

**CITY OF HUTCHINS, TEXAS
RESOLUTION NO. R2025-01-1230**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUTCHINS, TEXAS, AMENDING THE CITY OF HUTCHINS PERSONNEL MANUAL BY AMENDING CHAPTER 3, TITLED “LEAVE” BY AMENDING SECTION 3.13 TITLED “MENTAL HEALTH LEAVE POLICY” BY ADOPTING A REVISED MENTAL HEALTH LEAVE POLICY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Hutchins (the “City”) periodically reviews its Personnel Manual for compliance with State and Federal laws, policy, and practices; and

WHEREAS, the City Council has received a recommendation from the Director of Human Resources to amend the City of Hutchins Personnel Manual, by amending Chapter 3 titled “Leave” by amending Section 13 titled “Mental Health Leave Policy” by adopting a revised Mental Health Leave Policy; and

WHEREAS, upon full review and consideration of the recommendation from the Director of Human Resources, the City Council approves amending the City of Hutchins Personnel Manual by amending Chapter 3 titled “Leave” by amending Section 3.13 titled “Mental Health Leave Policy” by adopting a revised Mental Health Leave Policy;

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

SECTION 1. The City Council hereby approves amending the City of Hutchins Personnel Manual, by amending Chapter 3, titled “Leave” by amending Section 3.13 titled “Mental Health Leave Policy” by adopting a revised Mental Health Leave Policy, attached as Exhibit “A”

SECTION 2. This Resolution shall become effective on January 6, 2025.

DULY RESOLVED AND ADOPTED by the City Council of the City of Hutchins, Texas on the 6th day of January 2025.

CITY OF HUTCHINS, TEXAS

Mario Vasquez, Mayor

ATTEST:

Cynthia Olguin, City Secretary
(11-20-2024: 4874-3760-5885)

EXHIBIT “A”

Mental Health Leave Policy

3.13 Mental Health Leave Policy

Effective Date: 09/01/2021

Revision Date: 01/06/2025

The City of Hutchins recognizes that mental health is just as important as maintaining physical health. Mental health leave will support staff in maintaining a healthy state of mind while at work and at home. The City supports establishing a workplace that is comfortable, healthy, safe, and supportive.

Purpose

The purpose of this policy is to provide guidance in following Chapter 614.015 of the Government Code regarding the use of mental health leave for authorized First Responders employed by the City of Hutchins.

Applicability

This policy only applies to City of Hutchins First Responders defined as sworn police, certified fire fighters, and emergency medical technicians. The Police/Fire Department management will be responsible for communicating and implementing this policy as applicable.

Definitions

Emergency Medical Technician – an individual who is:

- a) Certified as an emergency medical technician under Chapter 773, Health and Safety Code; and
- b) Employed by a political subdivision.

Fire Fighter – means a paid employee of a municipal fire department or emergency services district 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 one or more of the functions listed below:
 - Fire suppression
 - Fire prevention
 - Fire training
 - Fire safety education
 - Fire maintenance
 - Fire communications
 - Fire medical emergency technology
 - Fire photography
 - Fire administration
 - Fire arson investigation

Peace Officer – means an individual described by Article 2.12, Code of Criminal Procedure, who is employed by a political subdivision.

Scope of Employment – an activity of any kind or character that has to do with and originates in the work, business, trade, or profession of the employer and that is performed by an employee while engaged in or about the furtherance of the affairs or business of the employer.

Traumatic Event – – An event that occurs within a First Responder’s scope of employment that causes them physical, emotional, and/or psychological harm, including vicarious trauma, and which has the potential to interfere with their ability to perform their duties effectively. Traumatic events that occur within a First Responder’s scope of employment can have varying degrees of severity and effect on any individual. Each First Responder may experience the same type of traumatic event differently. Traumatic events may include, but are not limited to, the following:

- An officer-involved shooting.
- A serious injury or death of an employee in the line of duty.
- A serious injury or death of any person as a result of First Responder’s action.
- A multiple casualty incident.
- An in-custody death.

Mental Health Professional – A State of Texas licensed: general practitioner, social or mental health worker, counselor, psychotherapist, psychologist, or psychiatrist.

Mental Health Leave – Administrative leave with pay granted in response to a traumatic event that occurred within the scope of the First Responder’s employment.

Policy Guidelines

Every day First Responders encounter stressful and potentially traumatic events such as shootings, fires, accidents, disasters, and death. These repetitive negative experiences affect not only themselves, but their families, coworkers, and those they are sworn to care for and protect.

When such a traumatic event does occur while in the scope of employment, it is important for management staff to recognize the fact that some employees may be negatively affected and need to be away from work to appropriately process the traumatic incident and perhaps seek mental health assistance from a professional. In addition, it is important to provide support from employees who need it.

All employment benefits and compensation, including leave accrual, retirement benefits, and health plan benefits will continue for the duration of the leave. The paid leave is intended to supplement the employee’s salary up to normal hours for a pay period. It will not be used to provide hours above normal pay period or to accumulate overtime.

The City will not reduce an employee’s sick leave balance, vacation leave balance, holiday leave balance, or other paid leave balance in connection with paid leave taken in accordance with this policy.

Employer Responsibilities

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Supervisors shall ensure the employer is aware of the Mental Health Leave Policy.

A supervisor who becomes aware of behavioral changes in an employee directly involved in a traumatic event should suggest that the employee seek the assistance of a Mental Health Professional, contact Peer Support (if available), and/or utilize the Department’s Mental Health Leave Policy.

Employee Responsibilities

Any First Responder involved in a traumatic event within the scope of their employment shall be entitled to and may request mental health leave. The First Responder shall inform their immediate supervisor as soon as practical but no later than 30 days after the traumatic event or when the officer

knew or should have known of the trauma by submitting a written request for paid Mental Health Leave. The need for Mental Health Leave must be verified by a licensed psychiatrist or a psychologist. The statement from the psychiatrist or psychologist must be submitted with this request.

Duration of Mental Health Leave

A First Responder involved in a traumatic event within the scope of their employment may receive up to ten (10) days or eighty (80) hours per qualifying traumatic event.

Mental Health Leave shall be taken consecutively upon approval and will not be taken separately or at a later date.

A First Responder may request an extension of their Mental Health Leave under certain circumstances. A request for an extension shall be made in writing and submitted to the Chief or his designee through the officer's chain of command. The request may be granted provided the First Responder articulates specific, compelling reasons for the extension. The request for an extension should be submitted within 24 hours of the Mental Health Leave ending or within a reasonable time to allow the request to be reviewed for approval.

The Chief of his designee may grant an extension of up to three (3) working days upon review of the request.

First Responders who have requested Mental Health Leave must provide a "Return to Work" form from a Health professional releasing them to return to duty.

Confidentiality

Any request for Mental Health Leave shall be treated as strictly confidential by all parties involved. The request and/or approval shall not be discussed or disclosed outside the employee's immediate chain of command and only as necessary to facilitate the use of leave.

Confidentiality may be waived under circumstances that indicate the employee is a danger to themselves or others. Department personnel must confer with Mental Health professionals to ensure the employee's safety.

Supervisors or coworkers participating in gossip or violating confidentiality may be subject to disciplinary action. If a supervisor becomes aware of a confidentiality violation by an employee, then that supervisor shall take appropriate action to address or report the violation.

Other Mental Health Services/Support Available

The City of Hutchins offers a health plan that includes access to mental health care¹. Call the Customer Service or behavioral health number of the back of your member ID card. In addition, there are several local providers that can assist, including but not limited to, the following:

Dallas Behavioral Healthcare Hospital
800 Kirnwood Drive
DeSoto, TX 75115
972-982-0900

Mechell R Guy, LPC
402 W Wheatland Rd
Duncanville, TX 75115

¹ The City reserves the right to modify, amend or terminate any of the benefit programs at its discretion and without cause or notice to employees.

972-283-6799

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