



CITY COUNCIL CONSIDERATION ITEM

CITY OF FAIR OAKS RANCH, TEXAS

AGENDA TOPIC: Consideration and possible action approving a resolution amending the City of Fair Oaks Ranch's Personnel Policies

DATE: May 1, 2025

DEPARTMENT: Administration

PRESENTED BY: Jim Williams, MBA, ICMA-CM, Assistant City Manager

INTRODUCTION/BACKGROUND:

The City last updated its personnel policies in 2006. Staff recently initiated a review of the City's Personnel Policies Manual and identified priority sections for updates. This resolution, if adopted, will amend Chapters 3, 4 and 10 and Section 11.09 Reporting Accidents, Incidents or Injuries. The proposed comprehensive changes are summarized below and presented in **Exhibit A**, attached.

Chapter 3 Hiring Practices

- Updates the preamble policy statement to comply with the minimum EEOC requirements and adds a policy statement that the City will apply its EEO policy to all aspects of employment
- Updates the pre-employment medical screening policy to match current practice
- Updates the nepotism policy to include addition of disclosure requirements and clarification on how employee/family supervisory conflicts will be addressed
- Updates the posting of vacancies policy to match current practice
- Deletes selection from eligibility lists as a recruitment method
- Improves language regarding acceptance of applications when an employment vacancy does not exist
- Improves pre-employment testing language to match current practice
- Adds standards for employment eligibility determination based on pre-employment driving record checks
- Adds adverse decision notification requirements to be in compliance with the Fair Credit Reporting Act
- Updates pre-employment verification language to match current practice
- Updates new employee orientation and in-processing policy to match current practice
- Improves language on service credit determinations when there are breaks in City employment

Chapter 4 Types of Employment

- Clarifies work hours and benefits eligibility for the City's three distinct categories of employees: Regular Full Time, Regular Part Time, and Temporary
- Updates the City's "at-will" employment policy to match Texas' at-will employment law
- Updates the initial introductory period to match current practice of six months and at the same time clarify supervisory responsibilities during the employee's introductory period
- Updates the dismissal procedures for an employee in the introductory period to involve the Human Resources Department

Chapter 10 Health and Safety

- Updates the City's general health and safety policy statement to more closely align with OSHA's general duty clause, which requires employers to keep workplaces free from recognized hazards and their respective harms
- Removes the burden of accepting safety risk from the employee to a shared burden between the supervisory chain and employee
- Adds specific supervisory safety responsibilities such as: requirements for supervisors to identify and assess workplace hazards; ensuring safety inspections and preventative maintenance is conducted; ensuring employees wear appropriate protective equipment and clothing; a requirement to pause work and remedy job hazards when new safety issues are identified; and a requirement for supervisors to report mishaps and incidents to the Human Resources Department
- Clarifies employee safety responsibilities and requires employees to immediately report all on-the-job accidents
- Adds clarifying language that describes the City's current workers' compensation administration practices
- Adds procedures for supervisors and employees on when and how to seek medical care for an on-the-job injury
- Updates language to match current practice on how the City covers the difference between a workers' compensation benefit and the employee's base wage
- Adds clarifying language on accrual and use of leave benefits during a workers' compensation absence
- Clarifies language to match the current practice of FMLA and workers' compensation running concurrently
- Adds clarifying language on how employees will reimburse the City for workers' compensation payments issued before the insurance carrier issues payments
- Adds clarifying language that matches current practice on return-to-work rules after a workers' compensation absence
- Includes a comprehensive update to the City's drug and alcohol-free workplace policy
- Directs mandatory post-accident drug and alcohol testing and the criteria that triggers the testing

- Adds evaluation criteria for supervisors to consider when considering a reasonable suspicion drug and alcohol test, and requires Human Resources Department involvement in making that determination
- Adds a general policy statement regarding the City's compliance with ADA and other legal protections regarding employees participating in treatment programs for alcohol or drug abuse.

Section 11.09 Reporting Accidents, Incidents or Injuries

- Addresses an inconsistency between Chapter 10 and 11. Changes post-accident drug and alcohol testing from discretionary to mandatory (11.09.03)

Upon adoption of this resolution, Administration will promptly implement these policy changes across the organization. Additional updates to the Personnel Policies Manual will be presented to the City Council for consideration in future meetings.

POLICY ANALYSIS/BENEFIT(S) TO CITIZENS:

Consistent with Strategic Action Plan Priority 5.1 to Evaluate and Implement Key HR Programs That Promote Organizational Design and Development

Implements Strategic Action Plan Project 5.1.2 to Evaluate and Update Employee Handbook

Complies with Chapter 5 of the Home Rule Charter for the City Manager to implement ordinances and policies adopted by the City Council.

LONGTERM FINANCIAL & BUDGETARY IMPACT:

None

LEGAL ANALYSIS:

The resolution is approved as to form by the City Attorney's office.

Policy Chapters 3, 4 and 10 were reviewed by the City Attorney's office.

RECOMMENDATION/PROPOSED MOTION:

I move to approve a resolution amending the City of Fair Oaks Ranch's Personnel Policies.