.

18.01.01 The ~~policy of the city is to~~ City will reimburse employees ~~fully~~ for necessary and reasonable job-related travel expenses incurred ~~in the while on approved travel.~~

~~18.00.01~~ 18.01.02 Employees seeking reimbursement for travel related expenses will document reasonable and allowable expenses by submitting receipts, provided travel is authorized ~~conduct of city business, including business-related travel.~~

• ~~All travel expenses are subject to requirements of documentation and reasonableness, and will be honored in conformity with adopted policies, provided that the travel was properly authorized and that funds are available in the department's budget. In some cases, the city~~ The City may prepay travel related expenses such ~~expenses as~~ registration fees, hotel ~~costs~~, and ~~/or airline or other public transportation costs directly to the entity involved.~~

• 18.01.03 Expenses ~~which are~~ must be allowable and permitted by the funding source being used to pay travel expenses. Travel costs that are not permitted under the terms of certain grants, contracts, or agreements ~~with other agencies~~ will not be charged as costs to those grants, contracts, or agreements.

### ~~18.01~~18.02 SAME DAY TRAVEL ~~FOR BUSINESS OR TRAINING.~~

~~All necessary day travel~~ Travel for ~~conduct of city~~ City business or ~~job-related training that occurs within a single scheduled workday~~ must be authorized by the ~~employees~~ employee's supervisor. ~~Reimbursement for travel expenses will be determined by the employees department head~~ Travel-related expense reimbursement is limited to mileage and one meal, unless otherwise approved by the Department Head.

### ~~18.02~~18.03 OVERNIGHT TRAVEL ~~FOR BUSINESS OR TRAINING.~~

• 18.03.01 Overnight travel for ~~conduct of city~~ City business or job-related training or conferences is permissible provided that ~~it~~ travel is authorized in advance by the ~~department head and does not exceed budgetary limitations~~ Department Head and there are adequate funds available to cover expected expenses.

• 18.03.02 Travel expenses, ~~as determined by the employee's department head,~~ will be reimbursed for travel within the continental United States ~~only, unless specifically.~~ Travel outside of the continental United States must be approved by the City ~~Administrator~~ Manager.

• ~~When~~ 18.03.03 Employees who use their private automobiles ~~are used,~~

~~reimbursement is allowed~~ will be reimbursed mileage based on the basis of actual ~~mileage~~ miles travelled ~~or, not to exceed the cost of a~~ coach class air fare ~~plus all ticket and~~ associated air travel costs such as airport parking, taxi service, baggage fees, etc., ~~whichever is less (as determined at the time of training, meeting or conference registration).~~ Employees electing to use a more ~~costlier~~ expensive mode of transportation, will be reimbursed ~~only up to the extent that the total cost does not exceed what would have been available by~~ the most economical and reasonable method of travel.

#### ~~18.03~~ 18.04 EXPENDITURES/REIMBURSEMENTS.

~~18.04.01~~ 18.04.02 Employees ~~engaged in authorized travel in the conduct of city business~~ will be reimbursed for documented and necessary expenses ~~or in the form of a per diem. or will be~~ paid per diem. Reimbursable ~~subsistence~~ expenses will generally be for registration, lodging, mileage, official business telephone calls, parking, tolls, taxi, and reasonable gratuities of not more than 20% ~~15%~~ of meal charge.

~~18.04.02~~ 18.04.03 Mileage. Employees are encouraged to use a City vehicle ~~vehicles but where use of a personal vehicle is used, reimbursement will be at the standard annual Internal Revenue Service mileage rate. Employees are expected to use the shortest distance between point of departure and destination. Mileage reimbursement accumulates from point of departure through return when driving is necessary. If a personal vehicle is used, mileage reimbursement will be at the standard annual Internal Revenue Service mileage rate. Employees are expected to use the shortest distance between the point of departure and destination. Mileage reimbursement accumulates from the point of departure through return.~~

~~18.04.03~~ Lodging. ~~The city pays up to the single room rate. If two employees share a double room, the double room rate is allowed. The city shall not require employees to share a double room. The City will reimburse employees for travel-related lodging expenses during authorized work-related travel. Reimbursement for lodging will be based on the current federal daily lodging rates published by the General Services Administration (GSA) for the destination location. Lodging will be reimbursed up to the daily federal lodging rate, including allowable taxes, with receipts required. Reimbursement exceptions above the federal lodging rate may be approved on a case-by-case basis by the Department Head. Employees are encouraged to use reasonably priced accommodations. If two or more employees choose to share a hotel room or short-term rental (e.g., Airbnb or similar), each employee may be reimbursed for their pro-rata share of the total cost, not to exceed the federal lodging rate per person. All shared accommodations must be pre-approved by a Department Head and documented.~~

~~18.04.04~~ Meals ~~—Overnight Travel~~. It is the policy of the city to pay a per diem for meals to employees during overnight business-related travel. The U.S. General Services Administration ([www.gsa.gov/portal/category/100120](http://www.gsa.gov/portal/category/100120)) per diem meal rate to the location the employee is going to serves as the basis by which the city will pay for meal expenses incurred. Meals, which are

~~included in the cost of registration, shall be subtracted from the total per diem request. When submitting a request for per diem, employees shall use the following percentages to the derived G.S.A. per diem rate: breakfast 20%, lunch 30%, and dinner 50%. Request for per diem should be made 10 business days in advance of travel. Meals – One Day Travel. It is the policy of the city to pay actual cost for meals incurred by employees during the one day business-related travel, whether in city or out of city.~~

The City will reimburse employees for meals based on the current federal meals and incidental expenses (M&IE) rate for the destination location published by the General Services Administration. If meals are included in the cost of registration, then the City will not pay per diem for the meals provided as part of the registration. If meals are excluded, then the city will reimburse at the following pro-rated M&IE daily rates: breakfast 20%, lunch 30%, and dinner 50%. Requests for per diem advances should be made at least 10 business days prior to the end of the pay period in advance of travel.

18.04.05 Expense Report. Within five business days ~~of the date the concluding authorized travel was concluded~~, employees must complete ~~a city-created expense report documenting actual expenses incurred on the trip which were not prepaid directly by the city to the entity involved or directly to the employee in the form of a per diem. A reimbursement check will be issued for allowable out-of-pocket expenses after approval by their Department Head.~~ an expense report that documents the travel and actual expenses incurred on the trip. Department Heads will approve expense reports. Employees will submit their travel expense reports to Finance. A reimbursement check will be issued for allowable out-of-pocket expenses not already paid for by the City.

#### ~~18.04~~18.05 **EXCEPTIONS**

18.05.01 When two or more employees travel in a single private automobile, mileage reimbursement is paid to the employee ~~whose vehicle was used~~ who owns the vehicle.

18.05.02 ~~Conference registration checks will be made payable only to the organization sponsoring the conference. If conference registration is paid by check, the check will be made payable only to the organization sponsoring the conference.~~

#### ~~18.05~~18.06 **PROHIBITED EXPENDITURES**

~~Costs of personal entertainment, spouse's expenses, amusements, social activities, alcoholic beverages, traffic citations, or illegal activities are not allowable for reimbursement. There may be instances where business or conference social activities which will benefit the city are allowable expenses. Such instances must be approved by the City Administrator.~~

Personal entertainment, spouse's expenses, amusements, social activities, alcoholic beverages, traffic citations, or illegal activities are not permitted for reimbursement with City funds. There may be instances where business or conference social activities could benefit the City and may be allowable expenses. Such instances must be approved by the City Manager.



## 9.00 HOLIDAYS

### 9.01 WORK DURING HOLIDAYS

9.02.01 Non-exempt employees, with the exception of law enforcement employees on a 2184 patrol schedule, who are required to work on a designated holiday will receive holiday pay in addition to the hours worked. Hours worked on a holiday will be used in the calculation of overtime during the pay period. Holiday pay will not count toward overtime calculations.~~be paid one and one-half times their normal rate of pay.~~

9.02.02 Law enforcement employees on a 2184 patrol schedule receive eight (8) additional hours of holiday pay for each holiday within a pay period, regardless of whether they worked on the holiday. This holiday pay is not included in overtime calculations.