



PERSONNEL POLICY MANUAL

Effective March 1, 2023

FOREWARD

AUTHORITY

These policies are established by the City Council, and 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. **The policies should not be considered an employee contract** between the employer and any of its employees, but rather, are intended as guidelines for personnel administration. In addition to these personnel policies, department heads may establish departmental rules and regulations that relate specifically to 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. Additionally, departmental rules and regulations must be approved by the City Manager.

These personnel policies are not intended to be a contract for employment or a legal document. At the time of hiring, all employees are required to acknowledge in writing that they are employees-at-will of the City of Taylor and employment is subject to termination at any time, for any reason, with or without notice, and with or without cause.

All employees must become familiar with and abide by these policies. The City reserves the right to revise or rescind any policy at any time. The City also reserves the right to make final decisions as to the interpretation and intent of all information contained in the Personnel Policies.

The City Council reserves the right to interpret, change, suspend or cancel, with or without notice, all or any part of these policies, or procedures or benefits discussed herein.

IMPLEMENTATION

The City Manager is responsible for the administration of the personnel policies and procedures. The City Manager may delegate authority to appropriate staff members, including department heads, to act in his or her behalf in the administration of these policies and procedures. With the exception of matters of appointments and other personnel actions reserved to the City Council by statute or charter provision, final authority, in the form of review and approval is reserved to the City Manager with regard to all personnel matters and subjects covered by these regulations.

These policies completely replace and supersede any and all personnel policies previously adopted, individually or as a set of policies, by the City Council. In addition to these Human Resources policies, departments may establish departmental rules and regulations that relate specifically to their departments, as long as they do not conflict with these policies and are not less stringent than these policies. You should refer to those documents for specific information.

PURPOSE

These policies set forth guidelines for the City. They have been prepared and adopted in order to promote consistent and effective practices by both employees and supervisors that will result in high quality public service to the citizens of the City of Taylor.

APPLICABILITY

These personnel policies apply equally to all employees of the City unless a class of employees is specifically exempted by these policies. 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.

APPROVAL

_____ signature on file _____
Brandt Rydell, Mayor Date

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Chapter I

GENERAL INFORMATION

SECTION 1: EMPLOYMENT AT-WILL

Employment At-Will

These policies are not contractual in nature. The City of Taylor operates under the legal doctrine of “*employment-at-will*”. Neither this policy manual nor any other City document confers upon an employee any contractual right, either expressed or implied, to remain in the City’s employment. Employment is not for any specific time and may be terminated by the City at will, with or without cause and without prior notice, and an employee may resign for any reason at any time. No supervisor or other representative of the City has the authority to enter into any agreement for employment for any specified period of time or to make any contrary representation to any employee.

SECTION 2: GENERAL OFFICE POLICIES

Office Hours

All City offices are to be open between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except on authorized holidays. Adjustments to the normal hours of operation of City facilities or departments may be made by the City Manager or designee.

Lunch Time

Employees are entitled to unpaid time off for meals during each eight-hour shift. The uninterrupted meal period should not be less than thirty minutes, nor more than one hour, as established by the supervisor and employee depending on workload needs. Generally, the lunch hour is not intended to be taken at the start or end of the day.

Breaks

Morning and afternoon breaks of fifteen (15) minutes each are available to each employee, but this time does not accumulate if not taken, and this time cannot be used to alter an employee’s work hours.

Nursing mothers will be provided break times and areas to express breast milk for her nursing child for one (1) year after the birth of the child. The area will be a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public.

Pay Period The pay period starts on Monday at 7:00 a.m. and ends on Monday at 6:59 a.m. of the second week. The payday for the City is bi-weekly (once every two weeks). Checks are issued on alternate Fridays for each 14-day period. If payday falls on a holiday, checks will be issued on the last working day preceding the holiday.

Pay Overage/Pay Shortage Employees are expected to review their paystub after a change in pay occurs to ensure accuracy. In the event a pay overage or pay shortage occurs on an employees' pay, it is the employee's responsibility to notify HR regarding the issue. In some cases, HR may identify the issue and contact the employee. For pay shortages, the City will issue reimbursements to the employee the pay period after being notified of the issue.

For pay overages, the City may deduct the full amount over multiple pay periods after either identifying or being notified of the error. The number of pay periods for the deduction will be determined by the amount owed the City. Employees authorize the City to take deductions from their paycheck until the amount of the overpayment is paid in full.

No reimbursements/deductions will exceed twelve (12) months from the date the pay overage/shortage is reported to or discovered by HR.

Uniforms Some employees are required to wear uniforms. For employees who are required to wear uniforms, the City furnishes appropriate uniforms and replaces them as necessary. No City employee is authorized to wear City uniforms off duty without prior approval from the department head.

Smoking The City of Taylor is a smoke-free workplace. Employees and visitors are prohibited from smoking inside City buildings and outside within twenty-five (25) feet of any entrance or open window of public places or designated smoking area. Employees are also prohibited from smoking in City vehicles.

The use of tobacco products (i.e. chewing tobacco, snuff, etc.) or electronic cigarettes is prohibited in City owned vehicles, public areas or where groups of people frequently gather. These include reception areas, meeting/conference rooms, training rooms, offices, restrooms, and break rooms.

Violation of this policy may result in disciplinary actions, up to and including termination. Additionally, an employee may be held financially responsible for deterioration or destruction of City owned vehicles or property resulting from the use of tobacco products.

Employment Verifications

All requests for references or verifications of past or present employment history shall be referred to the Human Resources Department (HRD). Employees are not authorized to comment on other employees' (past or present) work history, job performance, eligibility for re-hire, etc. If any governmental representative visits an office in person, notify HRD for instructions on how to proceed. This does not include requests for background checks.

Standard Workweek

The standard workweek The official work period for employees in City departments for which separate work periods are not established, either elsewhere in these policies or in written memorandum form approved by the City Manager, is a seven (7)-day period beginning at 7:00 a.m. on Monday and ending at 7:00 a.m. on the following Monday. Adjustments to the normal hours of operation of City facilities or departments may be made by the City Manager in order to serve the public better. Offices may be required to remain open during the noon hour, and lunch periods for some employees may be staggered according to the requirements of the City.

Work Schedule Police Department

The Police Chief sets the work schedule for police personnel and notifies them in writing of their work schedule assignments. Depending upon personnel available, the Police Chief may establish different work schedules for personnel for temporary periods of time until the personnel shortage has been eliminated.

Through execution of a waiver executed by a majority of police officers pursuant to Chapter 142-0015(j), The City has established the following work period for its police officers:

1. The official work period for police officers consists of fourteen (14) days/ eighty (80) hours worked per work period.
2. For police officers, the work period begins on Monday and ends on Monday, fourteen (14) day cycles. The Chief of Police or the Chief's designee will establish work schedules.

Work Schedule Fire Department

The Fire Chief sets the work schedule for fire personnel and notifies them of their work schedule assignments. Depending upon personnel available, the Fire Chief may establish different work schedules for personnel for temporary periods of time until the personnel shortage has been eliminated.

In accordance with the exception allowable under Section 207(k) of the Fair Labor Standards Act (F.L.S.A.) and 29 C.F.R, the City has established a 14-day work period for its firefighters.

The official work period consists of 14 days with each shift consisting of 48 scheduled hours, followed by 96 hours off.

Each firefighter on each shift reports for duty at the beginning of the scheduled shift, and is on duty, including meal breaks, for the entire 24

hours. Hours worked more than 106 hours per 14-day work period will be paid at one and one-half times the regular rate of pay.

Remote Work

The City of Taylor allows remote work as a scheduling option for employees to support improved productivity, work-life balance, and support employee recruiting and retention. Remote work allows employees in applicable positions to work up to (2) days per workweek from an approved site away from their assigned location.

Remote work may be used for an extended period under extraordinary circumstances or as temporary accommodation. Remote work under extraordinary circumstances may be approved by the department head. The department head must notify their direct city management team member. Remote work as an accommodation must go through the accommodation process.

SECTION 3: HEALTH AND SAFETY

Safety Policy

Actions that cause or contribute to any unsafe and unhealthy working conditions or create a hostile work environment by presenting direct or indirect acts of physical or verbal violence against employees, visitors, or other individuals on City property, at service locations, or while carrying out City business, will not be tolerated.

Employees are responsible for notifying their supervisor and HRD of any threats which they have witnessed, received or have been told that another person has witnessed or received. This includes behavior that could be interpreted as threatening.

Any person who makes a substantial threat, exhibits threatening behavior, or engages in violent acts on City property shall be removed from the premises as quickly as safety permits and shall remain off City premises pending the outcome of an investigation.

Employees shall follow safe working practices, obey adopted health and safety rules and regulations, and work in a way that maintains the highest safety and health standards developed and sanctioned by the City.

Employees must report all hazardous or potentially hazardous situations and unsafe working conditions to their immediate supervisor.

Health & Safety Program

City Departments shall develop and implement programs and guidelines in accordance with the City Safety Manual, the applicable regulatory standards, and related industry practices to achieve competency and satisfaction and to ensure that all City employees are fit for duty.

City Departments shall take the initiative to conduct an assessment to identify relevant employee needs.

Department Directors shall appoint individuals to serve on the Safety Committee.

Accident & Injury Reporting

All accidents/incidents must be reported using the City of Taylor Incident Report which is available on the Human Resources portal/intranet. This completed form should be forwarded to HRD and will be used by safety staff to assist them in eliminating hazards and preventing similar accidents.

Operation of City Owned, Personally Owned and Rental Vehicles for City Business

The following is applicable to all employees of the City of Taylor who drive a City, personal or rental vehicle while conducting official City business:

- must be at least 18 years old;
- all employees must have a current Texas driver's license that is appropriate for the vehicle they are operating;
- all occupants shall use safety belts while the vehicle is in motion;
- all speed limits shall be observed, and speed should be reduced to a safe driving speed during inclement weather;
- drivers shall use good defensive driving techniques;
- employees should never drive while under the influence of medication, alcohol or drugs which cause drowsiness, or while in poor health which could endanger their lives or the lives of others;
- drivers are representatives of the City of Taylor and are expected to drive courteously;
- any traffic violation involving a City of Taylor vehicle must be reported immediately to their supervisor. It is the responsibility of the employee to pay traffic violations, including parking tickets. Failure to resolve such traffic violations will result in disciplinary action, up to and including termination;
- drivers of City of Taylor vehicles are responsible for conducting a pre-trip inspection including checking for body damage, oil level, coolant level, and other under-the-hood maintenance during fuel stops or on a daily basis and must remove all debris from the vehicle at the end of the day; and
- drivers of City of Taylor vehicles are expected to accurately reflect trip records and mileage.

Traffic Accidents

In the event of a traffic accident:

- employee should not leave the scene of the accident until instructed by a police officer or the employee's supervisor;
- employees should make no comment or statement other than that required by law enforcement officers;
- activate warning/safety lights on the vehicle;
- any traffic accident involving a City of Taylor vehicle must be reported immediately to the local police or highway patrol, and as soon as possible to their supervisor; and
- employee injuries occurring during the course of work, including travel, must be reported within 24 hours to HRD.

Driver's Record

A prospective employee's driver's record will be checked when a job offered that requires operating a vehicle or piece of equipment on City business. The City may recheck an employee's driving record as needed after employment in such a capacity.

Use and Care of City Property

City property and equipment shall be used for official business only. The use of any City equipment outside of official business purposes will be grounds for disciplinary action, up to and including termination.

City-owned or leased property and equipment is defined as all tools, equipment, (including vehicles, computers, phones and mobile equipment), and materials/supplies intended for use on official business for the City of Taylor. Personal use should be kept to a minimum.

Examples of City property and equipment include, but are not limited to:

- Tools-such as hand tools (hammers, wrenches, shovels/rakes, etc.) and power tools (circular saws, drills, belt sanders, etc.);
- Equipment-such as gas-powered equipment (chainsaws, weed eaters, generators, etc.) and mobile equipment (lawnmowers, tractors, gators, etc.);
- Materials/Supplies-such as bolts/nuts, topsoil/sod, paper/office supplies, and other associated work items; and
- Office equipment (copiers, shredders, audio/visual, etc.).

Official business is defined as all work performed by employees for City directed purposes.

Responsibilities

Employees are responsible for the care and maintenance of all City property and equipment assigned to them. Employees shall not entrust City property and equipment to anyone to be used for any reason other than City directed purposes.

Employees observing the use of City property and equipment outside

of official City business and in conflict with this policy must report the incident to their supervisor immediately.

Supervisors are responsible for maintaining inventory lists and monitoring the usage of all City property and equipment assigned to their employees. If a supervisor determines that an employee has misused City property and equipment in such a way that conflicts with this policy, the Supervisor must immediately report the incident to the Department Director for further action.

Loss Prevention

City employees must report all accidents and unusual events resulting in loss or damage to City property or private property due to individual accidental losses and losses that are of a catastrophic nature.

All employees must protect and preserve the City's assets, resources and service capabilities from loss, damage, theft, destruction or depletion.

Enforcement

Employees may be held financially responsible for the misuse, loss, deterioration, and destruction of City property and equipment.

Violation of this policy shall be grounds for disciplinary action, up to and including termination. Violations may also be subject to legal action.

SECTION 4: TAKE HOME VEHICLE POLICY

Policy

A City vehicle may be assigned to a position or employee when it is more economical than payment of a car allowance or mileage reimbursement or as is necessary to protect the public health, safety, and welfare. The employee is the only operator of the vehicle unless public safety needs dictate differently.

The purpose of this policy is to establish the rules and procedures governing the assignment, use and reporting requirements of City take-home vehicles. This policy implements federal- and state-mandated regulations and City policy and procedures. This policy applies to all City of Taylor employees. A list of vehicles designated as take-home vehicles will be provided to the Director of Internal Services.

Eligibility

The following is the eligibility criteria for a take home vehicle.

- The employee resides within 60 miles of Taylor city limits; the City Manager may consider mileage outside of the set limit on a case-by-case basis.
- The employee is authorized to drive a City vehicle.
- The employee has not had driving privileges revoked or suspended.

- Vehicle is to be used to respond to emergencies or as a part of a designated employee’s “on-call” responsibilities.
- The employee does not receive a car allowance; and
- The employee’s supervisor and Department Head’s supervisor recommend approval.

Non-Exempt/Exempt Vehicles

Non-Exempt Vehicles. The City’s vehicles are classified as either “exempt” or “non-exempt” as prescribed by law. Employees to whom a “non-exempt” vehicle is assigned for take-home will incur a federal income tax liability for the fringe benefit of commuting to and from work unless it is for temporary on-call purposes only. Most pickups, vans, and automobiles are classified as “non-exempt” vehicles.

Exempt Vehicles. Police and fire vehicles used by employees on call 24-hours are normally exempt from the fringe benefit tax liability. According to federal guidelines, exempt vehicles have no impact on the taxable income of the employee to whom the use of the vehicle is assigned. Below is a list of some examples of vehicles considered exempt as outlined in the Internal Revenue Service Code (26 CFR).

SECTION 5: OFFICIAL CITY COMMUNICATION

Media Inquiries

Communication with the public and the media about City issues or problems is the responsibility of the City Manager or the City Manager’s designee. Employees are to refer members of the news media to the Communications Director if a question is non-routine, controversial, or outside the scope of the employee’s normal duties, and are to notify the Communications Director of scheduled interviews with the news media.

Employee Responsibility

A City employee who is contacted by the news media shall notify their supervisor and all staff who might be affected by the inquiry, giving them the details of the situation and possible implications.

Social Media

City employees wanting to create and maintain Department-specific social media applications separate from the City’s applications must obtain approval from the Department Director and the Communications Director.

Departments must provide specific reasons for maintaining separate social media applications. If approved, the Department Director and Communications Director will periodically review each application. Those that do not meet the City’s intended goals and objectives may be removed at any time.

SECTION 5: COMPUTER & PHONE USE

Information Technology

The City provides access to communication and technology systems including but not limited to the internet, computers, tablets, phones, email, and other hardware and software (collectively referred to in this policy as “Information Technology Systems” or “Systems”) for use by City employees in the performance of their job duties.

Management reserves the right to access and review any user’s information maintained on the Information Technology Systems without prior notice, including internet browser histories, emails, messages, and any other data files.

Employees shall exercise care in personal use of any Information Technology Systems and should not expect their personal information stored in these systems to be kept private. All information, personal or business, loaded, stored, or transferred using the City systems and computers becomes a public record and must be maintained in accordance with the City’s Records Management Policy. The City strongly discourages storage of personal information and data on the City’s Information and Technology Systems.

Employees are responsible for electronic equipment, passwords, and other systems that are assigned to the employee for the performance of their job duties.

Any violation of this policy may result in disciplinary action up to and including termination.

Acceptable Use

Acceptable uses of the Information Technology Systems are limited to those activities that support the user’s ability to perform their job responsibilities. Incidental, occasional, or infrequent use of the City’s communication and information systems for personal use is permitted as long as such use does not interfere with the employee’s work or the work of any other employee or with the equipment operations. However, no matter how minimal, any information transmitted using City equipment may subject the information to public disclosure pursuant to Texas law.

Movement of Equipment

All movement or relocation of any computer equipment is to be handled by the Internal Services Department. The proposed movement or relocation of computers, printers, telephones, etc. must be coordinated in advance.

System Passwords

Employees are not to disclose any password(s) for which they are responsible, or use any transaction, software, files, or resources to bypass security controls.

Email

All information created, sent, or received via the City's electronic systems become a public record. It is the employee's responsibility to comply with applicable open records retention schedules and backup messages that they wish to keep for more than six months.

**Physical
Device Security**

Physical security is defined as taking the appropriate measures to protect the City issued equipment itself and the data that is on it. Examples of City issued equipment, include but is not limited to, laptops, tablets, mobile phones, etc.

It is the employee's responsibility to follow the City's guidelines to ensure City equipment is properly protected.

- Avoid leaving City issued equipment in the car. If you must leave equipment in a vehicle unattended, place it in the trunk or somewhere out of sight.
- Do not leave City issued equipment unattended in public places, such as restaurants, airports, and hotels.
- Avoid storing passwords and pin numbers with your device.
- Ensure that the device is configured to auto-lock and requires a password to login and access data.

If your City issued equipment is stolen or lost, please contact the Internal Services/IT Department immediately so appropriate action can be taken.

**Cybersecurity
Awareness**

All city employees are required to complete required Cybersecurity Awareness Training provided by Information Technology Services. Training will consist of an online training module and test. If an employee fails to complete the training, their City login account will be suspended. Once an employee's account is suspended, they will need to contact IT and complete the training within 24 hours to get their account reinstated.

Prohibitions

Misuse of Information Technology resources may result in the restriction of computing privileges and/or disciplinary action. All existing laws or policies apply, not just those specific to technology, but also those applying to personal conduct.

Examples of misuse include, but are not limited to, the following:

- Attempting to monitor or tamper with another user's electronic communications, or reading, copying, changing, or deleting another user's files or software without the explicit agreement of the owner;
- Using a computer account, you are not authorized to use;
- Obtaining a password for an account without permission of the

owner;

- Gaining unauthorized access to any computer systems;
- Knowingly performing an act which will interfere with technology operations;
- Violating terms of applicable software licensing agreements or copyright laws; and
- Deliberately wasting computing resources.

SECTION 6: CITY IDENTIFICATION

Identification (ID) Badge

The City of Taylor photo ID badge will be issued to all full-time and part-time City employees to be worn while on official business for the City of Taylor.

Photo ID badges must be worn in accordance with departmental directives or carried on the employee in situations where wearing/displaying the identification badge poses a hazard to personal safety.

New ID Badge

Photographs for ID badges will be taken, and the ID badge will be issued by Human Resources on the employees' first day of work. ID badges for Police Department employees will be issued at the department.

ID Badge for Contractor/Temps and Interns

ID badges will have an expiration date. Director approval is required for length of time the badge will be in service. ID badges must be turned in to Human Resources on the last day of work.

ID Misuse

Employees are responsible for the care and proper use of City issued photo ID badges.

ID Use

City ID badges are issued for official use only and are not to be used for obtaining special privileges other than local merchant-sponsored discounts, etc.

ID Abuse

Photo ID badges shall not be altered or defaced in any manner including affixing stickers or tags. Photo ID badges shall not be lent to others.

Abuse, tampering, altering, or unauthorized use of the City photo ID badge may result in disciplinary action, up to and including termination.

Replacement ID

Lost and damaged badges must be immediately reported to the supervisor, who will then contact Human Resources for replacement.

Surrender Upon Termination

Employees shall surrender their ID badge upon termination to their supervisor. ID badges must be turned in to Human Resources on the last day of work.

SECTION 7: INCLEMENT WEATHER

Policy

In the event of inclement weather, the City Manager will determine whether to declare an inclement weather emergency and direct only emergency services personnel report or remain at work.

The City will report the closing/reopening of City offices on the City Website and with local media outlets. Employees will be notified via phone call, text message and/or email.

In absence of a delay/closing announcement employees are expected to report for duty at the hour regularly assigned for their workday. If weather conditions are such that personal judgment prevents the employee from coming to work or causes them to be late, the employee should notify the supervisor a minimum of 30 minutes prior to the start of the workday.

It is the employee’s responsibility to periodically check to determine if the City offices have closed/reopened and to receive instructions on returning to work.

Absences from Work

If City offices are open and weather conditions cause employees to lose time, the supervisor may account for the absence by:

- Authorizing leave time for which the employee is eligible (i.e., PTO, comp time); or
- Authorizing leave without pay.

City Offices Closed

If City offices are closed due to adverse weather conditions:

- Non-emergency services personnel scheduled to work will not report to work or remain at work, but will be paid administrative leave during the hours City offices were closed; and
- Emergency services personnel will be expected to report as scheduled unless otherwise notified by their supervisors.
- Emergency services personnel who are unable to report to work or remain at work during an emergency will be required to use PTO or compensatory time.

Emergency Services Personnel

For purposes of this policy “Emergency Services Personnel” are defined as:

- Police Officers, Firefighters, and Communications Operators,

Animal Control Personnel who are scheduled to work during the hours City offices are closed due to inclement weather; and

- Public Works Personnel who are regularly scheduled to work during the hours City offices are closed due to inclement weather; and
- Employees whose regular duties require them to respond to emergency situations to take corrective actions and who are regularly scheduled to work during the hours that City offices are closed due to inclement weather.

Emergency Services Personnel reporting to work as scheduled will be paid at their normal rate of pay and will receive overtime pay only for actual hours worked beyond the normal work week.

Emergency Services Personnel who were scheduled to work and worked during the emergency will receive administrative leave hours in a bank equivalent to the hours they were scheduled to work.

Non-Emergency Personnel

Non-exempt, Non-Emergency Services Personnel who are not scheduled to work during the hours that City offices are closed due to inclement weather, but who are called to report for work during an emergency, will receive their normal rate of pay for those hours and will receive overtime pay only for actual hours worked beyond the normal work week.

Non-Emergency Services Personnel who are not called to report for work during the hours that City offices are closed due to inclement weather, but who report to work anyway, will receive their normal rate of pay for those hours and will receive overtime pay only for actual hours worked beyond the normal work week.

Employees already out on scheduled leave on the day(s) emergency conditions arise will be charged appropriate leave for the day.

SECTION 8: TRAVEL GUIDELINES

Policy

Employees who travel on official City business or to promote the interest of the City are to be reimbursed for necessary and reasonable travel-related expenses. The nature of such travel includes attendance at professional association meetings, representing the City at various governmental and/or regulatory bodies, participating in professional development educational activities, and involvement with other agencies performing similar tasks.

Employees may be reimbursed for personal items that are stolen while they are on a City authorized trip up to a maximum total value of \$500. Requests for reimbursement must be accompanied by an itemized list and official police report from the city where the theft occurred.

Travel Time

Normal commuting time from home to work and from work to home is not hours of work. On one day assignments out of the city where an employee does not spend the night, travel time is work time. The time the employee would have spent in normal commuting will be deducted from the travel time. With travel overnight away from home, travel is only compensable to the extent that it cuts across the employee's normal work schedule, unless the employee is engaged in travel to and from the travel destination.

Authorization

Employees must have approval prior to travel. Employees who travel on City business and incur expenses are eligible to receive expense reimbursement subject to approval in accordance with the Taylor Travel Policy. Costs of personal entertainment, spouse's expenses, social activities, alcoholic beverages and traffic citations are not allowable for reimbursement.

Employees who travel in a City-owned vehicle should use the fuel card provided with that vehicle. When traveling out of town in a City-owned vehicle, employees will be reimbursed for the documented actual cost of fuel, oil, or other expenses related to the safe operation of the vehicle.

When two or more employees travel in a personal automobile, only one employee will receive per-mile or other automobile reimbursements.

**Relocation
Reimbursement**

The City Manager may approve travel and/or moving expenses involving applicants, new employees, or transferred employees for reimbursement.

Reimbursements are determined on a case-by-case basis and approval is dependent on market demands and business needs of the City. Applicants or new employees who are traveling to Taylor to interview for a specific position or who are moving to Taylor for the express purpose of commencing employment with the City may be considered for reimbursement.

The City Manager may determine applicability and maximum allowable amounts on a case-by-case basis.

Chapter II

STANDARDS OF CONDUCT

SECTION 1: GENERAL EXPECTATIONS

Employee Conduct

As a public service organization, City employees are held to a high standard of ethical conduct. Employees should conduct themselves in a manner that ensures those high standards are met, avoiding even the appearance of impropriety. Employees are expected to deal officially with the public in a manner that will enhance the public confidence in the employees and the City.

Standards

Employees while on duty are always individually responsible for conducting themselves in a professional and ethical manner and for treating coworkers and members of the public with respect and dignity. The intent of this policy is to make a clear statement that unprofessional and abusive behavior will not be tolerated in the workplace.

The following list establishes *minimal requirements* which are not to be considered all inclusive. The absence of a specific rule covering any act discrediting an employee or the City does not mean that the act is permissible.

The following are causes for discipline

- Falsification of document or records.
- Endangering the safety of the employee and/or other persons through negligent or willful acts.
- Engaging in acts of dishonesty, fraud, theft, or sabotage toward the property of the City or others.
- Lying
- Threatening, intimidating, coercing conduct, and/or using abusive or vulgar language.
- Use of drugs or intoxicants in violation of City policy.
- Intentional bodily injury to any person.
- Unauthorized absence or repeated tardiness.
- Insubordination or refusal to comply with instructions or failure to

perform reasonable duties as assigned.

- Unauthorized use of City material, time, equipment, or property
- Damaging or destroying City property through careless or willful acts.
- Discourteous treatment of the public or other employees.
- Conduct which the City feels reflects adversely on the employee or City, (when conduct occurs off duty, the nature, severity, and publicity will be reviewed on a case-by-case basis as a possible cause for discipline.
- Violation of departmental rules, regulations, and/or codes of conduct, or this handbook.

Prohibitions

Employees whose conduct is in violation of standards of conduct are subject to disciplinary action including and up to termination.

SECTION 2: POLITICAL ACTIVITIES

Policy

Employees of the City are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies.

No person may coerce an employee to participate in, or to refrain from participating in, a political campaign. No one may require an employee to contribute to any political fund, render any political service, or support any political election. No one may punish an employee in any way for refusing to do so.

Civil Service employees' political activities are governed by Chapter 143.086 of the Texas Local Government Code.

Prohibitions

An employee, in his or her official capacity, may not:

- use his or her official authority or influence to interfere with or affect the result of an election or nomination for office;
- directly or indirectly coerce, attempt to coerce, command, or advise a local or state officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for a political purpose;
- use funds provided by the State of Texas to influence the passage or defeat of any legislative measure in the Texas legislature or the outcome of any election; or
- use his or her working time or City resource to participate in any

political campaign.

In addition, any City employee who is subject to the provisions of the federal Hatch Act may not be a candidate for elective office in a partisan election. (A partisan election is an election in which candidates are to be nominated or elected to represent a party whose candidates for presidential electors received votes in the last preceding election at which presidential electors were selected.) City employees are subject to this additional Hatch Act restriction if their principal employment is in connection with an activity, which is financed in whole or in part by loans or grants made by the federal government.

All City employees are prohibited from participating in any way in any political activity while wearing a City uniform, regardless of whether the employee is on duty or on his or her own time. In addition, no City employee may use City-owned property, (i.e. vehicle, building, and/or office), for displaying campaign materials or for conducting any political activity.

An employee's political activity, not in violation of this section, shall not be considered in determining his or her compensation, eligibility for promotion or demotion, work assignment, leave or travel request, or in application of other employment practices to the employee.

Election to Other Political Office

Any City employee wishing to file for political office other than the Taylor City Council must notify their Department Director and the City Manager prior to filing. No political activity, including campaigning, shall be conducted during work hours or while in a City uniform or a City vehicle. Additionally, any employee who is being considered for an appointment to any political office shall notify the City Manager prior to the acceptance of such appointment. The City Manager may review this matter to determine if potential conflicts of interest or other concerns exist. An employee who runs for election to an elected office is encouraged, but not required, to take a leave of absence beginning upon filing for elected office and ending upon qualification for the office.

SECTION 3: CONFLICTS OF INTEREST

Policy

No City employee shall have financial interests in the profits of any contract, service, or other work performed for the City nor derive personal profit directly or indirectly from any contract, purchase, sale, or service between the City and any person or company. An employee may not:

1. Solicit or accept or agree to accept a financial benefit, other than from the City, that might reasonably tend to influence his or her performance of duties for the City or that he or she knows or should know is offered with intent to influence the employee's performance;

2. Accept employment or compensation that might reasonably induce him or her to disclose confidential information acquired in the performance of official duties;
3. Accept outside employment or compensation that might reasonably tend to impair independence of judgment in performance of duties for the City;
4. Make any personal investment that might reasonably be expected to create a substantial conflict between the employee's private interest and duties for the City; or
5. Solicit or accept or agree to accept a financial benefit from another person in exchange for having performed duties as a City employee in favor of that person.

Criminal Offense

Specifically, with reference to contracts, no City employee who exercises any functions or responsibilities in the review or approval of an undertaking or the carrying out of one of the City's contracts shall participate in any decision relating to that contract if the decision affects the individual's personal pecuniary interest. Governing details of this policy are found in "Conflict of Interest – Chapter 171 of the Local Government Code," and made a part of these policies by reference, and as subsequently amended.

SECTION 4: SOLICITATION AND/OR ACCEPTANCE OF GIFTS

Policy

Under no circumstances shall a City officer or employee request or accept any gifts or free or discounted services from contractors, vendors, or other persons that might tend to influence the employee's official actions or impair the employee's independence or judgment in performance of duties for the City. In addition, the City expects an employee to avoid any gift, food, entertainment, honoraria, transportation, or lodging that might appear to or tend to affect the employee's official actions or to exceed the limitations on gifts and benefits prescribed by the Texas Penal Code.

Appearance of Impropriety

Guidelines to avoid perceptions of improper influence or conflicts of interest include the following:

- City employees shall not accept gifts from any person or entity actively seeking to do business with the City or currently under regulatory review (for example, a vendor trying to contract with the City).

- City employees shall not accept gifts from any person or entity that might tend to influence the employee's official actions or impair the employee's independence or judgment in performance of duties for the City or have the appearance of same (for example, someone with a pending application or permit subject to review offering an employee a discount for goods or services).
- City employees shall not accept gifts in the form of cash or check of any value. City employees shall not accept gift cards, unless falling under the exception below.
- Acceptable gifts that are permissible based on these standards:
 - Gifts shall be limited to items worth less than \$50 in fair market value.
 - Gifts in the form of a gift card of a value of less than \$50 shall not be convertible to cash and shall only be redeemable with the donor.
 - Gifts made to an employee may be permissible, including food, beverages, entertainment, lodging or transportation provided the employee accepts such gifts as a guest. For something to be "accepted as a guest" it must be enjoyed within the presence of the donor. For example, if a vendor has two tickets to a sporting event, the employee shall not accept both tickets for personal use, but the employee may attend as the guest of the vendor.
 - Gifts and/or donations made to the City are acceptable. Such gifts to the City shall be accepted by the department director or designee and documented as a donation. Gifts and donations made to the City will be distributed at the discretion of the department director or city manager. For example, a donation of a food basket may be shared within the department.
 - Gifts from family or close friends, if there is an independent relationship not related to the employment status or work of the city employee.

SECTION 5: CONFIDENTIAL/OFFICIAL INFORMATION

Subject Information

Information concerning any employee or vendor which may come to an employee's knowledge is to be held in strict confidence. No information disclosed in a court case, investigation, audit report, personnel or vendor files may be disclosed except as provided in the Texas Public Information

Act. The Texas Public Information Act prohibits the distribution of information deemed confidential under its terms. This office has interpreted this provision to prohibit the disclosure of information made confidential by the constitution, a statute, or a judicial decision. Violations are punishable by law. Any questions regarding disclosure of any information, confidential or otherwise, should be directed to the City Clerk, who is the designated open records coordinator.

Misuse of Official Information

Employees commit an illegal act if they use official information, which has not been made public, to benefit or aid themselves or another.

SECTION 6: NOTIFICATION OF ARREST

Notification Requirement

An employee who is arrested and/or charged with a crime involving alleged dishonesty, theft, DUI/DWI/BWI, embezzlement, violence (including domestic violence) or other serious violations, must notify his/her Department Director or designee in writing within 24 hours of the arrest or at the earliest possible opportunity. The employee must report what he/she was charged with. The Department Director must notify the Director of Human Resources the next business day regarding the arrest.

Failure of an employee to comply with this policy is misconduct and could result in termination from the City.

Management Discretion

An employee who is arrested and/or charged with a crime involving dishonesty, theft, embezzlement, violence (including domestic violence), etc., or a crime directly related to the employee's ability to perform his or her job duties, may result in disciplinary action, including termination. If an employee is found guilty of a crime, disciplinary action up to and including termination, may result.

SECTION 7: WEAPONS

Policy

Employees may not possess or use a weapon while on duty unless the weapon is required by the employee's job.

This policy does not apply to firearms or ammunition lawfully owned and possessed by an employee that is stored in a locked, privately owned motor vehicle while the vehicle is in a City parking facility. An employee who stores a firearm or ammunition in their vehicle must conceal the firearm or ammunition and keep the vehicle locked at all times.

The City has no duty to patrol or otherwise inspect parking facilities for compliance with the weapon policy. The City also has no duty to investigate vehicles to determine if employees are complying with laws relating to the ownership or possession of firearms or ammunition.

Definition

As used in this policy a “weapon” is anything designed, adapted or used to threaten or cause harm to people, animals or property.

The following are not considered “weapons” for the purposes of this policy but could become weapons if used to threaten or harm a person, animal or property:

- Pocket knives with folding blades less than 5.5 inches in length;
- Fixed blade knives used in food preparation or food service, or used as a regular tool in the performance of the employee’s duties; or
- Pepper spray in a dispenser commercially available to the general public and intended for personal protection.

Employees who violate this policy may be subject to discipline in accordance with the City’s disciplinary policy up to and including immediate termination.

SECTION 8: WORKPLACE VIOLENCE

Policy

The City of Taylor is committed to ensuring a safe working environment and to reducing the risk of violence for all employees. Violence or the threat of violence has no place in any of the City’s work locations. The City will not tolerate any conduct or behavior, whether intended as joking or not, that is found to be threatening, intimidating, or coercive. Employees who violate this policy shall receive disciplinary action, up to and including termination.

Prohibited Conduct

Violent behavior includes, but is not limited to:

- Causing physical injury to another person or attempting to cause physical injury to another person;
- Possession of a weapon, as defined by the penal code, on one’s person or vehicle while on City property or while on City business (this includes employees with concealed weapons permits) unless properly authorized by the City;
- Aggressive or hostile behavior which creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- Making threatening remarks expressing intent to do harm to another person and/or making veiled threats of physical harm or similar intimidation;

- Surveillance without proper authorization;
- Stalking;
- Intentional damage, destruction, or threat of destruction of City property, the property of another employee, or any person's personal property;
- Acting in a hostile manner, expressing unusual agitation or excitement which may be accompanied by incoherent and/or irrational behavior or harassment;
- Expression of suicidal or homicidal intent or thoughts.

Reporting Procedures Any potentially dangerous situations must be reported immediately to a supervisor or HRD. Reports can be made anonymously, and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. The City will actively intervene at any indication of a possibly hostile or violent situation.

Enforcement Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts or threats on the City's premises or while attending to City related business will be reported to the proper authorities.

SECTION 9: ALCOHOL AND DRUG TESTING

Policy The City of Taylor has zero tolerance with respect to alcohol and drugs. An employee shall not use, possess, sell, or provide alcohol or controlled substances to any other employee or to any person while such an employee is on duty. four (4) hours before reporting for duty or on-call unless the employee is required as a part of his or her job to legally possess alcohol or controlled substances.

An employee shall not report for duty, or remain on duty, when using or testing positive for any controlled substance (except under instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to perform his or her job safely).

Employees violating this policy will be subject to disciplinary action, up to and including termination.

Guidelines A supervisor having reasonable suspicion that an employee is using, possessing, selling or providing alcohol or controlled substances to any

other employee or to any person while such an employee is on duty or on call shall not permit the employee to perform or continue to perform any duties.

A supervisor having actual knowledge that an employee is under the influence, or a reasonable suspicion that an employee is under the influence of alcohol or drugs, shall not permit the employee to perform or continue to perform any duties.

A supervisor having a reasonable suspicion that an employee has used alcohol or drugs within 4 hours prior to coming on duty shall not permit the employee to perform or continue to perform any duties. The supervisor should notify HRD for authorization to initiate testing for alcohol and controlled substances. The supervisor should transport the employee to the testing facility.

Testing

Pre-employment- Applicants who receive a conditional offer of employment are required to take a controlled substances screening test.

Post-Accident- Any employee involved in vehicle accidents while driving a City vehicle or driving a private vehicle while on City business may be subject to post accident testing. Employees must immediately report to their supervisor any accidents that occur while operating City-owned vehicles or equipment. Post-accident drug screening must be performed immediately after the accident. The supervisor must escort the employee to the drug test.

An employee shall always be tested for alcohol and drugs if any one or more of the following apply:

- The accident results in death of any person
- The employee gets a ticket, and a vehicle is towed away; or
- The employee gets a ticket and there is an injury treated away from the scene of an accident

Accidents Not Involving a Vehicle – A post-accident drug and/or alcohol test must be performed on an employee who is involved in a work-related accident if the accident involves injury to any person that requires that an injury be treated away from the scene of an accident and if there is reasonable suspicion that the employee was under the influence of alcohol or an illegal drug.

Random- Employees who are required by their job description to hold a Commercial Driver's License (CDL), heavy equipment operators and personnel who perform safety-sensitive functions are subject to random testing for alcohol and controlled substances.

Reasonable Suspicion- Employees are subject to reasonable suspicion testing for controlled substances and alcohol abuse. This will be based on objective facts and/or observable on duty behavior sufficient to lead a

trained, reasonably prudent supervisor to suspect that an employee is under the influence of controlled substances and/or alcohol so that an employee's ability to perform the functions of the job is impaired or so that the ability to perform the job safely is reduced.

Employees tested for reasonable suspicion will be placed on paid administrative leave pending the results of the test and are not able to return to work until authorized.

Follow-Up- Supervisors will be notified of test results. If an employee tests positive for alcohol or a controlled substance, he or she will be contacted by the Medical Review Officer (MRO). HRD will take the appropriate action based on the information provided by the MRO and the employee.

Self-Declaration

An employee may voluntarily notify the supervisor or HR representative that they need assistance with alcohol or drug use. Such declaration may not be made after being notified of the need to take a scheduled alcohol or drug test.

Employees who initiate self-disclosure to the City will not be disciplined for the disclosure or for obtaining counselling and rehabilitation through a program approved by the City. The City will not pay or reimburse for any treatment or facility expenses related to counseling or rehabilitation programs. An employee may be placed on leave of absence to participate in a rehabilitation or treatment program. The City reserves the right to determine the reasonable timeframe for rehabilitation.

Refusal to Test

An employee's refusal to complete a requested alcohol or drug screen will be grounds for immediate termination. Refusal to submit a test will include the following:

- Refusal to take a required test; or
- Failure to provide enough breath, urine, or blood to be tested and it has been determined by the MRO through a required medical evaluation that there was no adequate medical explanation for the failure; or
- Tampering or attempting to adulterate a specimen or connection procedure

Positive Test Results

Applicants will be denied employment with the City if the applicant's drug test results have been confirmed positive. Applicants with confirmed positive drug test results will not be considered eligible for employment for one year.

Employees with confirmed positive test results may be referred or disciplined or both. The City reserves the right to mandate participation in a substance abuse or rehabilitation program before considering whether to return the employee to work. An employee who has completed a substance abuse or rehabilitation treatment will be required to pass drug

and/or alcohol testing prior to returning to duty.

SECTION 10: OUTSIDE EMPLOYMENT

Policy

Employees may not engage in any outside employment, including self-employment, where such activity would (1) be inconsistent or incompatible with employment with the City; or (2) affect the employee's job performance adversely.

For purposes of this policy, outside or self-employment includes a job, activity, or enterprise (including self-employment) which constitutes a form of employment or business outside the responsibilities of employment with the City. This policy is not intended to cover volunteer work with a non-profit organization, such as United Way, Boy/Girl Scouts, American Heart Association, faith-based activities or similar activities where compensation is neither expected nor paid in the ordinary course of operations.

Guidelines

City employees may engage in outside or self-employment provided it is not a conflict of interest and does not interfere with duties and responsibilities with the City of Taylor. If it is determined that an employee's outside employment interferes with the effective performance of assigned City duties, appropriate action will be taken, which may include requiring the employee to terminate the outside employment or resign from the City's employment.

On-the-Job Injury

If a City employee is injured in the course of outside employment, the employee may not file a Workers' Compensation claim against the City for benefits related to the injury, regardless of the fact the outside employment has been approved by his/her supervisor.

The filing of a Workers' Compensation claim in this situation will be considered falsification of documents and is grounds for disciplinary action, up to and including termination.

Under no circumstances may an employee on FMLA leave, sick leave, disability leave, workers' compensation leave, or an unpaid leave of absence, engage in outside or self-employment, as defined in this policy, unless expressly authorized in writing by the Department Director and the Human Resources Director.

Chapter III

EMPLOYMENT PRACTICES

SECTION 1: EQUAL EMPLOYMENT OPPORTUNITY (EEO)

EEO Policy Statement

The City is an equal opportunity employer. The City does not allow discrimination against any person in job structuring, recruitment, examination, selection, appointment, placement, training, upward mobility, discipline, or any other aspect of employment on the basis of race, color, religion, national origin, sex or gender, sexual orientation, disability, age, veteran's status, genetic information, or any other manner that violates the law.

The City prohibits retaliation or discrimination against any employee for opposing an unlawful or discriminatory employment practice, or for alleging or participating in an investigation of an allegation of discrimination.

Discrimination and Harassment

All employees, applicants, vendors, volunteers, and unpaid interns are eligible to file a discrimination and/or harassment complaint. The City takes all complaints seriously. Acts of discrimination and harassment by any employee are prohibited. Employees and supervisors should make every effort to resolve problems or issues informally through discussion and consultation. If these efforts do not resolve the problems or issues, the employee may initiate proceedings as specified in this policy in order to resolve those matters.

All supervisors should be familiar with the complaint policy and have primary responsibility for resolving disputes. Employees are encouraged to seek resolution of a complaint through the chain of command.

All supervisors are responsible for promptly addressing complaints of discrimination or harassment filed by or against their employees. Supervisors must ensure immediate and appropriate action is taken if any allegation is made or a situation involving discrimination or harassment is brought to their attention.

Supervisors have an affirmative duty to respond as soon as he or she knows that discriminatory conduct may be occurring, regardless of whether or not a formal complaint has been filed.

Supervisors must notify HRD immediately upon becoming aware of a situation in which discrimination or harassment may have occurred.

Supervisors in consultation with the Department Director and HRD shall take immediate action while the investigation proceeds. Examples of such action may range from temporarily reassigning the employees

involved pending the investigation, to immediately place one or more of the parties involved on administrative leave, if needed.

Retaliation against an employee for attempting to resolve a dispute, filing a complaint or for participating in any way in an investigation of a complaint will not be tolerated. Employees shall report such reprisal and/or retaliation to the Department Director and/or Human Resources Department. Supervisors will take appropriate corrective action in consultation with the Department Director and HRD to address any violations of law or policy that are discovered during an investigation.

Confidentiality shall be maintained by all parties involved in a complaint and in the investigation of a complaint.

SECTION 2: AMERICANS WITH DISABILITIES ACT (ADA)

Policy

The City of Taylor does not discriminate on the basis of disability in employment or in the provision of services, programs, or activities, in accordance with the ADA.

The “Act” is a Federal Statute designed to remove barriers preventing qualified, disabled individuals from enjoying the same employment opportunities available to individuals without disabilities. The “Act” prohibits discrimination in all employment practices, including job application procedures, hiring, termination, advancement, compensation, training, and other terms, conditions, and privileges of employment. Also, it applies to recruitment, advertising, tenure, layoff, fringe benefits, and all other employment-related activities.

Definitions

Disability- the Americans with Disabilities Act Amendments Act (ADAAA) defines a disability as:

- a physical or mental impairment that substantially limits a major life activity; or
- a record of a physical or mental impairment that substantially limited a major life activity; or
- when an employer takes an action prohibited by the ADA based on an actual or perceived impairment.

Major Life Activity (MLA):

MLAs include “major bodily functions,” such as functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, circulatory, respiratory, endocrine, hemic, lymphatic, musculoskeletal, special sense organs and skin, genitourinary, and cardiovascular systems, and reproductive functions.

MLAs also include: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, sitting, reaching, interacting with others, and working.

Impairment- a physiological disorder affecting one or more of a number of body systems or a mental or psychological disorder.

Reasonable Accommodations- the modification or an adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to perform essential job functions, or to have equal opportunity in the employment process.

Undue Hardship- extensive difficulty or expense in relation to the size of the entity, the resources available, and the nature of activities or program. Accommodations that impose undue hardship would be unduly costly, extensive, substantial, disruptive, or would fundamentally alter the nature or operation of the business or program.

The “Act” permits employers to establish qualification standards that will exclude individuals who pose a direct threat to the health and safety of the individual or of others, if that risk cannot be lowered to an acceptable level by reasonable accommodations.

ADA Coordinator

The Human Resources Director serves as the City’s designated ADA Coordinator. The responsibilities for this role include:

- Providing assistance on clarification and guidance to City departments;
- Providing clarification and guidance on the City’s implementation of the act;
- Overseeing the handling of employee requests for reasonable accommodations at a department level;
- Communicating with the involved and affected employee;
- Tracking and monitoring all ADA-related activities in the City;
- Communicating with affected Department Directors on related issues; and
- Maintaining and ensuring confidentiality of information and related documentation.

Request for Accommodation

An employee or his/her representative requesting a reasonable accommodation must initiate the request to his or her supervisor or to the Human Resources Director. The request need not be in writing, but a written confirmation of the request will be sent to the employee.

Immediate supervisors must report the situation, with adequate and relevant background documentation, to the ADA Coordinator for review and further assistance.

The ADA Coordinator engages in an informal process with the requesting employee to clarify his/her needs and identifies possible reasonable accommodations.

Request Review

A request for reasonable accommodation is evaluated on a case- by- case basis. The ADA coordinator and the supervisor must consider the circumstances of the employee's situation. However, all reasonable accommodations must:

- Be job related;
- Be effective enough to overcome the individual's physical or mental limitation;
- Enable the individual to perform the essential functions of the job; and
- Not impose any undue hardship on the City's operations and services.

Job Function Analysis is the key mechanism for defining the mental, physical, and environmental demands of the position.

The ADA Coordinator and appropriate staff evaluate the situation and provide the affected department with a plan for guidance, further evaluation, and final determination.

The affected employee will be notified verbally and in writing when a determination has been made regarding the request for reasonable accommodations.

If the requesting employee qualifies, the immediate supervisor coordinates with the ADA Coordinator and the employee to implement the accommodations as soon as possible. Reasonable accommodation may require additional resources, and/or equipment.

Appeal Process

If the employee is not satisfied with the determination, the employee may appeal to the Deputy City Manager.

Prohibited Actions

The ADA prohibits discrimination based on the knowledge of an employee or applicant's relationship or association with an individual with a disability. This known relationship or association may be a family member or any social or business relationship or association.

It is a violation of this policy, and state/or federal law for any employee, supervisor, or manager of the City to:

- Discriminate on the basis of disability against an employee who is a qualified individual with a disability under the ADA in regard to:
 - job assignments, job classifications, organizational structures, position descriptions, lines of progression and seniority lists;

- leaves of absences, sick leave, or any other leave;
 - upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;
 - rates of pay or any other form of compensation, changes in compensation, and fringe benefits available;
 - selection and financial support for training; or
 - social and recreational activities.
- Limit, segregate, or classify a job applicant or employee in a way that adversely affects his or her employment opportunities or status on the basis of disability.
 - Require a medical examination of an employee who is disabled as defined under the ADA unless the medical examination is job-related and consistent with business necessity.
 - Make inquiries as to whether an employee is an individual with a disability or as to the nature or severity of such disability, unless such inquiry is job-related and consistent with business necessity.

Confidentiality

HRD ensures that all related ADA documentation and information remains confidential and separate from the individual personnel file. This includes any medical statements from treating physicians, leave forms, or any other information that pertains to the medical condition or history of an employee.

SECTION 3: SEXUAL HARASSMENT POLICY

Policy

The City of Taylor is committed to providing a work environment free from harassment, offensive behavior or intimidation on the basis of a person's sex. This policy affirms the City of Taylor's position against sexual harassment and ensures that all employees, applicants, vendors, volunteers and interns are provided a work environment free of sexual harassment, as well as to provide a procedure for reporting allegations of sexual harassment.

The City of Taylor will ensure swift and appropriate action is taken in response to any allegation of sexual harassment. Acts of sexual harassment by any employee are prohibited. Sexual harassment on the part of an employee will result in disciplinary action up to and including termination.

Definition

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and any other unwelcome verbal or physical conduct of a sexual nature, which is offensive or objectionable to the recipient and/or an observer. This includes, but is not limited to, any derogatory or suggestive verbal comments or physical conduct. Sexual harassment has occurred when:

- submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting an individual; and/or
- such conduct interferes with a person's work performance or creates an intimidating, hostile or offensive work environment.

A hostile work environment may also be created by non-sexual behavior directed at an individual because of their gender (e.g., using derogatory terms to refer to men or women), or sexual conversation or activity not directed at a particular individual, but which adversely affects working conditions (e.g., telling offensive jokes in the presence of others or which can be overheard by others).

Sexual harassment also includes sexually suggestive or obscene materials, such as visual materials, music, computer software or literature, which may create an offensive or hostile work environment.

Isolated incidents of sexually oriented misconduct, which is unwelcome and offensive, as well as continual or repeated incidents of such behavior, may also constitute sexual harassment.

Sexual harassment toward another person of the same sex is also strictly prohibited by this policy.

Reporting Allegations

An employee should report allegations of sexual harassment to his/her immediate supervisor or the Human Resources Director, except as indicated below:

- An employee should not attempt to informally resolve disputes with any supervisor if the dispute relates to allegations of sexual harassment on the part of that supervisor. In those instances, the employee may address the issues with a supervisor in his/her chain of command or contact HRD.
- Supervisors are required to report complaints to the Human Resources Director as soon as possible after the act or event prompting the complaint has occurred. The complaint may be made in writing or orally. If the complaint is made orally, it will be reduced to writing by the Human Resources Director or designee and reviewed and approved by the complainant prior to the investigation.

Employee Protection

Retaliation against an employee for attempting to resist sexual harassment, filing a complaint, attempting to stop sexual harassment against another employee or for participating in any way in an investigation of a sexual harassment complaint will not be tolerated. Employees should report such reprisal and/or retaliation to the Human

Resources Director. Management will take appropriate corrective action for any violations of law or policy that are discovered in the course of an investigation.

Confidentiality

All complaints of sexual harassment are addressed in a confidential manner. Each allegation is documented and retained in a confidential file within HRD.

Confidentiality shall be maintained by all parties involved in a sexual harassment complaint, or in the investigation of a sexual harassment complaint. However, confidential information may be subject to disclosure in the following instances:

- in the event of legal proceedings or as otherwise required by law;
- information regarding an investigation of a sexual harassment incident may be released to persons within the City on a “need to know” basis (e.g., the parties’ supervisors); and/or
- identity of the complainant and any witnesses in a sexual harassment investigation shall remain confidential unless and until disclosure of identities becomes necessary. Such disclosure may become necessary if the complainant or witnesses testify against a respondent to a sexual harassment complaint claim that has requested a hearing pursuant to the City’s appeal procedures.

Retaliation

Any employee who retaliates, in any form, against an employee for making a complaint of sexual harassment, will be in violation of the City’s sexual harassment policy, and is subject to disciplinary action, up to and including termination. However, disciplinary action against employees who have violated City policy or who are not performing up to acceptable standards will not be stayed merely by the filing of a complaint.

SECTION 4: BULLYING

Policy

The City of Taylor prohibits bullying by City employees. Bullying is defined as repeated, health-harming mistreatment of one or more people by one or more perpetrators. Examples of prohibited conduct that violates the City’s policy against bullying include, but are not limited to:

- Threatening, humiliating or intimidating behaviors.
- Work interference/sabotage that prevents work from getting done.
- Verbal bullying including slandering, ridiculing or maligning a person or his or her family.
- Persistent name-calling that is hurtful, insulting or humiliating.
- Using a person as the basis of jokes; abusive and offensive remarks.
- Physical bullying including pushing, shoving, kicking, poking, tripping, assault or threat of physical assault, damage to a person's work area or property.

- Gesture bullying including nonverbal gestures that can convey threatening messages.
- Exclusion, including socially or physically excluding or disregarding a person in work-related activities.

Procedure

An employee who feels they have experienced bullying should immediately report this to their supervisor or to Human Resources Department. All employees are strongly encouraged to report any bullying conduct they experience or witness as soon as possible. Failure of a supervisor to report allegations of bullying will lead to disciplinary action if it is determined that the supervisor had knowledge but did not report the information immediately to the appropriate management.

Retaliation against an individual for reporting bullying or for participating in an investigation or a claim of bullying is a serious violation of this policy and, like bullying itself, is prohibited. Acts of retaliation should be reported immediately to the supervisor and/or Human Resources Director and will be promptly investigated and addressed.

SECTION 5: WHISTLEBLOWER POLICY

Policy

The City will not suspend, terminate, or otherwise discriminate against an employee who appropriately reports a violation of law to an appropriate authority if the employee report is made in good faith.

Employee Rights

No employee will be harassed, suspended, terminated or otherwise discriminated against for exercising their rights.

Employee rights include:

- right and/or duty to report violations of law;
- right to report unsafe act or condition;
- right to file a Workers' Compensation Claim;
- right to file a grievance; and
- right to file a complaint of alleged discrimination.

Supervisor Responsibility

Supervisors are responsible for reporting any violation of this policy to the Department Director, Human Resources Director and/or City Manager.

SECTION 6: FRAUD

Policy

All employees are expected to maintain a high level of personal and professional conduct on the job. As a public service organization and stewards of public funds, the City holds its employees to a high standard of ethical conduct relating to the use of City resources.

All employees shall avoid fraud and are expected to report possible fraudulent activity or any internal and/or external practices that may allow for or facilitate fraudulent activities. Supervisors and managers have a greater responsibility to uphold this policy. They are expected to initiate appropriate preventive measures, implement the necessary controls and initiate investigations by promptly reporting allegations.

Reports of fraud can be made to the City's Finance Director, City Manager, Deputy City Manager, Assistant City Manager, or the employee's supervisor or Department Director.

The City considers the following list of actions to be fraud

- Forgery or alteration of any document (including timesheets) or account belonging to the City
- Forgery or alteration of a check, bank draft or any other financial document representing funds belonging to the City
- Intentionally filing inaccurate reports or claims for payment for monetary gain
- Misappropriation of funds, securities, supplies or other assets of the City
- Impropriety in the handling or reporting of money or financial transactions involving the City and any other entity
- Profiteering as a result of insider knowledge of City activities
- Removal or inappropriate use of records, furniture, fixtures and equipment belonging to the City
- Embezzlement, larceny, or any other misapplication of City funds.
- Any official misconduct including the misapplication or misuse of City funds or property.

Procedure

An employee shall immediately report concerns of possible fraud to the employee's supervisor for appropriate action. Immediately shall mean as soon as the employee has the means to contact the supervisor, but shall be no longer than 24 hours after the employee becomes aware of the suspected fraud. As an alternative, an employee can report suspected fraud directly to the employee's Department Director, the Finance Director, an Assistant City Manager, the Deputy City Manager, or the City Manager. An employee who provides information in good faith will be protected from retaliation.

An employee who is contacted by a citizen with evidence or written allegations of fraud shall immediately report it.

Allegations of fraud shall be investigated by an "investigation committee", a standing committee responsible for responding to fraud allegations through the coordination of necessary resources and determining a course of action regarding the investigation.

The investigation committee will be composed of a representative from

Finance and Human Resources and a representative of the department where the suspected fraud occurred, as designated by the City Manager. If the committee believes that alleged conduct may be criminal in nature, then the committee will recommend that the allegation be referred to the Police Department. All findings of the committee will be communicated to the City Manager's Office.

All employees are required to cooperate fully during any City review or investigation of an allegation of fraud. Anyone informed of an investigation in progress shall ensure that strict confidentiality is observed as to not prejudice the investigation or the city's rights and integrity.

Employees who intentionally or knowingly make false accusations and / or provide false information concerning instances of fraud will be subject to disciplinary action up to and including termination.

An employee may not be retaliated against for reporting an alleged violation of a law to an appropriate law enforcement authority if the employee's report is made in good faith.

SECTION 7: ETHICAL STANDARD

Policy

All employees are expected to maintain a high level of personal and professional conduct. Employees should conduct themselves in a manner that ensure those high standards are met, avoiding even the appearance of impropriety. Actions in violation of conduct standards include, but are not limited to:

- Use of an employee's official position to secure special privileges or exemptions, whether direct or indirect, for them self or others.
- Disclose any confidential information gained by reason of the employee's position concerning the property, operations, policies or affairs of the City or use such confidential information to advance any personal interest, financial or otherwise, of the employee or others.
- Commit actions to be considered fraud as defined in these policies
- Provide false information and / or make false accusations.
- Participate in any improper secret agreement between two or more entities, to defraud or deprive others of their property or rightful share, or to otherwise indulge in a forbidden, illegal or illegitimate activity.
- Behave in any manner which causes discredit to the employee and / or places the City in disrepute. The commission and/ or

convictions, including deferred adjudication or deferred prosecution, of any crime other than minor traffic violations will be reviewed as a possible violation of this policy based on the nature of the offence and the relativity to the employee's job responsibilities.

- If an employee is involved in any of the acts listed above, on or off the job, they must report it to their supervisor and/or the Human Resources Department immediately. In addition, employees required to operate a City vehicle as a part of their job should report all moving violations.

This list is not all-inclusive. Any conduct of an employee that disrupts the work environment or places the personal interest of the employee above those of the City or the public may be treated as a violation of the public trust.

SECTION 8: HIRING PROCEDURE

Policy

When a vacancy occurs, the appropriate supervisor and HRD will work together to develop a job posting and to identify appropriate recruitment methods.

Recruitment and Selection

The City of Taylor has three methods of recruiting and selecting persons to fill vacancies:

1. Internal posting of jobs to allow for competitive consideration of applications for promotion or transfer.
2. Public announcement and competitive consideration of applications for employment.
3. Selection from a valid eligibility list for Police Officers and Firefighters

The Department Director determines the method(s) of selection to be used in filling each vacancy.

The City only accepts applications for posted positions. Job vacancies will be posted on the City website, social media outlets and other related web sites.

Minimum Qualifications

The City maintains a job description for each position which establishes the required knowledge, skills, abilities and the acceptable levels of experience and training required. The job description sets forth the minimum acceptable qualifications to fill each position.

To be considered for a position, an applicant must submit a City job application. An applicant must apply for a specific job on the City's

current vacant job list. The City will not accept applications for anything other than a current open, posted position. An applicant must submit a separate application and related attachments for each position for which they are applying. All materials submitted for consideration will be considered the property of the City of Taylor and cannot be returned. Except as otherwise protected by law or regulation, the information contained in the application is not confidential and may be used by the City of Taylor.

Evaluation of Applicants

Reference checks, interviews, medical examinations, background checks, job related testing, and/or other screening procedures may be used as appropriate.

Applicants shall be required to provide any information and undergo any examination necessary to demonstrate competency and ability to perform the requirements of the position.

Testing

Except for drug, physical ability and psychological tests for certified police and fire employees and any other tests that may be required by state law, the only performance tests administered for employment or promotion are specifically job related (“piece-of-the-job”) tests (e.g., typing, operating a computer, operating a piece of equipment, lifting a heavy item which is regularly required to be lifted in the job, tabulating columns of numbers, providing writing samples, etc.). The City conducts pre-employment qualification testing for certain jobs. The tests vary based on the required qualifications for the job. Reasonable accommodations will be made for applicants with a disability if a request for such an accommodation is made in advance of a test.

Offers of employment will be conditioned upon the applicant’s successfully passing a drug test and a criminal background check. All required psychological, drug, and physical tests are paid for by the City. Any subsequent services needed as a result of the tests, however, is the full responsibility of the applicant or employee.

Disqualification

An applicant is disqualified from consideration if he or she:

- does not meet the minimum qualification necessary for performance of the duties of the position involved;
- has knowingly made a false statement on the application and/or any materials submitted for consideration for employment;
- has committed or attempted to commit a fraudulent act during the selection process;
- is not legally permitted to hold the position;
- has failed to submit the application correctly or within the prescribed time limit;
- is not the most closely matched candidate in the pre-determined criteria; or
- violated the Department of Transportation (DOT) alcohol and drug testing policy in the past three (3) years.

Employment of Minors

Individuals must be at least eighteen (18) years of age to be employed by the City in a regular position or in any position requiring the operation of a motorized vehicle or equipment owned by or operated on behalf of the City of Taylor. Persons under the age of eighteen (18) but at least sixteen (16) years of age may be employed in seasonal positions.

Required Permission

Minors must have parental permission before they can begin work with the City. The permit shall be filed in HRD.

Probationary Period

Employees will serve a six (6) month probationary period upon hire. Firefighters and Police Officers will serve a one (1) year probationary period. The probationary period is a time to determine whether the job is what was expected and for the department to determine if it is a good fit. Failure to successfully complete the probationary period may result in termination.

SECTION 9: TRANSFERS

Policy

A transfer is the movement of an employee between positions within the City. Transfers may be made within the same department or between departments if a vacant position is available and the employee can perform the essential functions of the position, with or without reasonable accommodation. An employee who is transferred is subject to the one hundred and eighty (180) day probationary period and may be returned to the employee’s former position, if available, at any time during the probationary period.

Eligibility

All employees are eligible for transfer.

Between Departments

An employee wishing to transfer from one department to another must apply for existing vacancies. Employees wishing to transfer between departments for a position in the same classification will do so with no increase in salary.

Notice Between Departments

Employees who apply for, and are offered jobs in other departments, will be required to remain in their current department for a three (3) week period to give their current department ample time to post for the vacancy. This requirement may be waived at the discretion of the current Director or designee. City manager may determine a longer period is needed for business necessity.

SECTION 8: SEPARATION PROCEDURES

Resignation Policy	<p>Employment with the City of Taylor may be ended by termination, reduction in force, resignation, retirement, or death.</p> <p>An employee must give written notice of at least two weeks to be considered to have resigned in good standing. A signed resignation letter should be submitted to the Director and a copy of the letter must be attached to the separation PAF. Department Directors or designee should provide an Acceptance of Resignation letter to the employee confirming the resignation has been accepted and steps to out process. An employee giving less than a two (2) week notice will not receive their accrued PTO payout. Payout may occur in this instance, if mutually agreed upon between the employee and department management, that two (2) weeks' notice is waived.</p>
Reduction in Force	<p>An employee may be separated when his or her position is eliminated or not funded. When non-civil service employee reductions in force are necessary, decisions on individual separations will be made after considering (1) the relative necessity of each position to the department and the City, (2) the performance record of each employee, (3) transferability of the employee's skills to remaining positions with the City, and (4) the employee's length of service with the City. Civil service employee reduction in force will be in accordance with Chapter 143 of the Local Government Code and local civil service rules. Employees who have been laid off may reapply to the City for other positions.</p>
Death	<p>If a City employee dies, the employee's estate receives all pay due and any earned and payable benefits as of the date of death. Payable benefits include PTO and sick leave accrued.</p>
Retirement Information	<p>Employees planning on retiring should follow the procedure outlined by the Texas Municipal Retirement System (TMRS).</p>
COBRA Privileges	<p>An employee who has group insurance coverage at the time of separation has conversion privileges for health and dental insurance. The employee can assume full payment of the premiums and continue the coverage for up to 18 months. The conversion privileges also apply to dependents that are covered at the time of the employee's separation.</p>
Retirement Refund	<p>An employee who is separating may request a refund of retirement contributions from the Texas Municipal Retirement System.</p>
Separation PAF	<p>A Personnel Action Form (PAF) for employees separating from the City must be generated as soon as it is known that an employee is leaving the City. Failure to do so may jeopardize the timeliness of the employee's final paycheck/direct deposit. Based on business necessity, a Director may request the exiting employee's emails be forwarded to their</p>

supervisor.

City Property

On the last day of employment, the employee is required to return all City property such as cellphones, identification badges, uniforms, keys, credit card (s), vehicles and any other City owned equipment and property to their supervisor. Failure to return City property may result in loss of benefits and potentially criminal charges.

Rehire Eligibility

Former employees applying to be rehired may be considered for employment as members of the public. However, special consideration will be given to past job performance, circumstances surrounding termination of previous employment and the former employee's knowledge, skills and experience with City procedures and functions.

Employees re-hired within thirty (30) consecutive calendar days after separation will have their service bridged as if there is no break in service. Employees rehired after a break in service of more than thirty (30) consecutive calendar days will receive a new date of hire. Employees rehired after a thirty (30) daybreak in service will be considered the same as new employees for all benefits, unless approved in advance by the City Manager.

SECTION 9: NEPOTISM

Policy

Nepotism is the showing of favoritism toward a relative. The City forbids the practice of nepotism in hiring personnel or awarding contracts.

Relatives of Officials

No person related within the second degree by affinity or within the third degree by consanguinity, as outlined in the Relationship Charts, to the Mayor or any member of the City Council or City Manager should be employed or appointed to any office, position or clerkship of the City.

This prohibition shall not apply, however, to any person who have been employed by the City at least

1. thirty (30) days prior if the officer or member is appointed by the council
2. six (6) months if the officer or member is elected.

Relatives of City Employees

No employee may directly or indirectly supervise or be supervised by a spouse or a member of his/her family who is related as defined in the Relationship Charts.

No employee may hold a job where the employee exercises supervisory authority over the work, assignments, working conditions, and/or compensation/benefits of any individual who is related as defined in the Relationship Charts.

No employee may hold a position where the employee share the same supervisor with an individual who is related within the same division/department as defined in the Relationship Chart.

In no instance, may an individual be promoted to a position wherein that person would directly or indirectly supervise or be supervised by a relative as defined in the Relationship Charts.

Relationship Charts	
<p>Relationship to: Employee/Officer/Firefig hter</p> <p style="text-align: center;">Consanguinity Kinship ↓ Blood</p>	<p>1st Degree: Father, Mother, Daughter, Son</p> <p>2nd Degree: Brother, Sister, Grandfather, Grandmother, Granddaughter, Grandson</p> <p>3rd Degree: Uncle, Aunt, Niece, Nephew, Great Grandfather, Great Grandmother, Great Granddaughter, Great Grandson</p>
<p>Relationship to: Employee/Officer/Firefig hter's Spouse</p> <p style="text-align: center;">Affinity Kinship ↓ Marriage</p>	<p>1st Degree: Father, Mother, Daughter, Son</p> <p>2nd Degree: Brother, Sister, Grandfather, Grandmother, Granddaughter, Grandson</p>

SECTION 10: PERFORMANCE MANAGEMENT

Policy

The City of Taylor will provide a uniform and equitable process of communicating to employees the performance expectations, their actual achievements, and recommendations for improving performance. Performance Management Processes are critical because employees need to know areas in which they are having success as well as areas where they should improve to meet performance standards and/or career enhancement goals.

It is the duty of each employee to maintain high standards of productivity, cooperation, efficiency and economy in his/her work for the City. Supervisors shall organize and direct the work of their departments/divisions to achieve these objectives. Employees are obligated to follow directions given by their supervisors to achieve departmental/divisional goals and objectives.

If work habits, behavior, production or personal conduct of an employee falls below appropriate standards, supervisors should point out the deficiencies at the time they are observed. Counseling and warning the employee in sufficient time for improvement shall customarily precede formal actions as stated in other policies.

Performance Improvement Plan (PIP)

A PIP may be initiated after an employee's performance has been evaluated and deemed to be unsuccessful. If an employee receives an overall Performance Appraisal Rating of Needs Improvement on the annual appraisal, a PIP must be implemented or if the employee is not meeting the performance standards for a particular task at any time during the appraisal period, the supervisor has the option of placing the employee on a PIP. Supervisors must apply the same practice to all similarly situated employees.

The plan identifies deficiencies, provides a methodology for improvement, and establishes a timetable in which performance must be improved. Usually, the maximum period for a PIP is ninety (90) calendar days.

The original plan remains with the supervisor until the completion of the PIP period and a copy is given to the employee. The original plan must be attached to the appraisal document that is submitted to HRD.

SECTION 11: HUMAN RESOURCES ADMINISTRATION

Master Personnel File

The Human Resources Department (HRD) is the repository for the City of Taylor master personnel files. The **original** of all documents will be forwarded to HRD for inclusion in the master personnel files.

Most of the required personnel information for inclusion in the master personnel file will be collected prior to, or on, the employee's first day of employment. Department Directors are responsible for forwarding any additional documentation and/or information as it occurs, or as required.

Human Resources Director Responsibility

The Human Resources Director is the custodian of, and responsible for, all documentation and information included in the master personnel files. The Human Resources Director is also the final authority in determining what documentation and/or information is irrelevant or inappropriate to be included in the master personnel files and will ensure that HR records will be maintained in accordance with the City's adopted record retention plan.

Security Measures

The following security measures are enforced to safeguard master personnel files in HRD:

- Master personnel files will be stored either in lock-type file cabinets, or in a room that is to be locked when not in use;
- No personnel files are to be removed from HRD;
- If access to view personnel files is necessary during litigation or investigation of complaints, HRD will make arrangements for access;
- Copies of information needed from a personnel file shall be made by a HRD employee;
- Any employee desiring to have information placed in his/her personnel file must submit the documents to his/her Department Director or designee. The Department Director or designee will forward the documents to the Human Resources Director requesting inclusion;
- Employees may review their file in HRD with the presentation of proper photo identification (Note: Files may not be removed from HRD). A HRD employee will always be present to ensure safeguarding of the records. If an employee desires a copy of information maintained in the file a HRD employee will make the copy. Employees are not allowed to remove or place any documents in their own file; and
- The employee or a designated representative will be allowed access to all information contained in the employee's personnel file. The employee's designated representative, however, must have written approval from the employee and present proper photo identification.

Department Files

Department Directors may maintain a desk file for each employee in their department. They must ensure, however, that control measures are established to safeguard the files.

Disciplinary Action

The unauthorized removal or placement of materials in a personnel file is grounds for disciplinary action, up to and including termination.

Responding to Inquiries

All verbal and written requests for information regarding employees or former employees should be **immediately** referred to HRD. The following information will be furnished by HRD to general telephone inquiries received from the public regarding employment verifications for active or separated employees:

- employee name;
- employment dates;
- work address;
- work telephone number;
- gross salary (if quoted); and
- official job classification or title.

Open Records Act

Any request for additional information regarding employees not covered in the preceding paragraph must be submitted in writing under provisions of the Texas Open Records Act. Only information not excluded from

provisions of the act will be released.

Under Texas Government Code Sec. 552.024, an employee may elect to keep his/her home address, home telephone number, social security number and family member information confidential from public access. If an employee desires to change the access to this information, he/she must submit a written request to HRD.

Since an employee's supervisor and Department Director are not considered "the public," the home address and home telephone number of an employee will be provided to the supervisor or Director upon request.

Chapter IV

SALARY ADMINISTRATION

SECTION 1: POSITION CLASSIFICATION

Policy The City will maintain a compensation and salary administration system, which is internally equitable and externally competitive based on market.

Pay and Classification Plan The City maintains a Pay and Classification Plan which assigns each job title to a pay grade based on the principle of equity among positions requiring similar knowledge, skills, and abilities and having similar levels of responsibility.

Employee Type

Regular Full time –an employee who works 30 or more hours in a budgeted position. Regular full-time employee will serve a probationary period upon employment with the City.

Regular Part time – an employee who works 29 hours or less in a budgeted position. Regular part time employee will serve a probationary period upon employment with the City.

Temporary employee – is not assigned a probationary period upon employment with the City. Temporary employees are employed to accomplish specific, short-term or seasonal assignments. Most temporary employees will complete assignments within six months. However, in some specialized positions, a Department Director may decide whether to retain an employee longer than six months with review and approval of the Human Resources Director. A temporary employee who is hired into a regular budgeted position must serve a probationary period of six (6) months.

Official Job Titles and Codes

All positions shall be designated by official job titles and codes. These official titles shall be used on all official records, payroll and communications.

Exemption Status

Exempt employees are not eligible to earn overtime pay as established by the Fair Labor Standards Act (FLSA).

Non-exempt employees are eligible to earn overtime at time and one half their rate of pay as established by FLSA.

Overtime Eligibility

Overtime commences after 40 hours per seven-day workweek for all public service employees; 80 hours per 14-day work period for patrol officers; and 106 hours per 14-day work period for firefighting employees.

Compensatory Time

Compensatory time in lieu of overtime pay is offered by the City. Compensatory time shall be granted at the discretion of the department head. The department head shall tell the employee if overtime will be paid in cash or compensatory time before the work is started. Any compensatory time earned must be used or paid within the fiscal year in which the overtime was worked. As a rule, no more than thirty-six (36) hours of compensatory time (representing twenty-four (24) overtime hours worked) should be allowed to accumulate for non-civil service employees and no more than sixty (60) hours (representing approximately forty (40) hours worked) for civil service employees.

If compensatory time is not used during the fiscal year in which it is earned, the compensatory time will be paid at the employee's regular, straight-time rate of pay for the total number of hours on the employee's compensatory time record at the end of the fiscal year.

On-Call Pay

The city may compensate employees who are required to be in a scheduled "on-call" status for delivery of essential City services outside of their normal scheduled hours of work. Exempt employees are not eligible to receive on-call pay.

Pay Grades

Pay grades are established by use of market data and internal value to the organization. When the results of a market study are implemented, a position may be reallocated based on current market data.

Pay Ranges

Each pay grade has been assigned a salary range based on a range around market averages or median for similar positions. Within this framework, a new employee's salary will be determined by their qualifications at the start of employment.

Within the general guidelines of the plan and the budget, the City Manager or designee is authorized to determine the appropriate pay grade to which each job title is allocated.

Maintenance of the Plan

The Plan will be reviewed each year to determine its adequacy for business conditions and a recommendation will be made to the City Manager. Adjustments will be made to the Plan as required.

SECTION 2: PERSONNEL AND SALARY ACTIONS

PAF Required for Personnel Actions	A Personnel Action (PAF) must be completed on any personnel action that affects employee's title, classification, pay rate, or status (i.e. promotion, reclassification, demotion, transfer, separation). The PAF must be approved by HR before the personnel action is official.
Employee Notification	Promotions or salary increases will not be processed unless approved at all levels (Department Management, HRD and Executive Management, if applicable).

SECTION 3: PROMOTIONS

Promotion Defined	A promotion is a change in duty assignment of an employee from a position in one classification to a position in another classification in a higher salary group requiring higher qualifications, such as greater skill or more experience, and involving a higher level of responsibility.
Evaluation Period	Except for civil service employees, each employee who is promoted shall serve a six-month evaluation period in his/her new position. Any employee who fails to perform satisfactorily during his/her evaluation period may be demoted, transferred, reassigned, or terminated.

SECTION 4: DEMOTIONS & REASSIGNMENTS

Demotion Defined	<p>A demotion is defined as a change in duty assignment of an employee from a position in one classification to a position in another classification in a lower salary group.</p> <p>Demotions may occur for the following reasons:</p> <ul style="list-style-type: none">• Reassignment in lieu of layoff due to a reduction in workforce.• Sustained inadequate performance or voluntary (employee initiated) demotion; employee's salary will be decreased.• Selection of a current employee, through a competitive posting, for a position in a lower pay grade. However, the employee's salary will be reduced. The employee's new salary must not exceed the maximum of the pay grade or fall below the pay grade minimum.
Reassignment Defined	Reassignment may be initiated by a Department Director when the best interests of the City are served by such action. It may be necessary to reassign employees to other classifications with changes in title and pay for non-performance related reasons. This could result from a reduction

in force when an employee's original position is eliminated, and the City offers to reassign rather than lay off the employee. Voluntary reassignment may be requested by an employee.

SECTION 5: RECLASSIFICATIONS

Reclassification Defined

Reclassification shall not be interpreted to mean a change in the employee's work assignment, but a proper definition of classification based on current duties. A reclassification may occur when, over a period an employee's key areas or responsibility change significantly enough to warrant a change in classification. A position may be reclassified to another class in the same pay grade or to a higher or lower pay grade. An employee whose position is reclassified to a higher pay grade may receive an increase to at least the minimum of the new pay grade. If a position is reclassified and assigned to the to a lower grade, pay will be frozen if it is above the maximum rate of the new pay group.

Supervisors are required to review significant proposed changes in key duties with HRD prior to discussion with the employee.

SECTION 6: MANDATORY PAYROLL DEDUCTIONS & DIRECT DEPOSIT

Federal Income Tax

The percentage deducted for federal income tax varies with the salary and W-4 (Employee's Withholding Allowance Certificate) of an employee.

Social Security Tax

A total of 7.65 percent will be deducted from each employee's salary over an annual period for FICA and Medicare. (Note: Amounts deducted for FICA and Medicare is governed by federal law and is subject to change.)

Employee Retirement

Full time and part time City employees working a standard twenty (20) hour work week are required to become a member of the Texas Municipal Retirement System (TMRS) on the first day of City employment. The employee's contribution is deducted from each paycheck.

Contributions to an employee's retirement account are based on gross salary:

- 7% is contributed by the employee, and
- 14% is contributed by the City.

Direct Deposit

All employees are required to participate in payroll direct deposit. This means that your pay will be deposited directly into your account(s) at a participating institution each payday.

Chapter V

EMPLOYEE BENEFITS

SECTION 1: INSURANCE COVERAGE

Group Insurance Plan	<p>The City pays the premium for employee health, dental and vision coverage for full-time active employees. Full time employees are those working thirty (30) hours or more. Eligible employees may add dependent coverage at the employee's expense. Insurance plans include:</p> <ul style="list-style-type: none">• Health Insurance• Dental Insurance• Vision Insurance• Basic Life Insurance• Long Term Disability
Supplemental Coverage	<p>The City offers voluntary supplemental insurance through a third-party administrator. Supplemental coverage includes:</p> <ul style="list-style-type: none">• Optional Life Insurance• Short Term Disability• Legal Protection Plan
Workers' Compensation	<p>Employees are covered by the Workers' Compensation Insurance Program. This program provides medical and salary continuation payments to employees and/or qualified volunteers who receive bona fide, on-the-job, work-related injuries.</p> <p>Affected employees will receive Temporary Income Benefits (TIBS) checks from the City's insurance carrier (Texas Municipal League). Employees who are expected to be off work longer than eight (8) days must endorse and return the first TIBS check to HRD immediately.</p>
Retirement Plan	<p>The City of Taylor is a member of the Texas Municipal Retirement System (TMRS), a cooperative organization of Texas cities and towns formed and operating under the provisions of state law. TMRS membership is a condition of employment for all employees who work at least 1000 hours per year.</p> <p>The plan requires a contribution be made by the City and the employee. The employee's contribution rate is 7% and is made through a tax deferred payroll deduction. The City matches the employee's contribution based on requirements set out by the plan on an annual basis. Vesting occurs when an employee has made deposits into TMRS for five (5) years. Employees may retire with TMRS benefits after five (5) years of service at age 60 or at any age if the employee has twenty (20) or more</p>

years of service.

TMRS provides an **Occupational Disability** benefit. If the employee become disabled in a manner likely to be permanent and that prevents the employee from performing their job with the city, the employee may be eligible to retire immediately. The employee's benefit will be based on their member deposits and interest, the city's matching funds, and any other credits the employee has earned.

TMRS provides a supplemental death benefit which, in the event of the employee's death, is paid to the beneficiary. This Supplemental Death Benefit is one year salary for an employee and \$7,500 for a Retiree. The employee is responsible for designating a beneficiary.

Deferred Compensation

The City offers a supplemental deferred compensation program, which allows employees to defer a portion of their expendable gross earnings up to an established maximum per year. Under this plan, the amount of salary, which is deferred, is not taxed in the current year. Both the salary deferred and the earnings it generates are permitted to accumulate without being subject to taxes until the employee receives payments from his or her account.

Flexible Spending Accounts

The City offers flexible spending accounts for dependent childcare reimbursement and unreimbursed medical expenses. This program allows employees to be reimbursed for dependent childcare expenses and for out-of-pocket health care expenses. Employees elect to contribute money to one or both accounts on a pre-tax basis through payroll deduction.

Premium Payment While on Leave Without Pay

Employees on Leave Without Pay for a full calendar month must pay the total amount of their insurance premiums unless the absence is due to circumstances associated with the Family and Medical Leave Act (FMLA). Arrangements for payment may be made by contacting HRD. Arrangements for payment should be made before going on Leave Without Pay whenever possible. **Failure to pay premiums in a timely manner could result in cancellation of insurance coverage.**

Employees on FMLA Leave

Employees on FMLA leave are entitled to the City's contribution and may keep the coverage they had while working. Also, employees on FMLA leave are responsible for paying their portion of the insurance premiums on the first of each month.

Protected Health Information

The privacy of protected health information will be maintained in accordance with HIPAA laws and the regulations specified in Standards for Privacy of Individually Identifiable Health Information, as well as applicable state laws governing the use and disclosure of health information.

The Human Resources Director is designated as the City's Privacy Officer for the health plan. Any questions regarding the policies and procedures in this directive shall be directed to the Human Resources

Director's attention. Concerns and issues regarding violations of the terms of this policy or your rights as described in the Privacy Notice should be reported immediately.

Employees may contact HRD concerning issues involving claims for health care expenses. All employees enrolled in the City's health plan must diligently protect the privacy of personally identifiable health information.

SECTION 2: RETIREMENT BENEFITS

Retirement Eligibility

A Texas Municipal Retirement System (TMRS) member who has service credit in the system is eligible to retire and receive a service retirement annuity if the member is:

- at least 60 years old and has at least 5 years of service credit with TMRS; or
- at least 20 years of service credit with TMRS, regardless of age.

Retirement Benefits

The monthly retirement benefit amount is based on several factors such as total member deposits plus interest, city matching funds and other credits granted, life expectancy of the member and beneficiary, future interest (assumed), the monthly payment plan chosen by the member, and whether a partial lump sum distribution is taken. For a true estimate of benefits or any other questions regarding retirement, employees may contact TMRS or the Benefits Division in HRD.

SECTION 3: DEFERRED COMPENSATION

Voluntary Salary Deferment

The City of Taylor offers a deferred compensation plan to City employees: Deferred Compensation Plan (IRS Code Section 457). The plan administrator is a third-party vendor. Employees may participate voluntarily in the plan.

The plan allows an employee to defer part of their salary before income tax is deducted. The amounts deferred are not considered wages for federal income tax but are considered wages for Social Security taxes. The purpose of these plans is to allow employees to establish supplemental retirement funds to provide additional income upon retirement or separation from City employment. Federal income tax liability is deferred on this income until a distribution is received.

SECTION 4: WORKERS' COMPENSATION

Policy

In the event of an occupational injury or illness due to a work-related incident, the City makes every effort to provide immediate assistance to the affected employee in accordance with the Texas Workers' Compensation Commission Rules on the injured worker rights and responsibilities.

Guidelines

City employees must report any work-related injury, illness, and exposure to the immediate supervisor as soon as the incident occurs.

The supervisor must immediately report the injury or illness to the HRD for guidance and to initiate the process. Assistance for immediate medical attention must be provided to the injured worker as appropriate.

The supervisor must conduct an initial investigation of the incident and then complete an Incident Report form with the affected worker.

The completed and signed Incident Report form, with relevant statements and reports, must be forwarded immediately to HRD in order to complete and submit the Division of Workers' Compensation (DWC) Employer's First Report of Injury or Illness form DWC-1. The completed form DWC-1 is forwarded by HRD to the designated insurance carrier for further eligibility evaluation and determination.

The designated insurance carrier notifies DWC and the injured worker (claimant) of actions taken, reasons for such actions, and/or any events affecting the claim and/or benefits.

Injured Worker Rights

An injured City worker may have the right to receive benefits. An injured City worker has the right to:

- receive reasonable and necessary medical care;
- receive assistance from appropriate, qualified DWC staff; and
- confidentiality within the scope of proper case management and legal constraints.

Injured Worker Responsibilities

An injured City worker has the responsibility to:

- report to the immediate supervisor all work-related injuries and illnesses;
- attend all scheduled medical appointments;
- tell the treating physician how the worker was injured and if the worker believes the injury may be work-related;
- inform DWC and the insurance carrier how to contact him or her; and
- immediately provide Workers Compensation liaison with a copy of any and all discharge notes/reports.

City's Rights

The City has the right to:

- contest the compensability of a claim;
- be informed by the insurance carrier of any dispute resolutions or court proceedings;
- attend any dispute resolution proceeding related to a claim;
- present any relevant evidence about a disputed issue;
- report suspected workers' compensation fraud to DWC and the insurance carrier; and
- review any and all discharge notes/reports.

City's Responsibilities

The City has the responsibility to:

- report work-related injuries and illnesses including supplemental reports;
- report an injured worker's wages and other compensation to the insurance carrier;
- report any changes in an injured worker's pay or employment;
- keep a record of work-related injuries, illnesses, and fatalities; and
- provide workers with notice of coverage and responsibilities.

Prohibited Actions

It is a violation of City policy, procedures and state and federal law for any employee, supervisor, or manager of the City to discharge, discipline or in any other manner, discriminate against an employee of the City because the employee:

- files a workers' compensation claim in good faith;
- hires a lawyer to represent the employee in a workers' compensation claim;
- institutes or causes to be instituted in good faith a proceeding under the Texas Workers' Compensation Act; or
- testifies or is about to testify in a proceeding under the Texas Workers' Compensation Act.

Fraudulent Claims

Evidence and information indicating that a claim was submitted for workers' compensation leave, benefits, and medical treatment, and was established through fraudulent acts or deceptive practices, shall be investigated by the City and the insurance carrier. Results of investigations will be evaluated and actions will be taken in accordance with DWC Rules on Compliance and Practices.

Pre-existing Injuries

City employees must report any signs of complications that may be related to a previously reported and managed work-related injury or illness. The immediate supervisor must consult with HRD for further evaluation and determination. A new Incident Report Form is required.

SECTION 5: RETURN TO WORK POLICY - WORKERS' COMPENSATION

Policy	<p>If a City employee sustains a work-related injury or illness and is released back to work by the treating physician to perform restricted duties, the employee is assigned to modified duties suitable to his or her physical ability and condition.</p>
Guidelines	<p>Supervisors must provide the injured worker with a statement of his or her essential job functions. The injured employee must share the essential job functions with the treating physician for evaluation and determination.</p> <p>A release authorization and clarification of any restrictions is needed from the treating physician with respect to employee work restrictions and essential job functions. The Injured employee must provide HRD with the statement/document of release provided by the treating physician.</p> <p>HRD will review and evaluate the provided release authorization for appropriate actions and assignments and inform the supervisor of restrictions.</p> <p>HRD will forward a Supplemental Report of Injury to the insurance carrier indicating any changes in the injured employee's duty status.</p> <p>The injured and released employee must comply with the recommendations of the treating physician, and the work plan as established by the employee's immediate supervisor in support of the intent and benefit of restricted duty status.</p> <p>If the injured employee refuses to accept the reasonably modified duties, and willingly fails to comply with the plan, the employee will be referred to HRD for further case management and possible disciplinary action up to and including termination.</p>

SECTION 6: RETURN TO WORK POLICY – NON-WORK RELATED INJURY & ILLNESS

Policy	<p>City employees must report all serious injuries, illnesses, and exposures which occurred away from work, even if the event did not occur during the performance of activities related to the course and scope of their duties.</p>
Guidelines	<p>City employees must report off duty injuries and illnesses to the immediate supervisor. The supervisor will notify the employee of FMLA and refer them to HRD for further guidance.</p>

Employees with a medical statement recommending three or more consecutive sick leave days will be designated FMLA if eligible.

Off the Job Injury or Illness

Off the job injuries, illnesses, and exposures with potential health effects, which may impact the employee’s ability to perform the essential job functions must be reported to the immediate supervisor. The immediate supervisor and the affected employee must consult with the Human Resources Department for further guidance and proper case management.

Employees who require accommodations based on a non-work-related injury will be evaluated with department management and HRD to determine if the request can be approved.

SECTION 7: EMPLOYEE ASSISTANCE PROGRAM

Employee Assistance Program

The City has an Employee Assistance Program (EAP) to help employees and their families resolve personal problems that may be affecting the employee’s performance and ability to work. Employees may participate in the EAP:

- voluntarily by self-referral or by their family; or
- as suggested by their employer.

Confidentiality

Confidentiality for participants in the EAP is guaranteed by law. The program will not reveal to others, including City management officials, the diagnosis or particular problem, nor will such information be allowed to become part of the City personnel records.

SECTION 8: HOLIDAYS

Policy

The City is committed to providing a competitive benefit to recognize traditional holidays preserving the rich heritage and traditions of our community and enhancing the quality of life.

Designated Holidays

The City Council designates holidays for City employees. The following days are observed as paid holidays:

- New Year’s Day
- Martin Luther King Jr. Day
- President’s Day
- Good Friday
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day

- Patriot's Day (Firefighter Only)
- Veteran's Day
- Thanksgiving
- Friday after Thanksgiving
- Christmas Eve
- Christmas Day

If the holiday falls on a Saturday, the preceding Friday shall be observed. If a holiday falls on a Sunday, the following Monday shall be observed.

Additionally, September 11 is designated as a paid holiday for Firefighters. However, the September 11 holiday must be taken in lieu of another holiday designated above.

Eligibility

Regular full-time employees and part-time employees who are normally scheduled to work at least twenty (20) hours per week are paid for holidays. Payment is based on the number of hours they would have worked if the holiday had not occurred. However, employees will not receive more than eight hours leave time for the holiday. Temporary employees or employees who are normally scheduled to work fewer than twenty (20) hours per week are not paid for holidays except for holiday hours actually worked.

An employee who is absent without approved leave or is on unapproved leave without pay on the workday immediately preceding or following a holiday will not be paid for the holiday.

Business Necessity

It is not always feasible to grant holidays at the scheduled time, especially for employees who are assigned shifts on an "around-the-clock" operation. Additionally, with the approval of the City Manager, a Department Director that finds it a business necessity to do so may direct some or all employees of the department to report for work on a holiday.

Holiday Pay

Non-exempt employees who work on a holiday will be paid for the hours worked at straight time and will receive eight (8) hours of holiday pay.

Employees who are sick on a holiday for which they are scheduled to work will document the leave as holiday leave rather than sick leave.

If an official holiday falls within an employee's PTO, the employee will be granted the holiday and not charged for a day of PTO.

If an emergency necessitates that the employee be called in to work during holiday leave all or part of that day, then the employee will be compensated. The employee will be granted either equivalent holiday time off during the same official work period or paid for the number of holiday hours actually worked.

Holiday Leave for

Since police patrol and fire protection must be provided around-the-clock

Patrol Officers and Firefighters

and year-round, they remain open on holidays. To provide equivalent holiday leave time to these employees, the City has established policies for holiday leave accrual and usage for these departments.

Since police and fire protection must be provided around-the-clock and year-round, those City departments cannot close on holidays. To provide equivalent holiday leave time to these employees, the City has established policies for holiday leave accrual and usage for these departments much like the City's paid time off policy. Police officers earn holiday leave credits at the rate of 8.0 hours per holiday, the same amount of holiday time off as provided to other City employees. This leave can be used in one-day or multiple-day increments with the approval of the employee's supervisor and department head. Firefighters earn holiday leave credits at the rate of 12.0 hours per holiday. Holiday time cannot be taken until it is accrued.

Holiday leave time, up to 48 hours for fire, and up to 32 hours for police, and communication officers not used by October 30th of the fiscal year will be paid at the employee's hourly rate. Any holiday leave not used beyond 48 hours will expire after October 30th.

SECTION 9: ACCOUNTING FOR LEAVE

Leave Records

The City of Taylor is required to keep a record of time and attendance, the paid time off and sick leave accrual and absences of each employee, and reasons for the employee absences whether from sickness, PTO, other paid leave, or leave without pay.

All employees are required to report hours worked and leave taken accurately and meet the established deadlines. A deliberate misrepresentation of hours worked, leave taken, or an unauthorized absence will result in disciplinary action up to and including termination. The employee's supervisor must approve all leave time taken within the established deadlines. Leave taken may be paid or unpaid.

Unauthorized Absence

An unauthorized absence occurs when an employee:

- takes leave without prior approval as required; or
- is absent from work and fails to notify the supervisor within the established time frame.

Leave Balances

Upon approval by the supervisor, the employee may use any available holiday or PTO leave time.

Sick leave may only be used for illness of the employee or immediate family members.

Negative leave balances are not allowed.

**Supervisor's
Responsibility**

Supervisors are responsible for determining that leave has been accrued and is available for use in the amounts requested by an employee. Department Directors are responsible for ensuring that all leave taken is recorded in the system used for recording time and approved within the established deadlines.

**Medically Related
Absence**

If an absence is medically related, the leave request form must include a reason or explanation (ex. Dr. appt, child sick, self-sick, etc.) for the absence and is to be submitted promptly to the immediate supervisor.

**Excessive
Absenteeism**

Disciplinary action, up to and including termination, could result from excessive absenteeism. This is evident when an employee is unable to adequately perform his/her job due to absenteeism, or when the normal day-to-day work activities of the office are disrupted due to excessive and/or unscheduled leave by the employee.

**Absent Without
Authorization**

An employee who fails to report to or remain at work, or who fails to return to work upon expiration of approved leave, may be considered absent without authorization (AWL). Unless the employee produces a satisfactory explanation for the unauthorized absence, disciplinary action, up to and including termination, will result.

Job Abandonment

An employee who fails to report to work without notifying their supervisor of the absence for three (3) consecutive days will be considered to have abandoned his or her position with the City.

SECTION 10: PAID TIME OFF

Policy

City of Taylor recognizes that employees have diverse needs for time off from work and, as such, has established this paid time off (PTO) policy. The benefits of PTO are that it promotes a flexible approach to time off by combining vacation, sick and floating holiday. Employees are accountable and responsible for managing their own PTO hours to allow for adequate reserves if there is a need to cover PTO, illness or disability, appointments, emergencies, or other situations that require time off from work. Police Officers and Firefighters will maintain a separate sick leave accrual bank in accordance with TLGC 143.

Eligibility

All regular full-time and regular part-time City employees who work at least twenty (20) hours per week are eligible to accrue PTO.

Regular part-time employees with work schedules less than forty (40) but at least twenty (20) hours per week earn PTO at one-half the regular, full-time accrual rate.

Temporary employees (full-time or part-time) and regular part-time employees who work fewer than twenty (20) hours per week do not earn

personal leave.

Employees are encouraged to use PTO at least annually. PTO is accrued bi-weekly.

A break in continuous service with the City of more than 30 days forfeits leave benefits accrued prior to the break, and accrual rates for leave purposes are the same as for new employees.

City Manager may grant additional personal leave for the recruitment, retention and hiring of executive level staff.

PTO accruals are available for use in the pay period following the pay period in which they are accrued.

Length of service determines the rate at which the employee will accrue PTO. PTO does not accrue on unpaid leaves of absence.

Accumulation and Payout of Paid Time Off

Payment Upon Separation

Upon separation from City employment, a regular, full-time, non-probationary employee, in good standing will be paid for accrued and unused PTO up to a maximum of 120 hours depending on years of service.

Fire civil service employees will be paid up to 180 hours depending on years of service.

Police civil service employees will be paid 120 hours.

Payment for PTO will be included in the employee's final paycheck. The following chart outlines employee accruals and payouts.

Length of Service	Personal Leave Earned	Maximum Accumulation	Maximum Payout
Regular, full-time, non-firefighting employees earn personal leave as follows:			
One year but less than 5 years	184 hours per year (7.08 hours bi-weekly)	552 hours	80 hours
Five years but less than 10 years	208 hours per year (8.00 hours bi-weekly)	624 hours	100 hours
Ten years of service and longer	248 hours per year (9.54 hours bi-weekly)	744 hours	120 hours
Regular Police Officers and Recruits earn			

personal (PTO) leave as follows:			
Probationary Period	104 hours per year (4.00 hours bi-weekly)	104 hours	80 hours
Civil Service	168 hours per year (6.46 hours bi-weekly)	504 hours	120 hours
Regular full-time firefighters earn personal (PTO) leave as follows:			
One month but less than 12 months	107 hours per year (4.12 hours bi-weekly)	107 hours	80 hours
One year but less than 5 years	188 hours per year (7.23 hours bi-weekly)	564 hours	120 hours
Five years but less than 10 years	204 hours per year (8.15 hours bi-weekly)	612 hours	140 hours
Ten years of service and longer	236 hours per year (9.08 hours bi-weekly)	708 hours	180 hours

**part-time accrual rates will be prorated*

**PTO hours will not accrue beyond the maximum accruals listed*

**PTO is considered vacation hours for civil service employees*

Use and Scheduling of PTO

Employees are required to use available PTO when taking time off from work. PTO may be taken in increments of 15 minutes.

Whenever possible, PTO must be scheduled in advance. PTO is subject to supervisory approval, department staffing needs and established departmental procedures. Unscheduled absences will be monitored. An employee will be counseled when the frequency of unscheduled absences adversely affects the operations of the department. The supervisor may request that the employee provide a statement from a health care provider concerning the justification for an unscheduled absence.

When PTO is used, an employee is required to use PTO hours according to his or her regularly scheduled workday. For example, if an employee works a six-hour day, he or she would request six hours of PTO when taking that day off. PTO is paid at the employee's straight time rate. PTO is not part of any overtime calculation.

Employees may not borrow from their PTO banks; therefore, no advance leave will be granted.

Consecutive Days

An employee must provide his or her supervisor with a doctor's certificate

of PTO due to illness or injury

to return to work when absent for five or more consecutive days due to injury or illness. All other relevant medical information or FMLA documents shall be submitted to HRD.

SECTION 11: SICK LEAVE (Civil Service Only)

Policy

Civil Service police officers and firefighters are eligible to accrue and use paid sick leave.

Sick Leave Accrual for Civil Service Employees

Regular full-time firefighting employees accrue 3.81 hours bi-weekly for the first eleven (11) months of service and 6.92 hours bi-weekly after twelve (12) months of service, with no maximum accrual limits. Probationary Police Officer or Police Recruit employees accrue 3.08 hours bi-weekly. Civil Service Police employees accrue 4.62 hours bi-weekly, with no maximum accrual limits.

Use of Sick Leave

An employee with accrued sick leave may use it if the employee is absent from work due to:

1. Personal illness or physical or mental incapacity;
2. Medical, dental, or optical examinations or treatments;
3. Medical quarantine resulting from exposure to a contagious disease; or
4. Illness of a member of the employee's immediate family who requires the employee's personal care and attention.

For this purpose, immediate family includes: spouse, child, parent, mother-in-law, father-in-law, daughter-in-law or son-in-law of the employee or any relative living in the employee's household.

Employees using sick leave are charged with the actual number of hours taken. Use of sick leave for less than a full workday should be recorded in increments of 15 minutes.

Consecutive Days of Sick Leave

An employee must provide his or her supervisor with a doctor's certificate to return to work when absent for three or more consecutive workdays due to injury or illness. All other relevant medical information or FMLA documents shall be submitted to HRD.

Misuse of Sick Leave

Use of sick leave for a purpose other than that for which it was approved, requested, or intended is misuse.

Employees who are disciplined for abusing sick leave may be required to bring a doctor's statement when using sick leave.

Illness While on PTO Leave

When an illness or physical incapacity occurs during the time an employee is on PTO leave, accrued sick leave may be granted to cover the period of illness or incapacity and the charge against PTO leave

reduced proportionately. A medical statement must be presented to the supervisor to be eligible for adjusted leave.

Payment upon Separation

Fire and Police civil service employees will be paid sick leave according to TLGC 143, Sections 143.045 and 143.046.

Exhausted Leave

Sick leave can be used only after its accrued. An employee who has exhausted accrued sick leave benefits must request to use accumulated PTO. If all sick and PTO balances are exhausted, the employee may request a leave without pay. No advance of unearned sick leave benefits will be made for any reason. Qualifying employees may request leave from the Catastrophic Leave Pool in advance of their absence.

SECTION 12: CATASTROPHIC LEAVE POOL

Policy

Employees may donate leave to the Catastrophic Leave (“Pool”) so that eligible employees will be able to remain on a paid status for a longer period of time when they have exhausted all leave balances. The amount of leave for the Pool is dependent upon the donations by employees.

Eligibility

For an employee to be eligible to receive hours from the Pool, the employee must have a qualifying event which is estimated to last for at least five (5) calendar days from onset of qualifying event. In addition, the following requirements must also be met:

- The employee must be regular full-time or regular part-time status;
- The employee must have at least six months of employment with the City of Taylor;
- The employee must have exhausted all paid leave balances; and
- The employee must not have been disciplined for leave abuse during the 12-month period immediately preceding the qualifying event.

The City Manager has the discretion to waive the eligibility criteria at any time.

Donations

Donations to the Pool are strictly voluntary and are at the discretion of the employee. Donations can be made as follows:

- Employees who donate hours from PTO must have a minimum remaining balance of eighty (80) hours.
- Donations may be made once per quarter and are irrevocable.
- Employees may not designate who the recipient of their donated hours will be; hours from the Pool will be distributed to employees who apply and are eligible.

- Employees separating service from the City of Taylor are strongly encouraged to donate their PTO to the Pool. Such donation may not exceed 120 hours.

Should the balance of the Pool fall below 960 hours, the City may request donations from employees.

Application Guidelines

Employees who have exhausted all paid leave due to a qualifying event must follow the application process to request leave from the Pool.

Employees experiencing an FMLA qualifying event who are not able to complete the application process may appoint a designee to initiate and complete the process.

General Guidelines

All applications must be submitted to the HR Director for review and authorization of leave from the Pool.

All Pool hours must be used on a continuous and uninterrupted basis until the earliest of the following occurs:

- The qualifying event is resolved or terminated;
- The employee is released to return to work;
- The employee’s employment terminates; or
- The Pool is exhausted.

All requests submitted to the HR Director will be considered on a first come/first-served basis, with priority given in the following manner:

- First priority: applications involving eligible employees who themselves are experiencing an FMLA qualifying event.
- Second priority: applications from employees who are experiencing an FMLA qualifying event based on the condition or status of an eligible family member.

Maximum Hours

Eligible employees may not receive more than

- 160 hours per calendar year
- 800 hours during their tenure with the City of Taylor.

SECTION 13: FAMILY AND MEDICAL LEAVE ACT (FMLA)

Policy

The City of Taylor will provide twelve (12) weeks of paid or unpaid leave for a FMLA qualifying event to eligible employees. FMLA leave runs concurrently with other types of leave.

Eligibility

To be eligible for FMLA leave, an employee must have worked for the

City for 12 months and have worked at least 1,250 hours during the 12 months immediately before the date when the leave is requested to begin. The 12 months need not have been consecutive.

An eligible employee is entitled to 12 workweeks of paid or unpaid leave during a rolling 12-month period for the following purposes:

- (1) birth of a son or daughter of the employee and in order to care for such son or daughter;
- (2) placement of a son or daughter with the employee for adoption or foster care;
- (3) in order to care for the spouse, or a son, daughter, or parent of the employee if such spouse, son, daughter or parents has a serious health condition;
- (4) a serious health condition that makes the employee unable to perform the functions of the position of such employee, or;
- (5) due to any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call to order to active duty) in the Armed Forces in support of a contingency operation.

An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered service member is entitled to 26 workweeks of paid or unpaid leave during a single 12-month period to care for the service member.

Definitions

The FMLA provides the following definitions:

- "Son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in the place of a parent. The child must be under 18 years of age or an individual 18 years of age or older who is incapable of self-care because of a mental or physical disability.
- "Spouse" means a husband or wife as defined or recognized under state law for purposes of marriage, including common law marriage. "Spouse" also includes individuals in lawfully recognized same-sex and common law marriages and marriages that were validly entered into outside of the United States if they could have been entered into in at least one state.
- "Parents," means biological, or someone who was the employee's legal guardian.
- "Covered Service member" means a member of the Armed Forces. Including a member of the National Guard Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness

- “Outpatient Status” with respect to a covered service member, means status of a member of the Armed Forces assigned to:
 - (A) a military medical treatment facility as an outpatient; or
 - (B) a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.
- “Next of Kin” used with respect to an individual, means the nearest blood relative of that individual.
- “Serious Injury or Illness” in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty or active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member’s office, grade, rank or rating.
- “Serious Health Condition” means an illness, injury, impairment, or physical or mental condition that involves:
 - (A) Inpatient care in a hospital, hospice, or residential medical care facility or;
 - (B) Continuing treatment by a health care provider.
- “Genetic Information” includes an individual’s family medical history, the results of an individual or family member’s genetic tests, the fact that an individual or a family member sought or received genetic services, and genetic information of a fetus carried by an individual or a family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

“Rolling” 12 Month Period

The “rolling” 12-month period is measured starting from the date an employee’s first FMLA leave begins. Subsequent qualifying period of FMLA leave are measured from the end of the previous FMLA event.

Limits of Benefits

If spouses are employed by the City and the qualifying event is related to the birth or placement of a child, or a serious health condition of a parent, 12 workweeks of leave is given to both employees.

If spouses are employed by the City, and the qualifying event is related to care for a covered service member, 26 workweeks of leave is given to both employees.

Use of Paid and Other Leave

An employee will be required to use accrued paid leave for any part of a family/medical leave.

Intermittent Leave or Reduced Work Schedule

FMLA Leave may be taken on an intermittent basis or an employee may request a reduced work schedule as determined by the certification. The City and the employee must mutually agree to a schedule.

Status & Benefits Protection

An employee on FMLA leave does not lose any previously accrued seniority or employment benefits but does not earn any leave or other benefits during the unpaid portion of the leave.

While an employee is on FMLA leave, the City will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

While on paid leave, the City will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail, by the due date required by the City. If the payment is more than thirty (30) days late, **the employee's health care coverage may be dropped for the duration of the leave.** The City will provide fifteen (15) days' notice prior to the employee's loss of coverage.

Extension of Leave after FMLA

Extensions of leave after the FMLA 12 or 26 workweek period expires may be authorized by the City Manager and the employee's Department Director in no more than one-month intervals. A careful review must be conducted prior to authorizing any extension. The reason(s) for granting the extension must be documented in the employee's medical file.

Documentation

All documentation regarding FMLA leave will be filed in the employee's medical file, which is maintained separate from the personnel files and is accessible by individuals only on a "need-to-know" basis or as otherwise required by law.

Return to Work

After completion of FMLA leave, an employee will be returned either to the same position he or she held before the leave began or to a position equivalent to the previously held position in pay, benefits, and other terms and conditions of employment.

This policy may be modified for "key employees," defined as those salaried employees in the highest paid 10 percent of the City's workforce. Key employees will be notified in advance of their status. Regardless of whether the FMLA leave period is paid, unpaid, or a combination of both, the employee's health insurance coverage will be continued in the same manner and at the same level as prior to the FMLA leave period.

Should the employee decide at any time after FMLA leave begins, that he or she will not return to work at the City, the employee must reimburse the City for health coverage premiums paid by the City unless the reason for not returning to work is the continuation, recurrence, or onset of a serious health condition, or other circumstances beyond the employee's control. Medical condition is subject to certification.

Notice

Employees must provide their Department Director or the Human

Resources Department with at least 30 days' advance notice when the need for FMLA leave is foreseeable.

If the need for FMLA leave is not foreseeable, employees must provide their Department Director or the Human Resources Department with as much advance notice as practicable. The employee must also provide an explanation as to why the employee was unable to provide at least 30 days' advance notice of the need for leave.

FMLA Fraud

An employee who fraudulently obtains FMLA leave is not protected by the FMLA's job restoration or maintenance of health benefits provisions. An employee who fraudulently obtains FMLA is subject to disciplinary actions up to an including dismissal.

SECTION 14: EMERGENCY LEAVE

Policy

The City may provide paid absences for a death in an employee's immediate family and or serious illness of a family member. In the event of serious illness of a member of the employee's family, who requires the employee's personal care and attention, emergency leave may be granted if all other accrued paid leave is exhausted. The length of time granted (number of hours or days) for a specific emergency leave must be approved by the City Manager or designee in advance and will depend on the circumstances. The terms of, reasons, and length of leave time approved for the leave must be documented.

For purposes of emergency leave, "family" includes spouse, child, parent, brother, sister, grandparents, grandchild of an employee or employee's spouse, or any relative living in the employee's household.

**Five (5) Day
Maximum**

Emergency Leave should be submitted to the Department Director or his/her designee in advance. Normally, up to five (5) days will be approved. An employee may use PTO for additional time off, with Director approval.

Other Reasons

The City Manager or his/her designee may grant Emergency Leave for reasons other than bereavement if the employee shows good cause. (e.g., house fire, flood, tornado, etc.) The granting of such leave is at the sole discretion of the City Manager and is granted only if it is determined to be in the best interest of the City and if PTO is exhausted. These requests should be directed to the Human Resources Director.

SECTION 15: MILITARY LEAVE

Policy

The City is committed to protecting the rights of employees absent on

military leave. In accordance with federal and state law, no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the Uniformed Services of the United States. Specifically, no person will be denied:

- employment,
- reemployment,
- promotion, or
- other benefit of employment on the basis of such membership.

Furthermore, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under applicable law or this policy.

Eligibility

Employees performing military duties are eligible for benefits under this policy. Such military duties include leaves of absence taken by members of the uniformed services, including Reservists, National Guard members for training, periods of active military service, and funeral honors duty, as well as time spent being examined to determine fitness to perform such service. Subject to certain exceptions under the applicable laws, these benefits are generally limited to five years of leave of absence.

Authorized Training for Duty

An eligible employee who is called to active duty or authorized training as a member of the Texas National Guard or any of the reserve components of the United States Armed Forces is entitled to a leave of absence from his or her respective duties for fifteen (15) days in a fiscal year without loss of time, performance rating, PTO time, or salary. The fifteen (15) days need not be consecutive.

After exhausting the fifteen (15) days of military leave, the employee may use accrued PTO leave, with Director approval, to the extent available or be placed in a leave without pay status (or combination of the two) for the remainder of the active-duty period.

Benefits

If an employee is absent from work due to military service, the employee must visit with HRD prior, benefits will continue as follows:

1. An employee on extended military leave may elect to continue group health insurance coverage for the employee and covered dependents under the same terms and conditions for a period not to exceed 31 days from the date the military leave of absence begins. The employee must pay, per pay period, the premium normally paid by the employee. After the initial 31-day period, the employee and covered dependents can continue group health insurance up to 24 months at the COBRA rate.
2. Employees do not accrue PTO or sick leave while on military leave of absence status.

3. With respect to the City's retirement plan, upon reemployment, employees who have taken military leave will be credited for purposes of vesting with the time spent in military service and will be treated as not having incurred a break in service. Immediately upon reemployment, the employee may, at the employee's election, make any or all employee contributions that the employee would have been eligible to make had the employee's employment not been interrupted by military service. Such contributions must be made within a period that begins with the employee's reemployment and that is not greater in duration than three times the length of the employee's military service. Employees will receive all associated City match for such contributions.

Re-Employment

Employees returning from military leave shall be reinstated to the position they left without competitive process, if the employee:

1. Receives an honorable discharge, and
2. Remains physically and mentally able to perform the essential functions of the position they left, as determined by appropriate medical personnel; and remains otherwise eligible for the position (e.g., certifications, criminal history, driving record, physical/drug screens, etc.), and
3. After serving a military service period of 31-180 days, submits an application for reemployment through the City's Human Resources Department no later than 14 days from discharge; or
4. After serving a military service period of 181 days or more, submits an application for reemployment through the City's Human Resources Department no later than 90 days from discharge.
5. Civil Service personnel will be handled according to Texas Local Government Code Chapter 143.

Benefits upon Re-Employment

Employees re-employed following military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have attained, with reasonable certainty, had the individual remained continuously employed. An employee's time spent on active military duty will be counted toward their eligibility for FMLA leave once they return to their job at the City.

Exceptions to Re-Employment

In addition to the employee's failure to apply for re-employment in a timely manner, an employee is not entitled to reinstatement as described above if any of the following conditions exist:

1. The City's circumstances have so changed as to make re-employment impossible or unreasonable;
2. Re-employment would pose an undue hardship upon the City of Taylor;
3. The employee's employment prior to the military service was merely for a brief, non-recurrent period and there was no reasonable expectation that the employment would have continued indefinitely or for a significant period; or
4. The employee did not receive an honorable discharge from military service.

Documentation

HRD, upon the employee's application for re-employment, will request that the employee provide the City with military discharge documentation to establish the timeliness of the application for re-employment, the duration of the military service, and the honorable discharge from the military service.

SECTION 16: MILITARY LEAVE TIME ACCOUNTS

Policy

In accordance with Texas Local Government Code, Section 143.075, this policy establishes "Military Leave Time Accounts." The City shall maintain two separate military leave time accounts; one for eligible Civil Service fire department personnel and one account for eligible Civil Service police department personnel. Inter-departmental commingling of these two separate accounts in regard to donations and usage is not permitted.

Eligibility

To be eligible to use leave hours from the military leave time account, a firefighter or police officer must meet the following criteria:

1. Must not be in a probationary period in the fire or police department as a firefighter, police officer or academy trainee;
2. Is a member of the Texas National Guard or the Armed Forces Reserves of the United States;
3. Was called to active federal military duty while serving as a firefighter or police officer for the City of Taylor;
4. Has served on active duty for a period of 3continuous months or longer; and

5. Has exhausted the balance of the person's vacation, holiday, and compensatory leave time accumulation

Guidelines

Civil Service employees who would like to donate leave time hours (vacation, holiday, civil service sick or compensatory leave time) to the military leave time account must complete the "Authorization to Transfer Annual Leave/ Compensatory Time Form".

Hours must be donated in increments of not less than 15 minutes. Any combination of PTO, holiday, sick, or compensatory leave time may be donated to the military leave time account.

Probationary Fire and Police department employees are not eligible to donate hours to the military leave time accounts.

Leave time donated to a military leave time account is irrevocable.

Distribution of accumulated hours in the military leave time account will be divided equally among all eligible firefighters or police officer beneficiaries of that account at the end of the departments' regular scheduled pay period. Donations and disbursements to the military leave account are made on an hourly basis regardless of the cash value of the time donated or used.

The Human Resources Department is responsible for receiving requests for donations of hours, maintaining account balances and ensuring distribution of paid hours is in compliance with this policy.

Procedures

Civil Service Fire Department Employees

1. Fire Civil Service employees may donate vacation, holiday, civil service sick, or compensatory leave time hours to the fire department military leave time account by completing the "Authorization to Transfer Annual Leave/Compensatory Time Form" and submitting the form to Human Resources.
2. Eligible Fire Civil Service employees may use the military leave time account only after they have exhausted all of their own vacation, holiday and compensatory leave time and been on continuous active military duty of 12 continuous months or longer. A "Request to Use Hours from the Military Leave Time Account form" must be completed. Hours will be used in increments of not less than 15 minutes.
3. At the end of each pay period, the Human Resources Department will divide the hours in the account equally among all eligible fire department employees; the maximum hours used to authorize pay to each eligible person is 96 or 120 hours per pay period depending upon which shift they

would have worked.

Civil Service Police Department Employees

1. Police Civil Service employees may donate vacation, holiday, civil service sick, or compensatory leave time hours to the police department military leave time account by completing the “Authorization to Transfer Annual Leave/Compensatory Time form” and submitting the form to Human Resources.
2. Eligible Police Civil Service employees may use the military leave time account only after they have exhausted all of their own vacation, holiday and compensatory leave time and been on continuous active military duty of 12 continuous months or longer. A “Request to Use Hours from the Military Leave Time Account form” must be completed. Hours will be used in increments of not less than 15 minutes.
3. At the end of each pay period, the Human Resources Department will divide the hours in the account equally among all eligible police department employees; the maximum hours used to authorize pay to each eligible person is 80 hours per pay period.

SECTION 17: ADDITIONAL LEAVE

Policy

The City’s policy is to provide paid leave outside of accrued leave in certain circumstances.

Jury Duty

Employees are entitled to leave with pay for jury duty and for serving as a subpoenaed witness in an official proceeding.

When an employee has completed jury duty, he or she must report to the City for duty for the remainder of the workday. If the employee will be absent from work for more than one workday on jury duty, he or she must notify the appropriate supervisor daily. Documentation verifying your participation on a jury or as a witness must be submitted to HRD.

Voting

Employees will be granted up to two (2) hours of administrative leave to vote in national, state and/or local elections.

SECTION 18: LEAVE OF ABSENCE

Policy

A leave of absence is an approved absence from duty in a non-paid status for not more than three (3) months. Granting a leave of absence is at the discretion of the City Manager. Such leave is not authorized unless all applicable accrued paid leave has been exhausted and there is a reasonable expectation that the employee will return to employment with the City at the end of the approved period. Approval of the leave must be documented and placed in the employee's personnel file.

An extension may be granted by the City Manager. A careful review of the request must be conducted prior to authorizing any extension. The reason(s) for granting the extension must be documented in writing in the employee's personnel file.

Employees on leave of absence without pay receive no compensation and accrue no benefits. However, previously accrued leave balances, benefits, and seniority are retained during leaves of absence unless otherwise prohibited by the terms of the benefit programs. Medical insurance can be continued if the employee pays the premiums (including the City's portion) in full in a timely manner. The City's insurer may limit the length of time that the medical benefits may be continued.

Authorized Reasons For Leave without Pay

A leave of absence without pay may be appropriate for the following reasons:

1. Recovery from extended illness, injury or temporary disability beyond the twelve (12) weeks allowable under the family leave section of these policies (see also the section on "Family and Medical Leave");
2. Educational purposes when successful completion will benefit the City;
3. Public service assignments;
4. Personnel exchange programs which emphasize intergovernmental relations; or
5. Any other reason that, in the judgment of the City Manager, merits a leave of absence without pay.

Revocation of Leave of Absence

A leave of absence without pay may be revoked upon receipt of evidence submitted that the cause for granting the leave was misrepresented, or has ceased to exist, or due to a legitimate business need.

Documentation

A summary of the basis for the decision to grant or deny an unpaid leave of absence and the terms of the leave will be prepared by the City Manager or his or her designee and placed in the employee's personnel file.

Return to Work

Upon returning to work following a leave of absence, an employee may receive an adjusted retirement eligibility date, which reflects the period of time that the employee used for leave of absence.

At the conclusion of a leave of absence, every effort will be made to reinstate the employee to the same, or a comparable position.

Unauthorized Absence

An unauthorized absence is one in which the employee is absent from regular duty without permission of the department head or designee or under circumstances where leave request has been granted and it is determined, at any time, to have been misrepresented or fraudulent. Employees are not paid for unauthorized absences and such absences are subject to disciplinary action. Unauthorized absence from work for three days may be considered by the City Manager as a voluntary resignation. Unless the City Manager determines otherwise, the resignation is not in good standing, and the employee is not eligible for reemployment.

SECTION 19: LEAVE WITHOUT PAY

Policy

The Tuition Reimbursement Program in accordance with the Economic Growth and Tax Relief Reconciliation Act of 2001, amending Section 127 of the Internal Revenue Code, is intended to provide financial assistance to employees who are seeking education and/or certification for career and/or professional development and who are taking for-credit courses or certifications through an academic institution. Courses taken through this program are required to be career or job-related. Employees must submit a current degree plan to HRD to determine if a certification and/or degree is covered under the Tuition Reimbursement Program.

The Tuition Assistance Program is not intended to provide assistance for staff development training, job required certifications, or continuing professional education. While these are important functions that may support career development, these training activities are viewed as the responsibility of the employing department, the individual or both.

HRD administers the program for all City employees. The City will pay no more than \$2,000 only for tuition and required non-refundable fees for approved course(s) per fiscal year. Funds must first be approved by the City Council and will then be distributed on a first-come, first-serve basis.

Application

Applications must be returned to HRD for processing and approval **prior** to the start date of the course.

SECTION 20: TUITION REIMBURSEMENT PROGRAM

Policy

The Tuition Reimbursement Program in accordance with the Economic Growth and Tax Relief Reconciliation Act of 2001, amending Section 127 of the Internal Revenue Code, is intended to provide financial assistance to employees who are seeking education and/or certification for career and/or professional development and who are taking for-credit courses or certifications through an academic institution. Courses taken through this program are required to be career or job-related. Employees must submit a current degree plan to HRD to determine if a certification and/or degree is covered under the Tuition Reimbursement Program.

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Application

Applications must be returned to HRD for processing and approval **prior** to the start date of the course.

Employee Eligibility

Full-time, regular employees who have successfully completed their probationary period of six (6) months with the City prior to the beginning of the semester for which they are enrolling are eligible for tuition assistance. Employees will not be able to participate if they:

- Are on disciplinary probation or suspension at the time of application or prior to the beginning of the semester for which they are enrolling; and/or

Terms and Conditions

The following terms and conditions apply to the City's Tuition Reimbursement Program:

- Employees must receive at least a grade of "C" for undergraduate courses and at least a "B" for graduate courses.
- Employees receiving tuition reimbursement funds are required to continue employment with the City for two (2) years from the end date of the last class related to the reimbursement.
- If the employee retires, resigns employment or is terminated prior to the fulfillment of the two (2) year employment requirement, the employee will be responsible for the full reimbursement of the

amount awarded. This amount will be deducted from the employee's final paycheck. In the event that the employee's final paycheck will not cover the full reimbursement of the assistance amount awarded, the employee and the City will enter into a repayment schedule agreement.

SECTION 21: LONGEVITY PAY

Eligibility

The City will pay each regular full-time employee longevity pay in the amount of \$4.00 per month for each full year of service with the City, with accrual beginning at the end of the first full year and up to a maximum of twenty-five (25) years of service.

Employees rehired to fill regular full-time positions with the City will receive credit for their prior length of service as regular full-time employees for longevity pay purposes beginning at the end of the first full year of employment after the rehire date.

Longevity pay for regular part-time employees will be paid at a rate of \$2.00 per month for part-time employees for each full year of service with the City, with accrual beginning at the end of the first full year and up to a maximum of twenty-five (25) years of service.

An employee must be on the City payroll and have completed one year of service to receive longevity pay. Longevity pay will be paid to each employee on the payroll once a year, in December.

Police & Fire Longevity

In accordance with state statutes, the City pays each City police officer and firefighter longevity pay in the amount of \$4.00 per month for each full year of service in the department, not to exceed 25 years of service. (Legal reference: V.T.C.A. Local Government Code, Section 141.032).

Upon termination, police officers and firefighters will receive a pro-rated longevity payment based on the number of months employed in the calendar year.

SECTION 22: COST OF LIVING ADJUSTMENT

Eligibility

When cost-of-living or across the board pay adjustments are approved by the City Council, the increase will apply to eligible employees. Eligible employees include all regular employees, not including temporary employees, who have six (6) months of service, with no break in service.

CHAPTER VI

DISCIPLINARY ACTIONS AND COMPLAINT PROCEDURE

SECTION 1: AT-WILL STATUS

At-Will Status

Since the City of Taylor is an employment at-will City, every employee is subject to disciplinary measures, up to and including involuntary termination by the City Manager, his or her designee, or the respective Department Director.

It is the intent of the City to establish clear, positive, and proactive guidelines for corrective disciplinary action. The guidelines will help ensure appropriate behavior, prevent violations of policy, assist in counseling, and facilitate personnel actions related to job performance. It is the intent of these guidelines to ensure that all employees receive consistent and equal treatment. Application of these guidelines is discretionary, however, depending on each situation. Employees may be dismissed at any time.

As a public employee, you must maintain a high standard of conduct. This section does not affect the employment at-will status of City employees; it does point out conduct that jeopardizes an employee's employment status.

SECTION 2: DISCIPLINARY ACTION GUIDELINES

Corrective Action

When a Department Director uses performance counseling/disciplinary action guidelines, he/she should determine whether the corrective action(s) are to be geared towards bringing performance up to standard or correcting inappropriate behavior.

Management should give consideration to consistency of application within the City before taking any disciplinary action. Consideration should also be given to the circumstances surrounding the actions or behavior in question.

Any one or any combination of the disciplinary measures outlined below may be applied. Based on the severity of the violation and/or other relevant factors, management may at any time elect to waive one or more levels in the discipline process.

Substandard Performance

An employee who exhibits substandard work performance (failure to perform as opposed to misconduct or negligence) is subject to being counseled, reprimanded, separated, or otherwise disciplined. Recently hired (new) employees, or employees transferred to a new position may be provided coaching and/or training commensurate with their status.

Misconduct

Disciplinary action, including termination, will be taken for employee actions which are unacceptable, unlawful, or against established policy.

Human Resources Review

HRD should be consulted for advice on all types of disciplinary actions administered to employees as outlined in the Discipline Procedure. Suspensions and terminations will be reviewed and approved by the Human Resources Director and Executive Management prior to administering the action.

Once the recommended disciplinary action is approved by the Human Resources Director and Executive Management (as appropriate), the action may be administered to the employee.

Types of Discipline

Verbal Reprimand. Verbal reprimands will be documented by the supervisor and maintained by the Department Head within department files for performance evaluation and record keeping purposes.

Written Reprimand. Written reprimands shall be presented and a copy provided to the employee indicating the following:

1. The specific employee act(s) which demonstrated the unacceptable conduct or behavior,
2. The expected conduct or behavior,
3. That such act(s) must not be repeated,
4. That further disciplinary action may result if the employee fails to
5. show and maintain satisfactory improvement, and
6. Signed acknowledgement of receipt of the written reprimand by
7. employee.

Written reprimands may not be appealed by employees; however, employees who disagree with the counseling action may discuss the basis of disagreement with their Department Heads and provide a

written rebuttal. Written reprimands become a part of employee's permanent personnel files and shall be forwarded, along with any employee responses/rebuttals, to Human Resources. Written rebuttals must be submitted within ten (10) business days of receiving the written reprimand.

Suspension. Suspensions result in time off without pay.

1. A non-exempt employee may be suspended without pay for a period of not less than one work shift. Employees who are exempt under the FLSA must be suspended without pay for not less than one full work week (for example, 40 hours) and only in work week increments.
2. Prior to issuing a suspension, the Department Head, Human Resources, and the City Attorney's Office must confer.
3. A suspension becomes a permanent part of the disciplinary record maintained in the employee's permanent personnel file in Human Resources.

Dismissal. Dismissals result in termination of City employment.

1. Prior to issuing a dismissal, the Department Head, Human Resources, and the City Attorney's Office must confer.
2. A dismissal becomes a permanent part of the disciplinary record maintained in the employee's permanent personnel file in Human Resources.
3. The dismissal will be issued by the Supervisor, Department Head, or the Director of Human Resources, depending on where the action was initiated. The Department Head and Director of Human Resources, or a Human Resources designee will be present for each dismissal.
4. Dismissals may be appealed in accordance with City policy and standard operating procedures.

SECTION 3: EMPLOYEE GRIEVANCE PROCEDURE

Policy

The City recognizes that every employee has the right to be treated fairly in matters arising from employment in the City. Therefore, each employee should have the opportunity to be heard fully any time his/her right to fair treatment has been violated. This grievance process is designed to help reduce employee dissatisfaction, increase morale, identify problems in the organization and increase the positive perception employees have of their employment with the City.

Employees are always encouraged to address issues informally at the lowest possible level to seek resolution. When an employee believes the issues that have been discussed informally have not been resolved

regarding the terms and conditions of his/her employment, he or she may initiate proceedings as specified in this policy in order to resolve those matters.

This grievance procedure is not applicable to matters for which an appeal process is otherwise provided and may not be used in addition to or in replacement of those processes.

Conditions and Limitations

Under no circumstances shall more than one procedure be used to address the same grievance, although use of this or other procedures does not preclude employees from seeking legal remedies as appropriate.

The City retains the right under applicable laws and regulations to direct employees in the performance of their duties; to take the necessary means to achieve the proper ends under emergency situations; and to hire, promote, transfer and assign employees as well as to suspend, demote, discharge or take disciplinary action against such employees when necessary. A decision may be made at any step in the grievance procedure that the matter involved is not grievable.

Matters which may be grieved include, but are not limited to:

- Safety issues
- Inequitable distribution of work
- Inequitable/inappropriate treatment

Matters which may not be grieved include, but are not limited to:

- Compensation
- Work methods
- Equipment
- Hours of work
- Services provided
- Staffing levels
- Disciplinary action

The scope of the employee grievance must:

- clearly define the situation in question through a written allegation of the specific wrongful act or situation, the harm done and the facts upon which it is based;
- arise out of an act or failure to act that directly relates to the working conditions of the eligible employee or to the employee's employment relationship; and
- state such relief sought that is within the power of the department to grant.

A formal grievance may be filed only after implementation of the grievable action. However, it must be filed no greater than fourteen (14) calendar

days following the grievable action.

Procedure

The grievance procedure consists of three steps, each of which must be utilized in turn before progressing to the next step unless otherwise specified in this policy.

Step One - Immediate supervisor. An employee who believes that elements of his/her working environment are unsatisfactory and can be made more effective should take the following measures:

- Discuss the specific problem with his immediate supervisor. A problem that results from a specific event or action must be presented in writing within five (5) working days. The supervisor's decision regarding the matter shall be rendered in writing to the employee within five (5) working days following the meeting. The supervisor should notify HRD that a grievance has been submitted. The employee has the right to the presence of a representative of his choosing during this meeting.
- If the problem cannot be resolved through the meeting and/or the employee wishes to document the grievance for further action, he may submit a formal written grievance to his intermediate level supervisor. Employees who do not have an intermediate level supervisor may submit their grievance directly to their Department Director.

Step Two - Intermediate level supervisor. Grievances submitted to an intermediate level supervisor shall be in writing. The complaint must:

- Be submitted within five (5) working days following receipt of the immediate supervisor's response;
- Include a copy of the immediate supervisor's decision and justification;
- Specify the employee's grievance and the specific remedy requested;
- Provide a response to the immediate supervisor's decision; and
- Be responded to by the intermediate level supervisor within five (5) working days of receipt.

Step Three - Department Director. If the matter is not satisfactorily resolved in step two, the problem may be presented in writing to the Department Director, together with a copy of all preceding responses, within five (5) working days following the response of the employee's intermediate supervisor. The Department Director shall meet with the affected employee and a representative of his choosing; if so desired. A written response will be provided to the employee within seven (7) working days after receipt of the appeal from the employee. The decision of the Department Director is final.

NOTE: If the grievance is against the Department Director, then the

designated Assistant City Manager will handle the appeal. The Assistant City Manger's decision is final.

Written Responses to Grievances

Written responses to grievances shall include the following:

- notation of the time, date and person who received the grievance;
- analysis of the facts or allegation in the grievance;
- affirmation or denial of the allegations; and
- identification of the remedies or adjustments, if any, to be made.

Grievance Process Coordination

The Department Director should coordinate with HRD on the department's grievance process as established within these guidelines. The HR Representative will be responsible for ensuring the process is completed timely. Each department is responsible for grievances filed in their department and should keep them separate from personnel files. A copy of all grievances filed should be forwarded to Human Resources.

Time Limits

If a grievance is not submitted by the affected employee within the specified time limits provided in this policy, the grievance will not be considered. If the department fails to process a grievance within the time limits specified, the employee may initiate action by proceeding to the next step.

Time extensions - All times specified in this procedure are subject to scheduled PTO, sick leave or other authorized leave necessary for the proper conduct of departmental business. Additionally, involved parties may agree to a mutual extension by providing written notice to the other parties prior to the expiration of the time limit established for that step.

Retaliation

Retaliation against an employee for attempting to resolve a grievance, filing a grievance or for participating in an attempt to resolve a grievance will not be tolerated. Employees shall report such reprisal and/or retaliation to the Department Director and/or HRD. Supervisors will notify HRD and take appropriate corrective action to address any violations of law or policy that are discovered in the course of an attempt to resolve a grievance.

Withdrawal of General Grievance

At any time during the grievance process, the employee may withdraw the grievance by making written notification of the withdrawal available to all parties involved in the grievance process.